



A BRIEF FOR OFFICIALS

Six questions to ask *before a vote on kratom.*

The FDA's and DEA's recent actions target concentrated and semisynthetic kratom products, such as tablets, shots and gummies made with 7-hydroxymitragynine (7-OH). The FDA reports that 7-OH is less than 2% of the alkaloids in natural leaf, and that these products likely involve chemically converting mitragynine, the leaf's main alkaloid. These six questions help a bill reach those products without banning the leaf.

QUESTION 01



Does the bill separate leaf from concentrated and synthetic 7-OH?

Federal actions on 7-OH do. The FDA says its action is not focused on natural kratom leaf products, and the DEA's proposal does not apply to botanical kratom with naturally occurring 7-OH below its threshold.

SERIES PART 1 FDA, July 29, 2025. DEA proposal, July 1, 2026.

QUESTION 02



What do the numbers behind the bill measure?

The CDC's 1,200% rise counts poison center reports: calls about actual or suspected contact with kratom, whether or not anyone had symptoms. The authors note the data can't tell leaf from concentrated 7-OH, and that the 2025 surge coincides with the arrival of those concentrates.

SERIES PART 2 CDC, MMWR, March 26, 2026.

QUESTION 03



How will it be enforced?

Require an independent lab's certificate of analysis for every lot, tied to the lot number on the package. Inspectors check the paperwork at the counter, and a product that doesn't match goes to an accredited lab. No lab is needed in the store.

SERIES PART 3 Fits into routine retail inspections.

QUESTION 04



If there's a 7-OH limit, what is it a percentage of?

2% of the alkaloids sits just above natural leaf, which the FDA puts under 2%. 2% of a product's weight is about 50 times the top of the typical leaf range the FDA reports. New York's S8925-A uses 2% of total alkaloids, or 1 mg per serving.

SERIES PART 4 FDA, July 2025. N.Y. S8925-A. See page 2.

QUESTION 05



What can it reach?

Store sales, yes. Delivery into the area, personal possession and sellers in other states depend on how the law is written, and on state law. Those are questions for the local government's attorney.

SERIES PART 5 Questions for counsel, not legal advice.

QUESTION 06



How does it keep kratom away from young people?

With rules like those for tobacco and alcohol: age 21 with ID checks, storage behind the counter, and no products or packaging that appeal to children. New York has barred kratom sales to anyone under 21 since June 17, 2026.

SERIES PART 6 N.Y. S4552-A, Chapter 690 of 2025.





THE KEY NUMBERS

Leaf and 7-OH products are not the same thing.

TWO PERCENT OF WHAT?

The same 2% can write two very different laws.

7-OH as a share of a product's weight

Natural kratom leaf
typical range, per the FDA

0.01% to 0.04%

DEA's proposed line
for plant material

0.05%

A limit written as 2%
of a product's weight

2%: about 50× the top of the typical leaf range

0% 0.5% 1% 1.5% 2%

Written as **2% of the alkaloids**, as in New York's S8925-A and the model Kratom Consumer Protection Act, the line sits just above natural leaf, which the FDA puts under 2%. 7-OH products in a recent lab study measured 2.2% to 7.5% of their weight, so a limit of 2% by weight sits just below the lowest of them.

ONE PILL VS. THE LEAF

15 mg

7-OH in one pressed pill the FDA cited. At the leaf levels the FDA reports, 0.01% to 0.04% of dry weight, that's the 7-OH in about 40 to 150 grams of dried leaf. Some newer tests find even less in leaf.

Each square is 10 grams of dried leaf



about 40 g

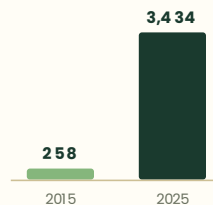
about 150 g

FDA 7-OH assessment, July 2025. Brown et al., 2026.

WHAT THE CDC COUNTED

1,200%

Kratom reports to poison centers, 2015 to 2025. A report is a call about actual or suspected contact, whether or not anyone had symptoms; outcomes are tracked separately. The data don't show whether a report involved leaf or concentrated 7-OH.



CDC, MMWR, March 26, 2026.

WHAT A WORKABLE LAW INCLUDES

- ✓ A 7-OH limit of 2% of total alkaloids, with any milligram cap aimed at processed and concentrated products
- ✓ Age 21, with ID checks in stores and age verification online
- ✓ Products kept behind the counter or locked
- ✓ No candy-like products or packaging that appeals to children
- ✓ A lab certificate for every lot, matched to the package's lot number
- ✓ Penalties, enforced through routine retail inspections

Concentrated 7-OH comes off the shelf. Natural leaf stays legal and regulated for adults.

IN NEW YORK

Where the state and counties stand

- **State law** has barred kratom sales to anyone under 21 since June 17, 2026.
- **S8925-A** would ban 7-OH products above 2% of total alkaloids or 1 mg per serving. It passed the Senate 61 to 0 and passed the Assembly in June 2026, and awaits the Governor.
- **Dutchess County** Local Law No. 6 of 2026 bans 7-OH concentrates at those limits. The county says it preserves adults' access to natural leaf.
- **Suffolk County** adopted a regulation law with third-party testing and the age-21 limit, signed July 30, 2026.





THE VIDEO SERIES

Six short videos, *with the sources on screen.*



SCAN TO WATCH

Each part takes a few minutes and stands on its own.

Every claim is sourced on screen. The narration is an AI-generated voice, and the illustrations were drawn for the series. Share any part with colleagues or staff.

hudsonvalleybotanicals.com/kratom-explainer-series

1 Kratom Leaf and 7-OH: Where the Line Is Drawn

How natural leaf differs from concentrated and synthetic 7-OH products, and where federal agencies draw the line.

2 Kratom and the 1,200% Increase: What the Numbers Measure

What the CDC's poison center figure counts, and what it can't show.

3 Kratom 7-OH Limits: How a Threshold Law Is Enforced

Lab certificates for every lot, and the four things an inspector checks.

4 Kratom and the 2% Limit: Two Percent of What?

Why 2% of the alkaloids and 2% of a product's weight make very different laws.

5 Local Kratom Bans: What They Can and Can't Reach

Store sales, delivery, possession, sellers in other states, and the room state law leaves.

6 Kratom Bills: Six Questions to Ask Before a Vote

The whole series as six questions for any kratom bill.

ABOUT THIS BRIEF

Produced by Hudson Valley Botanicals LLC, a kratom business that sells leaf products only and has a financial interest in how kratom is regulated. It is not legal advice. Facts were checked on September 30, 2026. The DEA's 7-OH threshold is a proposal, not yet final, and New York's S8925-A awaits the Governor's decision.

ABOUT THE PUBLISHER

Hudson Valley Botanicals sells kratom leaf products only: no 7-OH and no concentrated extracts. Every batch is tested by an independent lab, with results posted publicly. Sales are for adults 21 and over, and orders don't ship to places where kratom sales are banned. Drafting references, such as the text of Dutchess County Local Law No. 6 of 2026, are available on request.

SOURCES

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