STATE OF NEW YORK

5852

2025-2026 Regular Sessions

IN ASSEMBLY

February 24, 2025

Introduced by M. of A. STECK, WALSH -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, relating to regulating the sale of kratom products

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 package labeling. 1. For the purposes of this section, the following terms shall have the following meanings:

(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.

(b) "All natural" means a product that contains no artificial ingredients or added colors and is minimally processed.

2. On each package of any kratom product sold or delivered by a manufacturer or distributor within this state on or after January first, two thousand twenty-six, there shall be printed thereon or attached thereto a warning of such product's lack of federal food and drug administration approval and such kratom products' known side effects. Such warning shall be in a font not less than eight-point type and in a color in contrast with the package containing such kratom product, and shall contain the following statement:

"WARNING

This product has not been approved by the FDA. Side effects may include nausea, agitation, hallucinations, difficulty breathing, liver damage, and death"

3. No kratom product shall be advertised as nor shall the packaging of such kratom product suggest, state, or imply that such kratom product is all natural.

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

LBD09239-01-5

4. Any person, corporation, partnership, sole proprietor, limited partnership, association or any other business 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 on the one hundred twentieth day after it shall have become a law.