



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

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October 7, 2026

Deborah Delgado, Village Clerk

Village of Montgomery, 133 Clinton Street, Montgomery, New York 12549

Re: Follow-up for the hearing record: kratom definitions, enforcement and state law

Dear Ms. Delgado,

I watched the October 6 hearing online, and a few points came up that I may be able to help with: how the terms are defined, how a limit can be enforced without the Village paying for lab tests, and what happens to a village law once the State's 7-OH law takes effect. I've attached a one-page note on definitions, testing and state law, along with the written comment and short brief I sent you earlier. I'd be grateful if you could add the note to the hearing record. I've copied the Board so members have all three directly, and I'm sending the note to the Village Attorney as well. As I said in my comment, I own a kratom company and have a financial interest in this law.

In short:

- Kratom leaf is the dried leaf of the *Mitragyna speciosa* plant. 7-OH products are tablets, shots and gummies made with concentrated 7-hydroxymitragynine, often by chemically converting the leaf's main alkaloid. S8925-A draws the line between them at 7-OH above 2% of total alkaloids or 1 mg per serving.
- On testing, a law can require sellers to keep an independent lab's certificate of analysis for every lot, matched to the lot number on the package. Inspectors check the paperwork at the counter, and only a product that doesn't match goes to a lab, so routine testing is paid for by the seller, not the Village. For reference, labs charge roughly \$100 to \$250 per sample for a test that measures 7-OH. Question 3 of the brief covers this.
- S8925-A passed both houses unanimously in June but hasn't been sent to the Governor yet, and it says nothing about local laws. A clause that voids the village law once a state law covering the same ground takes effect avoids any overlap. The Dutchess and Ulster texts I sent on September 23 both include one, and I'm glad to send them again.

Respectfully, Scott Urbin | Owner, Hudson Valley Botanicals LLC

cc: Mayor Michael R. Hembury; Deputy Mayor Darlene Andolsek; Trustees Randi Picarello, Cynthia Nokland and Steven Imbriani

Enclosures: Drafting notes: definitions, testing and state law (1 page); written comment for the October 6 public hearing (1 page); Six

Questions to Ask Before a Vote on Kratom (3 pages)