



HUDSON VALLEY BOTANICALS

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RENSSELAER COUNTY KRATOM BACKGROUNDER | AUGUST 2026

THE DISTINCTION EVERY THRESHOLD IS BUILT ON

Kratom leaf contains 7-hydroxymitragynine (7-OH) naturally, at or below roughly two percent of total alkaloid content. The products driving the regulatory response are concentrated and semi-synthetic 7-OH goods sold at concentrations the plant does not produce. Federal and state law have both drawn the line at that concentration, not at the plant.

FEDERAL

- July 2026: the DEA moved to temporarily place concentrated 7-OH and related compounds, including mitragynine pseudoinoxyl, MGM-15 and MGM-16, into Schedule I. The threshold in that action is set so that natural leaf falls outside it.
- Kratom leaf itself is not federally scheduled, is not FDA approved for any use, and is not an approved dietary ingredient. Nothing here is a health or therapeutic claim.

NEW YORK STATE

- **December 22, 2025.** The Governor signed two laws. Sales to anyone under 21 are prohibited with civil penalties, in effect now. Every product must carry a warning label and full ingredient disclosure, effective December 22, 2026. Marketing kratom as “all natural” is prohibited.
- **June 2026.** S8925-A prohibits the sale, offer for sale, delivery, or distribution of any product containing 7-OH above two percent of total alkaloids or one milligram per serving. It passed the Senate 61 to 0 and the Assembly in June, awaits the Governor, and takes effect 90 days after signing.
- **Local relevance.** The bill's co-sponsors include Senator Jake Ashby, whose 43rd District covers all of Rensselaer County. He voted for it.

WHERE NEW YORK COUNTIES STAND ON KRATOM, AS OF AUGUST 24, 2026

COUNTY	ACTION TAKEN	DATE
ADOPTED OR ORDERED		
Nassau	Prohibited all kratom sales	March 2026
Suffolk	Regulatory framework; tested leaf permitted	Signed July 30, 2026
Dutchess	7-OH threshold prohibition; leaf permitted	Adopted August 10, 2026
Oneida	Prohibited all kratom sales	Adopted August 12, 2026
Albany	All-kratom ban by executive health order, not a local law	Effective August 31, 2026
STILL IN PROGRESS		
Warren	Declined a local ban; sought a letter backing the state Synthetic Kratom Kills Act	Committee, July 21, 2026
Oswego	Youth-access law redirected toward a full ban; public hearing pending	Hearing September 10, 2026
Rensselaer	T-4: all-kratom prohibition; 11 of 19 members sponsoring	Vote Sept. 8, 2026

Warren chose a letter of support for the state Synthetic Kratom Kills Act (S10514 / A10969), which prohibits synthesized and adulterated kratom while requiring testing and labeling for natural products. **Oswego's** counsel, asked to draft an outright ban, raised state preemption, home-rule limits, and Oswego's non-charter status; T-4 raises the same questions. **Rensselaer's** September 8 session is the vote itself: the Clerk confirms there is no public hearing before it, and the County Executive's hearing is scheduled only after passage.

SCALE, AND WHAT A COUNTY LINE CAN AND CANNOT REACH

Rensselaer County has roughly 160,500 residents. T-4's own enforcement section reaches retailers within the county and any vehicle they use. Nothing in the draft reaches an out-of-county seller shipping in, a provision the Dutchess text expressly includes. As written, the law closes the local shops that can already be inspected and leaves the mail untouched, while a threshold law reaches the same shops and the shipped products both.

WHAT COMPLIANCE ALREADY LOOKS LIKE WITHOUT A MANDATE

Leaf only, no 7-OH and no concentrated extracts. Age verification wherever the law requires it, New York included. Third-party lab testing with published certificates. State-compliant labeling. Shipments blocked into every prohibiting jurisdiction, most recently Albany County. A local law can require all five of every seller.

THE ASK

Amend T-4 on the floor September 8 to prohibit concentrated and synthetic 7-OH at the S8925-A thresholds, keep every enforcement tool already drafted, the confiscation, the per-item penalties, and the criminal referral, aimed at those products, and add the online-seller provision the draft lacks. Dutchess County Resolution 2026136 is a working New York model: filed by legislators after their Executive proposed a full ban, and adopted unanimously.

Disclosure. Prepared by Scott Urbin, owner of Hudson Valley Botanicals LLC of Poughkeepsie, New York. I sell kratom leaf into Rensselaer County and have a commercial interest in this outcome. Every factual item above comes from a government document or the Clerk of the Legislature; the underlying texts are available on request.