



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017
www.hudsonvalleybotanicals.com

WRITTEN STATEMENT | VILLAGE OF MONTGOMERY PROPOSED LOCAL LAW ON KRATOM PRODUCTS

Submitted October 2026 by Scott Urbin, owner, Hudson Valley Botanicals LLC, to the Board of Trustees and the Village Attorney | Follows the Board of Trustees meeting of October 20, 2026

I had planned to speak during the public portion on October 20 but had to leave before it came up, so I'm submitting my statement in writing. I've run Hudson Valley Botanicals, a kratom company in Dutchess County, since 2017, and I sell plain leaf, never 7-OH or extracts. I don't live in the village, and as a seller I have a stake in this law, so I'll stick to what you can check.

THE DEFINITION

7-OH is both in the plant and made separately. The leaf has only trace amounts, under 2 percent of its alkaloids according to the FDA and the DEA, but 7-OH can also be made in a lab from the leaf's main alkaloid, and the DEA says the two are the same chemical. So the State Legislature drew its line by amount. Senate Bill 8925-A, which passed both houses in June with no votes against it, bans products with 7-OH above 2 percent of total alkaloids or 1 milligram per serving. It still needs the Governor's signature. Dutchess County's law uses the same line and names 7-OH's lab-made relatives in its definition of kratom; the definitions are highlighted on pages 5 and 6 of the copies I gave the Clerk. A resident said on October 20 that the law has to be "written out in a very specific way." A number is that specific.

ENFORCEMENT AND TESTING

On October 20 a trustee said the Board still has to answer how the law would be enforced and raised how officers would know a product is real. For stores, the law itself can answer that: require a lab certificate for every lot, matched to the lot number on the package. The building inspector, or any official the Board names, checks the paperwork at the counter, and only a product without a matching certificate goes to a lab, at the seller's expense. A certificate costs the seller roughly 100 to 250 dollars a lot. Orange County's Health Department already inspects every tobacco and vape seller in the county at least once a year, and Dutchess County's law is enforced by its Health Department, so the Village could ask the County for help.

Public possession is harder. Even if officers screen a product on the street, a contested ticket could need a lab test at the Village's cost, which is the concern one of your officers raised on October 6. Kratom is also legal for adults 21 and over under State law, so a possession ban would reach adults who bought it legally elsewhere in New York. If you add public possession, tie it to the same 7-OH line so it doesn't reach plain leaf.

YOUNG PEOPLE

Sales to anyone under 21 have been illegal statewide since June, and warning labels are required starting December 19. If you want to go further, ID checks and products behind the counter work for tobacco, and you can also rule out packaging that appeals to kids.

MY ASK

Kratom leaf isn't risk-free, and I'm not asking you to do nothing. I share the Board's goal of keeping concentrated and lab-made 7-OH products off village shelves. Please aim this law at those products using the State's line, add one sentence that retires it when the State's law takes effect, as Section 7 of Dutchess County's law does, and leave natural leaf legal for adults 21 and over. If the Town and Maybrook follow your text, the rules will be the same in all three. And please post the revised law before you vote, so residents can see what changed.

SOURCES

S8925-A, status checked October 21, 2026: nysenate.gov/legislation/bills/2025/S8925/amendment/A. DEA notice, 91 FR 65370 (October 14, 2026): federalregister.gov/d/2026-20943. FDA, "FDA and Kratom": [fda.gov/news-events/public-health-focus/fda-and-kratom](https://www.fda.gov/news-events/public-health-focus/fda-and-kratom). Dutchess County Local Law No. 6 of 2026, Sections 3, 5 and 7: locallaws.dos.ny.gov. Orange County Department of Health, Adolescent Tobacco Use Prevention Act: orangecountyny.gov/2606/Adolescent-Tobacco-Use-Prevention-Act-AT. Public Health Law kratom age rule: Chapter 690 of 2025, as amended by Chapter 81 of 2026 (S8814): nysenate.gov/legislation/bills/2025/S8814. Village of Montgomery Board of Trustees meetings, October 6 and 20, 2026 (Village video).

Disclosure. I sell kratom leaf products, so as a seller I have a stake in this law. This statement is not legal advice.