



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

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REGULATION OUTLINE | WARREN COUNTY PROPOSED LOCAL LAW NO. 9 OF 2026

Prepared October 16, 2026 by Scott Urbin, owner, Hudson Valley Botanicals LLC, for members of the Warren County Board of Supervisors | Public hearing November 20, 2026

SUMMARY

This outline would turn Proposed Local Law No. 9 into a regulation law. It bans concentrated and synthetic 7-OH products at the limits the State Legislature passed in June, and allows natural leaf only through County seller permits: sales to adults 21 and over, behind the counter, never at gas stations, and only from lots with a laboratory certificate inspectors can check. Permit fees pay for the inspections. Local Law No. 9's inspection, confiscation and penalty sections stay in place for prohibited products.

WHAT THE LAW WOULD DO

- 1. Prohibited products.** Ban the sale and distribution, including delivery into the County, of any product containing 7-hydroxymitragynine (7-OH) or mitragynine pseudoindoxyl (MGPI), alone or combined, above 2% of total alkaloids or 1 mg per serving, or containing synthesized, semi-synthesized, or isolated and added 7-OH, MGPI or their analogs, as in the amendment enclosed with my October 15 statement. Local Law No. 9's inspection, confiscation and per-item penalties apply to these products.
- 2. Seller permits.** No retail sale of any other kratom product without an annual County permit for each location, issued by the department the Board designates. The Board sets the fee by resolution to cover the cost of administration and inspections.
- 3. No gas stations.** No permit for premises where motor fuel is sold at retail.
- 4. Adults only, behind the counter.** Sales only to buyers 21 and over, as State law already requires, with ID checked at every sale. Products kept behind the counter or in a locked case, never self-service.
- 5. Tested lots.** Every lot sold must have a certificate of analysis from an independent, accredited laboratory showing its 7-OH content as a share of total alkaloids and per serving, and its MGPI content once a test is commercially available. Certificates are kept at the point of sale for inspectors and customers.
- 6. Sellers who deliver.** Sellers delivering kratom to an address in the County must verify at checkout that the buyer is 21 or older, and must give the County lot certificates on request.
- 7. Enforcement.** Inspections by the designated department and law enforcement. Violations can lead to permit suspension or revocation, in addition to Local Law No. 9's civil penalties.
- 8. State action.** When State legislation with the same or substantially similar 7-OH limits takes effect after this law, the County's limits defer to the State's. The permit, placement and testing rules continue unless State law covers them.

A NOTE ON TAXES

An excise tax on kratom would likely need approval from the State Legislature, because New York counties can generally levy only the taxes the Legislature authorizes. A permit fee set to cover inspection costs is within the County's own power, and the Board could ask the State for taxing authority separately.

SOURCES

New York State Senate, S8925-A of 2026, passed 61 to 0 in the Senate and 132 to 0 in the Assembly in June; not yet delivered to the Governor as of October 16, 2026: <https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A>

Oswego County, Local Law No. 7 of 2026 (sales to anyone under 21 prohibited; kratom kept behind the checkout counter or in a locked cabinet): <https://www.oswegocountyny.gov/County%20Legislature/Local%20Laws/2026/LL%207%20Kratom.pdf>

Dutchess County Local Law No. 6 of 2026 (7-OH limits), text enclosed with my October 15 statement.

U.S. Department of Health and Human Services, October 9, 2026 release on 7-OH and MGPI limits:

<https://www.hhs.gov/press-room/hhs-recommends-thresholds-enhanced-kratom-products-7-oh-mgpi.html>; DEA notice of intent, 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.