



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

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August 24, 2026

Hon. Mark J. Fleming, Minority Leader

Hon. Nina M. Nichols, Deputy Minority Leader

Legislators Ashley, Galuski, Rutecki, Sabo, Weaver and Zalewski

Rensselaer County Legislature, 99 Troy Road, East Greenbush, New York 12061

Re: Local Law T-4 (Intro) of 2026. A floor amendment worth offering on September 8.

Dear Legislators,

My name is Scott Urbin. I own Hudson Valley Botanicals, a kratom company based in Poughkeepsie that has operated since 2017 and sells to customers and retailers across New York, including in Rensselaer County. I do not live in your county, and I have a commercial interest in this law. I want that on the table before you read another line.

T-4 was introduced on August 11 with eleven sponsors, and its printed adoption block already carries September 8, the date of the vote. The Clerk confirms there is no public hearing before it: the only hearing on T-4 comes afterward, before the County Executive, and is not scheduled until the law has passed. I am writing to the eight of you because you did not sponsor it, which makes you the only members who can put an alternative before the body.

The ask. Offer a floor amendment that replaces the all-kratom prohibition with the thresholds in state bill S8925-A: no product containing 7-hydroxymitragynine above two percent of total alkaloids or one milligram per serving. Keep the draft's penalties and enforcement aimed at those products, and add the provision it lacks and the Dutchess text includes, reaching online sellers who ship into the county from outside it.

You would not be inventing this. Three weeks ago the Dutchess County Legislature received a County Executive's proposal to ban all kratom. Four legislators filed a narrower version aimed at the concentrates instead, and on August 10 it was adopted unanimously. The adopted text is enclosed, and it is no soft option: strict liability, \$1,500 for a first violation, \$3,000 for repeats within thirty-six months, an additional \$500 where the sale is to anyone under 21, and every sale a separate violation.

It is also where every level of government above the county drew the line this year:

1. In July, the DEA moved concentrated 7-OH products and three related synthetic compounds into Schedule I, with a threshold set so that natural leaf falls outside the order.
2. New York's under-21 sales prohibition has been in effect since December 2025, and the warning label and ingredient disclosure requirements take effect this December. I comply with the first and am already labeling to the second.
3. S8925-A passed the Senate 61 to 0 on June 2, passed the Assembly on June 5, and awaits the Governor. Senator Ashby, whose district covers all of Rensselaer County, is a co-sponsor and voted for it.

Three comparisons with the enclosed Dutchess text are worth knowing before the vote. Dutchess grounds its law in Municipal Home Rule Law §10(1)(ii)(a)(12) and its county charter; T-4's authority section cites only Article IX. Dutchess retires itself the day corresponding state law takes effect; T-4 has no such clause, with S8925-A on the Governor's desk. And Dutchess reaches any online platform shipping into the county; T-4's enforcement reaches retailers within the county and their vehicles. A short technical note on each has gone to the County Attorney's office.

An amendment may not carry on the count. It is still worth offering, because it places the State's own thresholds in the record and gives every member the choice of a version aimed at the products the DEA and the State Legislature have named.

My own practices are itemized in the enclosed background. The Rules of the Legislature limit speakers to county residents, so I cannot address you in chambers, but I am glad to answer any member's questions in writing before the eighth.

Respectfully,

Scott Urbin | Owner, Hudson Valley Botanicals LLC | Poughkeepsie, NY

Every factual statement in the attached letter is drawn from a government document or an official legislative record. Each one is listed below with a direct link, so that counsel and staff can verify it at the source rather than take my word for it. In the electronic copy the entries are clickable; the full address is printed beneath each one for anyone working from paper.

1. **Federal scheduling action.** U.S. Drug Enforcement Administration, “DEA to Temporarily Schedule 7-OH and Related Substances to Protect Public Safety,” news release, July 1, 2026. Two Notices of Intent: one covering 7-OH above a specified threshold, one covering mitragynine pseudoindoxyl, MGM-15 and MGM-16. [dea.gov](https://www.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 notice.** Document 2026-13580, “Schedules of Controlled Substances: Temporary Placement of 7-Hydroxymitragynine Above a Specified Threshold in Schedule I,” published July 6, 2026. [federalregister.gov](https://www.federalregister.gov/documents/2026/07/06/2026-13580/schedules-of-controlled-substance-temporary-placement-of-7-hydroxymitragynine-above-a-specified)
<https://www.federalregister.gov/documents/2026/07/06/2026-13580/schedules-of-controlled-substance-temporary-placement-of-7-hydroxymitragynine-above-a-specified>
3. **New York State law.** Office of the Governor, December 22, 2025. S4552-A / A2340-A prohibits sales to anyone under 21 and is in effect now. S8285 / A5852-A requires a warning label and full ingredient disclosure, effective December 22, 2026. [governor.ny.gov](https://www.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>
4. **S8925-A, thresholds and vote record.** New York State Senate, Bill S8925-A. Senate floor vote June 2, 2026: 61 aye, 0 nay. Substituted for A9156-B and passed the Assembly June 5, 2026. Prohibits sale, offer for sale, delivery or distribution of any product containing 7-OH above two percent of total alkaloids or one milligram per serving; effective the ninetieth day after becoming law. [nysenate.gov](https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A)
<https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A>
5. **Senator Ashby.** Co-sponsors of S8925-A include Senator Jacob Ashby of the 43rd Senate District, which covers all of Rensselaer County; recorded aye on the June 2 floor vote. [nysenate.gov](https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A)
<https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A>
6. **Dutchess County.** Resolution 2026136, filed by Legislators Valdés Smith, Atkins, Munn and Kaul after the County Executive proposed a full ban; adopted unanimously August 10, 2026, and awaiting the County Executive's signature as of this date. County news release and filed text; see the enclosed reference sheet. [dutchessny.gov](https://www.dutchessny.gov/Dutchess-Legislature-Moves-to-Ban-Dangerous-Gas-Station-Kratom-Concentrates-While-Protecting-Adults-Access-to-Natural-Leaf.htm)
<https://www.dutchessny.gov/Dutchess-Legislature-Moves-to-Ban-Dangerous-Gas-Station-Kratom-Concentrates-While-Protecting-Adults-Access-to-Natural-Leaf.htm>
7. **Suffolk County.** Introductory Resolution No. 1279-2026 as amended, a regulatory framework rather than a prohibition, signed by the County Executive July 30, 2026. [scnylegislature.us](https://www.scnylegislature.us)
<https://www.scnylegislature.us/DocumentCenter/View/128016/Introductory-Resolution-1279-26-PDF>
8. **The text under consideration.** Rensselaer County Legislature, Local Law T-4 (Intro) of 2026, introduced August 11, 2026, and the August 11, 2026 meeting packet. Sponsors: Patire, Hoffman, Loveridge, Film, Choquette, Bayly, Grant, Casale, Herrington, Maloney and Wysocki. Sections cited above: 4 (exemption), 5 (inspection and enforcement), 6 (penalties), 8 (effective date).
9. **Procedure on September 8.** Rensselaer County Clerk of the Legislature, correspondence with the author, August 24, 2026: the September 8 session is the vote on T-4; there is no public hearing before the vote, and the County Executive's public hearing is scheduled only after passage. Rules of the Legislature limit speakers in chambers to county residents.

A note on what is not cited here. I have made no claim in the letter or the enclosures about what kratom does to the body, what it is useful for, or how it compares to anything else. Kratom is not approved by the FDA for any use and is not an approved dietary ingredient. My argument rests only on where federal and state law have drawn the line and on what a county prohibition can and cannot reach.