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Director and State Public Health Officer

Gavin Newsom
Governor

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To: Licensed Tobacco Retailers

Prohibition on the Sale of Kratom and 7-OH Products

Dear Tobacco Retailer Licensee or Stakeholder,

The California Department of Public Health (CDPH) is sending this letter to educate and inform you that the retail and online sale of kratom and 7-hydroxymitragynine (aka 7-OH) products in any form for consumption is unlawful per California Health and Safety Code (HSC) [110555](#) because these products are not approved and may cause harmful effects.

CDPH enforces laws and regulations for food and drugs in California, and California adopts federal law on food additives, dietary supplements, and new drug applications in accordance with the Federal Food, Drug, and Cosmetic Act. [Per the U.S. Food and Drug Administration](#), kratom and its two main chemical compounds, Mitragynine and 7-OH, are not approved as a food product, dietary supplement, or drug product.

Any product sold at your store containing kratom or 7-OH is considered adulterated and illegal to sell to individuals of any age for consumption. CDPH has statewide authority to embargo, seize and impound products containing kratom per HSC §§ [110555](#). CDPH will continue to take action to remove products or raw materials containing kratom or 7-OH.

Kratom and 7-OH products vary widely in potency, which increases the risk of unexpected effects and contamination. Therefore, [CDPH is warning](#) the public that foods and other products containing kratom and 7-OH are illegal to sell or manufacture for consumption and may result in addiction, serious harm, overdose, and death.

Retailers that fail to comply with the laws that prohibit the sale and marketing of kratom and 7-OH for consumption may be subject to legal action and enforcement measures.

Benson Yee, Chief
Food and Drug Branch
California Department of Public Health