



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017
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August 2026

Hon. Sue Serino, Dutchess County Executive

Poughkeepsie, New York

Re: A Dutchess County business asks: target the real problem, not the plant.

Dear County Executive Serino,

My name is Scott Urbin, and I own Hudson Valley Botanicals, a small business that has operated here in Dutchess County since 2017. I am writing about the proposed local law announced on July 30 that would prohibit the sale and distribution of kratom and kratom-derived products countywide. I am respectfully asking you and the County Legislature to choose a targeted regulatory framework instead of a blanket prohibition.

I share your concern for public safety, and especially for keeping these products away from young people. I am not asking the county to do nothing. I am asking it to aim at the actual problem. The products driving recent headlines, poison control calls, and hospital visits are concentrated and synthetic derivatives of 7-hydroxymitragynine, commonly sold as "7-OH." These are chemically enhanced isolates that reach potencies never found in the natural leaf. As announced, the proposal does not distinguish between those engineered concentrates and traditional leaf products, and it would treat a responsible, tax-paying Dutchess County business the same as the gas station counter selling flashy 7-OH tablets. It is worth noting that the CDC exposure data cited in the county's announcement covers the same period in which the DEA documented a rapid proliferation of concentrated synthetic 7-OH products in the marketplace, which is precisely why the federal response targets those products.

The federal government has just drawn exactly this line. On July 1, 2026, the U.S. Drug Enforcement Administration announced its intent to temporarily place 7-OH above a specified concentration threshold, along with three related synthetic compounds, into Schedule I of the Controlled Substances Act, with the scheduling order expected to take effect in early August [1][2]. The DEA deliberately limited this action to concentrated and synthetic products. Natural leaf kratom below the threshold is not covered [3]. In other words, after reviewing the science with the FDA and HHS, the federal agencies charged with drug enforcement and public health concluded that the concentrates are the threat and drew their rule accordingly [4]. A countywide ban on all kratom products would go further than the DEA itself determined was warranted, while the dangerous 7-OH products the county is rightly worried about are about to become federally illegal regardless of what Dutchess does.

New York State has been drawing the same line. In December 2025, the Governor signed legislation prohibiting kratom sales to anyone under 21 and requiring full ingredient disclosure and consumer warning labels [5]. In June 2026, the Legislature unanimously passed a bill addressing concentrated synthetic 7-OH products [6], and further legislation modeled on the Kratom Consumer Protection Act framework, with testing, labeling, and age requirements, has been introduced [7]. A county law that mirrors and strengthens the state and federal approach would be durable and enforceable. A blanket ban would simply push demand to unregulated online sellers and out-of-county shops while shutting down the local businesses that already follow the rules.

Just last week, Suffolk County's Legislature faced this same choice and voted unanimously to regulate kratom rather than ban it outright [8]. Dutchess County has the opportunity to adopt the same evidence-based posture.

As for how a responsible operator runs: my company sells leaf-only products. We carry no 7-OH and no concentrated extracts, and never have, and never will. We verify that every customer is 21 or older through a third party that requires them to upload a photo of their ID at checkout, we test every batch through independent third-party laboratories and publish the certificates of analysis on our site for all to see, we label in compliance with New York's new requirements, and we do not ship to localities where sale is prohibited. Everything the county is worried about, from youth access to unlabeled and untested products, is already addressed by these standards, and they can be written into county law and enforced by the Department of Health with the same civil penalty structure your proposal contains.

Before the Legislature takes this up on August 10, I would welcome the chance to meet with you or your staff, answer any questions about how businesses like mine operate, and share what a Dutchess County regulatory framework aligned with the DEA's threshold approach and the state's standards could look like. I also plan to attend the public hearing on this local law and would be glad to speak on the record. I want the same outcome you do: a county where dangerous synthetic products are off the shelves and no minor can buy any of this, anywhere.

Thank you for your time and for your service to Dutchess County.

Respectfully,

Scott Urbin

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SOURCES

1. DEA press release, July 1, 2026, "DEA to Temporarily Schedule 7-OH and Related Substances to Protect Public Safety." [dea.gov/press-releases/2026/07/01/dea-temporarily-schedule-7-oh-and-related-substances-protect-public](https://www.dea.gov/press-releases/2026/07/01/dea-temporarily-schedule-7-oh-and-related-substances-protect-public)
2. Federal Register, July 6, 2026, Notice of Intent, Temporary Placement of 7-Hydroxymitragynine Above a Specified Threshold in Schedule I. [federalregister.gov/documents/2026/07/06/2026-13580](https://www.federalregister.gov/documents/2026/07/06/2026-13580)
3. Congressional Research Service, "Temporary Control of 7-Hydroxymitragynine (7-OH) and Related Substances Under the Controlled Substances Act." [congress.gov/crs-product/LSB11457](https://www.congress.gov/crs-product/LSB11457)
4. FDA, "Hiding in Plain Sight: 7-OH Products," July 13, 2026 update on the DEA notice of intent and the HHS comment period. [fda.gov/news-events/public-health-focus/hiding-plain-sight-7-oh-products](https://www.fda.gov/news-events/public-health-focus/hiding-plain-sight-7-oh-products)
5. Governor of New York press release, December 22, 2025, signing S4552-A/A2340-A (under-21 sales prohibition) and S8285/A5852-A (warning label requirements). [governor.ny.gov/news/governor-hochul-signs-two-pieces-landmark-legislation-protect-new-yorkers-against-harmful](https://www.governor.ny.gov/news/governor-hochul-signs-two-pieces-landmark-legislation-protect-new-yorkers-against-harmful)
6. New York S8925-A of 2026, prohibiting products containing 7-hydroxymitragynine above 2% of total alkaloids or 1 mg per serving, passed Senate 61-0 and Assembly 132-0. legiscan.com/NY/bill/S08925/2025
7. New York S10514 of 2026, establishing testing, labeling, and age standards for kratom products while preserving local authority. [nysenate.gov/legislation/bills/2025/S10514](https://www.nysenate.gov/legislation/bills/2025/S10514)
8. The Long Island Advance, July 30, 2026, "County Legislature approves kratom regulation." [longislandadvance.net/stories/county-legislature-approves-kratom-regulation,125493](https://www.longislandadvance.net/stories/county-legislature-approves-kratom-regulation,125493)