



## Media Information

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### **RiverStone Health to begin enforcing prohibition on Kratom food and beverage sales in Yellowstone County**

Billings, MT – Since 2020, at least 29 individuals in Montana have lost their lives due to kratom overdose. In response to increasing health and safety concerns, RiverStone Health Environmental Health Services will begin enforcement against the sale or serving of food or beverage products containing kratom in licensed retail food establishments within Yellowstone County, effective January 1, 2026.

RiverStone Health, the Yellowstone City-County Health Department, is responsible for enforcing food safety regulations and licensing retail food establishments under contract with the Montana Department of Public Health and Human Services (DPHHS).

Montana's food code requires that all food and beverage ingredients sold in the state are classified by the US Food and Drug Administration (FDA) as safe and suitable for consumption. The FDA has explicitly stated that kratom cannot be legally marketed as a dietary supplement and has not approved it as a food ingredient. Furthermore, the FDA does not differentiate between synthetic 7-OH and natural leaf kratom in its analysis. Since kratom is not an FDA-approved food, beverage, or dietary ingredient, its inclusion in foods and beverages is prohibited from being sold in licensed food establishments.

Kratom is a tropical plant, native to Southeast Asia. Consumption of its leaves may produce stimulant effects at low doses and sedative effects at higher doses, and can result in psychotic symptoms, along with psychological and physiological dependence. The leaves contain two primary active ingredients, mitragynine and 7-hydroxymitragynine (7-OH), both interact with opioid receptors in the brain.

Kratom and its concentrated, synthetic variants are available in various forms, including powders, teas, liquid shots, canned drinks, foods, and pills. While small doses may act as stimulants, larger doses exhibit opioid-like properties with risks of addiction, withdrawal, or overdose.

In July, FDA requested the Drug Enforcement Administration (DEA) to begin classifying highly concentrated, synthetic 7-OH as a Schedule 1 controlled substance, defined as having no accepted

medical use and a high potential for abuse. This category includes substances such as heroin, LSD, and ecstasy. Although federal regulation remains incomplete, the sale and use of kratom and its synthetic derivatives is currently prohibited in seven states, numerous localities across the United States, and 33 countries worldwide.

“As the agency responsible for monitoring the safety of licensed food establishments in Yellowstone County, we are committed to consistent enforcement of Montana’s food safety code while educating businesses and consumers about the risks associated with all unapproved and potentially unsafe food additives,” stated Jon Forte, RiverStone Health CEO and Health Officer.

According to the FDA, kratom use poses significant health risks, including seizures, liver damage, acute toxicity that may result in coma or death, and varying short- and long-term health impacts depending on the product, exposure duration and frequency, concentration, and route of administration. Kratom is not considered safe when used concurrently with most prescription medications.

“We also remain concerned regarding the risks associated with highly concentrated, synthetic 7-OH products, which often have chemical concentrations exceeding those found in the natural plant. Consumers may be unaware of the composition or dosage of these products,” added Forte. Individuals with personal health concerns are advised to consult their physician regarding kratom, particularly when taking prescription medication.

RiverStone Health’s Environmental Health Service commenced outreach to licensed food establishments earlier this year concerning the risks of kratom and the prohibition under the Montana Food Code. Beginning in 2026, any establishments continuing to sell kratom-containing products will be subject to enforcement actions by the health department.

For more information regarding kratom, please visit [RiverStoneHealth.org/Kratom](https://RiverStoneHealth.org/Kratom) or contact RiverStone Health Public Health Services at 406.247.3305.

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