



JANUARY 25, 2026

Dear Ohio Board of Pharmacy --

On behalf of tens of thousands of Ohioans suffering from a wide range of ailments, mental and physical debilitations, chronic pain, severe emotional distress, and chemical dependence, as well their loved ones, family, friends, and caregivers, Consumer Action for a Strong Economy (CASE), writes today to express our strong opposition to the proposed classification of mitragynine (commonly known as kratom) derived products as a Schedule I Controlled Substance.

This proposed classification would ban the use of kratom products in Ohio (exempting kratom in its natural leaf form), criminalizing those adults who use regulated kratom derivatives. When examined thoroughly, taking into consideration the diverse group of individuals who have come to depend on these formularies, this policy is empty window dressing at best, and a cruel denial of freedom from physical and emotional pain at worst. By way of analogy, banning kratom-derived products is akin to banning chewing gum in response to an explosion in the use of chewing tobacco.

Kratom-derived products are used by many thousands of Ohio residents to help alleviate chronic pain, stress, and depression. Critically, their use has shown to be enormously beneficial to many seeking to curb their addiction to deadly opioids, which have destroyed the lives of countless Ohioans. A sweeping ban on products that have verifiable benefits for recovering addicts is a mistake that would needlessly increase suffering for more people than can be counted.

There are alternative approaches that would address concerns related to the use of kratom and kratom-derived products absent an outright ban. Regulations could be enacted that would limit kratom-derived products to adults 21 and over, place clear warning labels on the kratom products, require independent lab testing for potency and contaminants, or crack down on misleading or youth-targeted marketing.

An outright ban, which would be the result of a Schedule I classification, represents the most restrictive policy possible. As most Americans know, health and law-enforcement data show the vast majority of overdose deaths involve illicitly manufactured fentanyl and other synthetic drugs – not kratom or kratom-derived products.

Many adults report they currently use kratom products to cope with pain or opioid withdrawal. Compare that with the thousands of deaths involving heroin or opioids. If these products are suddenly made illegal, some will turn back to the illicit market where fentanyl is widespread and the odds of overdose very high.

While we greatly respect Governor DeWine's desire to protect the health and well-being of the great people of Ohio, his actions and those who support him are entirely misguided. There is insufficient data to demonstrate that the proposed ban will achieve its desired outcome, or that it won't cause far more harm than good. To the contrary, there is ample evidence that an outright ban of kratom-derived products will cause enormous suffering among its many thousands of users, who would have no choice but to either engage in criminal activity on the black market to obtain their desired kratom products or endure their afflictions with no relief given the absence of viable alternatives.

The stakes are enormous, especially for the victims of mental and physical illnesses. These are real Ohio residents, with names and faces, who will be denied perhaps the one product that makes their day bearable or provides their lives with hope of a better future. We cannot be so cruel as to ignore their pain and sacrifice their needs at the altar of political expediency and misguided public policy.

CASE urges the Ohio Board of Pharmacy to reject the proposed classification of mitragynine as a Schedule I Controlled Substance. Please consider developing a comprehensive and effective policy that will employ effective guardrails for public health without penalizing and punishing Ohioans seeking relief from their daily suffering.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerard Scimeca". The signature is fluid and cursive, with a prominent loop at the end.

Gerard Scimeca
Chairman, CASE