STATE OF NEW YORK

8686

IN SENATE

January 7, 2026

Introduced by Sen. FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the sale of food or beverages containing kratom and 7-hydroxymitragynine

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 398-g to read as follows:

§ 398-g. Kratom and 7-hydroxymitragynine package labeling. 1. For the purposes of this section:

(a) "kratom" means both Mitragyna speciosa, a tree native to Southeast Asia, and the products derived from its leaves that are marketed as herbal supplements; and

(b) 7-hydroxymitragynine means a psychoactive compound that occurs naturally in the kratom plant.

2. On or after January first, two thousand twenty-seven, no person or entity shall sell or offer for sale or manufacture or deliver in this state any food or beverage product containing 7-hydroxymitragynine, kratom or any derivative thereof.

3. Any person or entity in violation of this section shall be subject to a civil penalty of not more than five hundred dollars for a first violation and not more than one thousand dollars for a second or subsequent violation.

§ 2. This act shall take effect one year after it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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