ATTORNEY GENERAL OF MISSOURI

CATHERINE L. HANAWAY

IN THE MATTER OF: CID No. 26-127

RIZE BOTANICALS April 7, 2026

CIVIL INVESTIGATIVE DEMAND

TO: Francis K. Kalaiwaa d/b/a Rize Botanicals

Serve: Francis K. Kalaiwaa
3609 NE Wild Plum Ln
Gladstone, MO 64119-2248

The Attorney General of the State of Missouri believes it to be in the public interest that an investigation be made to ascertain whether Francis K. Kalaiwaa, doing business under the registered fictitious name "Rize Botanicals," ("Subject"), his agents or employees, or others in the state providing for the manufacturing, shipping, sale, or distribution of products containing 7-hydroxymitragynine or else otherwise containing any part of the plant *Mitragyna speciosa* have engaged in or are engaging in any practices declared unlawful by § 407.020, RSMo. or § 196.105, RSMo. This investigation will inquire into, among other things, the activities and representations of Subject in connection with products and services offered for sale in the State of Missouri. The Attorney General has reason to believe that Subject or others in the state may have used deception, fraud, false promises, misrepresentation, unfair practices, and/or the concealment, suppression, or omission of material facts within the scope of, and in violation of, the Missouri Merchandising Practices Act (the "MMPA"). The Attorney General, furthermore, has reason to believe that the Subject or others in the state may have introduced or delivered for introduction into interstate commerce occurring in Missouri any new drug, as defined for the purpose of chapter 9 of 21 U.S.C., *see* 21 U.S.C. § 321(g), in a manner violating the provisions of 21 U.S.C. § 355(a)–(b) and constituting an unlawful or unfair act under the MMPA. The Attorney General additionally has reason to believe that the Subject or others in the state may have sold, delivered, offered for sale, or given away new drugs, as defined in Chapter 196 of the Missouri Revised Statutes, that do not comply with the statutory requirements of § 196.105 and which independently constitute an unlawful or unfair act under the MMPA. Finally, the Attorney General has reason to believe that the Subject or others in the state may have manufactured, sold, delivered, or

offered for sale an adulterated food product in violation of 21 U.S.C. §§ 331(a)–(b) and/or § 196.015(1)–(2), RSMo., which independently constitutes an unlawful or unfair act under the MMPA. The Attorney General's investigation is based in part on, but is not limited to: (1) collected images, materials, and other information demonstrating that certain products referenced in the CID potentially violating the MMPA, federal statutes, or other state statutes are offered for sale by the Subject in the State of Missouri; (2) advertisements made by the Subject suggesting that certain products referenced in the CID potentially violating the MMPA, federal statutes, or other state statutes are offered for sale by the Subject in the State of Missouri; and (3) public statements by the Subject referencing or referring to certain products referenced in the CID potentially violating the MMPA, federal statutes, or other state statutes that are offered for sale by the Subject in the State of Missouri.

The Attorney General believes that you have information, documentary material, and/or physical evidence relevant to the investigation described above. Prompt compliance with this Civil Investigative Demand is mandatory and required by law. *See* § 407.080, RSMo. ("A person upon whom a civil investigative demand is served pursuant to the provisions of section 407.040 shall comply with the terms thereof unless otherwise provided by an order of a court.").

INSTRUCTIONS

1. Unless specifically stated otherwise, please restrict your search for all information and documents requested below to only the period between which You first began offering for sale any "Kratom Product," as defined *infra*, and the present.

2. For all of your responses, You must identify—by Bates range, or by file names and locations—the Documents responsive to each particular request.

3. For each Document produced or answer provided, identify by number which request or requests the Document or answer responds to.

4. For requests seeking written answers, provide the answer in **boldface** in a paragraph or paragraphs directly beneath the numerical request.

5. If you have knowledge of a responsive Document or responsive information, but do not have the responsive Document or information in your possession, custody, or control, Identify the Person that you believe has that Document or information in their possession, custody, or control.

6. If You do not know the answer to a request, Identify the Person that You believe does have that responsive information.

7. Your answers to requests for information must be signed under oath by the Person providing the responsive information. This might entail separate Persons verifying responses to different requests.

8. Provide all material as quickly as possible, which may mean providing responsive material in batches.

9. If You believe that You have responsive materials that are privileged, You must produce a privilege log that identifies each Document or communication, the basis for withholding it, and sufficient information to permit the Attorney General's Office to assess whether it is privileged.

10. The Missouri Attorney General may serve additional or follow-up civil investigative demands on You.

11. Please note that under § 407.080, RSMo, certain acts done with the intent to avoid, evade, or prevent compliance in whole or in part with any civil investigative demand constitute a Class A misdemeanor, which is punishable by fines or imprisonment or both.

12. No extension of the deadline for compliance with this Civil Investigative Demand is effective unless it is reflected in writing by an authorized representative of the Missouri Attorney General.

13. As authorized by § 407.040, RSMo, the Attorney General demands that—no later than 10:00 a.m. CDT on May 8, 2026—You produce responsive documents and information to the Missouri Attorney General's Office. Submit the Certification of Compliance, all documents, and all responsive information, to:

Alex Buttram
Assistant Solicitor General
Missouri Attorney General's Office
815 Olive Street, Ste. 200
St. Louis, MO 63101
Alex.Buttram@ago.mo.gov
(314) 340-4754

DEFINITIONS

As used in this Civil Investigative Demand, the following definitions apply:

1. "You" and "Your" means Francis K. Kalaiwaa, LLC, and all agents, representatives, employees, independent contractors, attorneys, and any other

persons acting or purporting to act on Your behalf or for any subsidiaries, parent companies, or sister companies of Rize Botanicals.

2. "And" and "or" are to be construed broadly to include both the disjunctive and conjunctive, to be equivalent to "and/or," to render these Requests as broad as possible.

3. "Customer" means any person or entity who has purchased any Kratom Product, as defined *infra*, from You in the State of Missouri.

4. "Communication" means any expression, statement, conveyance, or dissemination of any words, thoughts, statements, ideas, or information, regardless of form, format, or kind. "Communication" includes but is not limited to oral or written communications of any kind, such as telephone conversations, discussions, meetings, notes, letters, agreements, emails or other electronic communications, text messages, facsimiles, and other forms of written or oral exchange that are recorded in any way, including video recordings, audio recordings, written notes, or otherwise. Any Communication that also falls within the definition of "Document" constitutes both a Document and a Communication for purposes of this civil investigative demand.

5. "Document" includes every "writing," "recording," and "photograph" as Federal Rule of Evidence 1001 defines those terms, as well as any "duplicate" of any writing, recording, or photograph. "Document" includes, but is not limited to, electronic documents, files, databases and records, including but not limited to emails, voicemails, text messages, calendar appointments, instant messages, MMS messages, SMS messages, iMessages, computer files, spreadsheets, and metadata. The term Document includes every draft of any other material that falls within the definition of Document.

6. "Identify," when used with respect to a person or entity, means information sufficient to allow the Attorney General to ascertain the current contact information (name, home or business address, telephone number, and email), and, if not a natural person, the current contact information for Your point of contact with the entity or facility Identified, as well as the relationship of that person or entity to You.

7. "Identify," when used with respect to a fact or event, means information sufficient to allow employees of the Attorney General to ascertain the fact or event with reasonable particularity, and to identify each person believed to have knowledge with respect to the fact or event and each document that refers or relates to the fact or event.

8. "Identify," when used with respect to a transaction, means to provide information sufficient to allow ascertainment of the banking and financial information of the sending and receiving parties, the method of payment or funds transfer, and the natural persons involved with the transfer or payment.

9. "Identify," when used with respect to a Communication, means to state with specificity the date of the Communication; the medium of communication; the location of the Communication; the names and aliases of the persons who made the Communication; and the names and aliases of all persons who were present when the statement was made, who received the Communication, who heard the Communication, or who came to know of the content of the Communication at a later time.

10. "Kratom Product" means: (1) any chemical, drug, consumable, or other product meant for human consumption containing mitragynine or 7-hydroxymitragynine, either naturally occurring in the product or added during the manufacturing process of the Kratom Product; and (2) any other chemical, drug, or product intended, marketed, or sold for human consumption that contains any part of the plant *Mitragyna speciosa*.

11. "Person" means any natural person, corporation, proprietorship, partnership, association, firm, or entity of any kind.

12. "7-OH" means the compound 7-hydroxymitragynine.

13. "Relating to," "related to," and "relate to" mean to be relevant in any way to the subject matter, including, without limitation, all information that directly or indirectly contains, records, reflects, summarizes, evaluates, refers to, is pertinent to, indicates, comments upon, or discusses the subject matter; or that states the background of, or was the basis for, or that records, evaluates, comments, was referred to, relied upon, utilized, generated, transmitted, or received in arriving at any conclusion, opinion, estimate, position, decision, belief, policy, practice, course of business, course of conduct, procedure, or assertion concerning the subject matter.

14. "FDA" means the U.S. Food and Drug Administration, including all agents, representatives, employees, independent contractors, attorneys, and any other persons acting or purporting to act on behalf of the U.S. Food and Drug Administration.

15. "DHSS" means the Missouri Department of Health and Senior Services, including all agents, representatives, employees, independent contractors, attorneys, and any other persons acting or purporting to act on behalf of the Missouri Department of Health and Senior Services.

16. "Ingredient" means an article used as a component or constituent part of a Kratom Product, irrespective of whether that article would be considered an "active ingredient" under Title 9, Chapter 21 of the United States Code. An ingredient may include, but is not limited to, a solvent, excipient, carrier, or coating.

REQUESTS FOR INFORMATION AND DOCUMENTS

1. Identify all persons responsible for providing Documents and information responsive to this Civil Investigative Demand. For each Person identified, Identify the specific requests to which each Person contributed Documents or information.

2. Produce all Documents that You identified, referred to, used to prepare, or that concern any of Your responses to any of these specific requests, to the extent that such Documents are not otherwise produced by any request contained herein directed to You.

3. If Documents or information responsive to a particular request have been lost or destroyed, state the circumstances under which the Documents or information were lost or destroyed, describe the lost or destroyed Documents or information to the fullest extent possible, state the specific demand to which they are responsive, and identify all Persons having knowledge of their content.

4. Have You manufactured or sold any Kratom Product in the State of Missouri? If so, Identify each Kratom Product you have either manufactured or sold in Missouri, state whether you manufactured, sold, or both manufactured and sold, each specific Kratom Product identified in Missouri; and state the time period during which You have manufactured, sold, or manufactured and sold each particular product in Missouri (including, if applicable, through the present).

5. For each Kratom Product that You identified in Your response to Request 4, state whether or not, to the best of your knowledge, each particular product:
    a. Has been approved by the FDA to treat any medical condition;
    b. Has been approved by the FDA to be marketed as a drug product, dietary supplement, or food additive;
    c. Has been included in any application submitted to the FDA under the application procedures provided in 21 U.S.C. § 355(a)–(b);
    d. Has been included in any application that was submitted to the FDA under the application procedures provided in 21 U.S.C. § 355(a)–(b) and was subsequently approved by the FDA;

e. Has been included in any application submitted to DHSS under the application procedures provided in § 196.105.1(2), RSMo; and

f. Has been included in any application submitted to the FDA under the application procedures provided in 21 U.S.C. § 350b(a)(2).

6. For each Kratom Product You identified in Your response to Request 4, list every ingredient of that Kratom Product.

7. For each Kratom Product that You identified in Your response to Request 4, produce all Documents and Communications sent to, received by, or exchanged between You and any state or federal regulatory agency regarding the Kratom Product. This request includes, but is not limited to, any Documents and Communications sent to, received by, or exchanged between You and either the FDA or DHSS.

8. Produce any Documents or Communications containing statements or representations You have made, or statements by others that you have reproduced, about the safe or recommended level of consumption of 7-OH, of mitragynine, of any part of the plant *Mitragyna speciosa*, or of any Kratom Product you manufacture or sell in Missouri.

9. Produce copies of all of the labeling included on or inside the containers of every Kratom Product you sell in the State of Missouri, as well as copies of any other information or material provided to Customers when they purchase any Kratom Product you sell in Missouri.

10. Produce copies of any Documents or Communications containing, referencing, or including any advertisements, promotional information, or promotional materials for any Kratom Product You have ever manufactured or sold in the State of Missouri.

11. To the extent not produced in Your responses to Requests 8–10, *supra*, produce any Documents or Communications containing any representation that You have made about the safety, health effects, physical benefits, or mental benefits that may occur from the use or consumption of any Kratom Product that You sell in Missouri. This Request includes, but is not limited to, any representations You have made about the benefits a Customer would experience from using any of Your Kratom Products or any representations You have made of the risks of adverse consequences to a Customer's health from using one of your Kratom Products manufactured or sold in Missouri.

12. For each Kratom Product that You identified in Your response to Request 4, Identify each health or safety warning which you include on the packaging of

the Kratom Product provided to the Customer when purchasing the Kratom Product.

13. For each Kratom Product which You sell or have sold in Missouri that You identified in Your response to Request 4, Identify the manufacturer or distributor from whom You purchased each Kratom Product. To the extent You purchased a particular Kratom Product from more than one manufacturer or distributor, Identify each manufacturer or distributor from whom You purchased that Kratom Product and when you purchased that Kratom Product from each such manufacturer or distributor.

14. For each Kratom Product You identified in Your response to Request 4, provide a full description of the methods used in, and the facility and safety controls used for, the manufacturing, processing, and packing of that Kratom Product.

15. For any Kratom Product which You sell in Missouri and which You did not manufacture, produce all Documents and Communications sent to, received from, or exchanged between You and the manufacturer of the Kratom Product containing any statement or representation about each such Kratom Product's health effects or health risks.

16. For any Kratom Product which You manufacture in Missouri, produce all Documents and Communications sent to, received from, or exchanged between You and any Person or entity supplying any ingredient to the Kratom Product regarding any statement or representation about the health effects or health risks of any such ingredient in the Kratom Product.

17. State whether You have independently tested the safety of any Kratom Products you manufacture or sell. If so, identify specifically which Kratom Products you have independently tested and when You tested each such Kratom Product.

18. For each such Kratom Product You identified in Your response to Request 17, provide all Documents and Communications discussing, referencing, or related to any independent testing You did on the safety of any Kratom Products you manufacture or sell.

19. Produce any Documents or Communications discussing, containing, or referencing any adverse health effects or side effects experienced by any Customer who purchased any Kratom Product manufactured or sold in Missouri.

20. Produce any scientific studies, reports, or scientific research in your possession or control examining, analyzing, studying, or otherwise related to the benefits

or adverse health effects or side effects of consumption of either 7-OH or any part of the plant *Mitragyna speciosa*.

21. For each and every Kratom Product which you manufacture or sell in the State of Missouri, state which scientific studies, reports, or other authority (if any) You rely upon to support the safety or efficacy of the Kratom Product.

22. Produce any Documents or Communications in which any of Your employees or agents referred to the health risks or effects of any Kratom Product as uncertain, unknown, or speculative.

23. To the extent not otherwise produced in response to any Request, produce any Documents or Communications (including, but not limited to, any internal emails, meeting minutes, notes, memoranda, or other internal communications) containing, referencing, or discussing any potential adverse health effects or health risks related to either the consumption of any Kratom Product that You Manufacture or sell in Missouri, or the consumption of any product containing 7-OH.

24. Identify all Complaints you have received about any Kratom Product you manufacture or sell. For each such Complaint, Identify the person who complained about the product, the date, the subject of the Complaint, and the resolution of the Complaint.

25. For any Complaints identified in response to Request 24, produce any Documents or Communications referencing, discussing, or related to the Complaint, or any investigation into, or resolution of, the Complaint.

26. State whether you have a policy for tracking whether any of Your Customers experienced adverse health effects after using any of Your Kratom Products. If you have such a policy, provide the policy, any Documents collected under that policy, and any Communications related to that policy or the implementation of that policy. This request includes both any presently-existing policy and any prior iterations of that policy or any other previously operative policy for tracking whether Your Customers experienced adverse health events after using any of Your Kratom Products, and any Communications relating to such earlier policy or the implementation of that policy.

27. State whether you have a policy establishing how you determine the safety of Kratom Products before you manufacture and sell the product in Missouri. If so, provide the policy, any Documents collected under that policy, and any Communications related to that policy or the implementation of that policy. This request includes both any presently-existing policy and any prior iterations of that policy or any other previously operative policy establishing

how your previously determined the safety of Kratom Products before you manufactured or sold them in Missouri, and any Communications relating to such earlier policy or the implementation of that policy.

28. Produce any Documents or Communications sent to, received from, or exchanged between you and any third-party Person or entity regarding or related to either You or that third-party Person or entity recommending or promoting the consumption or use of any Kratom Product.

29. For each Kratom Product You identified in Your response to Request 4, state whether the Kratom Product contains added or isolated 7-OH above or beyond the amount naturally occurring in the amount of the plant *Mitragyna speciosa* in the Kratom Product and how much added or isolated 7-OH is included in the Kratom Product.

30. State Your understanding of:
    a. The amount of the chemical mitragynine which, if consumed over a 12-hour period, could lead to a fatal overdose in an adult human;
    b. The amount of the chemical 7-OH which, if consumed over a 12-hour period, could lead to a fatal overdose in an adult human;
    c. The amount of the chemical mitragynine which, if consumed over a 12-hour period, could lead to negative side effects to an adult human's health; and
    d. The amount of the chemical 7-OH which, if consumed over a 12-hour period, could lead to negative side effects to an adult human's health.

31. Produce any Documents and Communications containing, referencing, or including any statement, representation, or information on the amount of the chemicals mitragynine or 7-OH which, if consumed, could lead to either a fatal overdose or negative side effects to the user's health.

32. Describe Your corporate structure, including the names and contact information of all individuals and corporate entities with a financial interest in your business.

33. Identify any other any entity that shares common ownership or control with You and manufactures, ships, sells, or distributes any Kratom Product in the state of Missouri.

34. Identify any persons involved in the daily operation of your business, including that individual's job title if applicable.

CATHERINE L. HANAWAY
ATTORNEY GENERAL

/s/ Alex Reed Buttram
Alex R. Buttram, Mo. Bar. No. 77676
Assistant Solicitor General
Missouri Attorney General's Office
815 Olive Street, Suite 200
St. Louis, MO 63188
(314) 340-4754
Alex.Buttram@ago.mo.gov

IN THE MATTER OF: CID No. 26-127

RIZE BOTANICALS April 7, 2026

CERTIFICATION OF COMPLIANCE

I certify that all documents and information required by Civil Investigative Demand No. 26-127, which is in the possession, custody, control, or knowledge of 72 WHOLESALE, LLC, has been submitted to the Missouri Attorney General as directed.

_____
Signature

_____
Printed Name

_____
Position

_____
Date

State of Missouri)
)
County of _____)

On this day, _____ personally appeared before me, a notary public in Missouri. I know him to be the individual who signed this document, and he acknowledged to me that he signed it for the purposes stated in it.

_____
Notary Public

_____
Date