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**5KER26-9. Requirement to Label Kratom Products.**

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West's Florida Administrative Code

Title 5. Department of Agriculture and Consumer Services

Subtitle 5k. Division of Food Safety

Chapter 5ker26. Emergency Rules for the Year 2026

**Effective: July 1, 2026**

Rule 5KER26-9, F.A.C.

Fla. Admin. Code r. 5KER26-9

**5KER26-9. Requirement to Label Kratom Products.**

Currentness

**Emergency action effective July 01, 2026.**

(1) Kratom Products, as defined in Rule 5K-4.030, F.A.C., shall declare on the label the concentration of the following compounds, including the isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation for each, expressed in milligrams per gram (mg/g) for solid or powdered Kratom Products and milligrams per milliliter (mg/mL) for liquid Kratom Products:

- (a) 7-Hydroxymitragynine - (methyl (E)-2-[(2S,3S,7aS,12bS)-3-ethyl-7a-hydroxy-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-indolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate);
- (b) 9-Hydroxycorynantheidine (9-O-Demethylmitragynine) - methyl (E)-2-[(2S,3S,12bS)-3-ethyl-8-hydroxy-1,2,3,4,6,7,12,12b-octahydroindolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate;
- (c) 10-Hydroxycorynantheidine ((20S)-10-hydroxycorynantheidine) - Methyl (E)-2-[(2S,3S,12bS)-3-ethyl-9-hydroxy-1,2,3,4,6,7,12,12b-octahydroindolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate;
- (d) Mitragynine pseudoindoxyl - Methyl (E)-2-[(2S,6'S,7'S,8'aS)-6'-ethyl-4-methoxy-3-oxospiro[1H-indole-2, 1'-3, 5, 6, 7, 8, 8a-hexahydro-2H-indolizine, -7'-yl]-3-methoxyprop-2-enoate;
- (e) 7-Acetoxymitragynine - Methyl (E)-2-[(2S,3S,7aS,12bS)-7a-acetyloxy-3-ethyl-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-indolo[2, 3-a] quinolizin-2-yl]-3-methoxyprop-2-enoate;

(f) Dihydro-7-hydroxymitragynine (MGM-15) - (E)-methyl 2-((2S,3S,7aS,12aR,12bS)-3-ethyl-7a-hydroxy-8-methoxy-1,2,3,4,6,7,7a,12,12a,12b-decahydroindolo[2,3-a]quinolizin-2-yl)-3-methoxyacrylate; and

(g) 9-Fluoro-7-hydroxymitragynine (MGM-16) - (E)-methyl 2-((2S,3S,7aS,12aR,12bS)-3-ethyl-9-fluoro-7a-hydroxy-8-methoxy-1,2,3,4,6,7,7a,12,12a,12b-decahydroindolo[2,3-a]quinolizin-2-yl)-3-methoxyacrylate.

(2) The compounds included in paragraphs (1)(e), (1)(f), and (1)(g) do not meet the definition of a Kratom Product as provided in s. 500.92, F.S., and Rule 5K-4.030, F.A.C., and are therefore adulterants. These compounds cannot be present in a Kratom Product.

(3) If any of the concentrations required in subsection (1) are below the method detection limit, the method detection limit shall be used as the stated concentration. The sum total of the measured concentrations and method detection limits, whichever are greater for each compound, must be less than 1 mg/g or 1 mg/mL for solids and liquids, respectively.

(4) Kratom Products shall declare the alkaloid ratio on the label. The alkaloid ratio is the combined total mass in milligrams, of each compound listed in paragraphs (1)(a) through (1)(g) to the total amount, in milligrams, of mitragynine in the Kratom Product, expressed in whole integral numbers. For example, a Kratom Product weighing more than 5g with 1.1 mg of 7-Hydroxymitragynine and 3.6 mg of Mitragynine pseudoindoxyl and 500.2 mg of total mitragynine would be expressed as "Alkaloid Ratio 5 mg:500 mg".

(5) The concentrations required in paragraphs (1)(a) through (1)(g) and the alkaloid ratio required by subsection (4) shall be permanently affixed to the Kratom Product package in a clear and conspicuous manner, including using a color, type size, and contrasting background that render the information likely to be read and understood by the ordinary individual under customary conditions of purchase and use, and does not include affixing the required information solely to the bottom of the container.

(6) The sale of Kratom Products in violation of Rule 5K-4.030, F.A.C., or of this emergency rule shall be subject to penalties as provided in subsection 5K-4.030(5), F.A.C.

## Credits

Adopted emergency effective July 1, 2026. Tech. change, July 1, 2026.

Authority: 500.09, 500.12, **500.92**, 570.07(23) FS. Law Implemented 500.03, 500.04, 500.09, 500.10, 500.11, 500.12, 500.121, 500.13, **500.92**, 500.172 FS.

Adopted rules current with amendments effective on or before August 13, 2026. Some rules may be more current, see credits for details. For Emergency rules, see credit for details.

Rule 5KER26-9, F.A.C., 5 FL ADC 5KER26-9