*** § 398-g. Kratom package labeling.** 1. For the purposes of this section, "Kratom" means any part of the plant Mitragyna speciosa, whether growing or not, and any compound, manufacture, salt, derivative, mixture, or preparation of such plant or synthesized or semi-synthesized preparations of mitragynine or 7-hydroxymitragynine, their derivatives, salts, esters, and isomers.

2. No person, firm, partnership, association, or corporation shall manufacture, distribute, sell or offer for sale at retail within the state any product containing kratom unless there is printed thereon such packaging or attached thereto a label disclosing the following:

(a) the name and address for the place of business of the manufacturer or distributor of the kratom product;

(b) the full list of ingredients in the kratom product;

(c) the following disclosures:

(i) that sale or distribution by individuals who are under twenty-one years of age is prohibited under the public health law;

(ii) that use by individuals who are pregnant or breastfeeding is not advised;

(iii) to consult a healthcare professional prior to use;

(iv) that kratom may be addictive;

(v) that kratom may interact with certain medications, drugs, and controlled substances;

(vi) whether the product includes a semi-synthesized chemical or compound or synthesized chemical or compound of kratom. For the purposes of this subparagraph the term "semi-synthesized chemical or compound" shall mean a chemical or compound contained in a kratom extract that has been exposed to chemicals or processes that would confer a structural change in the chemical or compound, such as oxidation, reduction, and ring opening and closing, resulting in material that has been chemically altered. For the purposes of this subparagraph the term "synthesized chemical or compound" shall mean a chemical or compound of kratom that has been created by chemical synthesis or biosynthetic means, including fermentation, recombinant techniques, and enzymatic techniques, rather than by traditional food preparation techniques such as heating or extracting; and

(vii) quantitative declarations of the amount of mitragynine and the

amount of 7-hydroxymitragynine by part, weight or volume of the kratom product; and

(d) the following statements, clearly and conspicuously:

(i) "These statements have not been evaluated by the food and drug administration. This product is not intended to diagnose, treat, cure, or prevent any disease."; and

(ii) "Keep out of reach of children."

3. Any person, firm, partnership, association, or corporation 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.

* NB Effective December 19, 2026