

# [Inaugural] Oceania Pacific Studies Association Conference [\[website\]](#)

## Session 2: Safeguarding Kava/'Awa

9:30 am - 11:30 am Fiji time, 30 January 2026

Convener: Dr. 'Ulise Funaki

*Over the past 3 millennia, Kava has maintained its position as a culturally, socially, and politically potent foundational plant species and Indigenous practice of various Oceanian societies. However, in the nearly 100 years past it has become one of Oceania's most economically viable resources that has played a significant role in shaking the very foundations of the culture and peoples that it helped to build up. This panel brings together culturally rooted kava experts from across Oceania to share in their expertise and experience on the current state of contemporary kava practices as well as related ongoing issues for one of Oceania's most sacred keystone species. Their experience and expertise range from Indigenous chiefly and everyday ceremonial practices and spaces to the burgeoning international kava industry.*

**Panellists:** Dr S. 'Apo' Aporosa, University of Waikato; Anau Mesui-Henry, Four Shells Kava Lounge; Fe'iloakitau Kaho Tevi, Senior Kava Consultant, Tonga; Pa'a 'Alana, Hawaiian cultural practitioner, University of Hawaii Manoa.



## Safeguarding kava: Pacific sovereignty, safety, and trade

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<sup>1</sup> – aligns with PowerPoint slide.)

### Overview

<sup>2</sup> Kava is undoubtedly a Pacific cultural keystone species and arguably our most dominant icon of identity.

<sup>3</sup> However, today, it faces serious existential threats from foreign owned, commercially powerful interests that are redefining, appropriating, adulterating, and exploiting it. These practices endanger kava's keystone positionality and safety profile, also undermining Pacific smallholder farmer and export earnings.

Although some Pacific leaders, scholars, and practitioners have raised concerns, united regional action has been limited. To understand why these threats matter, it's important to restate what kava is, and who has the authority to define it.

I'll do that, then outline some of these existential threats, moving quickly but including supporting material and references on the slides that you can follow up on later. I will provide a QR code to the slides at the end.

#### 4 What Kava Is — and Who Defines It

For a species to be considered cultural keystone, it must be of such importance that its removal from its environment would cause disruptions to cultural practices, identity and language. Kava's cultural keystone species status is based in more than 2,000 years of Pacific traditional knowledge. It is inseparable from spirituality, social order, medicine, and life-cycle events – from birth to death.

5 Importantly, kava is not just the *Piper methysticum* plant or the beverage. In Pacific knowledge systems, it is best explained as both noun and verb. It includes how we sit in the kava use space, what we sit on, the utensils used, the serving order, talanoa-vā – the relational space linked to talanoa and underpinned by our respect-based values.

6 Traditional knowledge also defines:

- Which cultivars are used for making beverage kava – commonly referred to today as 'noble' varieties
- How kava is prepared – mixed only with water, and occasionally coconut water
- When and how non-noble cultivars are used – typically for medicinal purposes, but not daily consumption

7 These practices are recognised in both Pacific and international standards with the 8 WHO stating that kava prepared and used traditionally poses an “acceptably low level of health risk”, lacking both addictive and intoxicating effects, with this giving reason as to how kava is regulated as food in several countries.

9 Experts are clear that contemporary non-indigenous use does not abdicate ownership, or a right to redefine, a cultural keystone species by those non-indigenous users.

10 **Point 1:** Pacific peoples are the sole owners and custodians of kava. Therefore, only Pacific people have a right to lead decisions on its definition, safety, quality standards, and naming.

11 International law supports this position.

12 Essentially, when indigenous peoples are excluded, or when outsiders impose ownership or definitions, this constitutes colonial practice and violates indigenous sovereignty.

13 Now that kava has been defined and Pacific ownership established, we will now consider threats.

## EXISTENTIAL THREAT 1: The ‘culture industry’ and their redefining of kava

The first major existential threat to kava is appropriation and the ‘culture industry’.

Despite international laws protecting indigenous peoples and their cultural keystone species, practices etc., <sup>14</sup> we are witnessing increased commodification, appropriation and adulteration of kava through extracts, capsules, flavoured powders, canned drinks, and cocktail-style beverages which are routinely marketed as ‘kava.’

<sup>15</sup> Pacific cultural experts, practitioners, and scholars overwhelmingly argue these products do not meet the cultural definition of kava (as defined by Pacific traditional knowledge). This view is also shared by non-Pacific experts.

<sup>16</sup> For instance, kava ethnobotanist Dr Vincent Lebot explains: ‘If companies extract active ingredients and make capsules or whatever, this is not kava - just as caffeine capsules are not coffee.’

<sup>17</sup> A recent paper by 20 researchers states plainly: once kava is stripped of its cultural practice and relational context, it loses its identity as kava. At best, these items are ‘products containing *Piper methysticum*’, not kava.

<sup>18</sup> When Pacific peoples have asked for recognition and respect of kava in comparison to ‘products containing *Piper methysticum*’, this has been met with abuse from some commercial operators who have claimed they have rights that supersede ours. That is cultural appropriation.

<sup>19</sup> Interestingly, a non-Pacific kava bar owner recently stated online: “*We’re all guilty of some degree of cultural appropriation,*” appearing to infer this as standard business practice.

<sup>20</sup> The use of iconology such as images of the Pacific, tiki masks, bar staff wearing aloha shirts etc. in spaces called ‘kava bars’ aligns with what scholars describe as the “culture industry”.

<sup>21</sup> This is the commercial exploitation of the ‘exotic other’ to create artificial environments and other factors aimed at stimulating profit.

<sup>22</sup> **Point 2:** Using the word *kava* to market products that do not meet Pacific definitions is misleading and appropriative. It feeds misinformation and undermines both cultural knowledge and safety understandings.

## EXISTENTIAL THREAT TWO: Biopiracy

<sup>23</sup> The second existential threat is biopiracy.

<sup>24</sup> Self-reports and legal documents indicate that kava is now being grown on an industrial scale outside the Pacific, using cuttings taken from Pacific nations, with some growers attempting to trademark these plants and supply domestic markets. A recent video shows plant material grown in Continental US being sold as 'kava' in a US kava bar.

<sup>25</sup> Biopiracy is defined as the unauthorised extraction and commercialisation of biological resources or associated indigenous knowledge without consent or compensation. By this definition, industrial kava cultivation outside the Pacific for commercial gain constitutes biopiracy.

<sup>26</sup> This activity violates multiple international agreements.

<sup>27</sup> **Point 3:** Kava biopiracy will inevitably reduce global demand for Pacific-grown kava, harming smallholder farmers, export revenues, and national GDPs.

<sup>28</sup> A way to safeguard kava is with Geographical Indication (GI) protection, which is standard practice in European dominated countries; think for instance Champagne, Idaho potatoes, or Florida oranges.

<sup>29</sup> **Point 4:** Protecting Pacific kava requires a unified, regional government-led response, including direct engagement with World Intellectual Property Organization (WIPO) and the World Trade Organisation) WTO.

<sup>30</sup> This action is in its infancy with the Pacific Islands Forum discussing intellectual property (IP) in their new *Regional Kava Development Strategy*.

### **EXISTENTIAL THREAT THREE: Redefinition and the risk of another Kava Ban**

<sup>31</sup> The third existent threat is another kava ban resulting from 'products containing *Piper methysticum*'.

<sup>32</sup> In the early 2000s, Europe introduced what became known as the 'European Kava Ban.' While causes were complex, strong evidence points to the use of non-noble cultivars and non-traditional extraction methods – not traditional kava.

<sup>33</sup> However, because those non-traditional extracts etc. were labelled 'kava,' safe traditional kava was caught in the fallout. The ban had huge impacts on Pacific economies.

<sup>34</sup> It also created a culturally-, economically- and medically-damaging anti-Pacific narrative about kava, regardless that kava was not the cause. That ban and negative connotation continues today in some counties like the UK.

**35 Point 5:** Continuing to market non-traditional products, with varying safety profiles, *as kava*, has the potential to trigger a second global ban, with severe consequences for Pacific farmers and economies.

**36** A Pacific-wide government statement is urgently needed: products that do not meet the traditional definition must not use the word ‘kava.’

## **EXISTENTIAL THREAT FOUR: Kratom: A growing and serious threat**

**37** A further existential threat is kratom.

Research shows kratom is sold in 86% of commercial spaces called ‘kava bars’ in the US – that’s only 14% of kava bars that do not sell kratom. Kratom, a leaf from Southeast Asia, is prohibited by the FDA for use as a dietary supplement. This is because it is addictive and linked to numerous deaths. Commonly known as ‘Gas-station heroin’, kratom is mixed with, or sold alongside, ‘products containing *Piper methysticum*’ to give them a “euphoric hit”.

**38** A prominent kava retailer in the US commented, “When I walk into a kava bar, I say, ‘what’s the best thing you got?’ ... And 90% of the time, the bartender will say, ‘Oh, we’ve got this great stuff called kratom’.”

**39** The availability of kratom in spaces called ‘kava bar’ has led to a great deal of misinformation. More concerning, some consumers believe their addiction to kratom is from kava. Addiction support forums are now filled with reports of dependence on so-called ‘kava’ that was later found to be spiked with kratom.

**40** Clinical addiction specialists warn that combining these two substances causes synergistic and dangerous effects.

**41** Reputable commentators have warned that mixing kratom with *Piper methysticum* and selling it as ‘kava’ risks another global kava ban.

**42 Point 6:** Kratom’s association with kava is feeding misinformation and damaging kava’s reputation. Pacific governments must urgently lobby for bans on kratom being sold alongside kava, and for its removal from venues called, or implied to be, ‘kava bars.’

## **The Path Forward**

**43** Here are some solution to those existential threats:

1. Define kava according to Pacific traditional knowledge and Kava Codex Alimentarius food standards

2. Prohibit all ‘products containing *Piper methysticum*’ from using the word *kava* unless they meet the definition of kava
3. Lobby for firm regulatory action on kratom, particularly its association with kava and kava-labelled venues

This approach protects public health, Pacific livelihoods, export earnings, and national economies.

## In closing

I have had numerous online discussions with kava importers, kava bar owners and ‘culture industry’ types, asking why they believe their opinions outweigh Pacific traditional knowledge, why they believe they have a right to appropriate kava, redefine it, and then tell us what constitutes kava? I also asked, is that not Eurocentrism: the belief that European or Anglo-American values and worldviews, including greed-driven capitalism, is the default authority on structure and meaning.

<sup>44</sup> No surprisingly, reaction has included a lot of abuse. A person responded the other day arguing that being restricted from using the word ‘kava’, and being asked to call something a ‘product containing *Piper methysticum*’, was unrealistic and confusing for customers. How for instance, were they going to market ‘kava gummies’. Essentially, this person was saying the issue is ours, that Pacific traditional knowledge is hindering and interfering with their commercial aspirations. But it gets worse. There has also been legal action against several of us, used as a bullying tactic aimed at silencing. Some of that legal action is still ongoing.

<sup>45</sup> As Colombian scholar Prof. Arturo Escobar commented, Eurocentrism believes it has the ultimate right, not indigenous people, to determine structure and function.

<sup>46</sup> Finally, this is not, and never has been, about stopping anyone from selling or using kava. It is about safeguarding our Pacific cultural keystone species, grounded in over 2,000 years of knowledge, from misrepresentation, exploitation, and appropriation.

<sup>47</sup> If it is not kava as defined by Pacific traditional knowledge, then it is simply a ‘product containing *Piper methysticum*’. Call it what you like — just don’t call it kava.

<sup>48</sup> If we fail to act, we risk repeating history, with another kava ban and devastating consequences for Pacific farmers, communities, and economies.

<sup>49</sup> QR code for slides.



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**PowerPoint Slides**

**Safeguarding kava:  
Pacific sovereignty,  
safety, and trade**




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**KAVA: Pacific cultural keystone species**




VANUATU



TONGA



SAMOA



FIIJI

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KO TE TANGATA  
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Te Whare Wānanga o Waikato

**KAVA: Pacific cultural keystone species**

Foreign commercial interests are redefining and adulterating kava, threatening its cultural keystone status, safety, and Pacific farmer incomes and export earnings.



VANUATU



TONGA



SAMOA



FIIJI

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### KAVA: What it is and who gets to define it



- Cultural keystone species: such importance, removal would disrupt cultural practices, identity and language
- Kava's cultural keystone species status: 2,000+ years Pacific traditional knowledge.
  - spirituality, social order, medicine, and life-cycle events

Aporosa, A. (2019). Kava and ethno-cultural identity in Oceania. *The Palgrave handbook of ethnicity*. [https://doi.org/10.1007/978-981-13-0242-8\\_134-1](https://doi.org/10.1007/978-981-13-0242-8_134-1)

KO TE TANGATA FOR THE PEOPLE



4

### KAVA: What it is and who gets to define it



- kava is noun and verb, wholistic, and comprising of:
  - *Piper methysticum* plant and beverage, and
  - associated Pacific knowledge systems, including
  - how we sit, what we sit on, the kumete/bilo/ipu,
  - the serving order, and talanoa-vā
  - respect-based values (vakaturaga, faka'apapa, fa'asamoa, pono etc...)

Lebot, V., Merlin, M., & Lindstrom, L. (1997). *Kava, the Pacific elixir*. Vermont: Healing Arts Press.  
 Aporosa, A. (2019). Kava and ethno-cultural identity in Oceania. *The Palgrave handbook of ethnicity*. [https://doi.org/10.1007/978-981-13-0242-8\\_134-1](https://doi.org/10.1007/978-981-13-0242-8_134-1)  
 Aporosa, A. (2024). What is kava? Drug Science UK. <https://www.drugscience.org.uk/what-is-kava>.

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5

### KAVA: What it is and who gets to define it



- kava is noun and verb, wholistic, and comprising of:
  - cultivars for drinking – ‘noble varieties’
  - preparation method – water only, occasionally coconut
  - specific cultivars for medicinal purposes

Lebot, V., Merlin, M., & Lindstrom, L. (1997). *Kava, the Pacific elixir*. Vermont: Healing Arts Press.  
 Lebot, V., & Callahan, P. (1988). *Kavas of Vanuatu: Cultivars of Piper methysticum Frost*. (Vol. Technical Paper No.139). Noumea: South Pacific Commission.  
 WHO. (2023). *Regional standard for Kava products for use as a beverage when mixed with water, CXS 336R-2020, Codex Alimentarius International Food Standards*. <https://tinyurl.com/KavaCODEX>

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### KAVA: What it is and who gets to define it



- Recognition in Pacific and international standards



TONGA: <https://phamaplus.com.au/wp-content/uploads/2024/06/Tonga-Kava-Quality-Standard-2020.pdf>  
 VANUATU: <https://phamaplus.com.au/wp-content/uploads/2023/11/KAVAMAN-WEB-A4-ENGLISH-01-27May13-1.pdf>  
 SAMOA: [https://phamaplus.com.au/wp-content/uploads/2024/07/Samoa\\_Kava\\_Standard-English-Final\\_ecopy.pdf](https://phamaplus.com.au/wp-content/uploads/2024/07/Samoa_Kava_Standard-English-Final_ecopy.pdf)  
 FIJI: <https://palpnet.spc.int/attachments/article/779/Fiji-Kava-Quality-Manual.pdf>

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**KAVA: What it is and who gets to define it**



- Recognition in Pacific and international standards
  - “acceptably low level of health risk”
  - non-addictive / non-intoxicating
  - regulation of kava as ‘food’

**RISK:** Abbott, P. (2016). *Kava: A review of the safety of traditional and recreational beverage consumption* (Technical Report). Rome: Food and Agriculture Organization of the United Nations and World Health Organization. [p.26]

**SAFETY:** Aporosa, S. (2015). De-mythologising and re-branding of kava as the new ‘world drug’ of choice. *Journal of Drug Science, Policy and Law*, 5, 1-13. <https://doi.org/10.1177/2050245150876131>

**NON-INTOXICATING:** Aporosa et al. (2022). The impact of traditional kava (Piper methysticum) use on cognition. *Journal of Ethnopharmacology*. <https://doi.org/10.1016/j.jep.2022.115080>

**FOOD:** Australia & New Zealand Government. (2015). Standard 2.6.3 – Kava – Food Standards – Amendment No. 154 (May 9). Wellington: New Zealand Government.

Hawaii: Kirk, K. (2024). GRAS determination for ‘Ama. Hawaii: Department of Health.


USA: O’Quinn, E. (2024). Kava: GRAS. Letter to The Honorable Ed Case from the Acting Associate Commissioner for Legislative Affairs, U.S. FDA, July 5.

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Te Whare Hīkanga o Hākinooia

**KAVA: What it is and who gets to define it**

Experts are clear: non-indigenous kava use does not give them ownership or the right to redefine it



**SHRIKHAL, R. (2021). “Indigenous sovereignty” and right to self-determination in international law: a critical appraisal. *AlterNative: An International Journal of Indigenous Peoples*. <https://doi.org/10.1177/117180121994681>**

**UNITED NATIONS. (2007). 61/295. United Nations Declaration on the Rights of Indigenous Peoples. General Assembly, Sept. 13. [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIIP_E_web.pdf)**

**SHIM, D. T. H. (2024). *WIPO Treaty on intellectual property, genetic resources and associated traditional knowledge*. Geneva, May 13-24. [https://www.wipo.int/edocs/mdocs/tk/en/gratk\\_dc/gratk\\_dc\\_7.pdf](https://www.wipo.int/edocs/mdocs/tk/en/gratk_dc/gratk_dc_7.pdf)**

**COLLINGS, N. (2024). *Indigenous governance of traditional knowledge*. Routledge. <https://doi.org/10.4324/9781003367123>**

**HEU, M. M., & WOODLIF, J. C. (2002). Ethnomedicine and drug discovery. *Advances in Phytochemistry*. Elsevier.**

**WIPO. (2008). Geographical indications. [https://www.wipo.org/eng/gh/tratop\\_e/atrps\\_e/gi/background\\_e.htm](https://www.wipo.org/eng/gh/tratop_e/atrps_e/gi/background_e.htm)**


**ROBINSON et al. (2021). Legal geographies of kava, kustom and indigenous knowledge: Next steps under the Nagoya Protocol. *Geoforum*. <https://doi.org/10.1016/j.geoforum.2020.11.001>**

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**POINT 1**

Pacific peoples are the owners and custodians of kava. ONLY Pacific peoples have the right to lead decisions on its definition, safety, quality, and naming.



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**POINT 1**

Pacific peoples are the owners and custodians of kava. ONLY Pacific peoples have the right to lead decisions on its definition, safety, quality, and naming.

- This position is supported by international law

**UNITED NATIONS. (2007). 61/295. United Nations Declaration on the Rights of Indigenous Peoples. General Assembly, Sept. 13. [https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIIP_E_web.pdf)**

**SHIM, D. T. H. (2024). *WIPO Treaty on intellectual property, genetic resources and associated traditional knowledge*. Geneva, May 13-24. [https://www.wipo.int/edocs/mdocs/tk/en/gratk\\_dc/gratk\\_dc\\_7.pdf](https://www.wipo.int/edocs/mdocs/tk/en/gratk_dc/gratk_dc_7.pdf)**

**COLLINGS, N. (2024). *Indigenous governance of traditional knowledge*. Routledge. <https://doi.org/10.4324/9781003367123>**

**UNITED NATIONS. (1992). *Convention on Biological Diversity*. <https://www.cbd.int/doc/legal/cbd-en.pdf>**

**UNITED NATIONS. (2011). Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the convention on biological diversity. <https://www.cbd.int/abo/default.shtml>**

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**POINT 1**



Pacific peoples are the owners and custodians of kava. ONLY Pacific peoples have the right to lead decisions on its definition, safety, quality, and naming.

- Excluding indigenous peoples and imposing outside definitions or ownership constitutes colonial practice and undermines indigenous sovereignty

Shinkhal, R. (2021). 'Indigenous sovereignty' and right to self-determination in international law: a critical appraisal. *AlterNative: An International Journal of Indigenous Peoples*. <https://doi.org/10.1177/1177180121994681>

United Nations. (2007). 63/295. United Nations Declaration on the Rights of Indigenous Peoples. General Assembly, Sept. 13. [https://www.un.org/development/dcpa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP\\_E\\_web.pdf](https://www.un.org/development/dcpa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf)

Collings, N. (2024). *Indigenous governance of traditional knowledge*. Routledge. Doi: 10.4324/9781003367123

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**EXISTENTIAL THREAT 1**

The 'culture industry' and their redefining of kava

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**EXISTENTIAL THREAT 1**

The 'culture industry' and their redefining of kava



...increased commodification, appropriation and adulteration routinely marketed as 'kava.'

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Te Huarua Hōuanga o Waikato

**EXISTENTIAL THREAT 1**

The 'culture industry' and their redefining of kava



Pacific cultural experts, practitioners, and scholars: these products do **not** meet the cultural definition of kava.

Taburegui, D. (2024). *Kava's name needs protection: Keeping kava 'pure'*. Fiji Times, April 2, p. 13. <https://www.fijitimes.com.fj/kava-name-needs-protection-keeping-kava-pure/>

Rika, N. (2021). *Kava brewing up a storm*. Island Business (online), Aug. 25. <https://islandsbusiness.com/2021/kava-brewing-up-a-storm/>

Tinetali-Flavaki, G., & Tevā, F. K. (2025). *Tonga Kava Committee calls for more support for growers*. Radio NZ Pacific, May 22. <https://www.nz.co.nz/international/pacific-news/561748/tonga-kava-committee-calls-for-more-support-for-growers>

Rice et al. (2025). *Computational analysis of therapeutic potential for simplified Piper spp. derived medicinal mixtures in anxiety, sleep, pain and seizure*. *Biology*. <https://www.biorxiv.org/content/10.1101/2025.08.29.673131v1>

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### EXISTENTIAL THREAT 1

#### The 'culture industry' and their redefining of kava



"If ... companies ... want to extract the active ingredients and make capsules or whatever, this is **not** called kava. Just as putting caffeine in a capsule doesn't make it coffee, or dry raisin peel doesn't make it wine..."

Dr Vincent Lebot commented in: Blades, J. (2018). Pacific countries to promote kava as food product. Radio New Zealand: Dateline Pacific (online), Nov. 19. <https://www.radionz.co.nz/international/programmes/datelinepacific/audio/2018671657/pacific-countries-to-promote-kava-as-food-product>  
Also see: Procyk, A., & Lebot, V. (2013). Scientific evidence does not support claims of kava toxicity. <https://www.youtube.com/watch?v=aNRURScuatu>



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### EXISTENTIAL THREAT 1

#### The 'culture industry' and their redefining of kava



"If kava is a cultural keystone species, inclusive of practice and relational connection informed by 2000+ years of knowledge, once those elements are removed, it loses its function and designation as kava... kava is a Pacific cultural term and to use it as a catch all for any product containing *Piper methysticum* is appropriate and misleading."

Aporosa et al. (2025). Innovating through tradition: Kava-Talanoa... to amelioration of PTSD symptoms. *Frontiers in Psychology*, 16, 1-12. <https://doi.org/10.3389/fpsyg.2025.1460731>



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### EXISTENTIAL THREAT 1

#### The 'culture industry' and their redefining of kava



'product containing *Piper methysticum*' **not** kava

hundreds of screenshots of abuse and claims from commercial operators who argue their rights supersede Pacific owners of kava.

That is **cultural appropriation**.



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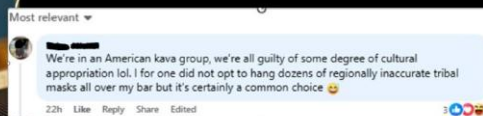
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### EXISTENTIAL THREAT 1

#### The 'culture industry' and their redefining of kava



Cultural appropriation:



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**EXISTENTIAL THREAT 1**  
The 'culture industry' and their redefining of kava



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**EXISTENTIAL THREAT 1**  
The 'culture industry' and their redefining of kava

The 'culture industry' profits by exploiting the 'exotic other,' manufacturing artificial cultural experiences for commercial gain.



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Horkheimer, M., & Adorno, T. W. (2002). The culture industry: Enlightenment as mass deception (Chapter 4). In M. Horkheimer & T. W. Adorno (Eds.), *Dialectic of enlightenment: Philosophical fragments* (1st ed., pp. 96-136). California: Stanford University Press.

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**POINT 2**

Using the word 'kava' to market products that do not meet Pacific definitions is misleading, appropriative, and unsafe.

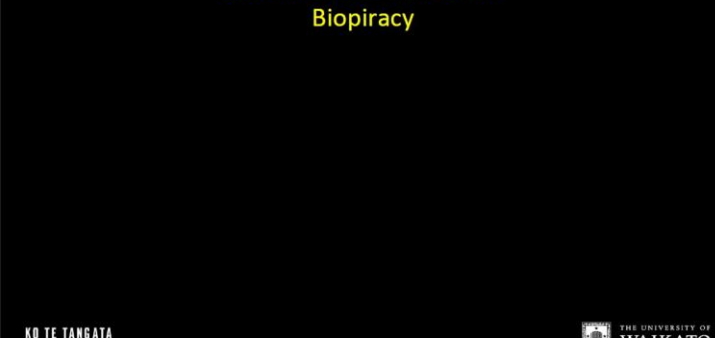


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**EXISTENTIAL THREAT 2**  
Biopiracy



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## EXISTENTIAL THREAT 2

### Biopiracy

❖ legal reasons prevent inclusion of additional images  
(See links under)

<https://www.fijitimes.com/fj/american-kava-cultivar-begins-its-journey> | <https://www.fijitimes.com/fj/kava-power-struggle>  
<https://www.facebook.com/jharrisk/1019177813> | <https://www.facebook.com/groups/2632203100370368/posts/2245642285926336/>  
 Singh et al. (2024). The power of a 'toothless tiger'. *Island Business*, Aug. 20. <https://islandsbusiness.com/2024/august-2/the-power-of-a-toothless-tiger/>  
 Court document: Case No. 9:24-cv-81245-JK, Doc. 46, USDC. [https://pdfhost.io/v/1.3n3SH2Nn3\\_Case\\_9\\_24-cv-81245-IV\\_Doc46\\_2025](https://pdfhost.io/v/1.3n3SH2Nn3_Case_9_24-cv-81245-IV_Doc46_2025)  
 (Point 17)

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## EXISTENTIAL THREAT 2

### Biopiracy

“...the unauthorized extraction of biological resources and/or associated traditional knowledge from developing countries, or the patenting of spurious inventions based on such knowledge or resources without compensation.”

Robinson D. (2010). *Confronting Biopiracy: Challenges, Cases and International Debates*. Oxfordshire, UK: Taylor and Francis.  
 Lindstrom, L. (2009). Kava pirates in Vanuatu? *International Journal of Cultural Property*, 16(Special Issue 03), 291-308.

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## EXISTENTIAL THREAT 2

### Biopiracy

... violates multiple international agreements

Pacific Island experts have welcomed a new international treaty that aims to prevent biopiracy as a major step forward in global efforts to protect indigenous intellectual property, genetic resources and traditional knowledge.

United Nations. (2007). 61/295. United Nations Declaration on the Rights of Indigenous Peoples. General Assembly, Sept. 13.  
[https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/14/2018/11/AJNDIP\\_E\\_web.pdf](https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/14/2018/11/AJNDIP_E_web.pdf)  
 Sham, D. T. H. (2024). *WIPO Treaty on intellectual property, genetic resources and associated traditional knowledge*. Geneva.  
[https://www.wipo.int/edocs/mdocs/tb/en/gratk\\_dci/gratk\\_dc\\_2.pdf](https://www.wipo.int/edocs/mdocs/tb/en/gratk_dci/gratk_dc_2.pdf)  
 Collins, N. (2024). *Indigenous governance of traditional knowledge*. Routledge.  
<https://doi.org/10.4324/9781003367123>  
 United Nations. (1992). *Convention on Biological Diversity*.  
<https://www.cbd.int/doc/legal/cbd-en.pdf>  
 United Nations. (2011). *Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilisation to the convention on biological diversity*. <https://www.cbd.int/abs/default.shtml>  
 Singh et al. (2024). The power of a 'toothless tiger'. *Island Business*, Aug. 20.  
<https://islandsbusiness.com/2024/august-2/the-power-of-a-toothless-tiger/>

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## POINT 3

Kava biopiracy will reduce global demand for Pacific-grown kava, harming smallholder farmers, export revenues, and national GDPs.

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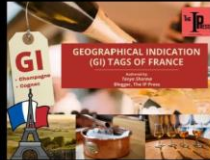
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### POINT 3



Kava biopiracy will reduce global demand for Pacific-grown kava, harming smallholder farmers, export revenues, and national GDPs.

- Geographical Indication (GI) protection



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### POINT 4



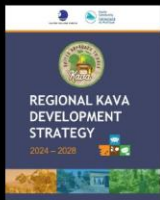
Protecting Pacific kava requires a unified, regional government-led response, including direct engagement with WIPO and the WTO.

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### POINT 4



Protecting Pacific kava requires a unified, regional government-led response, including direct engagement with WIPO and the WTO.

- Pacific Islands Forum *Regional Kava Development Strategy*

PIF. (2025). *Regional Kava Development Strategy 2024-2028*. The Pacific Islands Forum (PIF) in partnership with the Pacific Community (SPC) and the Forum KAVA Working Group. [https://forumec.org/sites/default/files/2024-11/RKD\\_Web%20Version.pdf](https://forumec.org/sites/default/files/2024-11/RKD_Web%20Version.pdf)

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### EXISTENTIAL THREAT 3

Redefinition and the risk of another 'Kava Ban'



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**POINT 5**

Pacific-wide government statement needed:  
**PRODUCTS THAT DO NOT MEET THE TRADITIONAL DEFINITION MUST NOT USE THE WORD 'KAVA.'**

**KAVA**

**PRODUCTS CONTAINING PIPER METHYSTICUM**

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**EXISTENTIAL THREAT 4**

**Kratom: A growing and serious threat**

**14%**  
 The percentage of kava bars that also serve kratom, according to Jimmy Price, a moderator for the kava subreddit and owner of an online kava community page.

**86% do!**

**HEALTH ALERT**

**'Gas-station heroin' targeted in crackdowns by states and cities**

McCurdy et al. (2024). An update on the clinical pharmacology of kratom. *Expert Review of Clinical Pharmacology*. <https://doi.org/10.1080/17512433.2024.2305798>

Xie, T., & Milton, I. J. (2023). New, non-alcoholic bars offer an addictive alternative: Kratom — Bloomberg. <https://www.bloomberg.com/news/newsletters/2023-10-23/kratom-a-dea-drug-of-concern-is-driving-growth-at-kava-bars>

<https://www.tandfonline.com/doi/abs/10.1080/17512433.2024.2305798>

<https://www.hia.gov/news-events/public-health-focus/risks-and-kratom>

<https://www.nbcnews.com/health/health-news/kratom-targeted-crackdowns-states-cities-rcna156661>

'euphoric hit': <https://www.vice.com/en/article/3ayyyy/the-appropriation-of-mood-altering-kava-plant-drink-by-westerners-trend>

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**EXISTENTIAL THREAT 4**

**Kratom: A growing and serious threat**

“When I walk into a kava bar, I say, ‘what’s the best thing you got?’ ... And 90% of the time, the bartender will say, ‘Oh, we’ve got this great stuff called kratom.’”  
 (Morgan Smith, CEO, *Kalm With Kava*)

Xie, T., & Milton, I. J. (2023). New, non-alcoholic bars offer an addictive alternative: Kratom — Bloomberg (online), Oct. 23. <https://www.bloomberg.com/news/newsletters/2023-10-23/kratom-a-dea-drug-of-concern-is-driving-growth-at-kava-bars>

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**EXISTENTIAL THREAT 4**

**Kratom: A growing and serious threat**

**Kava Growers In Hawai'i Fear Being Associated With 'Gas Station Heroin'**

**This is 2 of over 200 examples**

Percy et al. (2023). Kratom use among ethnocultural tea bar patrons in Colorado. *Drug and Alcohol Dependence Reports*. <https://doi.org/10.1016/j.dadr.2023.100363>

Heaton, T. (2025). *Kava growers in Hawai'i fear being associated with 'Gas Station Heroin'*. *Civil Beat* Honolulu, Jan. 30. <https://www.civilbeat.org/2025/01/kava-growers-in-hawaii-fear-being-associated-with-gas-station-heroin/>

Swanson, J. (2013). *Purple Lotus' kratom-faced kava drink: We try it for ourselves*. *New Times*: Broward Palm Beach, Nov. 21. <https://www.browardpalmbeach.com/restaurants/purple-lotus-kratom-faced-kava-drink-we-try-it-for-ourselves-6902466>

Masterson, T. (2025). *Is kratom tarnishing kava's reputation?* *NutraIngredients*, Nov. 4. <https://www.nutraingredients.com/article/2025/11/04/is-kratom-tarnishing-kavas-rep/>

McKinnis, P. (2024). *Kava chameleons*. *New Zealand Listener*. [https://pdfhost.io/v/9X-SK0AT\\_Kava\\_chameleons](https://pdfhost.io/v/9X-SK0AT_Kava_chameleons)

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## EXISTENTIAL THREAT 4

### Kratom: A growing and serious threat



She thought it was just another energy drink. It took half her bodyweight and sent her to rehab.

**Dr. Shan Yin, MD**, chair of the **American Psychiatric Association Committee on Substance Use Disorders**, believes kratom has emerged as a threat to public health because it does not bind to receptors in the brain the same way that drugs like heroin and amphetamine do. However, that doesn't mean kratom can't have similar effects.

"The shapes of these molecules from kratom are very different than the shapes of things like **opioids** and **stimulants**," Yin says. "And so, the response can be quite different than opioids, because they don't have a specific shape like opioids. And that's despite the fact that they work in a very similar way."

Some kratom addicts know this firsthand. Jason, a man in Florida who has struggled with addiction to both kratom and heroin, says the effects of the substance — as well as their withdrawal — still can be similar. After several years of sobriety from opioids, he **lost his job**.

He added we wouldn't be too surprised if that sharing his addiction struggles could damage his career.

#### Clinical addiction experts:

Dr. Shan Yin Aug. 28: [https://www.youtube.com/watch?v=121D\\_jW5Sc](https://www.youtube.com/watch?v=121D_jW5Sc)  
 Dr. Cornelius Stanier: <https://www.youtube.com/watch?v=50s1L90MWW> (19min, 55sec)  
 La Hacienda Treatment Center: <https://www.lahacienda.com/blog/kratom-kratom-drink>  
 Dr. Ethan Mellis: <https://mypost.com/2025/08/05/us-news/feel-free-to-hook-up-young-people-with-horrible-consequences/>  
 Dr. Lief Fessio: <https://www.usatoday.com/story/health/health-wellness/2025/08/06/kratom-7th-addiction-fda/85451305007>  
 Upton, R. (2025). Kava kratom addiction and dangers. In *Kava rhizome & root Piper methysticum G. Forst. Standards of Identity – American Herbal Pharmacopoeia*. (p.80-83)

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## EXISTENTIAL THREAT 4

### Kratom: A growing and serious threat

**KAVA & KRATOM BAR**

The situation worsens when establishments in the United States (U.S.), such as nakamals, mix kava with substances like kratom and sell the blend as "fresh kava." Such products should adopt alternative brand names to avoid misleading consumers and prevent another global ban on kava trade. I

Tekon Timothy Tumukon  
Vanuatu Biosecurity Director

Mr Rabuka said the Pacific has already experienced economic fallout from the manipulation and adulteration of safe kava in the early 2000s through the [redacted].

"This latest form of kava adulteration with substances like [redacted] and I would also suggest the growing of kava outside of the Pacific, has the potential to initiate [redacted]" he said.

Sitiveni Rabuka, Prime Minister of Fiji

With heightened attention on kratom, and the rise of products that mix it with kava, kava advocates fear adulteration will cut back the bar.

[redacted] said Vincent Lebot, author of "Kava: The Pacific Elixir."

Dr Vincent Lebot, Ethnobotanist, Vanuatu

Salatoga, S. (2023). *Kava adulteration overseas, may initiate a second export ban*. Fiji Times. <https://www.fijitimes.com/fj/kava-adulteration-overseas-may-initiate-a-second-export-ban/>  
 Tumukon, T. T. (2024). *Kava and kava-related issues*. Vanuatu Daily Post (online), Nov. 29. [https://www.dailypost.vu/opinion/kava-and-kava-related-issues-a-personal-perspective/article\\_22a88085-69d0-510d-af1c7-16a1a1a1a1a1.html](https://www.dailypost.vu/opinion/kava-and-kava-related-issues-a-personal-perspective/article_22a88085-69d0-510d-af1c7-16a1a1a1a1a1.html)  
 Heaton, T. (2025). *Kava growers in Hawaii fear being associated with 'Gas Station Heroin'*. Civil Beat. Honolulu, Jan. 30. <https://www.civilbeat.org/2025/01/kava-growers-in-hawaii-fear-being-associated-with-gas-station-heroin/>

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## POINT 6

Kratom's association with kava spreads misinformation and harms kava's reputation. Pacific governments must urgently lobby for bans on kratom sold in venues called/implied to be 'kava bars.'

**KAVA & KRATOM BAR**

**HEALTH ALERT**

FOR MORE INFORMATION VISIT: <https://www.health.govt.nz/our-services/health-alerts>

**KAVA & KRATOM ROOT & RISE 514**  
Kava, 2g kratom, queen's tea, special kiwi apple cider

MOCKTAILS	KRATOM
Kava & Kratom 514	Sweet White / Cit
Lemon Drop (Kratom Only)	12 oz
Bathona Mama	16 oz
	20 oz

KO TE TANGATA FOR THE PEOPLE



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## The path forward

1. Define kava according to Pacific traditional knowledge and the UN Kava CODEX Alimentarius (food standards)
2. Prohibit all 'products containing Piper methysticum' from using the word kava unless they meet the definition of kava
3. Lobby for firm regulatory action on kratom, particularly its association with kava and kava-labelled venues

This approach protects public health, Pacific livelihoods, export earnings, and national economies.

KO TE TANGATA FOR THE PEOPLE



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**In closing**

- online abuse
- unrealistic / customer confusion – 'kava gummies'
- Pacific traditional knowledge hindering greed-driven capitalism
- legal action / bullying

<https://tinyurl.com/kavacourt/>

**KAVA**

PRODUCTS CONTAINING PIPER METHYSTICUM

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**In closing**

Eurocentrism *believes* it has the ultimate right, not indigenous people, to determine structure and function.

Escobar, A. (1988). Power and visibility: Development and the invention and management of the Third World. *Cultural Anthropology*, 3(4), 428-443.

**KAVA**

PRODUCTS CONTAINING PIPER METHYSTICUM

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**In closing**

*Pacific people are proud of kava and want others to enjoy it...*  
...what we don't want is our cultural keystone species, based in 2000+ years of traditional knowledge and safe use, adulterated, misrepresented, exploited and appropriated by the 'culture industry'.

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**In closing**

**KAVA**

PRODUCTS CONTAINING PIPER METHYSTICUM

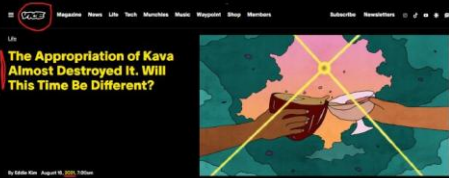
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### In closing

If we fail to act, we risk repeating history, with another kava ban and devastating consequences for Pacific farmers, communities, and economies.



<https://www.vicr.com/en/article/1a2yvvv/the-appropriation-of-mood-altering-kava-plant-drink-by-westerners-trend>

KO TE TANGATA  
FOR THE PEOPLE



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A black and white photograph showing a person's hands pouring kava from a wooden bowl into another bowl. A large QR code is overlaid on the right side of the image. Below the QR code, the text "POWERPOINT SLIDES" is written in red. In the bottom left corner, there is a small logo for the "INAUGURAL CONFERENCE 28-30 JAN 2025".

Dr S. 'Apo' Aporosa  
Duruvesi - Bula ni Pasivika (Senior Lecturer in Pacific Health)  
Te Wānanga Waioira Division of Health



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