



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

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August 31, 2026

Hon. Scott Ostrander, Chair

Hon. C. Eric Butler, Vice Chair

Supervisors Antoski, Burger, Fish, Peck and Sanghvi

Public Safety Committee, Saratoga County Board of Supervisors

40 McMaster Street, Ballston Spa, New York 12020

Re: Agenda Item X, Introductory No. 6, Print No. 1 of 2026. A request to amend before introduction.

Dear Chairman Ostrander and Members of the Committee,

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 Saratoga 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.

I am writing about the item before you on September 1. I am not asking the Committee to reject it. I am asking that the draft be amended before it is introduced, so that it prohibits the concentrated and synthetic products the DEA acted against in July rather than the plant leaf.

One thing worth confirming at the outset. The agenda describes Item X as a law to prohibit the sale and distribution of “certain kratom products.” The draft attached to it is not limited to certain products. Its title, its Section 1 statement of intent, and Section 4(E), which is headed “No Exception for Natural Kratom Leaf Products,” all reach every kratom product including dried and powdered natural leaf. If the Committee’s intent matches the agenda language rather than the draft, the two should be reconciled before introduction.

What the amendment would look like. Prohibit products containing 7-hydroxymitragynine (7-OH) above a stated concentration, and leave tested natural leaf lawful for adults 21 and over. Dutchess County Resolution 2026136, adopted unanimously August 10, does exactly that: it prohibits 7-OH above two percent of total alkaloids or one milligram per serving, reaches named synthetic analogs, and expressly reaches online sellers shipping into the county. Albany County went further and prohibited all kratom in its Emergency Public Health Order No. 1 of 2026, effective September 1, but its own counsel wrote a threshold definition into Section 1(c), excluding natural leaf below 0.05% on a dry-weight basis, and Section 8 provides that if the categorical prohibition is invalidated the threshold prohibition continues automatically. Both texts are enclosed, and either definition can be adapted.

That is also where the other levels of government have drawn the line. The DEA moved in July 2026 to schedule concentrated 7-OH, with thresholds set so that natural leaf falls outside the order. S8925-A passed the New York Senate 61 to 0 on June 2 and the Assembly unanimously on June 5, prohibiting 7-OH above two percent of total alkaloids or one milligram per serving while leaving leaf sales lawful statewide, and awaits the Governor.

Why this matters more here than in most counties. Section 6 of the draft makes a violation an unclassified misdemeanor punishable by a fine or by imprisonment for up to one year, with each sale and each day a separate violation. New York State law currently permits the sale of kratom to adults 21 and over. As drafted, Introductory No. 6 would attach a jail term to conduct the State presently allows, and Section 4(E) states in terms that its prohibitions apply to products otherwise lawful under federal or New York State law. A short technical note on that and related drafting questions is enclosed for the Committee; I am providing it to the County Attorney’s office as well.

The practical point. A prohibition that covers the leaf will not remove it from Saratoga County. It moves those sales to sellers who verify no ages, test no batches, and label nothing, and it closes the retailers who do all three. My own products are leaf only, with no 7-OH concentrates or synthetic derivatives and no plans to add them. Every batch is tested by an independent laboratory with the certificates published, my labeling meets the state’s requirements, and I block shipments into every jurisdiction that prohibits these products, as I would here.

I recognize the Committee is being asked to recommend introduction, not to adopt, and that a public hearing follows. Amending now is simply cheaper than amending later, and the text to do it already exists in two New York counties. I am glad to answer questions in writing from any member, and to provide any document referenced above.

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