



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017
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June 24, 2026

Amanda Allen, Clerk of the Board

Warren County Board of Supervisors, 1340 State Route 9, Lake George, New York 12845

Re: Written comment for the record: kratom policy (June 22 Health Services Committee)

Dear Ms. Allen,

I am writing to submit the comment below regarding the kratom matter discussed at the June 22 Health Services Committee meeting. Could you please share it with the members of the Health Services Committee, and with any other supervisors or the County Attorney as you see fit, and include it in the materials for their consideration and in the record of any future proceeding on this matter? I would also appreciate being notified if a special meeting on this topic is scheduled. My contact information is at the end. Thank you for your help.

Dear Chairman Strainer and Members of the Health Services Committee,

Thank you for the discussion at the June 22 Health Services Committee meeting regarding a possible Warren County local law to restrict or ban the retail sale of kratom and nitrous oxide. I appreciate the board taking time to study the issue carefully before acting. I am writing specifically about the kratom portion, to ask that, as the county and its new attorney research possible action, the board draw a clear line between natural kratom leaf and concentrated or synthetic 7-hydroxymitragynine (7-OH) products.

To be clear up front, I support the proposed action on nitrous oxide. My comments here are limited to how the county approaches kratom.

My family has owned property in Stony Creek since the 1980s, so I have a long-standing connection to Warren County. I also own Hudson Valley Botanicals (Garuda Kratom), an eCommerce business based in Poughkeepsie, which I have operated since 2017. I share the committee's concerns about youth access, unverified potency, and products sold without oversight at gas stations and smoke shops.

I want to be clear about where I stand, because I think it matters here. I do not support the sale of concentrated or extracted 7-OH products, and I am especially troubled by companies that package or name their products to resemble illegal street drugs or to appeal to young people. Those are the products driving the harms described at your meeting, and they deserve the scrutiny. It is worth noting that those concentrated and synthetic products are largely a development of just the last few years, while natural leaf has been sold responsibly for far longer.

My own business does not sell any of that. I carry natural leaf only: no concentrated or synthetic 7-OH, no candy-style packaging, and no combustible or vape forms. I comply fully with New York's current requirements and voluntarily follow the consumer-protection standards of the Kratom Consumer Protection Act (KCPA), the model adopted in many other states. Every batch I sell is tested at an accredited third-party laboratory, and all certificates of analysis (COAs) are published on my website so anyone, including regulators, can verify exactly what is in the product. On age verification, I meet or exceed each jurisdiction's age requirement. Where a 21-and-over rule applies, including here in New York, every order requires the customer to upload a valid government-issued photo ID, verified through my third-party payment processor before the sale is completed. That is a stronger, auditable control than what the committee heard is happening at many gas stations and smoke shops, where age limits

reportedly are not being enforced. I also block sales and shipments to any locality that has banned kratom, including New York counties that have enacted outright bans, and I would of course honor whatever Warren County decides.

I also want to respectfully clarify one point raised at the meeting. The 7-OH bill currently awaiting the Governor's signature does not ban natural leaf. It targets synthetic and adulterated high-7-OH products, prohibiting those that exceed two percent of total alkaloids or one milligram of 7-OH per serving, while allowing unadulterated leaf to remain legal under labeling and age rules. The state's approach has consistently been to separate the two: the 2025 laws set a 21-and-over age limit and warning-label requirements, and the pending bill goes after the concentrated 7-OH products, not the plant.

That same distinction is showing up at the local level. Suffolk County considered a full ban this spring but did not adopt one, with legislators specifically weighing whether to target 7-OH products while keeping natural leaf legal. Rhode Island went further: in April 2026 it reversed its earlier statewide ban after reviewing the research, choosing instead to regulate natural leaf and prohibit synthetic 7-OH. These are useful reference points as Warren County weighs its options and its enforceability questions.

One practical concern worth flagging: a blanket ban that includes natural leaf risks pushing existing consumers toward an unregulated, untested underground supply, which is the opposite of the safety goal. This was raised in Suffolk County's debate, and it echoes the point made at your meeting that much of the access already happens outside of retail.

My ask is straightforward. If the county moves forward, please consider a measure that:

- restricts sales to those 21 and older, with real enforcement;
- prohibits synthetic, adulterated, or concentrated 7-OH products;
- requires third-party lab testing and accurate labeling; and
- limits where these products can be sold.

This mirrors where New York State is already heading and focuses enforcement on the products driving the harms described at the meeting, rather than a blanket ban that may face the enforceability concerns your attorney raised.

I understand the county attorney is researching what is enforceable, and I am glad to be a practical resource on the operator's side of this: how third-party testing and labeling work, how point-of-sale age verification is handled, and what a workable distinction between natural leaf and concentrated 7-OH looks like in practice. My third-party lab results are already published on my website. I understand a special meeting may be scheduled once that review is complete, and I would welcome the chance to attend and to help.

Thank you for your careful consideration.

Respectfully,

Scott U.

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SOURCES

1. 7-OH bill awaiting the Governor's signature (2026): S.8925 (Sen. Ryan), which passed the Senate on June 2, 2026, with a companion measure sponsored by Assemblymembers Steck, Walsh, and Blumencranz. It prohibits the sale of products containing 7-OH above two

- percent of total alkaloids or one milligram per serving, targeting concentrated and synthetic products rather than natural leaf. Source: New York State Senate, nysenate.gov.
2. New York 2025 age law: S4552-A / A2340-A, prohibiting sale of kratom to anyone under 21, signed by Governor Hochul in December 2025. Source: governor.ny.gov.
 3. New York 2025 labeling law: S8285 / A5852-A, requiring warning labels and ingredient disclosures and barring "all natural" labeling, signed December 2025. Source: governor.ny.gov.
 4. "Synthetic Kratom Kills Act": S10514 (Sen. Scarcella-Spanton) / A10969 (M. of A. Blumencranz), currently before the Senate and Assembly Health Committees. It would ban synthetic and adulterated kratom while regulating natural leaf through testing, labeling, and age limits, and it expressly preserves local authority to enact more stringent restrictions. Source: nysenate.gov.
 5. Suffolk County, NY: proposed blanket ban (I.R. 1279-2026) considered but not adopted; legislators weighed targeting 7-OH while keeping natural leaf legal (spring 2026).
 6. Rhode Island: earlier statewide kratom ban reversed effective April 2026, replaced with regulation of natural leaf and prohibition of synthetic 7-OH.