November 26, 2024

Todd Underwood
President
TNT Manufacturing dba Mittwellness
2857 SW US-40 Hwy
Blue Springs, Missouri 64015

Dear Todd Underwood:

This letter responds to the notification that you submitted, pursuant to 21 United States Code (U.S.C.) § 350b(a)(2) (section 413(a)(2) of the Federal Food, Drug, and Cosmetic Act (the Act)), to the Food and Drug Administration (FDA or we). FDA received and filed the notification on September 16, 2024. Additional information was received on September 20, 2024. Your notification concerns the new dietary ingredient "*Mitragyna speciosa* leaf extract standardized to 75% mitragynine" that you intend to market as a bulk dietary ingredient.

According to the amended notification, the conditions of use are: "Intended for intermittent use for no more than 28 days." Maximum Serving: "Up to 50 mg mitragynine per serving (67 mg NDI) and no more than 150 mg mitragynine (201 mg NDI) per day." Target/excluded populations: "The target population is generally healthy individuals over 21 years of age. The product is not for use in women who are pregnant, nursing, or plan to become pregnant. The product is not intended for use in individuals with preexisting conditions. Individuals should consult with a healthcare professional prior to use especially if they take other medications or substances that may interact with the NDI, especially CNS active compounds and compounds metabolized in the gut by CYP3A4. Individuals with a history of substance abuse should use caution when taking this product."

Under 21 U.S.C. § 350b(a), the manufacturer or distributor of a dietary supplement containing a new dietary ingredient that has not been present in the food supply as an article used for food in a form in which the food has not been chemically altered must submit to FDA, at least 75 days before the dietary ingredient is introduced or delivered for introduction into interstate commerce, information that is the basis on which the manufacturer or distributor has concluded that a dietary supplement containing such new dietary ingredient will reasonably be expected to be safe. FDA reviews this information to determine whether it provides an adequate basis for such a conclusion. Under 21 U.S.C. § 350b(a)(2), there must be a history of use or other evidence of safety establishing that the new dietary ingredient, when used under the conditions recommended or suggested in the labeling of the dietary supplement, will reasonably be expected to be safe. If this requirement is not met, the dietary supplement is considered to be adulterated under 21 U.S.C. § 342(f)(1)(B) because there is inadequate information to provide reasonable assurance that the new dietary ingredient does not present a significant or unreasonable risk of illness or injury.

FDA has carefully considered the information in your submission, and the Agency has significant concerns about the evidence on which you rely to support your conclusion that "*Mitragyna speciosa* leaf extract standardized to 75% mitragynine" will reasonably be expected to be safe under the conditions of use described in your notification.

FDA was unable to establish the identity of your new dietary ingredient based on the information provided in your notification. For example, the notification did not provide adequate information to

establish and verify the identity of the botanical starting materials and the proposed NDI, did not provide a complete description of the manufacturing process, and did not provide adequate analytical testing of the starting materials and the proposed NDI to verify that they met specifications.

FDA was unable to establish the safety of your new dietary ingredient based on the information provided in your notification. For example, the notification provided inadequate evidence to establish the relationship between the test articles and the proposed NDI. Without adequate information establishing the relationship to that of your NDI, it is unclear how the product you intend to market is qualitatively and quantitatively similar to the substances described in the information that you rely on as evidence of safety or how that information forms the basis for a reasonable expectation of safety under the proposed conditions of use.

For the reasons discussed above, the information in your submission does not provide an adequate basis to conclude that your new dietary ingredients, "*Mitragyna speciosa* leaf extract standardized to 75% mitragynine", when used under the conditions recommended or suggested in the labeling of your product, will reasonably be expected to be safe. Therefore, a product containing your new dietary ingredients may be adulterated under 21 U.S.C. § 342(f)(1)(B) as a dietary supplement that contains a new dietary ingredient for which there is inadequate information to provide reasonable assurance that such ingredient does not present a significant or unreasonable risk of illness or injury. Introduction of such a product into interstate commerce is prohibited under 21 U.S.C. § 331(a) and (v).

Your notification will be kept confidential for 90 days after the filing date of September 16, 2024. After the 90-day date, the notification will be placed on public display at www.regulations.gov as new dietary ingredient notification report number 1361. Prior to that date, you may wish to identify in writing specifically what information you believe is trade secret or confidential commercial information and include an explanation of the basis for this belief.

If you have any questions concerning this matter, please contact Markeesa Scales, MPH, Division of Research and Evaluation by email: NDITEAM@fda.hhs.gov.

Sincerely,

Philip Yeager -S Digitally signed by Philip Yeager -S
Date: 2024.11.26 13:22:38 -05'00'

R. Philip Yeager, PhD, JD, DABT
Director
Division of Research and Evaluation
Office of Dietary Supplement Programs
Office of Food Chemical Safety, Dietary Supplements, and Innovation
Human Foods Program