



WRITTEN STATEMENT | PROPOSED LOCAL LAW NO. 9 OF 2026

Submitted to the Warren County Board of Supervisors | October 15, 2026 | Resolution No. 380 and Proposed Local Law No. 9 of 2026, public hearing November 20, 2026

To Chairman Kevin B. Geraghty and Members of the Board of Supervisors:

My name is Scott Urbin. I own Hudson Valley Botanicals, a kratom company in Poughkeepsie since 2017. As a seller, I have a stake in this law, so I'll stick to what you can check. My family has owned property in Stony Creek since the 1980s. I wrote to the Board in June, August and September through Ms. Allen.

Resolution No. 380 introduces Proposed Local Law No. 9 of 2026 and sets a public hearing for November 20. As drafted, it bans the sale of all kratom, natural leaf included. I ask the Board to amend it before the hearing so that it prohibits concentrated and synthetic 7-hydroxymitragynine (7-OH) products, using the limits the State Legislature passed in June, and leaves natural leaf lawful for adults 21 and over. The enclosed one-page outline shows how.

1. THE DRAFT NEVER MENTIONS 7-OH

The Health Services Committee's September 22 request said kratom products, "particularly 7-hydroxymitragynine (7-OH)," pose a grave risk. That is the right concern: concentrated and semi-synthetic 7-OH products are sold at strengths the plant does not produce. Yet Proposed Local Law No. 9 never mentions 7-OH. Section 3 defines kratom as the plant itself and anything containing mitragynine, the leaf's main alkaloid. The amendment aims the law at concentrated and synthetic products instead, using limits a laboratory can measure.

Kratom leaf is not risk-free, and I do not claim otherwise. I do not market it as a treatment for anything, and I do not call it safe. That is why New York regulates it: sales to anyone under 21 are already prohibited, and a warning-label law takes effect December 19 [1].

2. THE STATE AND FEDERAL LINE

Section 2 of the draft relies on the FDA. The FDA's parent department now separates concentrated products from the leaf. On October 9 the Department of Health and Human Services recommended limits for 7-OH and a related compound, mitragynine pseudoindoxyl (MGPI), designed, it said, "to target concentrated or chemically altered products while distinguishing them from natural botanical kratom products" [10]. On October 14 the DEA published a notice of intent to place 7-OH and MGPI in Schedule I above those limits, no earlier than November 13. The notice states that in the natural plant, 7-OH makes up less than two percent of total alkaloid content [11]. The plant itself is not federally scheduled.

The State Legislature drew the same two percent line. In June the Senate voted 61 to 0 and the Assembly 132 to 0 for S8925-A, which prohibits products with 7-OH above two percent of total alkaloids or one milligram per serving while leaving leaf sales lawful for adults; it awaits delivery to the Governor [9]. A county law on those limits, with a clause stepping aside once the state law takes effect, fills the gap until then and does not conflict with the State afterward. The Dutchess law includes that clause, and so does the enclosed outline.

3. WHAT OTHER NEW YORK COUNTIES HAVE DONE

Washington County banned kratom sales this year [2]. Rensselaer County's ban, which this draft closely follows, was signed into law this month [4]. Albany County banned all kratom by emergency health order, though the order also contains a 7-OH threshold ban that exempts natural leaf and stays in force if the broader ban is struck down [3].

Other counties that studied the question chose the narrower law. Dutchess County's County Executive proposed a full ban; the Legislature passed a law aimed at 7-OH concentrates instead, and she signed it in September as Local Law No. 6 of 2026 [5]. Suffolk County amended a proposed blanket ban into a regulatory law that allows tested leaf [6]. Oswego County adopted 21+ retail rules on September 10 rather than a ban [7], and Ulster County's pending bill uses the same 7-OH limits as Dutchess [8].

4. A LIMIT CAN BE TESTED AND ENFORCED

An independent laboratory can measure 7-OH and total alkaloid content, and the county can require that certificate where products are sold. A ban on the plant produces no test results. It takes tested leaf out of the stores the county can inspect, while the same products stay one order away online, often from sellers who check no ages and test nothing. The draft does not expressly reach sellers who ship into the county; the outline adds a clause that does.

As written, the draft also reaches past sales. Its definition of "Retailer" includes anyone who "maintains" kratom products, and Section 5 requires that any kratom found during an inspection or a criminal investigation be confiscated, though the law does not prohibit possession. Under the amendment, those sections apply only to the concentrated and synthetic products it defines.

FOR THE RECORD

My own products are natural leaf only; I have never sold concentrates or synthetic derivatives. Every batch is tested by an independent laboratory, with the results published. Every New York order is held until the buyer sends a photo ID showing they are 21 or older, and I block shipments to every jurisdiction that prohibits kratom, as I would here. My comments are limited to kratom; I supported the county's action on nitrous oxide in June and still do. I am glad to answer questions in writing from any supervisor.

I respectfully ask the Board to amend Proposed Local Law No. 9 before the November 20 hearing, as the enclosed outline sets out, so that it targets concentrated and synthetic 7-OH rather than all kratom.

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

This statement supplements my letters of June 24, August 3 and September 22, 2026. Enclosures: Proposed amendment to Proposed Local Law No. 9 of 2026; Reference sheet on Dutchess County Local Law No. 6 of 2026; Dutchess County Resolution 2026136, text as introduced (passed August 10, 2026 and signed as Local Law No. 6 of 2026).

SOURCES

- [1] Office of the Governor, December 22, 2025, on the age-21 and labeling laws: <https://www.governor.ny.gov/news/governor-hochul-signs-two-pieces-landmark-legislation-protect-new-yorkers-against-harmful>
- [2] Washington County, Introductory Local Law "E" of 2026, adopted as Local Law No. 5 of 2026: <https://www.washingtoncountyny.gov/DocumentCenter/View/31523/Local-Law-E-of-2026-Banning-Kratom-Sale?bidId=>
- [3] Albany County Emergency Public Health Order No. 1 of 2026, Sections 1(c), 2 and 8; Spectrum News, August 21, 2026: <https://spectrumlocalnews.com/nys/capital-region/news/2026/08/21/albany-county-issuing-public-health-order-banning-sale-of-kratom-products>
- [4] WNYT, October 2, 2026, on the County Executive's signature: <https://wnyt.com/top-stories/kratom-ban-in-rensselaer-co-signed-into-law/>
- [5] Dutchess County Legislature, August 6, 2026 release: <https://www.dutchessny.gov/Dutchess-Legislature-Moves-to-Ban-Dangerous-Gas-Station-Kratom-Concentrates-While-Protecting-Adults-Access-to-Natural-Leaf.htm>
- [6] Long Island Life & Politics, July 31, 2026, on Suffolk County's law: <https://lilifepolitics.com/news/long-island-news/county-signs-kratom-restrictions-tianeptine-ban-into-law/>
- [7] Oswego County, Local Law No. 7 of 2026: <https://www.oswegocountyny.gov/County%20Legislature/Local%20Laws/2026/LL%207%20Kratom.pdf>
- [8] Mid-Hudson News, September 21, 2026, on Ulster County's bill: <https://midhudsonnews.com/2026/09/21/ulster-county-lawmakers-consider-ban-on-concentrated-kratom-products/>
- [9] New York State Senate, S8925-A of 2026 (status checked October 15, 2026): <https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A>
- [10] U.S. Department of Health and Human Services, October 9, 2026 release: <https://www.hhs.gov/press-room/hhs-recommends-thresholds-enhanced-kratom-products-7-oh-mgpi.html>
- [11] DEA notice of intent on 7-OH and MGPI, 91 FR 65370, October 14, 2026: <https://www.federalregister.gov/d/2026-20943>



PROPOSED AMENDMENT | WARREN COUNTY PROPOSED LOCAL LAW NO. 9 OF 2026

Enclosure to the written statement of Scott Urbin, October 15, 2026 | Resolution No. 380 of 2026 | Hearing November 20, 2026

SUMMARY

The amendment keeps the draft's inspection, confiscation and penalty sections and aims them at concentrated and synthetic 7-hydroxymitragynine (7-OH) products instead of the plant. That is the line drawn this year by the State Legislature in S8925-A, by the Department of Health and Human Services and the DEA in the federal 7-OH notice published October 14, and by Dutchess County in Local Law No. 6 of 2026. The amendment also reaches sellers who ship into the county, which the draft does not expressly do, and retires the law once a state law covering the same ground takes effect.

CHANGES TO THE PROPOSED TEXT

1. Section 3. Replace the definition of "Kratom" with the following:

"Kratom" shall mean any product, in any form, that (a) contains 7-hydroxymitragynine or mitragynine pseudoindoxyl, alone or combined, in an amount greater than two percent of the total alkaloid content of the product or greater than one milligram per serving; or (b) contains 7-hydroxymitragynine, mitragynine pseudoindoxyl, or any analog or derivative thereof that has been synthesized, semi-synthesized, or isolated and added to the product. Where a product's label does not state a serving size, one serving is one gram of the product, or one milliliter of a liquid. The term does not include the dried or powdered leaf of the plant *Mitragyna speciosa*, or a product made from such leaf, that does not meet paragraph (a) or (b) and is sold in compliance with the laws of the State of New York.

2. Section 3. Delete the definition of "Product derived from *Mitragyna speciosa* leaves" (spelled "Miktragyna" in the draft).

3. Section 4. Add the following sentence at the end:

A sale or distribution is deemed to occur in Warren County when Kratom is sold, shipped, or delivered to any address within the County, whether or not the Person selling or distributing it is located within the County, and including any sale made through an online platform.

4. New Section 7-A, Void Upon State Action:

This Local Law shall be null and void on the date that statewide legislation containing the same or substantially similar provisions takes effect after the effective date of this Local Law, or on the date that any provision hereof is preempted by state or federal law.

5. Sections 1 and 2. Add to Section 1: "This Local Law is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(12)," as Dutchess County's law does. In Section 2, correct "Federal Drug Administration" to "Food and Drug Administration" and "Kartom" to "Kratom," and add: "This Local Law is directed at concentrated and synthetic 7-hydroxymitragynine products, consistent with the limits passed by the State Legislature in S8925-A, and not at the natural leaf."

All other sections, including inspection, confiscation, the per-item penalties, and referral under Public Health Law § 12-b, stay as drafted and apply in full to any product meeting the new definition.

SOURCES

New York State Senate, S8925-A of 2026, passed 61 to 0 in the Senate on June 2 and 132 to 0 in the Assembly on June 5; not yet delivered to the Governor as of October 15, 2026: <https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A>

U.S. Department of Health and Human Services, October 9, 2026 release:

<https://www.hhs.gov/press-room/hhs-recommends-thresholds-enhanced-kratom-products-7-oh-mgpi.html>

Drug Enforcement Administration, notice of intent on 7-OH and MGPI, 91 FR 65370 (October 14, 2026): <https://www.federalregister.gov/d/2026-20943>

Disclosure. Prepared by Scott Urbin, owner of Hudson Valley Botanicals LLC. I sell kratom leaf products in New York and have a financial interest in how this is resolved. This outline is not legal advice or an official document of Warren County.



HUDSON VALLEY BOTANICALS

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REFERENCE SHEET | DUTCHESS COUNTY LOCAL LAW NO. 6 OF 2026

Enclosure to the written statement of Scott Urbin, Hudson Valley Botanicals LLC | Warren County Board of Supervisors, October 15, 2026

WHAT IT IS

Dutchess County Local Law No. 6 of 2026, “Prohibiting the Sale and Distribution of Concentrated and Synthetic 7-Hydroxymitragynine (7-OH) Kratom Products in Dutchess County.” Introduced as Resolution No. 2026136, passed by the County Legislature on August 10, 2026, and signed by County Executive Sue Serino in September. Under Municipal Home Rule Law § 27 it takes effect when filed with the Secretary of State. It is not a kratom prohibition: plain leaf stays available to adults 21 and over, subject to the State’s age law (in effect) and labeling law (effective December 19, 2026).

WHAT THE LAW DOES

- Prohibits any product containing 7-OH above two percent of total alkaloids or above one milligram per serving, the thresholds in state bill S8925-A.
- Separately prohibits named synthetic compounds, including MGM-15, MGM-16 and mitragynine pseudoindoxyl, and their structural analogs.
- Reaches online and out-of-county sellers who ship prohibited products to an address in the county.
- Civil penalties up to \$1,500 for a first violation and up to \$3,000 for a repeat, plus up to \$500 more for a sale to anyone under 21.
- Enforced by the Dutchess County Department of Health.
- Steps aside if a state law covering the same ground takes effect.

HOW IT CAME ABOUT

County Executive Serino announced a proposed countywide ban on all kratom on July 30, 2026. The Legislature’s own bill was written from the start to target concentrates and lab-made compounds; its August 6 release described it as a ban on “dangerous gas station kratom concentrates” that protects adults’ access to natural leaf. It passed on August 10 by voice vote, with no recorded opposition. On signing, the County Executive said the law does not go as far as she wanted, but that any step forward is better than the status quo.

WHERE TO GET THE OFFICIAL TEXT

The text as introduced is enclosed for convenience. For any provision counsel intends to rely on or adapt, request a certified copy of Local Law No. 6 of 2026 from the Clerk of the Dutchess County Legislature, (845) 486-2100. The Legislature posted its Notice of Adoption on September 14.

DRAFTING NOTE ON MGPI

Local Law No. 6 bans mitragynine pseudoindoxyl (MGPI) at any level. The federal recommendation of October 9 puts MGPI under the same limits as 7-OH instead, noting that “some evidence reviewed by FDA suggests MGPI may also occur at trace levels in some natural or kratom-derived products.” Counting MGPI with 7-OH under the limits, as the enclosed outline does, keeps trace amounts in natural leaf from triggering the law.

WHY IT IS OFFERED HERE

Warren County’s Proposed Local Law No. 9 would ban the sale of all kratom, although the Health Services Committee’s request named 7-hydroxymitragynine in particular. Local Law No. 6 is an enacted New York county law aimed at exactly that concern, adopted without recorded opposition and aligned with the limits the State Legislature passed in June. The enclosed outline applies those limits within Local Law No. 9.

Disclosure. Prepared by Scott Urbin, owner of Hudson Valley Botanicals LLC of Poughkeepsie, New York. I sell kratom leaf products in New York and have a financial interest in how this is resolved. This sheet is a summary written by an interested party. It is not legal advice or an official document of Dutchess County.