



Agenda Report

Fullerton City Council

MEETING DATE: APRIL 21, 2026

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: JON RADUS, CHIEF OF POLICE

PREPARED BY: PEDRAM GHARAH, POLICE CAPTAIN
LAUREN PARKHOUSE, SENIOR ADMINISTRATIVE ANALYST

SUBJECT: MUNICIPAL CODE UPDATE PROHIBITING UNLAWFUL KRATOM PRODUCT SALE OR DISTRIBUTION

SUMMARY

Staff requests City Council consider an ordinance prohibiting unlawful sale or distribution of Kratom products in Fullerton

PROPOSED MOTION

Introduce Ordinance No. XXXX for first reading and waive further reading of the ordinance.

ORDINANCE NO. XXXX – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, ADDING CHAPTER 7.22 (RESTRICTIONS ON THE SALE OR DISTRIBUTION OF KRATOM PRODUCTS) TO TITLE 7 (PUBLIC SAFETY AND MORALS) OF THE FULLERTON MUNICIPAL CODE

ALTERNATIVE OPTIONS

- Approve the Proposed Motion
- Other options brought by City Council.

STAFF RECOMMENDATION

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

None.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Public Safety.

FISCAL IMPACT

There is no fiscal impact.

BACKGROUND AND DISCUSSION

The Drug Enforcement Administration (DEA) and the National Institute of Health (NIH)¹, describe Kratom as a tropical tree (*Mitragyna speciosa*) native to Southeast Asia with leaves producing both stimulant effects (low doses) and sedative effects (high doses) which can lead to psychotic symptoms and psychological and physiological dependence.

The active compounds in Kratom include mitragynine and 7-hydroxymitragynine (7-OH). Mitragynine is present in higher concentrations while 7-hydroxymitragynine is more potent and largely responsible for stronger pain-relieving, sedative and euphoric effects. 7-hydroxymitragynine binds to opioid receptors in the brain with greater affinity than morphine, making it significantly more powerful in relieving pain. This greater potency raises significant concerns about its safety profile, especially the potential for addiction, overdose and adverse physical and psychological effects including nausea, vomiting and seizures or psychosis. These risks compound when products contain higher concentrations of 7-hydroxymitragynine.

Scientific research and health advisories raised concerns regarding Kratom product safety, particularly those with higher concentrations of 7-hydroxymitragynine which may increase abuse and harm to public health. FDA has not approved medical uses for Kratom and the DEA listed it as a Drug and Chemical of Concern.

Several cities in California regulate or ban Kratom products, recognizing the need to protect public safety, especially among vulnerable populations. Newport Beach, San Diego and the County of Orange have enacted a complete ban on the sale or distribution of all Kratom products - irrespective of the 7-hydroxymitragynine content concentration.

The proposed ordinance would prohibit any individual, business or entity from selling, attempting to sell, offer, provide or distribute a Kratom product or 7-OH product under the following circumstances:

- to a person under 21 years of age
- products with a level of 7-hydroxymitragynine greater than 2 percent of the total Kratom alkaloids in the product
- products in packaging attractive to children.

Any person violating the proposed Fullerton Municipal Code chapter is guilty of a misdemeanor and upon conviction thereof may be punished by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months or by both such fine and imprisonment.

¹ <https://nida.nih.gov/research-topics/kratom>

Attachments:

- Attachment 1 – Draft Ordinance

cc: City Manager Eddie Manfro