

## Substance Abuse

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### Man Charged for Driving Under Influence of Kava Tea

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In the first case of its kind in California, San Mateo County police arrested a man for driving under the influence of kava tea, the San Francisco Chronicle reported April 29.

Kava is used in religious and other ceremonies in the South Pacific, where beverages are made from the kava root. In the United States, kava is sold as a natural herbal tea to relieve anxiety and insomnia.

Taufui Piutau of San Bruno, Calif., drank kava tea for hours with fellow parishioners at his church. Police officers later pulled him over when they spotted his vehicle weaving on the highway.





Piutau faces the same penalty as if he drove while drunk. His lawyer called the charge ridiculous. "It's a widespread beverage sold over the counter with no warnings on it," said Scott Ennis. "You can have a very similar effect to drinking a double shot of cappuccino. It gives you a little buzz like coffee, but it makes you mellow."

But District Attorney Jim Fox pointed out that it is clearly noted in state law that a "drug" need not be illegal or have a warning label attached to make it a driving-under-the-influence violation.

"It is our belief that kava is a substance that has a hallucinogenic effect that impairs a person's ability to drive," Fox said. "The fact that kava is not illegal per se does not negate the hallucinogenic properties. The law doesn't require that the drug be illegal."

Piutau was charged with one misdemeanor count, which carries a penalty of six months in county jail and a \$500 fine.

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