Consumer and Retailer Notice: Sale and Possession of Kratom in Ohio

Date Revised: 10/5/2026

This document replaces all previous guidance issued by the Ohio Board of Pharmacy on the enforcement of OAC 4729:9-1-01.1 and the manufacture, possession, and sale of kratom in Ohio.

DISCLAIMER: *The information contained in this notice does not, and is not intended to, constitute legal advice; instead, all information provided is for general informational purposes only. Information contained in this notice may not constitute the most up-to-date legal or other information. The Ohio Board of Pharmacy is not able to provide any additional guidance beyond what is provided in this notice. For additional questions, readers should contact an attorney to obtain advice with respect to the information provided in this notice.*

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Frequently Asked Questions

Q1) What is Kratom?

Kratom is a tropical tree in the coffee family (mitragyna speciosa) that is native to Southeast Asia. The kratom leaves are the part of the tree that are used and sold either fresh or dried. When dried, the kratom leaves are typically sold in the form of green powder. Dried leaves are also used to make tablets, capsules, extracts and gum as well as other edible products.

Q2) What forms of kratom are legal to sell in Ohio?

The following table provides an overview of what is legal to sell or possess in the state of Ohio under OAC 4729:9-1-01.1:

Form of Kratom	Examples	Legal in Ohio
Natural vegetative kratom. *Raw plant material, which may be chewed, or dried and crushed, including dried leaves ground into a powder.*		✓ **YES** OAC 4729:9-1-01.1 (effective May 19, 2026).
Blended kratom products. *Products containing kratom that are mixed with other ingredients (such as water, kava, or caffeine).*		✗ **NO** OAC 4729:9-1-01.1 (effective August 4, 2026, see Franklin County Common Pleas Court Case No. 26-CV-004790)

Kratom extracts and tinctures. *Concentrated liquid or resin forms, which isolate the alkaloids and are often much more potent than whole-leaf kratom.*	 	**NO** OAC 4729:9-1-01.1 (effective May 19, 2026)
Kratom-derived synthetic products. *Kratom-related (i.e., mitragynine-related) compounds, including, but not limited, to:* ▪ *7-hydroxymitragynine (sometimes referred to as 7-OH);* ▪ *Mitragynine pseudoindoxyl;* ▪ *Dihydro-7-hydroxy mitragynine (sometimes referred to as MGM-15); and* ▪ *7-acetoxymitragynine.*	 	**NO** OAC 4729:9-1-01.1 (emergency rule: effective December 12, 2025 / permanent rule: effective May 19, 2026)

IMPORTANT: Mitragynine in vegetative form, including natural kratom leaf and ground natural kratom leaf, is not a Schedule I controlled substance under this rule. All entities that possess, manufacture, market or sell kratom or kratom products must comply with R.C. Chapter 3715, the Pure Food and Drug Act, regardless of whether the kratom product is a controlled substance or not. For more information on kratom products and compliance with Ohio's food safety laws, visit: www.pharmacy.ohio.gov/kratomAG.

Q3) Does the rule impact kratom in its natural vegetative form that contains trace amounts of 7-hydroxymitragynine (7-OH)?

Kratom that is sold in its natural vegetative form that contains trace amounts of 7-OH may still be legally sold in Ohio. The Board's rule specifically exempts natural kratom in vegetation form (see Q2 of this document).

Q4) How do I identify kratom products banned under this rule?

Retailers and consumers should look for any products that do not meet the requirements listed in Q2 of this document.

Q5) Are there any additional requirements for the sale of natural kratom in vegetation form?

Those engaged in the sale of natural kratom in vegetation form are strongly encouraged to contact the Ohio Department of Agriculture's Division of Food Safety (614-728-6250 / foodsafety@agri.ohio.gov) with any questions.

Retailers and producers should consult the Ohio Department of Agriculture's guidance on kratom products and compliance with Ohio's food safety laws, by visiting: www.pharmacy.ohio.gov/kratomAG.

Q6) What do I do if I discover illegal kratom products on my shelves or in my possession?

These products should be disposed of immediately.