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CITY ATTORNEY HEATHER FERBERT SUES SAN DIEGO SMOKE SHOP OPERATOR OVER ILLEGAL KRATOM SALES AT ELEVEN STORES

SAN DIEGO — The San Diego City Attorney's Office has filed a civil enforcement action under the Unfair Competition Law (UCL) against Wadea Wadea and eleven corporations he owns and operates, alleging the unlawful sale of kratom products containing mitragynine and 7-hydroxymitragynine (7-OH) at smoke shops across the City of San Diego. The lawsuit was filed on behalf of the People of the State of California.

The Complaint alleges that between March and May 2026, City investigators acting undercover visited all eleven of the defendants' retail locations and were offered and sold kratom products at every one. Investigators found the products openly displayed in the main retail space of each store, and observed exterior signage at several locations advertising kratom.

San Diego has prohibited the manufacture, sale, distribution, and possession for sale of mitragynine and 7-OH as novel psychoactive drugs since 2016 under San Diego Municipal Code sections 52.3302 and 52.3303.

"These are not harmless herbal supplements, they are dangerous, addictive drugs that San Diego banned a decade ago, sold in bright packaging from shelves in plain view," said **City Attorney Heather Ferbert**. "One operator ran eleven stores and, according to our investigators, broke the law at every single one. My office will hold these retailers accountable, get these products off shelves, and make sure businesses that follow the rules aren't undercut by competitors who ignore the law."

Kratom is a tropical plant containing two psychoactive substances, mitragynine and 7-OH, which act as stimulants in small doses and sedatives in larger doses. 7-OH is often concentrated or synthetically produced and added back into commercial products to increase potency. The U.S. Food and Drug Administration has warned of kratom's toxicity across multiple organ systems and found that repeated or prolonged use of 7-OH can lead to tolerance, physical dependence, and potentially opioid addiction. The Centers for Disease Control and Prevention has reported a 1,200% increase in kratom-related poison center reports over the last decade and identified at least 233 kratom-associated deaths nationally between 2015 and 2025. The San Diego County Medical Examiner has identified 38 kratom-related deaths in San Diego County since 2021.

The Complaint alleges the defendants' conduct is both an unlawful and an unfair business practice under the UCL, because profiting from banned products gives them an advantage over law-abiding competitors. The lawsuit seeks an injunction ordering the defendants to stop selling products containing mitragynine or 7-OH, civil penalties of up to \$2,500 per violation, additional penalties of up to \$2,500 per violation perpetrated against senior citizens or disabled persons, and recovery of investigative costs.

The named defendants are Wadea Wadea, individually, and G & Tito Inc.; IBW Trading Inc.; OB Smokers Inc.; Logan Trading Inc.; Roll Up Trading Inc.; HWM Trading Inc.; Federal Smoke Shop, Inc.; Mira Mesa Smoke and Vape Inc.; C.W. Trading Inc.; Dream City One Inc.; and Prime Smoke & Vape. The stores operate under the names Deniro Smoke Shop, IB Smoke Shop, OB Smokers, Adams Ave Smoke Shop, Re Up Smoke Shop, Red Eye, ZaZa Smoke and Vape, Mira Mesa Smoke and Vape, Exotic Smoke Shop, 858 Smoke and Vape, and Prime Smoke and Vape.

This case is being prosecuted by the Affirmative Civil Enforcement (ACE) Unit of the City Attorney's Office, which pursues public interest actions on behalf of the People of the State of California, by Deputy City Attorney Jordan B. DuBois.

The Complaint is attached [here](#).

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