

AN ORDINANCE OF THE CITY OF GLUCKSTADT, MISSISSIPPI PROHIBITING THE USE, PURCHASE, POSSESSION, DISBRIBUTION, SALE OR OFFERING FOR SALE OF SYNTHETIC COCAINE, OTHER SYNTHETIC PRODUCTS, OR KRATOM

WHEREAS, the U.S. Food and Drug Administration (“FDA”) has issued several warnings (<https://www.fda.gov/news-events/public-health-focus/fda-and-kratom>) addressing illegal marketing of the drug’s unproven ability to treat opioid withdrawal, heavy metals found in kratom products, and a recall on kratom products due to a risk of salmonella; and

WHEREAS, there are no FDA approved uses for the drug. The FDA is concerned that kratom, which affects the same opioid brain receptors as morphine, appears to have properties that expose users to the risks of addiction, abuse, and dependence; and

WHEREAS, in November 2017, the FDA issued a public safety advisory warning for consumers not to use kratom because “it appears to have properties that expose users to the risks of addiction, abuse, and dependence;” and

WHEREAS, kratom is not controlled under the Controlled Substances Act, and there are no state regulations or prohibitions against the possession and use of kratom. The FDA has not approved kratom for any medical use. In addition, U.S. Drug Enforcement Administration has listed kratom as a Drug and Chemical of Concern; and

WHEREAS, according to the Mayo Clinic (<https://www.mayoclinic.org/healthy-lifestyle/consumer-health/in-depth/kratom/art-20402171>), (1) studies on the effects of kratom have identified many safety concerns and no clear benefits, (2) kratom has been reported to cause abnormal brain function when taken with prescription medicines, causing severe headache, the inability communicate or confusion; (3) in a study testing kratom as a treatment for symptoms of opioid withdrawal, people who took kratom for more than six months reported withdrawal symptoms similar to those that occur after opioid use. Too, people who use kratom may begin craving it and require treatments given for opioid addiction, such as naloxone (Narcan) and buprenorphine (Buprenex); (4) Kratom adversely affects infant development. When kratom is used during pregnancy, the baby may be born with symptoms of withdrawal that require treatment; and (5) as of April 2018, more than 130 people in 38 states became ill with Salmonella after taking kratom. Salmonella poisoning may be fatal, and as of then, the FDA had linked more than 35 deaths to Salmonella-tainted kratom. Salmonella contamination has no obvious signs, so the best way to avoid becoming ill is to avoid products that may contain it; and now therefore, in order to preserve the health, safety, and welfare of the citizenry,

BE IT ORDAINED that the City of Gluckstadt, Mississippi hereby adopts the following ordinance which prohibits the use, purchase, possession, distribution, sale or offering for sale of synthetic cocaine, other synthetic products, or kratom, as set forth herein below, to-wit:

Section 1. Use, purchase, possession, distribution, sale or offering for sale of synthetic cocaine, other synthetic products, or kratom; prohibited.

(a) No person shall use, possess, purchase, distribute, manufacture, sell or attempt to use, possess, purchase, distribute or sale or publicly display for sale any one or more of the following within the city:

(1) Products sold as “bath salts” under the trade names: Ivory wave, bliss, white lightning, hurricane Charlie, super code, cloud 9, peeve, ocean magic, white dove, and other trade names, and/or containing one or more of the following compounds or chemicals:

- a. u3,4-Mehtylene-dioxymethcathinone (Methylone);
- b. u3,4-Methyenedioxy-pyrovalerone (MDPV);
- c. u4-Methylmeth-cathinone (Mephedrone);
- d. u4-Methoxymeth-cathinone;
- e. u4-Fluorometh-cathinone.

(2) Products sold as “kratom,” or any part of the plant *Mitragyna Speciosa*, *Mitragyna Speciosa* Korth, *Mitragyna speciosa* leaf extract, *Mitragyna speciosa* extract, whether growing or not, and any compound, manufacture, salt, derivative, capsule, tablet, caplet, gelcap, pill, powder, liquid, vegetative material, mixture, or preparation of the plant, including but not limited to any product containing mitragynine, or 7-hydroxymitragynine.

(3) This includes any *Mitragyna speciose* specific alkaloids, isomers, esters, ethers, salts, and salts of isomers, and ethers, including but not limited to synthetics or natural products which include the active ingredients in kratom, such as:

- a. Ajmalicine (raubasine);
- b. Mitraphylline;
- c. Rhynchophylline;
- d. Mitragynine pseudoindoxyl;

Section 2. Said Ordinance having been previously reduced to writing, a motion was made by Alderman Wellisim and seconded by Alderman Bates to adopt the Ordinance and no request having been made by the Mayor or any member of the Board of Aldermen that said Ordinance be read by the City Clerk before a vote was taken, and reading of such having been waived, said Ordinance was adopted by the vote of the Board of Aldermen, the results being as follows:

	Aye	Nay
ALDERWOMAN BATES	✓ _____	_____
ALDERMAN POWELL	✓ _____	_____
ALDERMAN SLAY	✓ _____	_____
ALDERMAN TAYLOR	✓ _____	_____
ALDERWOMAN WILLIAMS	✓ _____	_____

The Mayor thereby declared the motion carried and the Ordinance adopted and approved on this the 13 day of December, 2022.

Section 3. Effective Date. This Ordinance shall be effective one (1) month from and after the date of its adoption and following newspaper publication as provided by Miss. Code Ann. § 21-13-11 (Rev. 2015).

SO ORDAINED, THIS THE 13 DAY OF December, 2022.

Walter Morrison

WALTER C. MORRISON, IV
MAYOR

Attest:

Lindsay Kellum
LINDSAY D. KELLUM
CITY CLERK

