

(U) United Kingdom: An Emerging Supplier of Kratom to the United States Despite New Restrictions



DEA
BULLETIN



(U) This DEA Bulletin is based on preliminary reporting and may be subject to updating as additional information becomes available.

DEA-EAF-BUL-020-17
NOVEMBER 2016

(U) Event

(U//DSEN) In April and May 2016, the United Kingdom (UK) National Crime Agency (NCA) notified the Drug Enforcement Administration (DEA) London Country Office (LCO) that United Kingdom Border Force (UKBF) officers seized over 8 metric tons of a substance believed to be dried khat that was being shipped to the United States. The shipments were returned to the UK by the U.S. Food and Drug Administration (FDA) because they contained “prohibited contents.” Forensic analysis of the seizures later confirmed the substance was kratom.

(U) Significance

(U//DSEN) This seizure highlights a significant increase in the amount of kratom transiting the UK enroute to the United States as well as the difficulty in identifying the wide range of new psychoactive substances (NPS) and other drugs of concern currently available. A review of seizure data provided by NCA to the DEA LCO indicates that kratom is increasingly being shipped to buyers in the United States, likely due to efforts to control other NPS drugs. Additionally, kratom seizures are—in many cases—mistakenly classified as “dried khat” due to a lack of familiarity with the two substances. Both kratom and khat are typically shipped in bulk quantities, are mislabeled, and can be similar in appearance.

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(U) Details

(U//DSEN) In April and May 2016, UK authorities seized 296 packages containing 8,265 kilograms of suspected dried khat. They had originally been packaged and shipped by distributors in the UK and sent to buyers in Georgia, Nevada, and New York. The packages were originally shipped to the United States between September and November 2015, but were returned to the UK by the FDA because they contained “prohibited contents.” Further investigation and forensic analysis by the DEA LCO, DEA Special Testing and Research Laboratory (STRL), and other law enforcement partners confirmed that the substance in this case was actually kratom. Several factors reinforced this belief, including the apparent origin of the material; reporting regarding the intended U.S. recipients; and comparisons to other kratom seizures analyzed by DEA STRL. Reporting suggests several other seizures by UK authorities, previously believed to be khat, were most likely kratom.

(U) According to open sources, *mitragyna speciosa* or “kratom” is a tropical deciduous and evergreen tree native to Southeast Asia. Kratom has long been used in Southeast Asia as an anti-diarrheal medicine, painkiller, and recreational drug. The pharmacological and psychoactive effects of kratom are not well known, but the substance is thought to have the stimulant and sedative properties of a mild opiate. Adverse effects such as insomnia, nausea, vomiting, chest pain, dizziness, and confusion have also been reported. The U.S. Center for Disease Control (CDC) attributed at least 15 deaths between 2014 and 2016 to kratom, although in most cases kratom was combined with other controlled substances.

(U//DSEN) Law enforcement reporting and open sources indicate that kratom is increasingly popular in the United States. It is often sold as a capsule filled with powdered leaf material and is marketed as a legal, undetectable, and relatively safe drug. Like other new NPS drugs, kratom is generally sold online and in head shops and convenience stores, and is marketed towards young people. In many cases, kratom distributors are also involved in other criminal activity, including selling other drugs; money laundering; and import / export violations. For example, the DEA LCO and DEA Carlsbad Resident Office (CRO) are conducting a joint investigation into a kratom distribution ring in California known to distribute other drugs and engage in money laundering.”

(U) While kratom is not currently banned under U.S. Federal law, some state and local governments have legislated prohibitions. For example, kratom is illegal under Alabama, Arkansas, Indiana, Tennessee, Vermont, and Wisconsin state law. Kratom has also been banned in various countries in Europe, as well as Australia, Burma, New Zealand, Thailand, and under certain circumstances, Malaysia. On May 26, 2016, the UK Government enacted the Psychoactive Substances Act (PSA), which is designed to combat the rise of NPS and eliminate the need to proscribe every NPS that appears on the market. The PSA now makes it illegal to produce or distribute *any* substance having a psychoactive effect, including kratom, and is punishable by both fines and imprisonment.

(U) This product was prepared by the DEA Brussels Country Office – Europe/Africa Region. Comments and questions may be addressed to the Chief, Analysis and Production Section at dea.onsi@usdoj.gov.



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