

STATE OF NEW YORK

5852--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 24, 2025

Introduced by M. of A. STECK, WALSH, GLICK, BUTTENSCHON, K. BROWN, GRIF-FIN -- Multi-Sponsored by -- M. of A. LEVENBERG -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

1 Section 1. The general business law is amended by adding a new section
2 398-g to read as follows:

3 § 398-g. Kratom package labeling. 1. For the purposes of this section,
4 the following terms shall have the following meanings:

5 (a) "Kratom" means both Mitragyna speciosa, a tree native to Southeast
6 Asia, and the products derived from its leaves that are marketed as
7 herbal supplements.

8 (b) "All natural" means a product that contains no artificial ingredi-
9 ents or added colors and is minimally processed.

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

18 "WARNING

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

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

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

4 4. Any manufacturer in violation of this section shall be subject to a
5 civil penalty of not more than five hundred dollars for a first
6 violation and not more than one thousand dollars for a second or subse-
7 quent violation.

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