

# FRESNO COUNTY KRATOM LAW

## What Is Kratom?

- Kratom comes from a tree (*mitragyna speciosa*) native to Southeast Asia.
- It contains mitragynine and 7-hydroxymitragynine (7-OH) — substances that can act like stimulants in low doses and opioids in high doses.
- High levels of 7-OH can cause addiction, overdose, strong sedative or euphoric effects, nausea, vomiting, and in some cases psychosis. For additional information on Kratom, please see the following [Frequently Asked Questions](#).

## Why the County Took Action?

- Scientific research and health advisories have raised concerns about kratom's safety, especially products with higher concentrations of 7-OH.
- Some products on the market are misleadingly labeled, adulterated, or contain synthetic (not naturally occurring in kratom leaf) kratom-like substances.
- In 2025, the Food and Drug Administration (FDA) requested the Drug Enforcement Administration (DEA) to formally consider placing 7-OH on the controlled substances list due to safety concerns.
- The Fresno County Board of Supervisors enacted this law to protect community health and restrict harmful forms of kratom.

## What the Law Does

The law regulates the sale and distribution of kratom products in unincorporated areas of Fresno County (areas outside City limits). Only businesses or individuals authorized to sell tobacco products are allowed to sell kratom under the Fresno County law. The law still allows the sale of kratom leaf and certain kratom products, as long as they meet all requirements and regulations outlined below.

### The following are now prohibited:

- Selling, offering, or distributing kratom to anyone under 21 years of age.
- Kratom products containing 2% or more 7-hydroxymitragynine (7-OH) of the total alkaloids (main active chemicals found in kratom, such as 7-OH) in the product.
- Selling kratom products with labels removed or altered to hide ingredients.
- Selling kratom without verifying age to ensure compliance with the law.
- Selling kratom products containing synthetic, semi-synthetic, or chemically altered kratom-like substances.
- Selling kratom products in packaging that is attractive to children, including, but not limited to: cartoons, toys, robots, real or fictional humans or creatures, candy-like imagery, brand names or labeling used for children's foods, imitation candy packaging, cereals, chips, similar products, or any imagery likely to appeal someone under 21.

## Penalties for Violations

### Administrative fines:

- \$1,000 – First violation.
- \$2,000 – Second occurrence of the same violation (within one year of the first violation).
- \$3,000 – Third or subsequent occurrence of the same violation (within one year of the first violation).

### Additional consequences:

- Civil lawsuits, including injunctive relief.
- Possible business license revocation, if applicable.
- Enforcement by the County Health Officer.

### Individuals harmed by violations may file private lawsuits seeking:

- Actual damages or \$1,000 minimum per violation, whichever is greater.
- Liable for reasonable attorney's fees and costs of litigation.
- A jury or court may award punitive damages where warranted.

## When Does It Take Effect?

The law becomes effective on January 8, 2026.

For more information, please visit: [www.fcdph.org/kratom](http://www.fcdph.org/kratom).

Developed: 1/9/2026