

## Kratom Is No Longer a Narcotic

The Narcotics Act B.E. 2522 (1979) (“NA”) was recently amended by the Narcotics Act (No. 8) B.E. 2564 (2021) (“**Amended NA**”). The Amended NA was published in the Government Gazette on 26<sup>th</sup> May 2021 and came into force on 24<sup>th</sup> August 2021.

The Amended NA excludes Kratom (*Mitragyna speciosa* (Korth.) Havil) from the list of the category 5 narcotics under the NA. The exclusion has resulted in the criminal offenses and penalties for production, importation, exportation, possession, distribution or possession for the purposes of distribution, and consumption of Kratom without a prescription from a medical practitioner or a dentist for the medical purpose having been abolished. Kratom can now be cultivated, consumed, bought and sold without violation against the NA. The offenders who committed offences relating to Kratom and are detained or imprisoned will be released. They will be deemed as persons who have never committed a Kratom-related offense.

On 1<sup>st</sup> June 2021, the Cabinet also approved in principle the draft of the Kratom Act to regulate the cultivation, importation and exportation of Kratom for commercial or industrial purposes. It includes provisions on prohibition against selling Kratom or Kratom drinks to some groups of persons at some locations. The draft Kratom Act is currently being reviewed by the House of Representatives.



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