The United States Food and Drug Administration,

Thousands of years ago, Melanasians in Vanuatu discovered Piper wichmannii, the wild version of the now domesticated Piper methysticum. Known in Western markets as “Kava”, this plant was and is sacred to indigenous peoples throughout various Pacific archipelagos. Used in celebrations, sacred ceremonies, and political negotiations, kava has been a central part of life for millions of people. This sacred plant was so important that it was also brought to new Polynesian islands (known as a canoe plant) and was a tenant of island life. In modern day Hawai’i for example, 3 of the 13 varieties of ‘awa (Kava in Hawaiian) were cultivated purely for religious ceremonies by the priests of their communities. The other 10 varieties were commonly consumed prior to meals as families and often helped to cement bonds between villages.

The 1958 Food Additives Amendment to the Federal Food, Drug, and Cosmetic Act established that foods safely consumed historically prior to the amendment did not require “generally recognized as safe” approval by Congress or the FDA. Hawai’i has a traditional culture existing within the borders of the USA, regulated by the FDA, that has been utilizing kava in documented historical and religious events for at least 1,000 years. One would think the FDA would welcome kava with open arms as a safe substance, and yet it has neglected this sacred plant for 64 years.

In June of 2002, the BfArM, Germany’s Drug Regulatory Agency, removed all kava products from the German market. They incorrectly concluded that the ingestion of kava products led to hepatotoxicity (liver failure) based on inconclusive data and anecdotal evidence. The ban of kava products was retracted in 2014 after finding their hasty decision conflated raw kava root material with extracts made from kava. The extracts in question were made from “non-noble” types of kava not used for consumption, including parts of the kava plant not meant for ingestion like the stems and leaves. While the FDA didn’t ban kava, it did issue an advisory in 2002 that has remained in place. The 20 years of research since 2002 have shown that kava prepared traditionally with only water does not cause liver damage and yet the FDA has yet to retract their problematic statement. Why?

As of the writing of this letter, the FDA has 17 authoritative members that sit on the WHO Food and Agriculture Codex Alimentarius. These members are responsible for representing the United States of America on the world stage in regards to consumable products and give their input on how international regulation should be established. In 2020, the FDA representatives approved the 2020 kava standards proposed to the Codex in 2016, including safety profiles and labeling. They still did not retract their 2002 statement. In 2021, we learned that the FDA refuses to relabel kava as generally recognized as safe even though it created those standards at the world level! Why is the FDA stuck in a contradiction between what they tell the rest of the world versus what they do within the USA?

The FDA does not care about indigenous cultures. The FDA does not abide by their own rules, does not take current research into account, and does not hold themselves to the same standards they themselves created for the rest of the world. The FDA needs to be held accountable for their lack of concern for an entire industry that celebrates peace, love, and understanding. Please update kava’s regulatory status from a dietary supplement to a GRAS food.

Morgan Smith
CEO, Monsoon Beverages

March 7th, 2022