



LEGAL ADVISORY

KRATOM¹

The Commissioner of the Department of Public Health (DPH) has determined that kratom is an imminent hazard to public safety. Kratom is a leafy plant native to Southeast Asia containing naturally occurring substances which can relieve pain and can produce stimulating or sedating effects, depending on the amount taken and potency of the product.

Kratom products have been widely sold in smoke shops, convenience stores, and gas stations as powders, tablets, capsules, gummies, dissolvable strips, and in other forms. Because these products have been largely unregulated, their potency and ingredients can vary significantly, leaving consumers with no reliable way to know what they are taking or what health risks they may face.

Because of the hazards posed by Kratom use, DPH has promulgated regulations (105 CMR 726) which state that possession or distribution of kratom by any food, retail or other commercial establishment shall constitute an imminent health hazard. The regulations give municipalities, including local boards of health, the authority to remove all kratom products from retail establishments. This regulation took effect on August 28th, 2026, and will remain in effect for up to a year.

The regulation designates kratom as a Schedule I Controlled Substance under Massachusetts law, however, the regulation has no impact on criminal enforcement of substance abuse laws. Kratom is not a Class A, B, C, D or E substance under M.G.L. c. 94C § 31.

The Department of Public Health (DPH) and the Bureau of Substance Addiction Services (BSAS) expect disruptions in the availability of all kratom products. These products can act like potent opioids. Therefore, people who regularly use these products are likely to experience opioid tolerance and withdrawal symptoms

¹ Information for this advisory obtained from DPH, mass.gov/kratom, and 105 CMR 726.

For specific guidance on the application of this advisory, please consult your supervisor or your department's legal advisor.

when they stop or reduce their use, including craving, nausea, diarrhea, muscle and head aches, sniffing, sneezing, sweating, and irritability. They should seek medical care and/or substance use treatment.

For people who have an overdose from kratom, use [naloxone](#). If they have reduced or stopped breathing, [naloxone](#) should be administered as though it were an opioid-related overdose.

The Department of Public Health (DPH) has launched new resources at mass.gov/kratom to help residents understand the risks, recognize the signs of an overdose, learn how to respond to an overdose, and access treatment and recovery services.

For officers interested in learning more, there is a virtual training being held on Wednesday, September 9, 2026, at 4 PM: [Between the Leaves: Prevalence, Withdrawal and Approaches to Care for Kratom Use | Register | Training | Grayken Center for Addiction TTA | Boston Medical Center](#)

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