



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

scott@hudsonvalleybotanicals.com | www.hudsonvalleybotanicals.com

September 9, 2026

Betsy Sherman-Saunders

Clerk of the Legislature

Oswego County Legislature

46 East Bridge Street, Oswego, New York 13126

Re: Comment for the September 10, 2026 meeting. Local Law No. 7 of 2026 and Agenda Item HE-3.

Dear Ms. Saunders,

Thank you again for forwarding my earlier correspondence. One short comment for tomorrow's meeting, which I would be grateful if you could pass along to the Health Committee and the members.

First, Local Law No. 7 as drafted has my support, and I want to say so plainly. Age 21 enforcement, behind-the-counter or locked storage, and the 500-foot school buffer are the youth-access controls that work. The 90-day effective date in Article 13 gives retailers a fair window to comply, Article 12 makes the SEQRA determination on the record, and Article 10's reverse preemption clause is a sensible way to keep the county's rule from diverging from the state's. I said in August that this law deserved support, and I say the same now that I have read the final text. I have no premises in Oswego County and I block sales and shipments to any locality that prohibits them.

Second, a comment on HE-3, the resolution urging the State to place kratom and its derivatives on the schedule of controlled substances. I raise it because it sits oddly beside the law the same body would adopt minutes earlier.

Local Law No. 7 opens by acknowledging the State's legalization of kratom sales and builds its restrictions on that footing. HE-3 states that the county believes kratom is unsafe to sell at all. Both cannot be true, and if Albany scheduled the plant, there would be no lawful retail sale left for Local Law No. 7 to regulate. The youth-access protections this body worked on would be moot rather than preserved.

HE-3 urges enactment of A04034/S07379. It does not mention S8925-A, which passed the Senate 61 to 0 and the Assembly unanimously in June and awaits the Governor. That bill prohibits products containing 7-hydroxymitragynine above two percent of total alkaloids or one milligram per serving, while leaving natural leaf lawful for adults. It is the direction the State Legislature has already chosen, without a dissenting vote in either house, and a county resolution urging a different bill without acknowledging it is likely to carry less weight in Albany than intended.

HE-3 also raises heavy metals, bacteria, and a lack of information about what products contain. Those are real concerns, and they are an argument for mandatory testing and labeling rather than prohibition. New York's December 2025 labeling law requires ingredient disclosure and warnings, and S8925-A sets a testable threshold. Prohibition produces no test results. It moves purchases to sellers who publish none.

If the Committee's concern is the concentrated and synthetic products, a memorializing resolution urging the Governor to sign S8925-A would reach those products, would be consistent with Local Law No. 7, and would put Oswego County on the same line the DEA drew in July.

I recognize HE-3 carries no legal force. I raise it only because a county resolution becomes a citation elsewhere, and this one would be cited against the approach Oswego itself took in Local Law No. 7.

Thank you for your help throughout this.

Respectfully, Scott Urbin | Owner, Hudson Valley Botanicals | Poughkeepsie, Dutchess County, NY