

The Honorable Chuck Grassley
Chairman, Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Members of the Committee,

We write to you as a consumer advocacy group to express strong opposition to recent actions by federal agencies under the jurisdiction and oversight of this Committee.

On Tuesday in Kansas City, Missouri, agents of the Department of Justice, U.S. Marshals Service, and Food and Drug Administration conducted a [raid and seizure](#) of more than 73,000 units of kratom derivative products like 7-hydroxymitragynine (7-OH) at private warehouses.

The supervising U.S. Attorney in the [accompanying press release](#) claimed all 7-OH products are “illegal under federal law,” and thus subject to seizure.

We would remind this Committee that no such federal laws have been enacted by either this body or Executive agencies to this effect.

On July 29, 2025, the FDA [recommended](#) a scheduling action to control certain 7-OH products under the Controlled Substances Act (CSA), but that recommendation remains pending at the Drug Enforcement Agency as of today, December 3rd, 2025.

At present, 7-OH products are not illegal under federal law and are currently awaiting a deliberative and participatory scheduling process mandated by law to collect comments, testimony, and expertise from scientists, citizens, and all concerned stakeholders.

These police actions in Missouri were conducted by remit of the FDA via seizure complaints filed in the U.S. District Court for the Western District of Missouri.

As the Oversight committee for the Department of Justice, we would ask for full accountability to clarify what rulemaking authority is being rendered to carry out these actions in contravention of the democratic process afforded by the Controlled Substances Act.

Hundreds of thousands of Americans depend on 7-hydroxymitragynine (7-OH) to support wellness and reduce illicit substance use in a safe and responsible manner. For many, 7-OH, like kratom, serves as a vital harm reduction tool, keeping them away from harmful alternatives that carry far greater risks. Prohibition would criminalize these

individuals and drive them toward unsafe, unregulated markets with no guardrails, undermining years of progress in combating the illicit foreign drug trade that this Committee has long sought to address, while reigniting a new war on drugs that would devastate communities across the country.

Notably, authorities who recommended 7-OH be listed as a Schedule 1 substance presented no compelling evidence or data demonstrating that this popular compound constitutes a public health emergency. Over a [million](#) Americans have consumed more than one billion servings of 7-OH, yet the FDA's own [data](#) show only about 40 adverse health events – hundreds fewer than are associated with soap – and not a single confirmed death from 7-OH ingested in isolation.

Rather than permitting a policy of “ban first, ask questions later,” Congress should exercise its authority to pursue a regulatory framework that prioritizes consumer protections for 7-OH products. That means strict age verification, licensing requirements, clear labeling standards, independent testing, and transparent reporting of potency and ingredients. It also requires investment in public education so families and communities can make informed choices with the latest science.

The regulation of 7-OH would constitute a scientific and evidence-based path forward that allows for appropriate quality control, further research, and consumer protection, while preserving access to safer and more affordable options for those seeking wellness or struggling with addiction.

Responsible oversight and rigorous standards can address any genuine risks without criminalizing law-abiding consumers or erasing years of progress in the fight against the foreign drug trade.

We urge the Committee to reject sweeping prohibitionist measures and instead enact evidence-based regulation that protects both public health and consumer autonomy.

Thank you for your leadership and attention to this important issue.

Sincerely,

Consumer Choice Center

