



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017
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August 5 and 11, 2026

Betsy Sherman-Saunders, Clerk

Oswego County Legislature, Oswego, New York

Re: Written comment for the August 13 meeting: proposed kratom local law (Local Law No. 7)

SENT AUGUST 5, 2026

Dear Ms. Saunders,

I sent the letter below to members of the Health Committee ahead of the August 13 Legislature meeting, but my copies to your office and to County Attorney Richard C. Mitchell were returned undelivered, as I had the wrong addresses.

Would you please forward it to Mr. Mitchell, and to any Health Committee members who may not have received it, and include it with the materials for the August 13 meeting? Two documents are attached: the text of the kratom local law recently filed in Dutchess County, which may be useful to Mr. Mitchell as a drafting reference, and a one-page backgrounder.

Thank you for your help, and please let me know if there is a different procedure I should follow to submit written comment for the record.

Dear Chairman House and Members of the Health Committee,

My name is Scott Urbin. I own Hudson Valley Botanicals, a kratom business operating in Dutchess County since 2017. I watched the committee's August 4 discussion of proposed Local Law No. 7, and I am writing before the August 13 Legislature meeting because I understand an amendment toward an outright prohibition is under consideration. I sell kratom for a living, I have no premises in Oswego County, and adults in the county are among my customers. I state my interest plainly for that reason. I also want to be clear up front that I block sales and shipments to any locality that prohibits them, and I would do the same here whatever the Legislature decides.

First: Local Law No. 7 as drafted deserves support. Age 21 enforcement, behind-the-counter or locked storage, and a school buffer are exactly the youth-access controls that work for tobacco, and I would say that as readily at your September 10 hearing. I share the goal. I do not want these products anywhere near young people, and I do not dispute that families have been badly hurt.

But the products doing the harm are concentrated and synthetic 7-OH derivatives, engineered to strengths the plant never produces, and the question raised at your meeting, whether the county can prohibit outright what the state has legalized and is actively regulating, deserves a careful answer before the text changes. A few facts that bear on it:

1. New York now regulates kratom by statute. Laws signed December 22, 2025 prohibit all sales under 21 statewide and require warning labels and ingredient disclosure [1]. In June, both houses passed S8925-A without a dissenting vote, prohibiting products with 7-OH above 2 percent of total alkaloids or 1 milligram per serving; it awaits the Governor [2]. A county prohibition of the entire plant would ban what this framework regulates, which is where the preemption question your counsel flagged becomes sharpest. A county measure

drawn on the state's own thresholds avoids it, and your draft's Article 10 already anticipates the state framework.

2. The federal government has drawn the same line. The DEA's scheduling of concentrated 7-OH products above a set threshold takes effect this month, and it expressly does not reach natural leaf below that threshold [3].
3. Counties have gone both ways, and the most recent deliberate outcomes drew the line at the concentrates. Suffolk County amended a proposed blanket ban into a regulatory law after extended public hearings; its County Executive signed it July 30 [4][5]. Dutchess County announced what was described as a countywide ban, but the local law actually filed, Resolution No. 2026136, prohibits only 7-OH products above the state thresholds, with prescription and FDA exemptions; the Legislature votes August 10 [6]. I support that law, and I have attached its text, since it may be a useful drafting reference for the County Attorney. Nassau and Washington Counties adopted prohibitions, and Oneida County votes on one August 12, so the question in your chambers is genuinely live across the state.

A blanket ban will not stop kratom from entering Oswego County. It will move every local purchase to unregulated online sellers with no age checks, no testing, and no labels, while the measure you already drafted, or a concentrate prohibition on the state's thresholds, targets what is actually reaching young people.

I have also attached a one-page backgrounder with every figure drawn from the government sources cited.

Respectfully,

Scott Urbin

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Attachments: Dutchess County Resolution No. 2026136 as filed (PDF); Kratom in Context, one-page backgrounder (PDF).

UPDATE SENT AUGUST 11, 2026

Dear Ms. Saunders,

One short update, which I would be grateful if you could pass along to the Health Committee, the County Attorney, and the members ahead of Thursday's meeting.

The Dutchess County Legislature adopted Resolution 2026136 last night. Dutchess now prohibits only products containing 7-hydroxymitragynine above two percent of total alkaloids or one milligram per serving, the same thresholds as the state bill passed by both houses in June, while leaving natural leaf subject to the state's age and labeling requirements. The law assigns enforcement to the county health department and voids itself automatically if a statewide framework takes effect. I have attached the text again here.

I mention it because it may be useful to Mr. Mitchell as a drafting reference, and because it is a recent example of a New York county reaching the question raised at the August 4 committee meeting and answering it by drawing the line at the concentrates.

Thank you again for your help. I still plan to attend the September 10 public hearing.

Respectfully,

Scott Urbin

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SOURCES

1. Governor of New York, December 22, 2025 signing release. www.governor.ny.gov/news/governor-hochul-signs-two-pieces-landmark-legislation-protect-new-yorkers-against-harmful
2. New York S8925-A of 2026, passed Senate 61-0 (June 2) and Assembly 132-0 (June 5). www.nysenate.gov/legislation/bills/2025/S8925/amendment/A
3. DEA press release, July 1, 2026, "DEA to Temporarily Schedule 7-OH and Related Substances to Protect Public Safety." www.dea.gov/press-releases/2026/07/01/dea-temporarily-schedule-7-oh-and-related-substances-protect-public
4. Long Island Life & Politics, July 31, 2026, "County Signs Kratom Restrictions, Tianeptine Ban into Law." lilifepolitics.com/news/long-island-news/county-signs-kratom-restrictions-tianeptine-ban-into-law/
5. Suffolk County Legislature, amended I.R. 1279-2026 (adopted July 2026). www.scnylegislature.us
6. Dutchess County Legislature, Resolution No. 2026136 as filed. [ConCalAtt/2/Committee%20Resolution%202026136.pdf](#)