

Committee on Commerce and Economic Development

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, May 21, 2026
12:19 p.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILMAN CURTIS JONES, JR., VICE-CHAIR
COUNCILMAN MICHAEL DRISCOLL
COUNCILWOMAN JAMIE GAUTHIER
COUNCILWOMAN KATHERINE GILMORE RICHARDSON

BILLS: 260162, 260163, 260167, 260465

Committee on Commerce and Economic Development

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COUNCILMAN SQUILLA:

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Good afternoon, everyone. Today

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we'll have the Committee on

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Commerce and Economic Development,

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Thursday, May 21st. Welcome to the

7

hearing for the Committee on

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Commerce and Economic Development.

9

I note that the hour has come and a

10

quorum is present. To my left,

11

Councilmember Driscoll,

12

Councilmember Gilmore Richardson.

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To my right, Councilmember Gauthier

14

and Councilmember Jones.

15

This is a public hearing

16

for the Committee on Commerce and

17

Economic Development regarding Bill

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Nos. 260162, 260163 and 260465.

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Bill No. 260167 is being held at

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the request of the sponsor and will

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not be heard at the hearing today.

22

Mr. McMonagle, will you

23

please read the titles of the

24

bills.

1 THE CLERK: Bill No.
2 260162, amending Chapter 9-600 of
3 The Philadelphia Code ("Service And
4 Other Businesses") by adding a new
5 Section 9-631.1 to establish
6 requirements for commercial
7 landlords to take certain remedial
8 action against commercial tenants
9 who engage in tobacco retailing
10 without a required tobacco retailer
11 permit and establishing penalties,
12 all under certain terms and
13 conditions.

14 And Bill No. 260163,
15 amending Title 9 of The
16 Philadelphia Code, entitled
17 "Regulation of Business, Trades and
18 Professions," to establish
19 restrictions and regulations
20 related to the sale of certain
21 intoxicating substances and to
22 provide for associated penalties
23 and enforcement, all under certain
24 terms and conditions.

1 And Bill No. 260465,
2 amending Chapter 10-100 ("Animals")
3 of The Philadelphia Code to
4 restrict the operation of carriage
5 horse businesses and to provide for
6 penalties for violations, all under
7 certain terms and conditions.

8 COUNCILMAN SQUILLA:
9 Thank you, Mr. McMonagle. Can you
10 please call the first panel that we
11 have to testify on Bill No. 260465.

12 THE CLERK: Yes. Can we
13 please have Sarah Barnett from ACCT
14 and Shannon Dickerson.

15 (Witnesses approached
16 witness table.)

17 COUNCILMAN SQUILLA:
18 Sarah, you can state your name for
19 the record and then proceed with
20 your testimony.

21 MS. BARNETT: Okay.
22 Good morning, Chairperson, members
23 of the committee. My name is Sarah
24 Barnett. I'm the Executive

1 Director of ACCT Philly. We're the
2 animal care and control provider
3 for Philadelphia. And I'm here
4 today and appreciate the
5 opportunity to testify in support
6 of the legislation that's
7 prohibiting horse-drawn carriage
8 operations in Philadelphia.

9 This bill presents a
10 rare opportunity for the City of
11 Philadelphia to take a proactive
12 approach to both public safety and
13 animal welfare. At this time,
14 there are currently no carriages
15 that are horse-drawn that are
16 operating in the City of
17 Philadelphia commercially. And
18 because of the passage of this
19 legislation, would not eliminate
20 any jobs or displace any workers,
21 which is very important.
22 Opportunities like this are
23 uncommon in government and public
24 safety work.

1 Too often we're forced
2 to react after preventable
3 incidents occur. And today City
4 Council has the opportunity to
5 prevent those incidents before they
6 actually happen. Horse-drawn
7 carriages can potentially be
8 operated safely in some
9 environments, but Philadelphia is
10 not one of them. Introducing
11 1,200-pound animals into dense city
12 traffic conditions creates
13 significant and unnecessary risks
14 for both the public and the horses
15 themselves.

16 I would respectfully
17 encourage Council to also consider
18 strengthening the legislation so
19 that it prohibits animal-drawn
20 carriages regardless of whether
21 they are operated for rent or hire.
22 While well-intentioned, exempting
23 free carriage rides still creates
24 the same public safety concerns.

1 Just this past Sunday, free horse
2 carriage rides were being offered
3 on Broad Street. Of course,
4 children and families are going to
5 jump at that opportunity. I would
6 have as well when I was a child.
7 And these families are going to be
8 drawn to something like that.

9 But even the most
10 experienced horse handler cannot
11 eliminate the unpredictable nature
12 of Philadelphia traffic. Their
13 prey animals. They can spook
14 suddenly and without warning,
15 particularly in loud, crowded urban
16 environments. And every horse and
17 carriage is only one noisy four-
18 wheeler away from getting spooked
19 and causing an accident. We've
20 repeatedly seen examples of these
21 dangers associated with horse-drawn
22 carriages in city settings.

23 Last week in Kentucky, a
24 woman riding in a carriage was

1 killed after a pickup truck struck
2 the carriage from behind. Earlier
3 this week in Central Park, New York
4 City, a carriage overturned after
5 the horse became spooked, injuring
6 the driver. Both the driver and
7 the horse were experienced. Just
8 because your dog knows how to sit
9 at home doesn't mean they're always
10 going to listen to you.

11 Experience and training
12 alone does not remove the inherent
13 unpredictability of placing horses
14 in these busy traffic environments.
15 In January, a carriage horse in New
16 York City became loose, struck
17 multiple vehicles, tore the bumper
18 off a taxi cab, damaged a Parks
19 Department vehicle and collided
20 with several unattended cars before
21 being stopped. These incidents are
22 not isolated. They are reminders
23 that even under heavily regulated
24 circumstances, accidents happen

1 very quickly and become
2 catastrophic.

3 And at the same time,
4 Philadelphia is already struggling
5 with traffic safety. Last week,
6 the Inquirer reported that fatal
7 crashes involving cyclists and
8 pedestrians are increasing across
9 the city and rates exceed those in
10 cities like Chicago and New York.
11 OTIS and the Streets Department are
12 already working very hard in making
13 significant progress to address the
14 ongoing challenges of balancing the
15 safety of drivers, bicyclists,
16 pedestrians and public transit.
17 Adding horse-drawn carriages into
18 that mix only introduces an
19 avoidable risk that will create
20 additional safety concerns that
21 will then require more city
22 resources to address.

23 As someone who grew up
24 riding horses, I do want to be very

1 clear that I am not anti-horse.
2 Horses are incredible animals, but
3 they are large, powerful animals
4 whose instinct cannot always be
5 controlled, particularly in chaotic
6 city environments filled with
7 traffic noises and construction.
8 Add in their ATVs and crowds as
9 well. One unexpected sound or
10 sudden movement can turn a calm
11 situation into a dangerous one
12 within seconds.

13 From ACCT Philly's
14 perspective, as we would be the
15 enforcement agency for this
16 legislation, this legislation also
17 matters because of how our
18 resources are allocated. In just
19 the last week alone, our officers
20 have responded to four separate
21 calls involving dogs behaving
22 aggressively and injuring people,
23 including one incident that
24 involved two children. That call

1 alone took our officers off duty
2 from the other calls that they were
3 responding to for about four hours.
4 These are the type of urgent public
5 safety and animal welfare calls our
6 officers should be focused on
7 responding to.

8 When horse-drawn
9 carriages previously operated in
10 Philadelphia, ACCT Philly regularly
11 received calls regarding horses
12 working in extreme heat or
13 concerning the welfare of the
14 animals. Responding to those calls
15 diverted already very limited
16 animal control officers' resources
17 away from other critical
18 emergencies involving dangerous
19 dogs, injured animals, cruelty
20 investigations and public safety
21 concerns. We would obviously go to
22 those calls immediately. But if
23 you're at one end of the city when
24 you get the call because you're

1 looking at a carriage horse who
2 might be hot, it's going to take
3 you longer to respond. As an
4 organization focused on both Animal
5 Welfare and Public Safety Act,
6 Philly supports the legislation
7 because it prevents avoidable risks
8 and prevents the creation of
9 additional public safety and animal
10 welfare problems that currently
11 don't exist in Philadelphia today.
12 This is an opportunity for
13 Philadelphia to act proactively
14 instead of reactively, and it's an
15 opportunity to protect residents,
16 visitors, animals and the city
17 resources before a preventable
18 tragedy occurs. I appreciate your
19 time and consideration. I'm happy
20 to answer any questions.

21 COUNCILMAN SQUILLA:
22 Thank you so much for your
23 testimony and thank you for all the
24 help and guidance that you have

1 given us along the way, and we
2 appreciate all your efforts and
3 responsiveness to our concerns for
4 enforcement when needed. So much
5 appreciated.

6 State your name for the
7 record and proceed.

8 MS. DICKERSON: Hello.
9 My name is Shannon Dickerson and
10 I'm the Director of Operations at
11 Humane Action Pennsylvania. We are
12 a statewide animal welfare
13 nonprofit. I thank you for the
14 opportunity to give comment today.
15 I am here in support of course of
16 the proposed ban on horse-drawn
17 carriages in Philadelphia. No
18 matter how well-intentioned
19 individual operators may be forcing
20 horses to navigate congested city
21 streets filled with traffic,
22 construction noise, extreme weather
23 and unpredictable conditions is
24 inherently unsafe and outdated.

1 These animals are not
2 attractions or transportation
3 tools. They are living beings with
4 complex physical and emotional
5 needs that cannot truly be met in
6 an urban environment like Center
7 City, Philadelphia. We've seen
8 incidents across the country, many
9 just mentioned here, involving
10 horses collapsing, becoming injured
11 or becoming frightened and
12 trafficked, placing both animals
13 and the public at risk.

14 Cities evolve and policy
15 should evolve with them. Many
16 major cities have already moved
17 away from horse-drawn carriage
18 operations in recognition of these
19 concerns. This preventative
20 legislation is critical to both
21 animal welfare and public safety.
22 We should not wait for a serious
23 tragedy or catastrophic incident to
24 occur before taking action.

1 Philadelphia has an opportunity to
2 lead with compassion and to
3 modernize in a way that reflects
4 the values of a progressive, humane
5 city.

6 I urge Council to
7 support this legislation and
8 prioritize public safety, animal
9 welfare and a more humane future
10 for Philadelphia. Thank you so
11 much for your time.

12 COUNCILMAN SQUILLA:
13 Thank you so much for your
14 testimony and support.

15 Are there any questions?
16 Councilmember Jones.

17 COUNCILMAN JONES: So as
18 someone who rides horses, I want to
19 make certain distinctions. I'm so
20 glad in retrospect that when we
21 moved elephants out of the zoo,
22 right then I did not understand how
23 important that was. But today I've
24 evolved in my thinking and do

1 understand how good it is. We
2 filled the zoo with other
3 attractions.

4 I want to know and make
5 clear we're not coming against
6 people who have individual horses
7 that want to ride in our streets as
8 the next step of this, right?

9 MS. BARNETT: Is that
10 for me?

11 COUNCILMAN JONES: Let
12 me rephrase. I understand the
13 carriage. I understand the
14 congestion in Center City, but
15 there are hundreds of people who
16 own horses that actually ride
17 through our streets on a daily
18 basis near Cobbs Creek in Fairmount
19 Park and in the city.

20 Right next door there is
21 an ordinance that way back in the
22 day mandated that we keep the
23 rights of equestrians safe in
24 Philadelphia too. And I don't want

1 this to be misconstrued as what is
2 right for carriages and horse-drawn
3 carriages in Center City to mean
4 that applies to people who own and
5 take care of their horses.

6 MS. BARNETT: I can
7 speak for Philly and I can say
8 there's a very big difference to me
9 and to us at ACCT Philly between
10 the two things. So for us, it's
11 about you've got horse carriages
12 and the -- riding the horse, you
13 have a little bit of a different
14 level of control than you do if
15 they're pulling a vehicle behind
16 them that can spook them of
17 everything. So we're not. You can
18 ride a horse in the city and it can
19 be safe in Philadelphia. And we do
20 believe that that is possible.
21 It's possible to treat a horse
22 humanely in Philadelphia. We don't
23 believe that it's possible to
24 really operate a horse and carriage

1 safely in Philadelphia. That's
2 where we come from on that.

3 COUNCILMAN SQUILLA: And
4 this legislation only deals with
5 horse carriage licenses.

6 COUNCILMAN JONES:
7 Correct.

8 COUNCILMAN SQUILLA: So
9 it's not a horse rider.

10 COUNCILMAN JONES: Yeah.
11 So I'm just making sure on the
12 record that, you know, sometimes we
13 mission creep. And I want to make
14 sure that the intention is for the
15 carriages as opposed to
16 equestrians.

17 COUNCILMAN SQUILLA:
18 Thank you very much, Councilmember
19 Jones.

20 I have a question also.
21 You mentioned that horses also take
22 in other animals, the term horse
23 you mentioned in your testimony?

24 MS. BARNETT: Yeah. So

1 I mean, if you look at the
2 Philadelphia Animal Code, they
3 define horse to include things like
4 donkey, pony. If you ask the
5 average person when they're looking
6 at an animal, is that a pony or a
7 horse, they're going to say it's a
8 horse, but it could technically be
9 a pony. So the code does specify
10 that the term horse is defined as
11 including other terms.

12 COUNCILMAN SQUILLA:
13 Other animals that would carry a
14 carriage?

15 MS. BARNETT: Yeah.

16 COUNCILMAN SQUILLA: All
17 right. Thank you for that. I
18 wanted to make sure we got that on
19 the record.

20 Are there any other
21 questions?

22 (No response.)

23 COUNCILMAN SQUILLA:
24 Seeing none, thank you so much for

1 your testimony.

2 Is there anyone else
3 here to testify on Bill No. 260465?

4 (No response.)

5 COUNCILMAN SQUILLA:

6 Seeing none, thank you so much.

7 Mr. McMonagle, next
8 panel to testify on Bill No. 260 --

9 THE CLERK: Bill No.
10 260162 and --

11 COUNCILMAN SQUILLA:
12 168 --

13 THE CLERK: 163.

14 COUNCILMAN SQUILLA: --
15 and 163.

16 THE CLERK: Can we
17 please have the first panel for
18 Bill Nos. 260162 and 260163, Dawn
19 Kiesewetter, Keisewiter -- I always
20 mess up, Benjamin Hartung.

21 (Witnesses approached
22 witness table.)

23 COUNCILMAN SQUILLA:

24 Thank you so much. Before we start

1 and ask for testimony, I'd like to
2 recognize Councilmember Gilmore
3 Richardson.

4 COUNCILWOMAN GILMORE

5 RICHARDSON: Thank you. Thank you
6 very much, Mr. Chairman. And thank
7 you to our Vice-Chair Councilmember
8 Jones and to all of my colleagues
9 on the Commerce and Economic
10 Development Committee. Today we
11 will hear testimony on bills that I
12 introduced, Nos. 260162 and 260163,
13 both aimed at building on the body
14 of work to clamp down on nuisance
15 businesses, particularly the
16 illegal smoke shops that are
17 plaguing the City of Philadelphia
18 and our communities.

19 As I have stated
20 repeatedly, these businesses fuel
21 crime. They operate without
22 community zoning approval, expose
23 our young people to dangerous
24 products and diminish the quality

1 of life in our neighborhoods. And
2 just this morning when I was
3 leaving my home and I was going to
4 get into the car -- I'm touching
5 this with a napkin -- this was
6 outside of my house in the grass,
7 and this is on a constant everyday
8 basis. Today is Thursday, so trash
9 day was Monday. But this is what
10 blows around in our community and
11 what even my children are exposed
12 to on an everyday basis. This was
13 outside of my home in the grass.

14 And so, this legislation
15 marks the fifth and sixth bills I
16 have introduced addressing nuisance
17 businesses in our city and in
18 addition to several resolutions
19 calling for hearings on this issue
20 and countless other legislative
21 efforts that have been led by my
22 colleagues in this body, including
23 Councilmember Anthony Phillips and
24 Councilmember Cindy Bass.

1 I share this to paint a
2 picture of just how widespread,
3 persistent and destructive this
4 problem has become, that despite
5 our best efforts to rein those
6 businesses in, many continue to
7 exploit loopholes, disregard
8 community concerns and operate in
9 ways that put our neighborhoods and
10 the well-being of our communities
11 at stake. They are putting profits
12 over our safety.

13 Today I hope to take two
14 significant steps forward in this
15 fight. Bill No. 260162, the
16 Illegal Smoke Shop Accountability
17 bill would add a new section to The
18 Philadelphia Code, authorizing
19 enforcement action against
20 commercial landlords who knowingly
21 allow illegal smoke shops to
22 operate in their properties.

23 This legislation is
24 modeled after similar enforcement

1 mechanisms used in New York City,
2 and was brought to our attention
3 during a hearing on previous
4 nuisance business legislation from
5 the fall. So thank you to everyone
6 who is here today and all of you
7 who have joined us in the past,
8 know that your advocacy and your
9 attention to these issues have been
10 making a difference. And today's
11 hearing I'm sure is certainly
12 evidence of just that.

13 The second bill we will
14 discuss today is Bill No. 260163 or
15 the Intoxicating Substances bill,
16 and that would address the sale of
17 unsafe and unregulated products
18 such as delta-8 and kratom by
19 updating The Philadelphia Code. It
20 would define intoxicating
21 substances, hemp-derived products
22 and kratom.

23 It would align the
24 city's current rules on

1 intoxicating substances with FDA
2 guidelines, so only products
3 approved by the FDA can be sold in
4 the City of Philadelphia. We would
5 create an intoxicating substance
6 retailer permit limiting where the
7 FDA-approved products can be sold,
8 and allowing for City of
9 Philadelphia oversight and
10 establish a minimum sales age of
11 21, with the prevalence of these
12 substances exploding across our
13 communities and instances of
14 children being poisoned by these
15 products skyrocketing.

16 These guardrails will be
17 critical to ensuring the health and
18 safety of all Philadelphians, which
19 is our primary responsibility as
20 legislators. And while I recognize
21 and I certainly appreciate those
22 who are here today who are sharing
23 their lived experience with these
24 substances, the reality is that

1 without meaningful oversight and
2 regulation, these products can and
3 do continue to pose a risk to our
4 residents. And just imagine
5 children playing outside and
6 picking up these products off the
7 ground. This was outside of my
8 house, and I'm holding it with a
9 napkin because I don't know what
10 else was on it or inside of it.

11 Let me be perfectly
12 clear, we are not here today to
13 make determinations on the efficacy
14 of these products. We are here
15 today to ensure that we are doing
16 everything, and I mean everything,
17 within our power to protect public
18 health and safety, because we
19 cannot adequately safeguard
20 residents from products that are
21 being sold with very little
22 oversight, inconsistent standards,
23 and limited accountability.

24 This legislation will

1 provide the city with stronger
2 tools to protect consumers, address
3 dangerous practices and better
4 ensure that these products do not
5 continue to cause harm across our
6 communities. And although we have
7 not yet seen comprehensive
8 regulation at the state or federal
9 level, we know that jurisdictions
10 across this country have already
11 taken action to restrict or ban the
12 sale of these substances. We know
13 that our young people are accessing
14 these products. We know that some
15 products may be poorly manufactured
16 or contaminated with harmful
17 toxins. And we know that reputable
18 health organizations such as the
19 Mayo Clinic and the FDA have raised
20 serious concerns about their
21 potential risk.

22 We cannot afford to wait
23 for action from the state or
24 federal government while these

1 risks continue to impact our
2 communities. We are seeing the
3 consequences in realtime and that
4 is why we are here today, to make
5 meaningful and to take meaningful
6 action to protect the health and
7 safety of our residents. And with
8 that, I want to thank everyone for
9 being here today and for
10 participating in this important
11 conversation. I am looking forward
12 to today's hearing and the work we
13 will continue to do together.

14 Thank you very much,
15 Mr. Chairman.

16 (Applause.)

17 COUNCILMAN SQUILLA:

18 Thank you. Thank you, Madam
19 Leader.

20 We'll begin with the
21 testimony now on Bill No. 260163.
22 If you'd like to state your name
23 for the record and proceed with
24 your testimony.

Committee on Commerce and Economic Development

1 MS. KIESEWETTER: Is it
2 162 or 163?

3 COUNCILMAN SQUILLA:
4 Both. If you're giving testimony,
5 you can give it on both.

6 MS. KIESEWETTER: Right,
7 for the first, 162?

8 COUNCILMAN SQUILLA:
9 162, yes.

10 MS. KIESEWETTER: Good
11 afternoon, Chair Squilla, Vice-
12 Chair Jones and members of the
13 Commerce and Economic Development
14 Committee. My name is Dawn
15 Kieseewetter and I am Deputy
16 Commissioner for the Philadelphia
17 Department of Public Health. And
18 joining me is Ben Hartung. He is
19 our Public Policy Administrator for
20 the Health Department. On behalf
21 of Commissioner Raval-Nelson and
22 the Health Department, thank you
23 for the opportunity to testify for
24 this bill introduced by

1 Councilmember Gilmore Richardson.
2 Bill No. 260162 amends
3 Section 9-631 of The Philadelphia
4 Code, which requires retailers to
5 have a Philadelphia tobacco
6 retailer permit to sell tobacco
7 products. The bill adds a
8 violation for commercial landlords
9 who knowingly lease commercial
10 premises to a retailer that engages
11 in unpermitted tobacco retailing.
12 The bill provides that when the
13 Health Department issues a retailer
14 a violation for the unpermitted
15 tobacco retailing, the commercial
16 landlord would also receive written
17 notice from the city about their
18 lessee's violations.

19 After receiving this
20 notice, the commercial landlord can
21 then receive a fine if their lessee
22 receives additional violations for
23 selling tobacco products without a
24 permit. The bill provides an

1 affirmative defense for commercial
2 landlords that commence a
3 proceeding to evict the violating
4 retailer or take other lawful
5 action that has the effect of
6 ceasing unpermitted tobacco
7 retailing.

8 The Health Department
9 supports this bill as it would
10 provide an additional tool to
11 address unpermitted tobacco sales.
12 Thank you for the opportunity to
13 testify today and we're happy to
14 respond to any questions.

15 COUNCILMAN SQUILLA: If
16 you can before we ask questions,
17 we're going to do both bills
18 together. So if you want to
19 testify on 163 too.

20 MS. KIESEWETTER:
21 Absolutely.

22 COUNCILMAN SQUILLA: And
23 then we'll ask questions. Thank
24 you.

1 MS. KIESEWETTER: Okay.

2 So good afternoon, everyone. We
3 are still the same. So Bill No.
4 260163 prohibits the sale of
5 certain hemp products, including
6 certain hemp-derived cannabinoid
7 products and certain kratom
8 products. It sets the legal age
9 for purchase at 21 years of age for
10 hemp and kratom products. It also
11 creates an intoxicating substance
12 retailer permit, which would be
13 required to sell any hemp product
14 or kratom product.

15 The Health Department
16 would promulgate regulations to
17 create this permit. Both marijuana
18 and hemp are varieties of the
19 cannabis plant. Hemp was
20 historically considered marijuana
21 by the federal government and its
22 production was prohibited. In
23 2018, Congress passed a farm bill
24 that amended the Controlled

1 Substances Act to differentiate
2 between marijuana and hemp based on
3 their concentration of the
4 psychoactive compound
5 Delta-9-tetrahydrocannabinol THC.

6 This amendment led to an
7 interpretation of the new
8 definition that hemp containing
9 less than 0.3% THC but also
10 containing other psychoactive
11 compounds was permitted to be sold.
12 This has been called the Farm Bill
13 loophole and has led to a
14 proliferation of unregulated hemp-
15 derived cannabinoid products that
16 include psychoactive cannabinoids
17 other than THC, for example,
18 Delta-8 or THCa.

19 Congress recently passed
20 a bill that closes the Farm Bill
21 loophole, which goes into effect on
22 November 12, 2026. In addition,
23 because THC and CBD are active
24 ingredients in FDA-approved drugs,

1 they are excluded from the FDA's
2 dietary supplement definition. THC
3 and CBD cannot be sold as
4 supplements or added to food
5 products.

6 The Health Department
7 does not currently regulate
8 supplements, but does require
9 retailers to remove from sale any
10 food products that contain THC or
11 CBD. Kratom refers to a tree
12 native to Southeast Asia and to
13 products derived from its leaves
14 that are marketed as herbal
15 supplements such as mitragynine and
16 7-hydroxymitragynine, 7-OH.
17 Consumption of kratom products can
18 produce both stimulant and sedative
19 effects and can lead to psychotic
20 symptoms as well as psychological
21 and physiological dependence.

22 However, people who use
23 kratom report doing so to self-
24 medicate for pain, anxiety,

1 depression, substance use disorders
2 and substance withdrawal. Kratom
3 products are banned or restricted
4 in other states and countries, but
5 are currently legal and accessible
6 online and in stores in many areas
7 of the United States.

8 The U.S. Drug
9 Enforcement Administration has
10 listed kratom as a drug of concern.
11 The kratom and kratom compounds are
12 not listed on the U.S. schedule of
13 controlled substances. The US Food
14 and Drug Administration considers
15 kratom an unapproved new dietary
16 ingredient and unsafe food
17 additive. It has not been approved
18 for any use. Any supplements that
19 are or contain kratom are
20 considered adulterated by the FDA.

21 Similarly to THC or CBD
22 products, the Health Department
23 does not currently regulate kratom
24 products but does require retailers

1 to remove from sale any food
2 products that contain kratom. The
3 Health Department shares the
4 concerns about the availability of
5 hemp and kratom products and their
6 potential for abuse.

7 Due to the regulatory
8 complexity, we look forward to
9 continuing to work on proposed
10 amendments within City Council.
11 Thanks for the opportunity. We're
12 happy to answer any questions.

13 COUNCILMAN SQUILLA: Are
14 there any questions from the
15 committee?

16 Councilmember Gilmore
17 Richardson.

18 COUNCILWOMAN GILMORE
19 RICHARDSON: Thank you. Thank you,
20 Mr. Chairman.

21 And thank you for your
22 testimony, and thank you to the
23 Health Department for working with
24 my team on this legislation. For

1 the record, does the Philadelphia
2 Department of Public Health have
3 all the resources necessary to
4 effectively implement this
5 legislation, both bills?

6 MS. KIESEWETTER: Not
7 currently.

8 COUNCILWOMAN GILMORE

9 RICHARDSON: Thank you. Thank you
10 very much. And are there
11 additional tools that you all need
12 in order to continue addressing
13 unpermitted tobacco sales?

14 MS. KIESEWETTER: Yes.

15 COUNCILWOMAN GILMORE

16 RICHARDSON: Okay. And you all are
17 willing to continue to work with us
18 as we go through the budget process
19 relative to the needs of the Health
20 Department around effectively
21 enforcing not only this
22 legislation, but others?

23 MS. KIESEWETTER: Yes,
24 we are.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Thank you. Thank you
3 very much, Mr. Chairman.

4 COUNCILMAN SQUILLA:

5 Thank you, Madam Leader.

6 Councilmember Gauthier.

7 COUNCILWOMAN GAUTHIER:

8 Thank you, Mr. Chair.

9 I wanted to -- I have a
10 comment, not so much a question,
11 but I wanted to thank the Majority
12 Leader for putting these bills on
13 the table and for your sustained
14 efforts on this topic. I also want
15 to thank the Health Department.
16 Thank you, Dawn. Thank you, Ben.
17 We've been working together most
18 recently. We were successful with
19 a nuisance business on Baltimore
20 Avenue. And I appreciate the
21 efforts of the city, but also
22 sometimes this feels like such a
23 losing battle. And so, I'm so glad
24 that you're putting other tools on

1 the table.

2 I recently had a
3 situation that's sort of similar to
4 what you're trying to address in
5 your bill come up. My staff and I
6 were working in a very focused and
7 deliberate way with a residential
8 block off of 52nd Street that was
9 essentially held hostage by illicit
10 drug operations and activities that
11 were happening in several
12 properties, including a corner
13 store that was right next to the
14 block.

15 And so, we were
16 strategically going after every
17 property that was adding to this
18 problem, including the smoke shop.
19 And the neighbors were telling me,
20 I see people going in this store
21 and drug transactions. And I
22 called the landlord to ask for his
23 help to get this business out. And
24 he said to me, well, they're paying

1 their rent. That's all I care
2 about. And was very indignant,
3 very indignant.

4 And eventually the city
5 did come out and cite them for I
6 guess a list of violations they
7 had. And it was only then that I
8 got a call back from him like, oh,
9 Councilwoman, can you help me to
10 communicate with the city, can you
11 tell them all the things that
12 they're working on, but was because
13 the city -- he felt boxed in,
14 right. It wasn't from the
15 perspective of just wanting to do
16 something good for the community.

17 And so, I think we have
18 to have more legislative tools to
19 make landlords responsible to our
20 communities. And so, I'm in
21 support of both of these bills.
22 And I thank you because this will
23 help quality of life all across the
24 city.

1 COUNCILMAN SQUILLA:

2 Chair now recognizes Councilmember
3 Jones.

4 COUNCILMAN JONES: I too
5 want to add to the chorus to thank
6 the author of these bills, because
7 on a day-to-day basis on a
8 commercial corridor people are
9 impacted by this. The author knows
10 clearly about one commercial
11 corridor, 54th Street where she
12 lives quite near. And the level of
13 interaction between elements that
14 aren't legal, working with
15 businesses that often accept this.
16 And I think this is a step in the
17 right direction in dealing with
18 this. And I say this because
19 there's a it's-not-my-problem
20 attitude. And now, this
21 legislation makes it your problem.

22 What I would have a
23 question about is, is there an
24 evolving list of products that are

1 allowed or are not allowed or
2 banned in commercial retail
3 establishments?

4 MS. KIESEWETTER: In
5 terms of?

6 COUNCILMAN JONES: So I
7 know you have a federal list of
8 banned products, I would imagine.
9 Liquor and tobacco is regulated
10 amongst that. With the evolution
11 of these types of products, how do
12 we know what's in them? You know,
13 when they put soda pop out on
14 the -- we don't know how -- based
15 on the ingredients, how can we
16 safeguard by the time we figure it
17 out, you know, people are impacted.

18 MS. KIESEWETTER: That's
19 a really good question. Unless
20 there's laboratory testing of these
21 products, who knows what's in them,
22 right. And there is a list that
23 the FDA provides, a book of these
24 products that lists, it's like 2000

1 pages long. There's a lot of
2 substances.

3 COUNCILMAN JONES: Thank
4 you, Mr. Chairman.

5 COUNCILMAN SQUILLA:
6 Thank you. The Chair recognizes
7 Councilmember Gilmore Richardson.

8 COUNCILWOMAN GILMORE
9 RICHARDSON: Thank you. Thank you
10 very much, Mr. Chair.

11 Briefly, I wanted to
12 thank both Councilmember Gauthier
13 and also Councilmember Jones for
14 your continued work in your
15 districts on this issue.

16 Councilmember Gauthier,
17 to your point, we have received
18 reports of a number of landlords
19 who will accept payment for years
20 in advance in cash from these
21 retailers, which is why they do not
22 feel the need to address the
23 overarching issues that we know to
24 be true in these locations.

1 And in addition to that,
2 to Councilmember Jones' point, I
3 wanted to thank you, Councilmember
4 Jones, for walking with us in 2021
5 when we first started to learn
6 about this challenge in the City of
7 Philadelphia right after the onset
8 of the pandemic. And to your
9 point, we typically don't hear
10 about this until it's a challenge.

11 And so, I asked my team
12 to share with the members of the
13 committee the link to the news
14 article that referenced the
15 individual who broke into a store
16 that sells kratom because
17 apparently he was addicted to some
18 level of the products or the
19 products they sold at the store, so
20 that you all could see that this is
21 becoming a larger issue.

22 We've received reports
23 in my office of young people who
24 have gotten addicted to a number of

1 these products and, in fact, had to
2 refer one family to one of the
3 facilities in the 4th over at
4 Belmont. And so, this is becoming
5 a real challenge for us here in the
6 city. And we just want to seek a
7 process to be in place to help us
8 regulate what's going on. So thank
9 you very much.

10 COUNCILMAN SQUILLA:

11 Thank you. Thank you very much.
12 Thank you for your testimony.

13 Is there any additional
14 questions to this committee?

15 (No response.)

16 COUNCILMAN SQUILLA:

17 Thank you. Thank you for your
18 testimony.

19 Mr. McMonagle, can you
20 please read the names of the next
21 panel to testify.

22 THE CLERK: Can we
23 please have, I apologize in
24 advance, Bella Kalayilparampil and

1 Kevin Osterhoudt.

2 (Witnesses approached
3 witness table.)

4 COUNCILMAN SQUILLA:

5 I'll let you two say your names and
6 testify. But thank you for being
7 here. And again, just state your
8 name for the record and then
9 proceed with your testimony on
10 either Bill No. 260162 or 260163.

11 DR. KALAYILPARAMPIL:

12 Awesome. Thank you so much and
13 good afternoon. My name is
14 Dr. Bella Kalayilparmpil. Only 15
15 letters, not that bad. Thank you
16 all for being here and for just
17 really giving us this opportunity.
18 So I am Board-certified in internal
19 medicine and addiction medicine. I
20 serve as a physician lead for one
21 of Penn Medicine's addiction
22 medicine clinics. I also work as a
23 consultant on the Addiction
24 Medicine Consult Service for the

1 Hospital of the University of
2 Pennsylvania.

3 I'm providing this
4 testimony today in my individual
5 capacity. So over the course of my
6 career, I've treated many patients
7 with substance use disorders,
8 including opioid, alcohol and
9 tobacco use disorders as well as
10 addictions involving newer or less
11 familiar substances. There are a
12 ton of new designer substances out
13 there. Wouldn't be able to name
14 them all, but designer
15 benzodiazepines, gabapentin.
16 Different types of opioids to more
17 recently less familiar substances
18 like kratom I have been treating as
19 well.

20 I have even been
21 treating patients with kratom-
22 associated substance use disorder.
23 These patients are often highly
24 motivated and hard-working

1 individuals facing significant
2 financial, social and health-
3 related stressors. Over the past
4 two years, I've cared for more than
5 a dozen patients with kratom-
6 associated substance use disorder.

7 One of my first patients
8 initially began using kratom to
9 improve focus, increase energy and
10 help him relax. He worked in a
11 high-pressure job and was preparing
12 for the birth of his first child.
13 After researching kratom online, he
14 began using powdered kratom leaf,
15 typically which he brewed into a
16 tea. Initially, he felt that
17 kratom improved his focus and
18 energy at work while helping calm
19 his nerves at home. Because he
20 viewed it as a natural product, he
21 did not consider it dangerous.

22 Over time however, his
23 use escalated. He transitioned to
24 more concentrated capsule products

1 and began taking them multiple
2 times per day. He also noticed at
3 this time that kratom relieved
4 chronic pain from an old shoulder
5 injury. As his use increased, he
6 developed tolerance and began
7 experiencing withdrawal symptoms
8 between doses, including restless
9 legs, sweating, goosebumps, nausea.

10 He spent increasingly
11 amounts of money on kratom and his
12 wife noticed changes in his
13 behavior. Ultimately, a family
14 member who is a physician
15 encouraged him to seek treatment
16 for kratom dependence. By the time
17 he came to our clinic, he felt
18 overwhelmed, anxious and defeated.
19 This all stemmed from a substance
20 readily available at gas stations,
21 convenience stores and online
22 retailers.

23 As you guys have heard
24 earlier, kratom is derived from the

1 leaves of the *Mitragyna speciosa*
2 tree native to Southeast Asia.
3 Traditionally, laborers use kratom
4 in small amounts for energy and in
5 larger amounts for pain relief
6 after physically demanding work.
7 One of kratom's unique
8 characteristics is that it can act
9 as a stimulant at lower doses and
10 produce opioid-like effects at
11 higher doses.

12 Kratom became
13 increasingly popular in the United
14 States in the late 2000, as it
15 appeared in smoke shops, gas
16 stations and online marketplaces,
17 especially during the opioid
18 epidemic. Some individuals begin
19 using kratom to manage opioid
20 withdrawal symptoms, often
21 believing it was a natural and
22 non-addictive alternative.
23 However, today's commercial kratom
24 market, particularly the highly

1 concentrated extracts that are now
2 widely available, is far removed
3 from the traditional leaf product.

4 Kratom contains more
5 than 40 alkaloids, including
6 mitragynine and
7 7-hydroxymitragynine, which is
8 commonly known as 7-OH. Both of
9 which activate the mu-opioid
10 receptor, the same receptor
11 targeted by morphine, oxycodone,
12 fentanyl, methadone, buprenorphine,
13 to name a few. In concentrated
14 forms, such as products marketed as
15 7-OH or Percs, the substance
16 functions essentially as an opioid.
17 These products are often sold to
18 consumers who may not realize they
19 are using a potent opioid-like
20 substance.

21 As we know, regular
22 opioid exposure can lead to
23 tolerance, physical dependence and
24 addiction. The CDC had a recent

1 report that reported roughly 1,200%
2 increase in poison center calls
3 related to kratom between 2015 and
4 2025, with the sharpest rise
5 occurring between 2024 and 2025,
6 which was likely driven by the
7 growing availability of
8 concentrated 708 products. The
9 report also noted concerns
10 regarding highly unregulated kratom
11 markets, including having
12 contamination with heavy metals,
13 toxins, bacteria and even fungal
14 contaminants.

15 The medical literature
16 has documented several cases of
17 liver, kidney, cardiac, and
18 neurologic toxicity associated with
19 kratom use. There have also been
20 reports of opioid overdose from
21 kratom products that responds to
22 naloxone or Narcan. At present, we
23 lack sufficient human safety data
24 to establish standardized dosing or

1 determine safe consumption levels.
2 Kratom has not been approved by the
3 FDA for medical use. The FDA has
4 issued warnings regarding its use.

5 In my own practice, I
6 have treated patients using highly
7 potent kratom products who
8 experience significant withdrawal
9 symptoms when attempting to stop or
10 reduce their use. Many of these
11 patients are now being treated with
12 buprenorphine or Suboxone, a
13 standard medication for opioid use
14 disorder. Patients frequently
15 report reduced cravings,
16 improvement in withdrawal symptoms
17 and a meaningful improvement in
18 their quality of life after
19 beginning treatment.

20 I'm here today really to
21 highlight the potential public
22 health risk posed by unregulated
23 kratom products based on my
24 clinical experience treating

1 patients with kratom dependence.
2 While some traditional forms of
3 kratom may have perceived benefits
4 related to pain relief, relaxation,
5 focus, energy harm reduction,
6 especially in the setting of the
7 opioid epidemic, many of the highly
8 concentrated and unregulated
9 products currently on the market
10 carry substantial risks for
11 dependence, addiction and toxicity.
12 Thank you guys so much.

13 COUNCILMAN SQUILLA:
14 Thank you. We'll let you both
15 testify and then ask questions. If
16 you want to state your name for the
17 record and proceed with your
18 testimony.

19 DR. OSTERHOUDT: Yes.
20 Good afternoon. My name is
21 Dr. Kevin Osterhoudt. I am a
22 pediatrician and medical
23 toxicologist at the Children's
24 Hospital of Philadelphia here in

1 the city. Intoxicating drugs,
2 murkily lurking behind the cover of
3 confusing legal and regulatory
4 status, are being sold at shops and
5 gas stations at seemingly every
6 corner of Philadelphia. And
7 indeed, I don't need to walk too
8 far from my CHOP office to pass
9 signs and windows advertising these
10 drugs for sale.

11 As a pediatric ER doctor
12 at the Children's Hospital of
13 Philadelphia and as the Director of
14 our Poison Control Center, I'm
15 really grateful that you've given
16 me this opportunity to speak of the
17 danger that these chemicals pose to
18 our children. I'd like to start
19 with a story. A really nice young
20 Philadelphia girl came home from a
21 great day at school. She stopped
22 in a little market. She picked up
23 a krispie treat. She ate it. She
24 went home and she was sitting with

1 her family at the dining table when
2 she suddenly slumped over
3 unresponsive. You can imagine how
4 traumatic that was for her family.
5 They called 911 that rushed her to
6 the hospital.

7 As she came into the
8 hospital ER, the doctors and nurses
9 had to think about all types of
10 illnesses that could be happening.
11 Was this a stroke, was this
12 meningitis, was this bleeding into
13 the brain. They did blood tests
14 and CT scans. She ended up being
15 hooked up to a machine to support
16 her breathing and was admitted to
17 the intensive care unit.

18 Later the reason for her
19 severe sickness was discovered.
20 The treat that she ate poisoned her
21 with an intoxicating chemical often
22 called delta-8. This drug was sold
23 out in the open next to cookies and
24 candies and very little on the

1 package identified it as a drug. I
2 can tell story after story like
3 that, as scenes like this are
4 playing out all over the city.

5 And I know you've seen
6 the signs to Legal weed sold here,
7 delta-8 sold here, Kratom sold
8 here. And you now know what these
9 are, but I'll just reiterate for
10 somebody who's still not familiar.
11 When people use marijuana to get
12 high, historically the intoxicating
13 chemical they take in is Delta 9
14 THC. We don't usually say the
15 Delta 9 part. We just say THC.
16 And the plant that THC comes from,
17 cannabis sativa is classified as
18 marijuana. If it's got a lot of
19 THC and hemp, if it has very little
20 THC and it can't really be smoked
21 to get high. But both marijuana
22 and hemp have dozens of other
23 chemicals in them, which can get
24 people high if you concentrate them

1 in the right way. And these
2 chemicals are what I and what the
3 Council are calling intoxicating
4 cannabinoids.

5 So these intoxicating
6 cannabinoids can be derived from
7 hemp. They go by names like
8 delta-8 or delta-10 or HHC and many
9 others. And it turns out
10 extracting these chemicals from
11 hemp isn't so easy. So often,
12 although we talk about these as
13 being derived from hemp, many times
14 they're actually synthetic
15 chemicals made in a laboratory or
16 made from another product of hemp.
17 And a very purposeful drug industry
18 is making them and peddling them,
19 and children and teenagers are
20 getting injured by them.

21 Kratom is another plant
22 product that contains intoxicating
23 chemicals which can be
24 concentrated, purified or altered

1 through chemistry. The chemicals
2 in kratom, as you've heard, have
3 opioid-like effects. And
4 Philadelphia certainly is no
5 stranger to the ravages of opioids,
6 and it can cause heavy users to
7 have withdrawal symptoms when they
8 try to stop.

9 The Pennsylvania
10 Department of Health, in
11 conjunction with Pennsylvania's
12 poison centers, released a health
13 advisory warning of these products
14 in October of 2025. So the
15 production, distribution, sale and
16 use of intoxicating cannabinoids
17 and kratom is an unregulated wild
18 frontier. Currently, they can be
19 found for sale in small grocery
20 stores, smoke shops, gas stations,
21 fishing bait shore stores and the
22 King of Prussia Mall. I know it's
23 not in Philadelphia, but everybody
24 knows what it is. And it's a good

1 example -- and may I approach the
2 Council for a second with my prop?

3 I went to the King of
4 Prussia Mall and I went in and I
5 bought this krispie treat. And
6 that krispie treat was made to look
7 like a popular children's cereal.
8 And it alleges to have 500mg, which
9 you probably don't know dosing.
10 That's a whopping dose of delta-8
11 THC. And I bought it inside the
12 mall. And when people buy these
13 products, they have no way of
14 knowing what's really in them or if
15 the dose is right or if the dose is
16 true or if there are other harmful
17 contaminants.

18 They may not be packaged
19 safely and they're just too
20 accessible to curious young
21 children and experimenting
22 teenagers. Some people describe
23 these incidents of young children
24 eating these cannabinoids as

1 accidents, but they are no
2 accident. They're entirely
3 predictable and they're entirely
4 preventable.

5 So just to share a
6 couple of other statistics with
7 you, in 2023, 11% of high school
8 seniors reported using delta-8 THC.
9 30% of all the cases of
10 intoxicating cannabinoids that are
11 reported to Pennsylvania poison
12 centers involve children under the
13 age of 5. And in the first ten
14 months of 2025, Pennsylvania's
15 poison centers took reports on 90
16 cases involving kratom among people
17 aged from 12 months of age, 1 year,
18 to 80 years of age, and several of
19 these poisoned patients were placed
20 on ventilators in ICUs.

21 So I make no judgment on
22 whether the sale or use of
23 intoxicating drugs should be legal
24 or illegal. But I am here to say

1 that we do know enough, both from
2 epidemiological research but also
3 just from basic sensibility, to
4 take steps to protect our children.
5 And Bill No. 260163, introduced by
6 Councilmember Gilmore Richardson,
7 offers many safeguards to protect
8 children, that I am happy about.

9 My written comments list
10 several other child poisoning
11 prevention recommendations that I
12 would like to offer for your
13 examination. And the Poison
14 Control Center at Children's
15 Hospital of Philadelphia is
16 dedicated to community benefit in
17 Philadelphia through clinical
18 support, education, research and
19 advocacy. We're eager to support
20 the Philadelphia City Council now
21 and in the future. And once again,
22 I'm grateful for your attention and
23 consideration. Thank you.

24 COUNCILMAN SQUILLA:

1 Thank you so much for your
2 testimony. And you mentioned
3 different levels of kratom. Since
4 they're not regulated, there's
5 really no way to know whether it's
6 a leaf product or a synthetic
7 product. And so, how could any I
8 guess product that's using kratom
9 be distributed without us knowing
10 what the levels are?

11 Because I was reading
12 even the package you gave us to
13 see, it says use one serving or
14 start with one serving, but you
15 don't really know what that means.
16 So by regulating these products or
17 by not allowing them to be used,
18 then guarantees us the ability to
19 at least stop the use of them until
20 they're regulated or until the
21 government comes up with something.
22 So is there any governmental rules
23 that you know of that actually
24 allows the use of any of these

1 kratom products?

2 DR. KALAYILPARAMPIL:

3 There is the Kratom Consumer
4 Protection Act. And so, this is
5 sort of like an approach at
6 regulating the kratom market to
7 help protect consumers of kratom
8 products. And so, the premise of
9 this is to create certifications on
10 kratom, kind of like the cannabis
11 industry to certify that it is
12 safe, that it has been tested, that
13 there are no contaminants and
14 toxins in it. And then businesses
15 can sell it as a certified kratom
16 product.

17 However, this is a
18 costly certification and a lot of
19 gas stations and smoke shops and
20 small industries do not do that.
21 But there is perhaps something like
22 that out there, but it hasn't been
23 adopted by many. So that's to kind
24 of answer your question.

1 COUNCILMAN SQUILLA: And
2 it would probably be difficult for
3 our Health Department or anybody
4 else to be able to know the
5 difference between those products?

6 DR. KALAYILPARAMPIL:
7 Oh, absolutely not. It doesn't
8 show up in a standard urine drug
9 screen. You have to do specialized
10 testing, so gas chromatography,
11 liquid chromatography, things like
12 that to identify it. And so, we
13 don't readily have those machines
14 to test what's in this person's
15 system really. Big toxicology and
16 poison centers can have that, but
17 that's Penn. So if you go outside
18 of Penn, what resources do you
19 have.

20 COUNCILMAN SQUILLA: All
21 right. Thank you very much.

22 Do you have any
23 questions?

24 Councilmember Gilmore

1 Richardson.

2 COUNCILWOMAN GILMORE

3 RICHARDSON: Yes, very quickly.

4 Thank you so much, Mr. Chairman.

5 And thank you for
6 notating that for the record. And
7 you were stating that only
8 specialized testing will be able to
9 be utilized. Where do we have it
10 here in Philadelphia?

11 DR. KALAYILPARAMPIL:
12 There are different organizations.
13 Kensington in particular, they have
14 PA Groundhogs and they regularly
15 test substances and they for sure
16 have this particular machine that
17 analyzes for. It's usually for
18 mitragynine and
19 7-hydroxymitragynine. But we do
20 not have, like at our clinic let's
21 say that I do addiction work at,
22 any accessible urine testing or
23 blood testing to identify if kratom
24 is present.

1 COUNCILMAN SQUILLA: A
2 point of information. How about
3 the product itself, if I were to
4 take those rice krispie treats or
5 what it says on that package, can
6 you test that package of what
7 actually is in there?

8 DR. KALAYILPARAMPIL:
9 Yes.

10 DR. OSTERHOUDT: A
11 hospital can't -- like the average
12 person could not walk anywhere and
13 say, would you test this for me and
14 tell me what's in here. We can
15 take it, we can either -- if we can
16 refer it to some kind of a law
17 enforcement thing, we could get the
18 state police lab to test it. There
19 are great organizations like PA
20 Groundhogs that are doing street
21 testing and can test it or if
22 somebody can pay for it, we can
23 send it to a national reference
24 laboratory where they can do the

1 testing. But there's no emergency
2 department or clinic really, pretty
3 much in Pennsylvania, maybe a
4 couple, where any patient that were
5 ever using one of these could just
6 go in and be tested and they could
7 find this. It's not like the way
8 that you can find heroin or you can
9 find THC or something.

10 COUNCILMAN SQUILLA:

11 Thank you.

12 Chair recognizes
13 Councilmember Gauthier.

14 COUNCILWOMAN GAUTHIER:

15 Thank you, Mr. Chair.

16 I think to some degree
17 we also test substances at the
18 forensics lab. But obviously, they
19 have a lot of work to do and then
20 they need a new space which they're
21 working on. But I think to some
22 degree that's a part of what
23 happens there, unless I'm mistaken?

24 COUNCILMAN SQUILLA:

1 Point of information. To your
2 point, that's in the commission of
3 a crime. This is in the
4 commission of commerce. And so,
5 that's a big distinction.

6 COUNCILWOMAN GAUTHIER:
7 Okay.

8 COUNCILMAN SQUILLA:
9 Thank you. Are there any other
10 questions for this committee?

11 (No response.)

12 COUNCILMAN SQUILLA:
13 Seeing none, thank you so much for
14 your testimony. If you can hang a
15 little bit to hear some other
16 testimony to see if we have any
17 additional questions. If not, we
18 understand you have to go. We
19 appreciate your time.

20 DR. OSTERHOUDT: Okay.
21 Thank you. Have a nice holiday
22 weekend.

23 DR. KALAYILPARAMPIL:
24 Thank you.

1 COUNCILMAN SQUILLA: Mr.
2 McMonagle, can you please read the
3 names of the panel to testify on
4 Bill No. 260162 or 260163.

5 THE CLERK: Can we
6 please have Elaine Petrossian,
7 Crystal Morris and Kate Allen come
8 forward. I think we only have
9 three chairs, right.

10 (Witnesses approached
11 witness table.)

12 COUNCILMAN SQUILLA:
13 Just state your name for the record
14 and then proceed with your
15 testimony.

16 MS. PETROSSIAN: My name
17 is Elaine Petrossian and I am here
18 to testify in support of the
19 landlord accountability -- illegal
20 smoke shop accountability bill.
21 And to recap, what brings me here
22 today, I'm here in my individual
23 capacity. But by way of
24 background, I live in the North

1 Broad Street corridor in the Spring
2 Garden community.

3 I am a committee person,
4 a block captain, a member on behalf
5 of my civic association, our 9th
6 District PDAC, and I am also the
7 Ward leader of the 8th Ward. And
8 again, here in my individual
9 capacity as a neighbor. Before I
10 even start, I just want to say I
11 think I understand what we just
12 heard here from the medical panel,
13 that people could take kratom, for
14 example, and be in a job like a
15 machine operator or a pilot or a
16 driver and there would be no drug
17 test commonly available to test
18 them for safety on the job. I'm
19 not testifying on that, but that's
20 what I heard. And so, I'll put
21 that on the record.

22 Okay. I want to share a
23 few things. On the illegal smoke
24 shop accountability bill, I want to

1 address each kind of main term from
2 a neighborhood perspective. The
3 first is when we talk about the
4 smoke shops, I think we've talked
5 at length about what we find in
6 these smoke shops, the products
7 that are in them. So I'll leave
8 that to speak for itself.

9 What I would say is with
10 respect to landlords, let's address
11 that in local communities. We know
12 most of our communities know our
13 commercial landlords. And the
14 ideal commercial landlord tends to
15 communicate with the community.
16 They tend to try to engage with the
17 community. They want tenants who
18 pay rent, so does the community.
19 They also try to find tenants that
20 will serve positive needs for the
21 community. And a lot of those
22 needs may be consumer needs.

23 They also tend to rent
24 to tenants who will enhance the

1 neighborhood and the commercial
2 corridor around it for the
3 practical reason that most decent
4 commercial landlords don't want to
5 bring down the commercial corridor
6 and they don't want neighbors
7 constantly complaining and being up
8 in arms. This is common sense.
9 And most commercial landlords in a
10 neighborhood commercial corridor
11 operate in this manner.

12 We also know as
13 neighbors that we can usually find
14 somebody who is a commercial
15 landlord. We can find that
16 landlord. We can talk to that
17 landlord. And that is important to
18 the community and to a good,
19 thriving neighborhood commercial
20 corridor. Most good landlords in
21 the commercial space want a tenant
22 that is going to not only pay the
23 rent, but protect their building
24 from harm and protect the

1 neighboring buildings from harm,
2 and will operate a business or a
3 nonprofit or other use safely,
4 smartly and legally with respect to
5 this bill.

6 The main focus is
7 tobacco. And of course, tobacco is
8 a harmful product, especially when
9 it is used by minors and people who
10 are not regulated or not safe for
11 them to consume it. And I would
12 urge that we in the future expand
13 this to include all nuisance uses
14 so that landlords are on the hook
15 for all of the nuisances that it
16 has been declared that they are
17 allowing to operate. But we'll
18 hold that for another day.

19 The next thing,
20 accountability. That's in the
21 title of this bill. This
22 legislative body, your role is to
23 do what you're doing now, which is
24 to get the needs of the community,

1 try to develop the see the illegal
2 loopholes and try to develop
3 legislation in a package or in an
4 omnibus, whatever, to solve those
5 problems.

6 However, it is not this
7 branch of government's
8 responsibility to implement those
9 laws. It is this branch's
10 responsibility to perform the
11 watchdog duties of meaningful
12 oversight. And in that regard, I
13 ask that this Council, if and I
14 hope we do, pass this suite of
15 bills, that we are going to hold
16 the Administration accountable.
17 Not because we think the
18 Administration doesn't care about
19 these things. But I want to share
20 a story about how this has shown up
21 with respect to our neighborhood
22 and a part of the solution that we
23 were thrilled to have in our
24 toolkit.

1 And that was the recent
2 bill that went into effect around
3 hours of operation of a whole
4 variety of consumer mini marts and
5 smoke shops and things of that
6 nature. As you may remember,
7 Councilman Young was a leader in
8 getting us a respite from
9 11:00 p.m. to 6:00 a.m. for a chunk
10 of the North Broad corridor, Girard
11 Avenue to the west and Ridge
12 Avenue, so not an insignificant set
13 of corridors.

14 Since that ordinance
15 went into effect, the closest smoke
16 shop to me which is on the same
17 block actually, if you think of the
18 block as a square, it's on the same
19 block, and that went into effect
20 toward the end of April. Since
21 then, we have vigilantly been
22 reporting violations of the
23 11:00 p.m. to 6:00 a.m. operation
24 rule.

1 Now, I share this
2 because if we're going to pass
3 these legislative solutions, we
4 need there to be clear
5 accountability, implementation and
6 enforcement. So in that time,
7 there were efforts night after
8 night with video and everything to
9 report to 311, being told call the
10 police, call the police. I brought
11 it up to PDAC. I said, by the way
12 this is going into effect, what is
13 the plan for enforcement. Call the
14 police.

15 So we call the police
16 911. No one comes. We ask if we
17 should call in a non-emergency
18 basis. We get referred back to
19 311. When 311 gives an answer,
20 they say it's not our area, it's
21 not L&I's responsibility. And then
22 they say go to the Vice Unit. So
23 we call the Vice Unit and they say,
24 no, it's not our responsibility.

1 So again, the neighborhood is left
2 in a Squid Game of who is supposed
3 to hold the shop accountable and
4 enforce the law that the neighbors
5 and this body helped to create.

6 So all I'm saying is
7 whatever we do here, to quote the
8 Wire, all the pieces matter, but it
9 doesn't matter, it does not matter
10 one bit if it's just words on a
11 page that no one in the executive
12 branch either has the resources or
13 the knowledge about the law or
14 possibly the will to make sure that
15 these quality-of-life and health
16 and safety bills are actually
17 implemented and enforced. So with
18 that, I close my testimony.

19 COUNCILMAN SQUILLA:
20 Thank you so much for your
21 testimony.

22 Kate, if you want to
23 state your name and proceed with
24 your testimony.

1 MS. ALLEN: My name is
2 Kate Allen and I'm the President of
3 the Queen Village Neighbors
4 Association. Members of the
5 committee, thank you for inviting
6 me to testify once again on behalf
7 of my community and every other
8 community in Philadelphia. I'm
9 here today to support Bill 260163
10 to regulate the sale of
11 intoxicating substances. This bill
12 will provide a mechanism to control
13 the sale of substances that have
14 proliferated our neighborhoods and
15 are often marketed directly to our
16 children.

17 Because these products
18 exist through legal loopholes,
19 there is no ability for us to
20 intervene if they pose a risk to
21 our communities. There are 17
22 smoke shops in Queen Village and
23 Bella Vista. And because many have
24 swapped their inventories from

1 tobacco to THCa products, I have
2 lost every normal mechanism to
3 address concerns from residents and
4 other business owners.

5 Last year the city shut
6 down a smoke shop that was a
7 chronic nuisance to our
8 neighborhood. It reopened a few
9 months later and is now exclusively
10 selling THC products. And even
11 though it's still a nuisance,
12 there's nothing that we can do
13 about it because these products are
14 unregulated. We regulate every
15 other similar substance, alcohol,
16 tobacco and marijuana. One of the
17 main reasons that we do this is to
18 protect the consumer and allow them
19 the peace of mind that whether they
20 buy liquor from a Fine Wine & Good
21 Spirits or cigarettes from Wawa or
22 cannabis from a medical dispensary,
23 they can trust that what they
24 bought is actually what they're

1 going to be ingesting.

2 But study after study
3 has shown that the contents of gas
4 station heroin does not match the
5 packaging. In 2025, an independent
6 analysis funded by the Inquirer
7 tested ten products from ten
8 different stores in Philly and
9 found that eight samples tested
10 positive for contaminants that are
11 illegal to sell in many state-run
12 recreational cannabis programs.
13 Seven contain Aspergillus, a fungus
14 with spores that can cause
15 respiratory infections. Three
16 exceeded legal limits for
17 pesticides in New Jersey, including
18 carbofuran, a neurotoxin banned in
19 the U.S., Canada and the EU. One
20 sample contained mold, pesticides
21 and high levels of chromium, a
22 carcinogenic metal. Would any of
23 you want to ingest something laced
24 with pesticides or neurotoxins?

1 In 2024, the LA Times
2 published a story about their own
3 independent analysis of 150 hemp-
4 derived products and found that
5 several contained pesticides,
6 disinfectants and fungicides, and
7 several exceeded the legal THC
8 limit. In 2019, the FDA published
9 an analysis of kratom products and
10 found that several had significant
11 levels of lead and nickel.
12 Prolonged exposure to which can
13 cause kidney and nervous system
14 damage. So that's worst case, that
15 what you think you're buying
16 actually contains a lot of harmful
17 substances that could kill you.
18 How about best case,
19 someone purchases a product that
20 isn't laced with something that can
21 cause respiratory paralysis or
22 death. In 2024, the Mayo Clinic
23 published a paper discussing the
24 health effects of kratom. They

1 stated poison control centers in
2 the U.S. received more than 3400
3 reports about kratom use from 2024
4 through 2019. These include
5 reports of death, side effects
6 reported included high blood
7 pressure, confusion, and seizures.

8 Kratom has also been
9 reported to react with other
10 medications. This may lead to
11 severe side effects such as liver
12 damage and death. In a study
13 testing kratom as a treatment for
14 symptoms of opioid withdrawal,
15 people who took kratom for more
16 than six months reported withdrawal
17 symptoms just like those from
18 opioid use. So those people are
19 just going to be right back where
20 they started. And remember, that's
21 the best case.

22 The only reason that
23 these substances are currently for
24 sale is because of loopholes that

1 legislators are actively working to
2 close. Letting these substances go
3 unchecked just moves the illegal
4 drug market off the street corner
5 and into the corner store. The
6 argument that regulation will hurt
7 mom-and-pop corner stores is
8 absurd, as if no such business
9 could possibly survive without
10 these products. There are plenty
11 of stores that do just fine without
12 selling mislabeled products that
13 can cause death. If the only way
14 your business model can be
15 successful is by selling products
16 laced with pesticides, often
17 marketed specifically to children,
18 then change your business model.

19 Just like we regulate
20 the sale of tobacco, alcohol, and
21 marijuana, we need to regulate the
22 sale of intoxicating substances. I
23 applaud the Committee and
24 Councilmember Gilmore Richardson

1 for taking this very necessary step
2 to protect every community across
3 Philadelphia.

4 COUNCILMAN SQUILLA:
5 Thank you for your testimony.

6 Before we ask any
7 questions, you want to proceed.
8 State your name for the record and
9 then proceed with your testimony.

10 MS. MORRIS: Good
11 afternoon. My name is Crystal
12 Morris and I am testifying in
13 support of nuisance business
14 enforcement legislation, Bill Nos.
15 260162 and 260163, introduced by
16 Majority Leader Gilmore Richardson.
17 I'm here both on behalf of the
18 Wynnefield Residents Association as
19 well as the Wynnefield Overbrook
20 Revitalization Corporation.

21 As this problem exists
22 for both residents and business
23 owners alike, and we both share the
24 impact, while the Commerce

1 Department is working hard to
2 increase funding to businesses
3 along our commercial corridors,
4 that money loses its impact if
5 quality businesses can't stay open
6 because customers don't feel safe
7 traveling to them.

8 As our leaders were
9 often asked, how did you let this
10 happen, we don't let it happen.
11 Loopholes in the law let it happen.
12 This legislation seeks to further
13 close those loopholes and restore
14 some control to residents over what
15 commerce exists in their
16 communities. Many of our public
17 safety issues stem from convenience
18 stores, smoke shops and the like
19 that sell intoxicating substances,
20 their drugs along our commercial
21 corridors. These businesses often
22 escape regulation because of legal
23 wordplay.

24 Clearly, defining

1 intoxicating substances allows
2 conversations to be more targeted
3 and enforcement options more
4 robust. We understand that we're
5 experiencing a cultural shift in
6 recreational appetites, as many use
7 whatever substance they can find to
8 numb the pain and anxiety produced
9 by daily life. These products
10 promise to help with sleep, reduce
11 stress, or relax the feelings away.
12 Whether you choose them or not,
13 it's an adult decision.

14 There is no credible
15 reason why these products should be
16 specifically marketed to vulnerable
17 children or access to them be made
18 so convenient that the stores have
19 the audacity to exist on the
20 walking route. As our children
21 travel back and forth to school in
22 just the past few months, a drug
23 ring was closed down and we
24 continued to be plagued by

1 shootings. Yet we stand powerless
2 to permanently close down those
3 businesses that we know are doing
4 harm. We don't look to impact
5 anyone's ability to conduct
6 business, just not at our expense.

7 Our seniors are afraid
8 to leave their residents because
9 the large number of people
10 congregating outside multiple
11 convenience stores is threatening.
12 Our property owners struggle to
13 rent their storefronts or their
14 apartments above because of
15 undesirable activity and open-air
16 drug transactions 24/7. And our
17 children must walk past stores
18 selling drug paraphernalia on their
19 way back and forth to school,
20 realizing that children learn what
21 they live.

22 What constitutes a
23 nuisance business? It's any
24 business that adversely impacts

1 community quality of life. These
2 businesses tend to be those that
3 attract or tolerate undesirable
4 behavior, with a willingness to
5 look the other way as long as they
6 are profiting. Landlording is also
7 a business, and building owners can
8 no longer be allowed to collect
9 rents and return back to their
10 safe, stable communities while
11 their tenants destroy ours. Both
12 landlord and tenant are equally
13 responsible for the impact the
14 business has on the surrounding
15 community. Doing business in our
16 communities is a privilege, and we
17 hold our business owners to a high
18 standard.

19 Gone are the days where
20 you can print a sign at your local
21 print shop, throw it up on the
22 outside of a building and deem
23 yourself open for business. There
24 must be a standard of measurement

1 and more importantly, disciplinary
2 procedures for the habitually
3 uncompliant. We understand the
4 need for quality businesses in our
5 communities and we build with
6 intention. Thriving commercial
7 corridors can be directly linked to
8 a decrease in crime, an increase in
9 walkability and used as a measure
10 for overall community health.

11 Nuisance businesses
12 rarely represent the best our
13 communities have to offer. How do
14 you eat an elephant? One bite at a
15 time. This legislation represents
16 one more bite of the elephants that
17 are trampling our communities. We
18 want to do more than survive. We
19 want to thrive. Help us take our
20 communities back by passing this
21 legislation. Thank you.

22 COUNCILMAN SQUILLA:

23 Thank you so much for your
24 testimonies.

1 Are there any questions?

2 The Chair recognizes Councilmember
3 Jones.

4 COUNCILMAN JONES: So I
5 don't like to clap. I really try
6 to be stoic, but that was a good
7 job. That was a good job, all of
8 you. And to the author, once again
9 you're taking into account that
10 this is one bite at a time. And I
11 would like for the record to
12 reflect that it's not just the
13 people from the city that are
14 patronizing these stores, because
15 where some patrons come from, there
16 are no stores like this. So they
17 come to neighborhoods where there
18 are stores like this in order to
19 get these types of products.

20 There is one area that
21 if you're from Wynnefield, you know
22 where I'm talking. There's a gas
23 station and a fruit place down the
24 street where once upon a time you

1 could come in, you could get
2 vegetables, you could get bread,
3 butter, cheese, all of the staples
4 of life. And now you have more
5 gambling machines and more product
6 like this that you're able to
7 acquire. We have to take a stand.

8 You represent a
9 community that has always took a
10 stand. For a very, very long time,
11 we didn't like alcohol in the area.
12 That was a taboo. So thank you for
13 coming out and testifying today.
14 And thank the author for standing
15 ten toes down about it.

16 Thank you, Mr. Chairman.

17 COUNCILMAN SQUILLA:

18 Thank you. Thank you so much for
19 your testimony.

20 If there's no other
21 questions, Mr. McMonagle, can you
22 please read the next panel to
23 testify on Bill No. 260162 and
24 260163.

1 THE CLERK: Can we
2 please have Bonita Cummings, Danny
3 Rosenberg and Darnetta Arce.

4 (Witnesses approached
5 witness table.)

6 COUNCILMAN SQUILLA:
7 Thank you for coming in today.
8 Just state your name for the record
9 and proceed with your testimony.

10 MS. CUMMINGS: My name
11 is Bonita Cummings. Good morning,
12 Chairwoman Katherine Gilmore
13 Richardson and members of Council.
14 My name is Bonita Cummings,
15 Director of Strawberry Mansion
16 Community Concern and RCO, a
17 longstanding environmental and
18 quality-of-life organization
19 serving Strawberry Mansion.

20 I am here today in
21 support of Bill Nos. 260162 and
22 260163, addressing illegal smoke
23 shop accountability and
24 intoxicating substances. These

1 issues are not just about products
2 or storefronts. They are about the
3 conditions being normalized in
4 Philadelphia communities and the
5 long-term damage to public health,
6 youth and community stability.

7 As a community advocate,
8 I must speak about health impacts
9 that are often ignored in public
10 conversations. We cannot continue
11 sending mixed messages to our youth
12 by normalizing intoxicating
13 substances in the name of raising
14 tax revenue, while avoiding honest
15 conversations about addiction,
16 mental health, trauma, healing and
17 the long-term impact these
18 substances have on them and their
19 communities.

20 The harsh impact on
21 women, not to mention Black women,
22 includes disproportionate health
23 disparities, chronic stress
24 barriers to health care,

1 complications during pregnancy, and
2 poorer healing outcomes after
3 surgeries. Yet many of our
4 neighborhoods continue to be
5 saturated with smoke shops,
6 intoxicating substances, unhealthy
7 conditions and businesses that
8 profit from instability instead of
9 community wellness.

10 There is also a deeper
11 issue that is difficult to discuss
12 in today's political climate, race,
13 culture and historical trauma.
14 Many communities continue to
15 experience concentrated exposure to
16 harmful environmental and social
17 conditions while being told these
18 conditions represent freedom or
19 progress. We must ask ourselves
20 why these conditions continue to be
21 concentrated in neighborhoods
22 already struggling with inequity
23 and why our youth are constantly
24 exposed to environments that

1 undermine their success, their
2 healing, and their future
3 opportunity.

4 So our communities
5 deserve investment, protection,
6 enforcement, healing,
7 accountability, and real
8 opportunities to thrive. So we
9 thank you for allowing us -- I
10 think Councilman Squilla is the
11 Chair for this. I may have
12 mentioned it wrong, but just to
13 acknowledge that. So we just do
14 also want to thank all of the
15 Councilmembers because this subject
16 is not an easy subject to do as a
17 legislator, and we appreciate the
18 deep dive that you're willing to
19 take in order to protect humanity.

20 This is a question of
21 whether we live as a quality human
22 life or whether we live as animals
23 on two legs. So we thank you. I
24 really do thank you for your

1 sincerity in taking on such a
2 difficult, difficult subject
3 matter.

4 COUNCILMAN SQUILLA:
5 Thank you. Thank you for your
6 testimony.

7 Please state your name
8 for the record and proceed.

9 MS. ARCE: Yes. Good
10 afternoon. My name is Darnetta
11 Arce. I think first I'd like to
12 give honor to God for being here
13 today and giving me the courage to
14 speak, because this is a hard thing
15 to do. But I come today as a
16 grandmother, a mother, a community
17 resident, a committee person, and a
18 business owner. And our
19 neighborhoods are plagued with
20 drugs in our community that's now
21 being overseen. We have smoke
22 shops that's also come under the
23 name of convenience stores. So
24 these stores are targeted to our

1 youth as candy stores. They are
2 inviting. They have our youth come
3 in there every day getting used to
4 going into these stores, being
5 around smoke, inhaling this every
6 day.

7 We want to have
8 enforcement. I'm not going to
9 repeat everything that was just
10 said. We heard from the medical
11 department. We heard from the
12 health department. We heard from
13 the community, and we heard from
14 the corridor managers. I come to
15 you to say that let's enforce
16 what's already on the books. We're
17 in support of what Gilmore
18 Richardson is doing, but we need
19 more enforcement and we need
20 accountability.

21 Right now in the 1700
22 block of West Cecil B. Moore
23 Avenue, there are two smoke shops
24 that are less than 500 feet away

1 from a school, the school called
2 Alliance for Progress Charter
3 School Annex, two smoke shops less
4 than 500 feet away. Where's the
5 enforcement? We have another smoke
6 shop at 2137 Ridge Avenue adjacent
7 to a daycare. This is something
8 that our children are subjected to
9 every day. Where's the
10 enforcement?

11 In addition to that,
12 these stores are operating 24/7
13 again. Where is the enforcement?
14 We spoke about -- we know how
15 dangerous this is. What's going
16 on? Where's the enforcement and
17 the accountability? How does the
18 Health Department and the
19 Department of Planning and
20 Development allow these stores to
21 be open when the rules say you
22 can't be within 500 feet of a
23 school? So how did they open up
24 from the beginning?

1 Let's stop going around
2 the mulberry bush and address the
3 issues that we already deal with
4 right now today. Where is the
5 enforcement? I had a script, but
6 excuse me, I got off script because
7 I was getting upset. Because as I
8 listened, we hear that this is
9 intoxicating. We know what this
10 drug does. We understand this.

11 The Health Department is
12 saying, hey, we have no control
13 over this. Again, when complaints
14 are put in through our
15 Councilpeople, through 311, through
16 the Health Department, through the
17 Planning Department, where is the
18 enforcement? That is where I stand
19 today. I live in my neighborhood.
20 My grandchildren go to the store.
21 I don't even go into those stores.
22 I don't want my grandchildren to
23 think that this is normal.

24 And also, what about

1 smoking? Maybe I'm wrong, but I
2 thought smoking was not allowed in
3 public buildings or offices or
4 spaces, am I correct? So when you
5 walk into a smoke shop, it's clear
6 it's a smoke shop because you smell
7 the smoke, you see the haze over
8 you. 23rd and Ridge, Cecil B.
9 Moore, you go in there, I had to
10 walk out. It's also a gas station.
11 I needed gas. I couldn't go inside
12 the store. It was just
13 overwhelming, the smell, shooting
14 dice. I don't know what some guy
15 was doing. Look, somebody might
16 have been having sex, I don't know.
17 But this is what goes on. It's
18 funny, but it's not because this is
19 what's going on in our communities.
20 And we complain and we sit here and
21 thank you for this bill and it
22 should have some meat to it.

23 But again, where is the
24 enforcement? Who is doing their

1 job? We all pussyfooting around
2 right now, but who's doing their
3 job? This is what we need to do.
4 This is what our children deal with
5 every day. We're trying to bring
6 the corridors up, but with this
7 nonsense we can't. People are
8 afraid to come to the corridors.
9 People don't even want to shop on
10 the corridors. But also, you're
11 letting these shops open up as
12 "convenience stores" and they look
13 like candy stores. They're not
14 candy stores. They don't sell
15 milk. They don't sell bread. They
16 don't even sell a hot dog. They
17 are just selling drugs and other
18 addictive snacks. I like potato
19 chips too, but I'm just saying.
20 They're selling chips,
21 pretzels, sodas. But again, stop
22 allowing them to open up as
23 convenience stores. They are
24 adult -- like the lady said, this

1 is an adult decision to go in those
2 stores. This is not for children.
3 So if they're going to be a smoke
4 shop, let them identify themselves
5 that way and operate themselves
6 accordingly. They're open 24 hours
7 a day. When is the enforcement
8 going to begin? That's my
9 testimony.

10 COUNCILMAN SQUILLA:

11 Thank you. Before the next person
12 testifies --

13 MS. ARCE: Excuse me.

14 I'm sorry. We do have a proposal
15 to bring in some type of task force
16 because what they're doing right
17 now is ineffective. So we believe
18 we have an effective manner to stop
19 this nonsense.

20 COUNCILMAN SQUILLA:

21 Thank you so much. We'll take that
22 for the Chair and we'll add it to
23 the record.

24 And Chair recognizes

1 Councilmember Gilmore Richardson.

2 COUNCILWOMAN GILMORE

3 RICHARDSON: Thank you. I want to
4 say thank you not only for your
5 remarks today, but for all your
6 work in the North Philadelphia
7 community. And thank all of the
8 community organizations who are
9 represented today. We appreciate
10 your continued work on this.

11 I want you to know that
12 we do have folks here from the
13 Administration, and we will
14 continue to work with them and
15 press them on enforcement around
16 these issues and these stores. And
17 I can tell you that we keep a
18 running tab of all the stories that
19 we report. We do follow up with
20 all the city departments that need
21 to inspect the location based on
22 the circumstance.

23 But in addition to that,
24 our challenge from a city

1 perspective is that most of these
2 locations apply to be a grocery or
3 a convenience store. It is not
4 until they open up and are
5 operational that they begin to sell
6 these products and/or drug
7 paraphernalia. And so, it's a
8 cat-and-mouse game.

9 And then they're fined
10 by the city and they find loopholes
11 or gray areas in the nuisance
12 abatement plans, which is why I did
13 the last two bills on this, because
14 of the loopholes and the nuisance
15 abatement plans that these business
16 owners were skirting. Then they
17 changed their LLCs, which is why we
18 did the other legislation so that
19 the violations would carry forward
20 under the new LLC. And so, this is
21 the fifth and sixth bill that we've
22 been doing on this topic.

23 But we will continue to
24 push the Administration on ensuring

1 that enforcement is happening
2 because we keep up with these
3 locations as well in our office.
4 So I just wanted to thank you for
5 the suggestion as well as the
6 proposal that you sent that we will
7 review, in addition to the stories
8 that you notated that I did take in
9 my notes.

10 But we need to continue
11 to push on this because it's
12 happening not only in our
13 communities, but it's all across
14 the City of Philadelphia. It
15 started with us in 2021 and now,
16 it's everybody. And they have
17 really become a hub for criminal
18 activity and really diminished the
19 value of our commercial corridors,
20 which typically -- we know Cecil B.
21 Moore even back when it was
22 Columbia Avenue, were thriving
23 corridors in our community. So I
24 thank you very much for your

1 testimony. I do receive what you
2 are stating relative to enforcement
3 and we're going to continue to
4 push.

5 MS. ARCE: Yeah.
6 Because again, these businesses do
7 not even have a permit as of today.
8 They do not have a permit. So how
9 are they allowed to stay open.

10 COUNCILWOMAN GILMORE
11 RICHARDSON: Right. And so, we
12 will be sure to submit those
13 addresses to the Administration and
14 then follow up on the outcome of
15 their investigation, and also for
16 the location that does not possess
17 or have a permit at all, we will
18 follow up with them.

19 MS. ARCE: Okay.

20 COUNCILWOMAN GILMORE

21 RICHARDSON: Thank you.

22 MS. ARCE: Thank you.

23 COUNCILMAN SQUILLA:

24 Thank you. The Chair recognizes

1 Councilmember Gauthier.

2 COUNCILWOMAN GAUTHIER:

3 Thank you, Mr. Chair.

4 One thing that was
5 illuminating to me recently, my
6 staff and I had a conversation with
7 the Law Department about how we can
8 do more to kind of limit and
9 enforce on these businesses that
10 are dragging down quality of life,
11 most smoke shops in particular.
12 And a part of this might be my own
13 ignorance, but I'm an urban
14 planner, not a lawyer so I just
15 didn't know.

16 But one thing that was
17 always confusing to me in the past
18 was how these businesses are
19 allowed to just be open 24 hours a
20 day. But what I found out from
21 Law, I had always thought that
22 there was a particular law limiting
23 the hours of businesses, period,
24 and that just doesn't exist. As

1 far as my conversation, I learned
2 that only certain types of
3 businesses have any restrictions on
4 their hours.

5 And so, if we don't want
6 these businesses open 24 hours a
7 day, currently the only remedy we
8 have are these curfew bills on
9 particular corridors that every
10 Councilmember has to do. But I
11 honestly think -- and I don't know
12 what jurisdiction this would be,
13 this might be at the state level,
14 I'm not sure -- but I wish they
15 were just limited, period.

16 I don't understand why
17 these businesses need to be open 24
18 hours a day. And so, I just wanted
19 to share that because it was
20 something that was very
21 illuminating for me. But I wonder
22 if there's something broader we can
23 do just about, you know, the folks
24 that are able to get a legal

1 permit, at least they don't need to
2 be open every single hour of the
3 day. And it would be easier to do
4 that I think, or I think more
5 effective to do that in a broad-
6 based manner than have every
7 District Councilmember do different
8 curfew laws. So just wanted to add
9 that to the discussion. Thank you.

10 COUNCILMAN SQUILLA:

11 Thank you. Thank you for your
12 testimony. Please state your name
13 and begin.

14 MR. ROSENBERG: Hello.
15 My name is Daniel Rosenberg. I'm
16 here in regards to 260163. This is
17 something that I'm very passionate
18 about. So I thank you guys for
19 being here, Chair, Vice-Chair,
20 Councilmembers and you,
21 Ms. Richardson, for passing this
22 bill. I've actually been in touch
23 with your office for many months
24 now in regards to this. I didn't

1 think I was going to make it. I
2 came here from work. Hence, why
3 I'm a little disheveled and
4 underdressed. But I'm here and I'm
5 grateful.

6 I do have a script, but
7 I'm probably going to go off of
8 this because I feel like this is --
9 I feel more comfortable just
10 speaking from the heart. I will
11 say that you've had a perspective
12 from organizations and from
13 representatives, but I'm going to
14 give you a perspective from someone
15 who was addicted to kratom and fell
16 victim to the marketing scheme.
17 And it's been eight and a half
18 months since I have had any and I'm
19 very grateful for that. It was
20 excruciating --

21 (Applause.)

22 MR. ROSENBERG: Yeah.

23 Thank you. And so, I'd rather just
24 kind of tell you my story in a

1 nutshell from the heart instead of
2 what I have written here. I had 14
3 years sober. I was addicted to
4 OxyContin when I was younger. And
5 listen, there was no one to blame
6 for that. I was young, I was dumb
7 and I wanted to party and things
8 got carried away and I got sober
9 from that. And I had 14.5 years
10 and then COVID happened.

11 And I used to go to a
12 lot of AA and NA meetings and I
13 stopped going to meetings during
14 COVID and there was no meetings to
15 go to. I got a lot of anxiety and
16 I felt very isolated. And I
17 started, you know, my thinking got
18 a little screwed up and I started
19 looking for something to take some
20 of the anxiety away to help me
21 focus.

22 I was vaping at the time
23 and I went to a vape shop and they
24 had this bottle called Feel Free.

1 It was a blue bottle. It was a
2 tonic. It was marketed as a
3 botanical elixir. And it said kava
4 on the back. And I'm familiar with
5 kava. Kava is a Polynesian root.
6 And it is used as a stimulant. But
7 if you take it in certain doses, it
8 gives you a slightly euphoric
9 feeling. So I asked what that was.
10 I saw somebody buy it and it says
11 on the back -- well, in microscopic
12 print it says kratom, but you
13 literally need a microscope to see
14 this. It's marketed as kava. And
15 so, I thought it was kava. So I
16 didn't even know what kratom was,
17 but I did know what kava was. And
18 I was like, oh yeah, it's harmless.
19 So I went home and I took half the
20 bottle.

21 The guy told me it's
22 good for energy. It's good for
23 focus. I took half the bottle and
24 it felt like I had eaten some

1 Oxycontins again. It felt like I
2 was right back to where I was. I
3 was nodding out, gave me that
4 euphoric feeling that I used to
5 love. And needless to say, it was
6 kind of off to the races after
7 that. I started buying it more
8 frequently. And it was kind of
9 back to everything that I had
10 learned and my 14 years of sobriety
11 was out the window. This just kind
12 of triggered something in my brain
13 that said, oh, hello, old friend.
14 And I listened, that's my fault. I
15 allowed it to get to that point.

16 Yes, I had control up to
17 a certain time, but my obsessive-
18 compulsive mind, once I get to a
19 certain point with addiction, it
20 kind of, you know, I lose control.
21 And so, that's kind of what
22 happened with this stuff. But it
23 was in moderation for a long time.
24 I was doing the regular kratom. As

1 mentioned earlier, there's a
2 difference between the regular
3 kratom, which comes from a plant
4 and the 7-hydroxy kratom, which I
5 had discovered later on. And
6 that's when the real problems came
7 in.

8 I was doing the regular
9 kratom moderately a couple times a
10 week for a while. And I thought,
11 okay, this is fine, like I have it
12 under control. I'm just doing a
13 couple days a week. It's curing my
14 anxiety and it's doing what I want
15 it to do and it's not getting
16 carried away. And then I went and
17 they didn't have -- I went to the
18 vape shop. They didn't have the
19 kind that I usually get. And there
20 was this other brand that the guy
21 just said, yeah, this is just a
22 little bit stronger, same stuff.
23 And I said, okay, I'll take that
24 one.

1 I went home and he said,
2 oh, but if you do this one, you
3 just take a quarter of the bottle.
4 And so, we're talking about all the
5 concentrated versions. Now, you
6 know, I started off doing -- as
7 mentioned earlier, there's tea that
8 you can make. That's not what's
9 being sold in stores, guys. That's
10 not what's being sold in stores.
11 They're doing shots. They're doing
12 all these concentrated -- they're
13 marketing that this one's five
14 times stronger than this one.

15 And so, from like a
16 financial standpoint, you're like,
17 okay, if this one's stronger, it
18 makes sense to buy this one. I
19 don't have to take as much, blah,
20 blah, blah. So I did this kind and
21 I found out that it was 7-hydroxy
22 and I didn't even know what that
23 meant. But after doing that for
24 about a month or two, I noticed

1 that I was waking up in the middle
2 of the night, my legs and my arms
3 were going crazy and I had cold
4 sweats and I didn't want to.

5 I didn't realize that
6 that's what it was. I had
7 experienced that when I was younger
8 from the oxys. But I didn't want
9 to kind of -- there was no way that
10 that's what this was because this
11 was legal and I bought it in a
12 store, so it couldn't be that. And
13 then it happened several more
14 times. And then it hit me like,
15 oh, wow, I'm going into withdrawal.
16 So I would have to take some
17 kratom. I would have to. And this
18 was only when I started the
19 7-hydroxy.

20 I found out, I looked it
21 up, I started researching it.
22 Probably should have researched it
23 before I did it, but I didn't know
24 what it was. I didn't know that it

1 was different until I kind of put
2 two and two together. And I
3 thought, why all of a sudden am I
4 experiencing these withdrawal
5 symptoms when I've been doing this
6 for a year. Oh, maybe it's that
7 new kind that -- so I started
8 looking at the bottle, realized
9 like, okay, what's this 7-OH,
10 started researching it and found
11 out how bad it was.

12 So it's basically a
13 synthetic version. It basically,
14 you know, it's a partial agonist.
15 Kratom is a partial agonist that
16 binds to your opioid receptors.
17 7-hydroxy basically magnifies that
18 by like a thousand. And it's
19 highly addictive. And I found that
20 out the hard way. And so, by that
21 time that I realized that I was
22 addicted, it was too late and I
23 just needed it. The euphoria went
24 away. My tolerance went way up and

1 it got to a point fast-forward over
2 a couple years that I was just
3 using it against my will and just
4 using it not to get sick.

5 I would break out in
6 cold sweats during the day. My
7 body temperature was always off.
8 It would be hot out, but I'd be
9 freezing. It was very
10 uncomfortable. And it just got to
11 the point where I knew that I could
12 not go on doing that anymore. And
13 I decided to go to detox about nine
14 months ago. I mean, I knew that
15 the amount that I was taking,
16 there's no way that it was
17 sustainable. I was just taking way
18 too much. It wasn't fun anymore.
19 I was just using to not be sick.

20 And I couldn't believe
21 that I was able to get this stuff
22 from a store legally. And I was
23 ordering it online. I was finding
24 places online that were cheaper,

1 come in pill forms, 100 milligram
2 pill. I started off doing like 10
3 milligrams a day. I was up to 800
4 mg a day at the end. It was just
5 keeping me -- well, I went to
6 detox, which was excruciating.

7 I detoxed from
8 Oxycontin when I was in my 20s.
9 This was ten times worse. Maybe
10 because I'm a little bit older.
11 But four days in detox, I could not
12 get out of bed. My arms and my
13 legs were going crazy. They had to
14 give me buprenorphine/Suboxone.
15 The medication that they were using
16 at the detox was not working. So
17 they ended up giving me Suboxone
18 for a few days, a taper. And that
19 actually helped. It took all the
20 symptoms away and I was able to
21 kind of wean off of that.

22 And when I got out of
23 there, I came back to Philadelphia
24 and I started going to AA again.

1 And I wanted to be proactive. And
2 that's when I reached out to your
3 office. Because I wanted to use my
4 negative experience as a positive
5 for other people. And this stuff
6 should not be on the shelves. It
7 should not be legal. What I went
8 through should not be experienced
9 by anyone who -- I knew better. I
10 had experience with drugs and
11 alcohol as a kid. Some people
12 don't know better. They think that
13 this is just a natural elixir that
14 is going to bring them focus and
15 energy.

16 And guess what? They go
17 home. They take a little bit. It
18 feels good. They want to do it
19 again. And before they know it,
20 they're going to end up just like I
21 did. I know this because I know
22 several people that have fallen
23 into the same trap that I have. So
24 I'm really, really, really trying

1 to be proactive and do something
2 about this. And when I found out
3 that this bill was written up and
4 could be passed, I was ecstatic.
5 It might not solve everything, but
6 it's a great start.

7 And I will continue to
8 do what I can to get this stuff off
9 the shelves and to save as many
10 people as possible from what I went
11 through. So thank you for
12 listening to me.

13 COUNCILMAN SQUILLA:

14 Thank you. Thank you.

15 Chair recognizes

16 Councilmember Richardson.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: Well, I want to thank
19 you very much, not only for your
20 testimony and for sharing your
21 story, but for contacting my office
22 months ago and for working with us.
23 This was not your fault. This was
24 a product being sold in a store

1 without clear ingredients and
2 guidelines. And I'm just so sad
3 you had to go through that again.

4 But I am very happy that
5 you are here today. No, it is not
6 your fault what happened to you.
7 So thank you very much for sharing
8 your story and also for working
9 with my office. Thank you.

10 MR. ROSENBERG: Thank
11 you.

12 COUNCILMAN SQUILLA:
13 Thank you. Seeing no other
14 questions, thank you for your
15 testimony.

16 Mr. McMonagle, can you
17 please read the next panel to
18 testify.

19 THE CLERK: Yes. Can we
20 please have Ed Boyer, Meredith
21 Buettner Schneider and Ali Smith
22 please.

23 (Witnesses approached
24 witness table.)

1 COUNCILMAN SQUILLA:

2 Thank you. Please state your name
3 for the record and then proceed
4 with your testimony.

5 MR. BOYER: My name is
6 Edward Boyer.

7 COUNCILMAN SQUILLA: You
8 stated your name. Just please
9 testify.

10 MR. BOYER: Okay. So my
11 name is Edward Boyer. I'm an
12 emergency physician at Ohio State
13 University, and I'm actually not
14 here as an advocate for anything
15 other than regulation. This is an
16 area in which regulation is
17 desperately needed.

18 Give you a little bit of
19 my background. I'm at Ohio State
20 now. I am a practicing emergency
21 physician. I work in the Central
22 Ohio Poison Center. I work on the
23 toxicology consulting service at
24 Nationwide Children's Hospital,

1 which isn't quite as awesome as
2 CHOP. I did my residency at
3 University of Pennsylvania and at
4 CHOP, so it's good to be back.
5 It's not quite as awesome as CHOP,
6 but it's pretty good.

7 Before that, I was a
8 full professor at Harvard Medical
9 School in emergency medicine and I
10 was on the toxicology service at
11 Boston Children's Hospital. And
12 I've trained about 20% of the
13 medical toxicologists in the United
14 States, but not Dr. Kevin
15 Osterhoudt. He was actually a
16 fellow when I was a resident.

17 So I'm not here to
18 advocate for a product. I'm not
19 here to advocate for a company.
20 I'm here to advocate for thoughtful
21 regulation. And one of the great
22 difficulties in going towards the
23 end is that everybody has said
24 everything already. And I'm not

1 going to try to repeat what people
2 have said. I'm just going to point
3 out a couple of things that I think
4 you already know, but I just want
5 to sort of let you think about it a
6 little bit more.

7 It's my day job to keep
8 people alive. And when we think
9 about a public health catastrophe,
10 when we think about public health
11 threat, when we think about
12 outbreaks of poisoning, we know
13 what that looks like. It's
14 multiple people in isolated
15 locations. To be blunt, it sounds
16 a lot like Kensington.

17 The issue that I have
18 is -- I don't want a show of hands
19 because that's a dangerous place
20 for politicians to go -- just think
21 to yourself, how many of you had
22 heard of 7-hydroxymitragynine or
23 kratom before this legislation had
24 happened or before this legislation

1 was in work? My experience has
2 been is it's not widely recognized
3 because, yes, people come into
4 poison control, come into hospitals
5 and get reported to poison control
6 centers.

7 Yes, people can develop
8 problematic substance use, but it's
9 not like Kensington. And I
10 personally, since July of last
11 year, have had the specialists in
12 our poison control center call me
13 about every single kratom,
14 7-hydroxy case, MGM-15,
15 pseudoindoxyl case, anything
16 related to kratom since July of
17 last year. And we've had I think
18 seven calls the whole time.

19 Now, that doesn't sound
20 like a public health catastrophe.
21 Does that mean that there's no role
22 for regulation? Absolutely not.
23 And I think one of the huge
24 problems is multiple servings per

1 dosage unit. I've seen up to eight
2 individual servings in one standard
3 size tablet. Nobody is going to
4 divide something up eight times.
5 And even if they intend to divide
6 it up competently, to get eight
7 equal servings out of a single
8 tablet is going to be impossible to
9 have a little 15cc bottle and say,
10 this is three servings and you
11 successfully drink 5cc is never
12 going to happen.

13 I believe Dr. Osterhoudt
14 is correct. I think the rubber
15 hits the road on hemp products.
16 Hemp is a problem in our center.
17 We can count on between 1 and 3
18 toddlers per day who get admitted
19 to our hospital for cannabis
20 exposure. And over all time -- and
21 I confirmed this yesterday because
22 I was working with the director of
23 the Poison Center and I was on call
24 last night. Over all time in our

1 consult service and in our poison
2 control center in Central Ohio,
3 we've had zero cases of kratom or
4 7-hydroxy exposure in kids. That's
5 not to say that you don't want to
6 keep kids from becoming exposed to
7 it. So child protective packaging
8 is an obvious thing to do.

9 You wouldn't want to
10 sell it near stores, but I think
11 the most important one is going to
12 be avoiding orally dissolvable or
13 sublingual tablets. If I take
14 7-hydroxymitragynine and eat it,
15 you know, take it, swallow a
16 tablet, your body does certain
17 things to the medication to prevent
18 you from becoming intoxicated, from
19 becoming poisoned and overdosed.

20 And one of the things is
21 that the liver chews it up, and the
22 liver is so effective at doing it
23 that the bioavailability is 3%. So
24 the doses are enormous that are

1 administered. The doses in a
2 tablet are huge. And I think
3 that -- I know it scared the living
4 daylights out of me when I first
5 heard about it. But they're so
6 huge, precisely because the
7 pharmacokinetics are so, so bad.
8 So you would want to eliminate the
9 things that bypass the liver. And
10 that's going to be orally
11 dissolvable and sublingual
12 formulations.

13 I neglected to mention
14 earlier that I published the first
15 adverse event in the literature
16 related to kratom all the way back
17 in 2016. I also published the
18 first case of an individual
19 problematic substance use from
20 7-hydroxymitragynine. But at the
21 same time, I recognize that there
22 are individuals who can potentially
23 benefit from these things.

24 We live in a fentanyl

1 world sadly. And if I'm an
2 injection drug user and I don't
3 want to inject and I don't want to
4 have the risk of dying from an
5 inadvertent fentanyl overdose, I
6 could easily see how if I don't
7 want to die of opioid overdose, if
8 I don't have availability to get
9 into drug treatment because drug
10 treatment is very short
11 availability in this country right
12 now, if I don't have the 750 to
13 1000 bucks a month of disposable
14 income to pay for Suboxone out of
15 pocket, I can see how kratom could
16 be a very reasonable alternative
17 until I can get into formal drug
18 treatment. So I'm going to stop at
19 that point. If you have any
20 questions, I'd be happy to answer
21 them as well.

22 COUNCILMAN SQUILLA:
23 Thank you. Before we go to the
24 next testifier, Chair recognizes

1 Councilmember Gauthier.

2 COUNCILWOMAN GAUTHIER:

3 Thank you, Mr. Chair.

4 Thank you for your
5 testimony. I hear you. From what
6 I hear, you seem to be saying
7 regulate, but don't do it in a way
8 that's too restrictive. Do it in a
9 way that's thoughtful and compared
10 to the level of the crisis, or at
11 least that's what I heard in
12 summation.

13 But I was wondering if
14 you could say more about your
15 personal or professional stake in
16 that position. So for instance, I
17 understand when the industry groups
18 come and they're against
19 regulation, I understand that
20 because I understand their stake.
21 Even though my challenge is always
22 you should have regulated yourself
23 and set your own standards if you
24 didn't want government to regulate

1 you. But I'm also having a hard
2 time understanding from a research,
3 university or a medical center
4 perspective what's your stake in
5 the position that you're taking?
6 Why is this important to you that
7 the legislature or that the
8 regulation look a particular way?

9 MR. BOYER: Yeah. So
10 I'm not here -- I'm not paid to be
11 here by any industry. I do
12 emergency medicine, medical
13 toxicology and I also do product
14 liability consulting. And to be
15 honest, it's my day job to keep
16 people alive. If I thought people
17 were going to die from this, I
18 wouldn't be here.

19 COUNCILWOMAN GAUTHIER:
20 Can you say more about what product
21 liability consulting means? What's
22 your line of business with respect
23 to that? And how do you get
24 compensated for that?

1 MR. BOYER: Yeah. So I
2 work with individual law firms to
3 teach them how they can advise
4 clients to avoid downstream
5 problems related to their products.
6 We heard from Mr. -- is it Mr.
7 Rosenberg? Yeah. We heard from
8 Mr. Rosenberg about Botanic Tonic
9 Feel Free. So it's a co-formulated
10 product. It's kratom and kava.

11 And the problem with
12 that is it's essentially like
13 taking an opioid with a
14 benzodiazepine. Kava is a mild
15 sedative, but it's got a much
16 shorter duration of action than
17 mitragynine does. So if you like
18 the combination of kava plus
19 kratom, right, because that's a
20 unique experience that people will
21 have one of those components, the
22 kava will lose its effect first,
23 which means that the mitragynine
24 persists to get the effect back

1 that you wanted, you've got to
2 redose.

3 But now you've redosed
4 with an opioid, which can lead to
5 problematic substance use disorder.
6 So in my work I would say to a
7 company -- and I wasn't working
8 with the companies that work for
9 the people who manufactured Botanic
10 Tonic's Feel Free product, but I
11 would have said, do not coformulate
12 these products because you're
13 creating a perfect storm for
14 problematic substance use by doing
15 it this way.

16 COUNCILWOMAN GAUTHIER:
17 But to be clear, so that I'm
18 understanding, you are representing
19 a particular medical perspective,
20 but you're not just representing a
21 medical perspective. You are
22 contracted by lawyers who represent
23 these companies?

24 MR. BOYER: They don't

1 necessarily represent the
2 companies. They would advise the
3 companies.

4 COUNCILWOMAN GAUTHIER:

5 I just want to be clear sort of
6 what your stake is so that we
7 understand your testimony. It's
8 not purely sort of you're here
9 representing this medical center.
10 So thank you.

11 MR. BOYER: No, I'm not
12 here representing my medical
13 center.

14 COUNCILMAN SQUILLA:

15 Thank you. Chair recognizes
16 Councilmember Gilmore Richardson.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: Thank you. Thank you
19 very much, colleague.

20 And thank you very much,
21 Dr. Boyer, for your testimony. And
22 I heard you talk about Kensington,
23 right. This conversation that
24 we're having today feels very much

1 like seeking to prevent what we see
2 now in Kensington. Again, this is
3 literally reminding me of one of
4 the documentaries that I watched
5 around the beginning of the opioid
6 crisis in America, where they
7 specifically talked about the small
8 towns in West Virginia and even the
9 doctors who were addicted to opioid
10 medication. This is what this
11 feels like.

12 And so, I appreciate --
13 and that's what we're trying to
14 avoid. Okay. Because that's how
15 we got to that point in Kensington,
16 that's how it got that bad. All
17 right. So I appreciate your
18 testimony and you being here
19 relative to the regulations. And I
20 always check the witness list of
21 every witness and try to read in
22 advance the testimony and
23 appreciate the question of my
24 colleague Councilmember Gauthier.

1 But to be clear, you are
2 not representing the medical
3 center. Were you invited by an
4 attorney group or another
5 association to be here today?

6 MR. BOYER: An attorney
7 group.

8 COUNCILWOMAN GILMORE
9 RICHARDSON: Attorney group. And
10 which one was that again?

11 MR. BOYER: I believe
12 this was Yusenius -- no, Frost
13 Brown and Todd.

14 COUNCILWOMAN GILMORE
15 RICHARDSON: I'm sorry. I can't
16 hear.

17 MR. BOYER: I'm sorry.
18 I believe it was Frost Brown and
19 Todd.

20 COUNCILWOMAN GILMORE
21 RICHARDSON: Fost?

22 MR. BOYER: Frost, Brown
23 and Todd.

24 COUNCILWOMAN GILMORE

1 RICHARDSON: Oh, Frost. I'm sorry.
2 I can't hear you very well. I
3 apologize. Frost, Brown and Todd.
4 And they represent who?

5 MR. BOYER: I don't
6 know. I advise them on scientific
7 matters.

8 COUNCILWOMAN GILMORE

9 RICHARDSON: Okay. And then do
10 they work with a specific
11 association or other individuals?
12 I'm only asking because you came
13 all the way from Ohio, so I just
14 wanted to understand who invited
15 you to be here?

16 MR. BOYER: I got an
17 invitation from -- yeah. It was
18 Frost, Brown and Todd. Who the
19 client is, I don't know. The
20 reality is it doesn't change the
21 science one way or the other. If
22 there's an adverse event, I publish
23 it in the literature. If there's
24 benefit, I'm going to publish it in

1 the literature too.

2 COUNCILWOMAN GILMORE

3 RICHARDSON: Okay. So were you
4 contracted by these attorneys to
5 represent a certain position or are
6 you here based on the work that you
7 do solely?

8 MR. BOYER: Based on the
9 work. It's based on the work that
10 I do. I don't advocate for a
11 particular position.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Okay. And you weren't
14 asked to be here for a particular
15 position?

16 MR. BOYER: No.

17 COUNCILWOMAN GILMORE

18 RICHARDSON: Received. Thank you
19 very much.

20 COUNCILMAN SQUILLA:

21 Thank you. Thank you for your
22 testimony.

23 Please state your name
24 for the record and proceed with

1 your testimony.

2 MS. BUETTNER SCHNEIDER:

3 My name is Meredith Buettner

4 Schneider, and I serve as the

5 Executive Director of the

6 Pennsylvania Cannabis Coalition.

7 We represent the medical marijuana

8 businesses in the licensed medical

9 marijuana market here in

10 Pennsylvania. Thank you for the

11 opportunity to testify today in

12 support of efforts to regulate

13 intoxicating cannabinoids and other

14 regulated substances -- unregulated

15 intoxicating substances currently

16 being sold throughout Philadelphia

17 and the Commonwealth.

18 Over the last several

19 years, we've seen an explosion of

20 intoxicating hemp-derived products

21 being sold in gas stations, smoke

22 shops, convenience stores and

23 online marketplaces. With no

24 regulatory oversight, these

1 products are often marketed as
2 legal alternatives to cannabis or
3 medical marijuana, but may contain
4 synthetic or chemically-altered
5 cannabinoids that can produce
6 powerful psychoactive effects.

7 Unlike products sold in
8 Pennsylvania's regulated medical
9 marijuana program, these
10 intoxicating products are
11 frequently untested, improperly
12 labeled, and accessible to minors.
13 The reality is that consumers often
14 have no idea what they're
15 purchasing. These products are
16 manufactured outside of any
17 meaningful regulatory framework.

18 Independent testing
19 across the country has repeatedly
20 found products containing unsafe
21 levels of heavy metals, residual
22 solvents, pesticides and synthetic
23 compounds. In some cases, products
24 advertised as hemp have contained

1 intoxicating levels of THC far
2 beyond what consumers expected.
3 Others have included synthetic
4 cannabinoids that pose serious
5 health risks. This regulation
6 recognizes that the current status
7 quo is unacceptable. It creates
8 reasonable guardrails to ensure
9 that intoxicating products sold in
10 Philadelphia meet basic safety
11 standards and are kept out of the
12 hands of children. It prohibits
13 the sale of products containing
14 synthetic cannabinoids or unsafe
15 levels of THC, requires laboratory
16 testing, mandates accurate labeling
17 and restrict sales to those 21 and
18 over. Those are not extreme
19 measures. Those are commonsense
20 consumer protections.

21 As someone who
22 represents Pennsylvania's legal
23 cannabis industry, I want to
24 emphasize another important point.

1 Regulation works. Pennsylvania's
2 medical marijuana program
3 demonstrates that cannabinoids can
4 be safely regulated when there are
5 strict standards for testing,
6 packaging, labeling, age
7 restrictions and accountability.
8 Licensed operators are required to
9 comply with rigorous state
10 oversight, invest heavily in
11 compliance infrastructure and
12 ensure products are safe for
13 patients. But today, unregulated,
14 intoxicating products are being
15 sold next door to highly regulated
16 medical cannabis without those same
17 obligations. That creates an
18 uneven playing field for compliant
19 businesses while exposing consumers
20 to potentially dangerous products
21 that have bypassed every safeguard
22 we require in a regulated cannabis
23 market.

24 I want to commend the

1 Majority Leader for approaching
2 this issue thoughtfully and
3 pragmatically. This legislation
4 acknowledges evolving federal
5 policy, aligns definitions with
6 pending federal and state standards
7 and provides a framework for
8 enforcement that prioritizes safety
9 rather than confusion. While the
10 state legislature has recognized
11 the urgency of this issue through
12 proposals like Senate Bill 49,
13 which is a bipartisan effort to
14 address intoxicating hemp-derived
15 products, progress in Harrisburg
16 has been slow.

17 Unfortunately, what
18 should be a straightforward public
19 health and safety issue
20 increasingly appears to be caught
21 in a broader political struggle
22 over executive authority and
23 regulatory control. In the
24 meantime, these products remain

1 widely available to minors and gas
2 stations and corner stores across
3 Pennsylvania. That is why I
4 applaud Philadelphia City Council
5 for stepping forward and acting now
6 to protect consumers and children
7 while the state continues to debate
8 broader reforms.

9 Consumers deserve to
10 know what they're putting in their
11 bodies. Parents deserve confidence
12 that intoxicating products are not
13 being marketed to their children,
14 and responsible businesses deserve
15 a fair and regulated marketplace.
16 I urge Council to advance this
17 legislation and help establish
18 meaningful protections for
19 Philadelphia residents. Thank you.

20 COUNCILMAN SQUILLA:
21 Thank you for your testimony.

22 Can you state your name
23 for the record and proceed with
24 your testimony.

1 MS. SMITH: Hello. Can
2 you hear me?

3 COUNCILMAN SQUILLA:
4 (Nodded affirmatively).

5 MS. SMITH: Okay.
6 Apologies. Let me get my testimony
7 just pulled up really quick. Hi.
8 My name is Allison Smith. I am
9 here on behalf of the Global Kratom
10 Coalition, here on the behalf of
11 GKC. We appreciate the Council's
12 attention to consumer safety, youth
13 access and commonsense regulations.
14 However, we do have a concern with
15 Bill No. 260163 as drafted, because
16 it does not simply regulate.

17 There is one provision
18 in this ordinance that risks
19 functioning as a de facto ban on
20 all natural kratom products. All
21 the provisions before that are very
22 clearly thought-out, but this
23 single regulation nullifies all of
24 that. This bill defines

1 intoxicating substances as any hemp
2 or kratom product. It should be
3 clearly noted that natural kratom
4 is not intoxicating. However,
5 there are derivatives that
6 masquerade as natural kratom, which
7 are intoxicating.

8 It then makes it
9 unlawful to sell these intoxicating
10 products, which now include natural
11 kratom, unless that product is
12 subject of an application approved
13 under Section 505 of the Federal
14 Food, Drug and Cosmetic Act. The
15 bill also requires a retailer
16 seeking a license to demonstrate
17 that any intoxicating substance
18 sold at that location has been
19 approved under Section 505.

20 This is the problem.
21 Section 505 is the FDA drug
22 approval pathway. It is not a
23 regulatory pathway for dietary
24 supplements or natural botanical

1 products like natural kratom.

2 These are marketed for drugs that
3 are marketed as drugs. FDA does
4 not pre-approve dietary ingredient
5 supplements before sale, and in the
6 way that it approves prescription
7 or over-the-counter drugs.

8 Instead, dietary supplements are
9 regulated under a framework called
10 DSHEA, which includes rules against
11 adulteration, misbranding, unlawful
12 disease claims or
13 unsafe/contaminated products.

14 So by requiring Section
15 505 drug approval, the bill creates
16 a standard that natural kratom
17 products cannot satisfy, not
18 because they failed all of the
19 previous criteria, but because they
20 are being placed in the wrong
21 federal category that no botanical
22 product could meet. This is
23 especially important because that
24 bill already contains language that

1 addresses the real safety concerns.

2 It prohibits mixing with harmful

3 non-creative substances. It

4 prohibits kratom extracts with

5 unsafe residual solvent levels.

6 It prohibits products

7 with more than 2%

8 7-hydroxymitragynine and the

9 alkaloid fraction. It prohibits

10 synthetic alkaloids, including

11 synthetic mitragynine, semi-

12 synthetic 7-hydroxymitragynine. It

13 also includes testing, certificate

14 certification, labeling, age

15 restrictions, and enforcement

16 provisions. It's clear that the

17 intention of this bill is to

18 regulate and to ban dangerous

19 products. The bill directly

20 addresses adulterated,

21 contaminated, synthetic and high

22 potency products.

23 However, Section 505

24 does not add consumer protection.

1 It actually converts a regulatory
2 bill into a prohibition for natural
3 kratom products. Philadelphia can
4 protect consumers without banning
5 adult access to natural kratom.
6 The right approach is to regulate,
7 which is what you are trying to do
8 with this bill. And so, our
9 position is simple, do not turn
10 regulation into prohibition.

11 We respectfully urge you
12 to amend this bill before moving it
13 forward so that it targets the
14 unsafe synthetic products without
15 unintentionally banning natural
16 kratom products that comply with
17 the bill's safety standards. Thank
18 you and I'm happy to answer any
19 questions.

20 COUNCILMAN SQUILLA:
21 Thank you. Thank you for your
22 testimony.

23 Are there any questions
24 from the committee?

1 The Chair recognizes
2 Madam Leader Gilmore Richardson.

3 COUNCILWOMAN GILMORE

4 RICHARDSON: Thank you. Thank you
5 very much, Mr. Chair, for the
6 recognition.

7 I wanted to thank you
8 very much for your testimony and
9 for the input you have shared. We
10 certainly value the opportunity to
11 engage in a robust amendment
12 process that we have continued to
13 undertake up until minutes before
14 this hearing. But I wanted to
15 state for the record for this
16 proceeding that for Bill No.
17 260163, we have circulated a number
18 of amendments that have been shared
19 with the members of the Commerce
20 and Economic Development Committee
21 that include updates to Section
22 9-6701 around the definitions to
23 update the definition of hemp to
24 reference the relevant federal

1 regulation and legislation, updates
2 to the definition of kratom
3 product.

4 Also, you should know,
5 and I'm sure you do, that the
6 Philadelphia Department of Public
7 Health does not currently regulate
8 topical products and they don't
9 have the capacity to do that. And
10 so, we have to do something that is
11 realistic based on the capacity of
12 our enforcing departments.

13 We've also updated
14 Section 9-6702 around the
15 prohibition on sales, updated
16 references to the Food, Drug and
17 Cosmetic Act, Section 9-6703,
18 licensed sale of intoxicating
19 substances around additional
20 changes to the license requirement
21 to a permit requirement, ensuring
22 that Health will be the relative
23 and regulatory department for this
24 legislation, updated the request of

1 all the District members, updated
2 the permit application fee to align
3 with other applications, changed
4 the implementation date as listed
5 in Sections 9-6701 and 9-6702 to
6 align with the implementation date
7 of the hemp regulations as it
8 relates to the FY26 Agriculture,
9 Rural Development, Food and Drug
10 Administration and Related Agencies
11 Appropriations Act, and other
12 additional changes.

13 And so, I just wanted to
14 ensure that I stated that for the
15 record. But we have to ensure that
16 any legislation that passes out of
17 this legislative body is something
18 that is enforceable for the City of
19 Philadelphia on the other side.

20 Thank you.

21 MS. SMITH: Thank you.

22 COUNCILMAN SQUILLA:

23 Thank you. Thank you, Madam
24 Leader.

1 Any other questions?

2 (No response.)

3 COUNCILMAN SQUILLA:

4 Seeing none, thank you so much for
5 your testimony.

6 Mr. McMonagle, can you
7 please read the next panel to
8 testify on Bill No. 260162 or
9 260163.

10 THE CLERK: Yes. Can we
11 please have Craig Katz and Jake
12 Sitler.

13 (Witnesses approached
14 witness table.)

15 COUNCILMAN SQUILLA:
16 Thank you. If you would like to
17 state your name for the record and
18 then you can proceed with your
19 testimony.

20 MR. KATZ: Good
21 afternoon, Mr. Chairman,
22 Mr. Vice-Chairman and members of
23 the Committee. My name is Craig
24 Katz. I am the Government

1 Relations Manager for CBD Kratom
2 and Brands. As you can tell by the
3 name of the company CBD Kratom, we
4 have a product line in both
5 industries. And so, I'm going to
6 put on both hats here.

7 I had originally
8 prepared a statement, but based on
9 the previous testimony that we've
10 heard, I'm going to deviate a
11 little bit from that. I'll tell
12 you a little bit about our company.
13 I know that, Councilman Jones, you
14 have one of our stores in your
15 District. It is not a smoke shop.
16 It is not a gas station. It is not
17 a convenience store. I say that
18 because just to give you a little
19 background, I'm not a very popular
20 guy with a lot of different people.
21 It's a pretty long list. But right
22 at the top of that list is the
23 NACS, the National Association of
24 Convenience Stores, the marijuana

1 lobby, the liquor industry and the
2 petroleum guys. They don't like me
3 very much because I want
4 regulation.

5 We have been trying to
6 get regulation federally and in
7 states and local governments for
8 years. My company has been in this
9 business since 2013. We have 57
10 brick-and-mortar stores in five
11 states, Illinois, Missouri, Texas,
12 New York and Pennsylvania. We have
13 made efforts in every one of those
14 states as well as in Washington,
15 D.C., to implement regulation,
16 reasonable, robust, responsible
17 regulation.

18 How often do you have an
19 industry that comes to you and says
20 please regulate us. We're begging
21 you, put some rules in place. Why
22 are we doing this because of the
23 reasons that Councilwoman Gilmore
24 Richardson has very aptly brought

1 up. I met with her in November,
2 had a great conversation with her.
3 I appreciate exactly where she's
4 coming from on this. Her heart is
5 absolutely in the right place.
6 There are too many products out
7 there in the marketplace that are
8 dangerous. They're dangerous to
9 consumers. They're especially
10 dangerous to children.

11 Now, my company, again
12 been in business for quite some
13 time now, we have regulations. We
14 self-regulate. Someone brought up
15 self-regulation earlier in the
16 conversation. We age-gate. You
17 cannot get into one of our stores
18 unless you're 21. I don't know,
19 Councilman Jones, if you've been in
20 our store or not in Wynnefield
21 Heights, but our stores have a 21
22 age-gate. You cannot get into our
23 store or buy a product unless
24 you're 21.

1 We test our products
2 with third-party independent lab
3 testing. Those are generally done
4 by DEA labs or ISO-certified labs.
5 If our products were illegal, the
6 DEA labs would be turning us over
7 to the federal government for
8 prosecution. The marijuana people,
9 individuals, who spoke earlier
10 talked about their robust testing,
11 etc., etc., etc., they can't use
12 DEA labs. Because while she did
13 say that they were the "legal
14 medical marijuana business in the
15 state of Pennsylvania," they're
16 fully illegal in the United States
17 of America.

18 It is federally illegal
19 to sell marijuana. Whether a state
20 abrogates that is a different
21 situation entirely. But for them
22 to claim that they're the legal
23 industry, while we're the illegal
24 industry is just patently false.

1 So that's that. We age-gate, we
2 test, we label, we label and we
3 package in childproof packaging.

4 When I say we label, if
5 you go to any one of our products,
6 there's a QR code on the packaging.
7 That QR code will take you directly
8 to the certificate of analysis for
9 that product. It tells you exactly
10 what's in the product, and the
11 package tells you exactly what's
12 going to be in the product as well.

13 Our employees, and I've
14 got two of our senior managers from
15 Philadelphia here today, our
16 employees go through an explicit
17 and extensive training program
18 before they are allowed on the
19 floor to sell products. It is the
20 equivalent of a college course. It
21 takes weeks and many, many hours
22 for them to pass that course.

23 Now, what are we talking
24 about here? We're talking about

1 regulation and what we should be
2 doing. These products should be
3 regulated. We need to get the bad
4 products out of the marketplace so
5 consumers know what they're
6 getting. And so, they're getting
7 safe products. The package that
8 you were shown earlier as well as
9 the one that Councilwoman Gilmore
10 Richardson held up, those are not
11 the products that we sell. Those
12 are not the products that the large
13 and vast majority of this industry
14 sells.

15 Those products should be
16 off the shelves. The people who
17 make those products should be
18 prosecuted. I'm still not quite
19 sure why some of the companies like
20 Skittles, their parent company,
21 isn't suing those people for
22 trademark infringement. There are
23 all sorts of things that we can be
24 doing here. But the key here is

1 regulation. The KCPA, the Kratom
2 Consumer Protection Act, sets down
3 a list of very stringent robust
4 rules to regulate the industry.
5 708 should be off the market.

6 Dr. Boyer said earlier,
7 and I don't know, I've never met
8 him before, never heard of him
9 before, but he did say something
10 that I think was pretty important.
11 He brought up how long ago was it
12 that you became aware of these
13 products. And I'll tell you
14 something, kratom became available
15 in the United States in the late
16 1960s when servicemen came back
17 from Vietnam in Southeast Asia,
18 where they learned of using kratom.

19 Kratom has been used for
20 hundreds, if not thousands of years
21 in Southeast Asia as a relaxant, as
22 a tea. Just like we drink coffee
23 every day. We go to Starbucks,
24 they go to kratom. It's no

1 different. So it's been in use for
2 decades in the United States and no
3 one has ever heard of an issue with
4 it.

5 The reason that you have
6 heard of an issue of it is some
7 brilliant guy in Kansas City,
8 Missouri, a couple of years ago
9 recognized how to extract the tiny
10 amount 2% or less than 2% of 7-OH
11 that naturally occurs in kratom
12 leaf and take that into a lab and
13 blow it out basically into
14 something that really is not the
15 intention. Anyone who refers to
16 7-OH as kratom is misrepresenting
17 the case. 7-OH is not kratom.
18 Kratom is a natural leaf product.
19 It's all that we sell in our
20 stores. It is natural leaf product
21 to kratom. And the hemp side, the
22 ordinance claims or intends at
23 least to bring it in line with what
24 the federal government is or is not

1 doing. I think that's kind of
2 interesting because the federal
3 government right now is in the
4 process of redefining the
5 redefinition that they passed in
6 Section 781 of the continuing
7 resolution last November. That's
8 what changed the definition of
9 hemp. And that's what this bill
10 refers to.

11 However, there are bills
12 currently pending and about to be
13 pending in Congress that would
14 redefine the redefinition. Why is
15 that? Because both the White House
16 and a bipartisan -- this is not a
17 red or blue issue, by the way, the
18 White House and bipartisan members
19 of Congress recognized that there
20 needs to be regulation and not to
21 kill an entire industry, which by
22 the way is a \$29 billion industry
23 in the United States.

24 So if you are going to

1 comport with what the federal
2 government says, then this bill
3 should have language in it that
4 says that if the federal government
5 changes Section 781 before November
6 12, 2026, that you will align
7 yourselves with those changes.
8 Right now it doesn't say that. It
9 just says that it won't go into
10 effect until November of 2026.

11 Now, I gave Councilwoman
12 Gilmore Richardson's office an
13 amendment and she ran it past your
14 Law Department. And they said they
15 can't do it. I don't understand
16 that, to be perfectly honest with
17 you. I've done this amendment in
18 multiple states and multiple
19 cities. I'm going on too long. I
20 apologize. I could talk for hours
21 on this. Obviously, you can tell
22 that. I won't do that to you, I
23 promise.

24 I just want to point out

1 that what you really need to be
2 doing here is regulating these
3 products, not throwing out the baby
4 with the bath water. There are
5 plenty of good people in these
6 businesses that have built their
7 life around these businesses,
8 because they thought what they were
9 doing was legal.

10 After the 2018 Farm Bill
11 was passed, these people thought
12 they were doing a legal thing and
13 they built their lives around it.
14 Don't take that away from them.

15 COUNCILMAN SQUILLA:
16 Thank you. Thank you for your
17 testimony. And I do believe there
18 are good people out there looking
19 to do the right thing and what they
20 think is legal. But there's also
21 other people, like you said, that
22 are doing the wrong thing and
23 taking advantage of some of our
24 folks.

1 I think it's -- I know
2 the sponsor of the bill is very
3 thoughtful in this process and does
4 take those things into
5 consideration. And we'll continue
6 to do that. And I know if federal
7 guidelines and rules change, you
8 know, we will adapt. I mean, I'm
9 not going to speak for the sponsor.
10 But before I recognize her, I'd
11 like to recognize Councilmember
12 Jones.

13 COUNCILMAN JONES: Yeah.
14 Thank you for your testimony and
15 insights. My only question is how
16 many other comparable products are
17 out there? Chemicals that are out
18 there that we don't know about that
19 are going to just keep coming?

20 MR. KATZ: So you
21 regulate alcohol, you regulate
22 tobacco, you regulate everything
23 else. There's no reason why you
24 cannot regulate this and make

1 people go through a process.
2 Things have to be tested. I
3 believe it was the Health
4 Department who said that they
5 couldn't enforce this at this time.
6 And I think that's a budgetary
7 question. Well, I'm going to tell
8 you something right now. If you
9 regulate this and create a robust
10 regulation framework and you impose
11 a licensing fee, you impose a tax,
12 which I believe Philadelphia has
13 the right to impose a tax on these
14 kind of products, it's been done in
15 other places, you'll pay for
16 whatever the enforcement issues
17 are.

18 And I will tell you, the
19 other thing is that the companies
20 pay for the testing at the
21 manufacturing level. So you're not
22 paying for that either. And if you
23 require independent third-party
24 labs, there's no question as to

1 what the veracity of those testing
2 protocols are. So it can be done.
3 There needs to be a will. If
4 there's a will, there's a way.

5 So again, we are
6 absolutely 100% in favor of
7 regulation. We are absolutely in
8 favor of getting bad products off
9 the streets and out of the
10 marketplaces. If no gas station
11 ever was allowed to sell a product
12 like this for the rest of humanity,
13 we would stand and applaud and have
14 the same issue with the convenience
15 stores.

16 COUNCILMAN JONES: The
17 --

18 MR. KATZ: Again, I'll
19 just tell you, is it anecdotally --
20 I know, I'm going on and on and on.
21 I'm sorry. I apologize. Driving
22 down to one of our stores on South
23 Street, I passed ten smoke shops
24 and it made my hair stand up.

1 Walking down Market Street, I saw a
2 kiosk on the street that was
3 selling 7-OH products, and the guy
4 behind the counter there had no
5 clue what he was selling. And when
6 I tried to take a picture of it, he
7 went absolutely nuts. Probably
8 thought I was a police officer or
9 something like that. But the
10 bottom line is those products need
11 to be off the streets and out of
12 the marketplace. We want that.
13 They make us look bad.

14 COUNCILMAN JONES: I
15 really appreciate your testimony
16 and your insights to this matter.
17 And I'm thankful, even doubling-
18 down, that the author of this
19 legislation is doing what she's
20 doing. Thank you.

21 Thank you, Mr. Chairman.

22 COUNCILMAN SQUILLA:
23 Chair recognizes Council Leader
24 Gilmore Richardson.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Thank you. Thank you
3 so much, Mr. Chair.

4 And I want to thank you
5 for your testimony. And I
6 apologize for having to step out
7 for a moment. However, I wanted to
8 be clear for my colleagues on this
9 committee that we did take every
10 amendment we received into careful
11 consideration and have provided a
12 set of comprehensive amendments to
13 this legislation that we did offer
14 to our colleagues for their review.
15 That will be all the amendments
16 that we are considering at this
17 time. And I wanted to be clear
18 about that. Thank you very much.

19 COUNCILMAN SQUILLA:
20 Thank you. Thank you, Madam Chair.

21 Please state your name
22 for the record and begin your
23 testimony.

24 MR. SITLER: Hello, my

1 name is Jake Sitler.

2 Councilmembers, I would like to
3 thank you for your time today and
4 for allowing me to speak on behalf
5 of the Pennsylvania hemp industry.
6 I'm a father. I'm a husband. I'm
7 owner of Endo, where I started as a
8 coffee shop in Lancaster City. And
9 I'm also the President of the
10 Pennsylvania Hemp and Cannabis
11 Guild.

12 And just so you know, I
13 formed the Pennsylvania Hemp and
14 Cannabis Guild not just to
15 represent the hemp industry here in
16 Pennsylvania, but also small
17 businesses and true community
18 Pennsylvanians that would like to
19 one day enter the cannabis market
20 in the state of Pennsylvania, not
21 the corporations that generally
22 occupy it at this point.

23 In 2016, I was one of
24 the top American finishers at the

1 Philly Cycling Classic, an
2 institutional sporting event in
3 this great city. Growing up on a
4 small farm in Central Pennsylvania,
5 competing in a race that I once
6 stood and watched, my sporting
7 heroes was one of the proudest
8 moments of my entire life. To
9 finish as one of the top Americans
10 in front of a home crowd is
11 something I will proudly tell my
12 children about forever.

13 Unfortunately, two years
14 later my life changed forever. In
15 2018 while training, I was back
16 home from Europe and a woman ran a
17 red light and hit me at over 40
18 miles an hour. The impact burst my
19 L2 vertebrae, leaving me nearly
20 paralyzed and ended my professional
21 cycling career. After, my injury
22 didn't feel political to me. The
23 Farm Bill had just passed and I
24 used hemp and CBD products while

1 recovering bedridden. I was
2 suddenly trying to figure out what
3 life looked like after my career
4 ended overnight.

5 These products helped me
6 recover physically and mentally
7 during one of the most uncertain
8 periods of my life. So I didn't
9 enter this industry as a gold rush
10 or an unregulated market at this
11 point. I literally entered it to
12 rebuild my life and not be on
13 opioids. I mean, that's the fact.
14 And from this moment forward, I
15 threw myself completely into this
16 industry because I believe this
17 plant could help people the same
18 way it helped me.

19 So since 2019, you're
20 not going to find a person in this
21 room that has done more to bring
22 hemp and hemp-derived cannabinoids
23 to be regulated by the state of
24 Pennsylvania. I've sat down with

1 the state police, the Bureau of
2 Liquor Control Enforcement, the
3 Department of Agriculture. I've
4 worked with the Department of
5 Revenue, I've worked with the
6 Governor's agencies, and I've
7 worked with every state legislator.
8 I've spoken at the Farm Show. I
9 have worked so hard. So you don't
10 have to be here doing this, because
11 our state has not passed a law to
12 regulate these products, right, but
13 it is important.

14 And frankly, I'm just
15 going to be honest with you going
16 off the cusp here. Policy has
17 gotten in the way. Politics has
18 gotten in the way of policy.
19 That's just the reality. And
20 that's what's happening in the
21 state of Pennsylvania. And small
22 business owners like ourselves are
23 the ones that are actually coming
24 down and getting the crux of it. I

1 understand your concerns around
2 intoxicating hemp products. I
3 understand your concerns around
4 youth access, irresponsible
5 operators and unsafe manufacturing,
6 but destroying an entire sector is
7 not the answer. Hemp is
8 Pennsylvania. It's farmers, it's
9 manufacturing, it's small business,
10 it's urban entrepreneurship, it's
11 rural investment, and it is
12 community-based commerce.

13 The industry has created
14 pathways for people who otherwise
15 do not have the capital dominated
16 by the large corporations to even
17 enter into this market. We built
18 Pennsylvania's first national hemp
19 brand from the ground up,
20 developing our own IP using all
21 natural cannabinoids from hemp
22 plant. So it's not just bad
23 actors.

24 The narrative ignores

1 thousands of responsible people
2 trying to build legitimate
3 businesses the right way. And
4 importantly, many consumers are not
5 turning to these products to become
6 heavily intoxicated. They are
7 turning to the beverages and
8 wellness products as alternatives
9 to alcohol and other harmful
10 substances. That matters. Harm
11 reduction does matter, consumer
12 choice does matter and pushing
13 responsible operators out of the
14 market is not going to eliminate
15 demand.

16 I think we all know
17 that, right. It's going to push
18 demand underground into unregulated
19 markets with fewer safeguards,
20 testing standards, taxes and
21 accountability. Our guild stands
22 for age restrictions, lab testing,
23 contaminant standards,
24 manufacturing standards, labeling

1 requirements, and enforcement
2 against unsafe actors. We want
3 guardrails.

4 The Department of
5 Revenue, I'm sure you're aware, has
6 started with the OTP crackdown on
7 illicit vapes. They're doing that
8 with vapes now. They are able to
9 enforce on vapes that are not
10 registered. That is the direction
11 that this industry should be
12 moving. The proposed 0.4 mg THC
13 limit is effectively prohibition
14 standard that would nearly
15 eliminate every compliant hemp
16 product currently sold. So the
17 tinctures that a lot of our
18 grandparents are using, gone. You
19 guys would have to enforce on those
20 types of products if the language
21 that exists currently. That's the
22 topicals, everything, it becomes
23 illegal substances.

24 A recent Whitney

1 Economics study estimated that
2 Pennsylvania's hemp and cannabis
3 economy represents nearly 50
4 million in annual tax revenue in
5 the Commonwealth. I think it's
6 safe to say Philly's probably about
7 20% to 30% of that annual revenue
8 in terms of taxation. So it's not
9 a question of whether or not this
10 is a legitimate economic driver for
11 Pennsylvania. It is. The question
12 is going to be, are we going to
13 create thoughtful regulation that
14 actually does regulate and
15 safekeeps or are we just going to
16 completely destroy a market.

17 And unfortunately, we
18 haven't really been given a pathway
19 to creating that market beyond the
20 2018 Farm Bill. The state has been
21 quite slow to adopt that, as we all
22 realize that reality. As Craig
23 mentioned, the federal government
24 is currently creating a very robust

1 package, and I have been played a
2 large hand in that meeting with all
3 of our Congress members, our House
4 members and there is going to be a
5 bill that will be brought forth by
6 November.

7 So really, all I'm
8 asking you is to essentially be
9 open to the industry. People here,
10 work with me, talk with me. Let me
11 show you my concerns. I understand
12 your concerns. I've sat beside
13 district attorneys on this matter.
14 And let's actually create something
15 that doesn't destroy the whole
16 entire hemp industry here, but
17 rather puts the guardrails that you
18 guys want to see eliminated from
19 the smoke shops, but don't take
20 away complete consumer access,
21 because you can go across to New
22 Jersey and you can go into Total
23 Wine and you can buy my cannabis
24 drinks where I'm celebrated.

1 You can go to the Total
2 Wine in Delaware and you can buy my
3 drinks where I'm celebrated. But
4 in Philly, am I a criminal in
5 Philly? I mean, I'm a Pennsylvania
6 boy through and through. So I'm
7 launching into these markets. I
8 should be the type of products that
9 you guys want to support. So,
10 yeah, that's about it. And I
11 really appreciate your time. Thank
12 you.

13 COUNCILMAN SQUILLA:
14 Thank you so much for your
15 testimony.

16 Are there any questions
17 from the committee?

18 (No response.)

19 COUNCILMAN SQUILLA:
20 Seeing none, thank you again for
21 your testimony. Thank you.

22 Mr. McMonagle, are there
23 any others to testify on Bill Nos.
24 260162 or 260163?

1 THE CLERK: We have no
2 further panels, but we do have
3 public commenters.

4 COUNCILMAN SQUILLA: Can
5 you please call the public
6 commenters to testify.

7 THE CLERK: Can we
8 please have Melissa Robbins, Colin
9 Zurich and Christopher Dini.

10 (Witnesses approached
11 witness table.)

12 COUNCILMAN SQUILLA:
13 Melissa, if you want to start
14 first. Just state your name for
15 the record and then proceed, and
16 then we'll go down the line.

17 MS. ROBBINS: Thank you.
18 Good afternoon, everyone. My name
19 is Melissa Robbins. I'm a
20 community advocate and activist and
21 local media personality. And when
22 I received the email, because I
23 signed up for your email list to
24 find out what legislation you're

1 working on and how it benefits or
2 impacts the community, when I
3 received the email from
4 Councilwoman Katherine Gilmore
5 Richardson, I literally stopped
6 what I was doing to read through
7 what she was proposing. And I
8 immediately emailed the staffer to
9 say I'd like to come and support
10 her legislation. So I'll tell you
11 why.

12 About ten years ago, I
13 can recall being in Brooklyn and I
14 remember driving through the
15 community and I remember asking
16 myself, what is it, something's
17 making me feel uncomfortable.
18 Something had me uncomfortable. So
19 I was trying to get to the bottom
20 of what was making me feel so
21 uncomfortable. I'm thinking it's
22 bright colors. It's little
23 bodegas, little stores, bright
24 colors, a lot of bright colors.

1 It was the same lack of
2 comfort that I feel when I walk
3 into casinos because it's too much
4 stimulation, right. So I said,
5 well, what are those bright colors.
6 So out of curiosity, because I'm
7 very curious, I went into one of
8 them and it was a smoke shop,
9 because this is prior to
10 Philadelphia having this influx of
11 smoke shops.

12 And I explored it and I
13 learned that they had all kinds of
14 products, products that I'd never
15 heard of, products that I did not
16 understand. Fast-forward 2019, I
17 took a position with a nationwide
18 organization that was anti-
19 marijuana. The reason that I took
20 this position is because I learned
21 through this organization that,
22 one, they were looking to legalize
23 marijuana in a lot of states.
24 Meanwhile, we had people who were

1 currently incarcerated because
2 illegal marijuana had been
3 classified as an illegal drug.

4 So I took the position
5 to advocate against it until it was
6 decriminalized, until the people
7 who had been convicted and indicted
8 were serving time had been released
9 until they had expungement clinics
10 to give people the opportunity to
11 restore their lives. I said no one
12 should make a dime in this country
13 selling marijuana until people who
14 have been prosecuted for the sale
15 of marijuana have some level of
16 justice, right.

17 So I took that position,
18 not that I was anti-marijuana. I
19 was anti-hurting people and
20 allowing others to make hand-over-
21 fist money. So I took that
22 position and I learned that a lot
23 of the products on the market were
24 being sold and packaged. Again,

1 the bright colors, the fruity
2 colors, the ones that look very,
3 very attractive to your child.

4 I just learned how
5 predatory the products were. And I
6 also learned how just an innocent
7 child could be coming home from
8 school and go into the store, get a
9 product and just the product,
10 irreversible damage, so on and so
11 forth. You all know how this
12 works. So the pandemic comes, It's
13 about 2021.

14 And a good friend of
15 mine where he and I were having a
16 conversation about Olney, because
17 we noticed on every corner there
18 was a smoke shop in Olney. So we
19 said, okay, let's do this. You go
20 on this end and I'll go on this end
21 and we'll go in and we'll pretend
22 that we're your typical people in
23 Philadelphia who just want to go
24 and get some drugs.

1 What did we find out?

2 We found out that you could go into
3 those smoke shops, say the right
4 words and guess what, you were
5 buying marijuana. Although
6 marijuana is not legal in the
7 Commonwealth of Pennsylvania,
8 right. So this is when he got
9 really upset and I did too. We
10 said we have to do something about
11 this.

12 So time moves on. It's
13 the pandemic, you're limited with
14 your movement. And I'm looking all
15 over the City of Philadelphia, and
16 they're popping up left and right,
17 left and right. I live in Fox
18 Chase. I saw them all over the
19 city. I didn't see one in Fox
20 Chase, not one. Not too long ago
21 there it was, right there at the
22 corner of Rhawn and Verree.

23 Do you want to know what
24 takes place at the corner of Rhawn

1 and Verree during the school year?
2 In order for a child to get to
3 Baldi, they have to stand at the
4 corner of Rhawn and Verree to take
5 the 67 in order for a child to get
6 to George Washington High. Got to
7 stand at the corner of Rhawn and
8 Verree in order to get to Benjamin
9 Rush. God is staying at the corner
10 of Ron and Verree. So at that one
11 corner, you have children going
12 this way to go to Fox Chase
13 Elementary. There's footsteps from
14 Rhawn and Verree. It is a hub for
15 children. And guess what's right
16 there? You got it, a smoke shop.
17 So you get the idea of how many of
18 our children are standing at that
19 corner and get off the bus at that
20 corner at that one smoke shop. So
21 you go into the smoke shop.

22 Someone testified
23 earlier and talked about the fact
24 that you can't go in these stores

1 and get eggs, milk, bread. Well
2 guess what? Of course, I went in
3 the store to see what they had,
4 outdated products with expired
5 numbers. If you look at products,
6 they're outdated and expired. But
7 their main product are the kratom
8 and the hemp and the marijuana.
9 It's all there.

10 Our communities deserve
11 better. We are in a time -- as my
12 grandmother would say, we are in a
13 time in our society, right, we are
14 right here in the City of First.
15 You all are members of a
16 legislative body that serve in the
17 City of First. You have the power
18 in your hands. You have an
19 obligation to the people who you
20 serve. And people have come here
21 one, by one, by one advocating for
22 our communities, advocating for the
23 safety of our children, advocating
24 for our families.

1 What about the market
2 value of homes in these properties
3 that have these nuisance of smoke
4 shops 24 hours a day? You go in
5 there and you get what you go for.
6 Someone has to take a stand. And I
7 am so proud to be here to support
8 you all today for saying not in my
9 city.

10 Now, I hear a lot of
11 people coming here representing
12 industries that make a lot of
13 money. And they may have built
14 their entire lives and careers
15 around these products, but the
16 question is, does the risk outweigh
17 the benefit. And here we are.
18 Would you rather put the families
19 in the communities of the City of
20 Philadelphia at risk so that you
21 can make money, because I'm sure
22 you don't welcome them into your
23 communities?

24 If you had to go home

1 and pass bright yellow, bright
2 green, bright orange, bright red,
3 bright blue at all hours of the
4 night, I'm almost positive that
5 your neighbors would be opposed.
6 So all that I say is move forward
7 with your legislation. Take a
8 stand. Just imagine what our
9 communities will look like six
10 months from now, a year from now,
11 and neighbors will be having the
12 conversation.

13 Oh, well. Councilmember
14 Katherine Gilmore Richardson took a
15 stand. And as a result of her
16 taking a stand, now we don't have
17 this as a nuisance anymore. So I
18 commend you. And I've not been
19 down here in a long time. It's
20 been a long time since I've been
21 here to testify, but I support what
22 you're doing. It's not always
23 popular, but it's brave. And it's
24 the noble thing to do for your

1 city, for our entire city. So I
2 thank you. And if there's anything
3 that I can do to promote you all or
4 support you, I'll do more. But
5 take a stand and fight for
6 Philadelphia because we deserve
7 safe neighborhoods and safe
8 business corridors. Thank you all.

9 COUNCILMAN SQUILLA:

10 Thank you. Thank you for your
11 testimony.

12 Please state your name
13 and then continue with your
14 testimony.

15 MR. ZURICH: Hello. My
16 name is Colin Zurich, members of
17 the Council. Thank you for giving
18 me the opportunity to speak today.
19 As I said, my name is Colin. I'm a
20 Public Policy Advisor for the
21 American Kratom Association, a
22 consumer protection advocacy
23 organization. I want to begin by
24 discussing some positive language

1 that I've seen of this bill,
2 primarily the language revolving
3 around 7-OH and synthetic products
4 as well.

5 These products, which
6 contain synthetic 7-OH, mislead
7 consumers into taking products that
8 is not safe, natural nor kratom at
9 that point. The 2% threshold for
10 7-OH is a regulation that many
11 localities and states, including
12 some such as Rhode Island, which
13 banned kratom and then reassessed
14 and passed the Kratom Consumer
15 Protection Act to implement these
16 changes and keep consumers safe and
17 keep these harmful products off the
18 store shelves while protecting
19 natural kratom products.

20 As you've heard from
21 others today, the language is
22 concerning in some parts of this
23 bill. The labeling of kratom as an
24 intoxicating substance being one

1 kratom in its natural form does not
2 produce any euphoric senses. It
3 does not produce a euphoric high.
4 Kratom, in its natural form, is not
5 a drug. It has a similar effect to
6 caffeine, which you have also heard
7 earlier today as well.

8 Assigning kratom the
9 title of an intoxicating substance
10 does not fit the science beyond the
11 dietary supplement. Additionally,
12 the FDA commissioned a single
13 ascending dose study in February of
14 2024, which found that kratom, a
15 natural kratom, appears to be well
16 tolerated in humans at all dose
17 levels. Out of 40 people in the
18 study, 2 showed signs of nausea,
19 and this was after consuming over
20 12g of a single substance within a
21 five-minute period. Of course,
22 you're going to get nauseous.
23 Kratom is a very bitter substance,
24 2 out of 40. This was an FDA paid

1 for study that showed that it was
2 safe at all levels.

3 This bill shows the
4 Council's intent to regulate, not
5 prohibit. I urge the Council to
6 reassess some of the language
7 involved in this bill, to allow
8 this legislation to truly protect
9 the people of Philadelphia and also
10 to protect kratom consumers who use
11 it to better their lives every
12 single day. Thank you.

13 COUNCILMAN SQUILLA:
14 Thank you. Thank you for your
15 testimony, sir.

16 If you want to state
17 your name for the record and then
18 proceed with your testimony.

19 MR. DINI: Good
20 afternoon, members of the
21 Philadelphia City Council. My name
22 is Christopher Dini. I am here to
23 speak about Bill No. 260163. I
24 support responsible regulation. I

1 support age restrictions, third-
2 party lab testing, clear labeling,
3 consumer safety standards and
4 enforcement against adulterated,
5 synthetic and deceptively marketed
6 products. But I'm asking Council
7 not to turn regulation into
8 prohibition.

9 I was hit by a car when
10 I was 8 years old, and I've lived
11 with long-term pain, chronic
12 discomfort and challenges that come
13 along with trying to stay
14 functional and productive and
15 present for my family. About 2015,
16 I started drinking natural kratom
17 tea. I drank about 5 grams or one
18 tablespoon.

19 For me, natural kratom
20 gave me a better quality of life.
21 It has been about structure,
22 balance and being able to keep
23 moving forward responsibly. That
24 real concern, the real concern

1 should be synthetic kratom
2 products, adulterated products, and
3 chemically modified compounds being
4 marketed as if they are the same as
5 natural kratom. They are not the
6 same.

7 Natural kratom leaves,
8 the traditional botanical product
9 that has been used for hundreds of
10 years, it comes from the *Mitragyna*
11 speciosa tree or plant, which is
12 related to coffee. It is used by
13 adults in tea, leaf powder,
14 tincture and capsule form.
15 Synthetic kratom products are
16 different. These can involve
17 isolated alkaloids, altered
18 compounds, manufactured ingredients
19 or enhanced products do not reflect
20 the natural leaf.

21 The bill already
22 recognizes this problem. It
23 prohibits kratom products that
24 contain synthetic mitragynine,

1 synthetic 7-hydroxymitragynine or
2 any other synthetically derived
3 compounds of the kratom plant that
4 is the right direction. The
5 problem is the language requiring
6 FDA approval under Section 505 of
7 the Federal Food, Drug and Cosmetic
8 Act.

9 Natural kratom leaf is
10 not a pharmaceutical drug. It does
11 not belong in the same approval
12 pathway as a prescription
13 medication. If that language
14 remains, the bill could effectively
15 ban natural kratom leaf in the City
16 of Philadelphia even when the
17 product is tested, labeled
18 age-restricted and free from
19 synthetic compounds. Please amend
20 the bill to separate natural kratom
21 leaf from synthetic, adulterated,
22 chemically modified or deceptively
23 marketed kratom products.

24 Kratom is already

1 regulated by 21 CFR Part 111, which
2 is the FDA's rule for good
3 manufacturing practices for dietary
4 supplements. The FDA did conduct a
5 dose-finding study in 2024, which
6 shows that natural kratom is well-
7 tolerated. Regulate the bad
8 actors, set clear safety standards,
9 require testing and accurate
10 labeling. Keep synthetic kratom
11 products out of the marketplace,
12 but do not take responsible adults
13 backward by banning access to
14 natural kratom leaf. Regulate the
15 marketplace, protect consumers,
16 preserve access to natural pain
17 relief. And I appreciate your
18 time. Thank you.

19 COUNCILMAN SQUILLA:

20 Thank you. Thank you so much for
21 your testimony. And we do hear and
22 we'll consider all those things
23 brought up at today's hearing.

24 Are there any questions

1 from the committee?

2 (No response.)

3 COUNCILMAN SQUILLA:

4 Seeing none, thank you so much.

5 Mr. McMonagle, can you
6 please read the next list of
7 commenters.

8 THE CLERK: Can we
9 please have Sean Zamorano, Adam
10 Suib and J.D. McCormick.

11 (Witnesses approached
12 witness table.)

13 COUNCILMAN SQUILLA:
14 Thank you. State your name for the
15 record and then proceed with your
16 testimony.

17 MR. ZAMORANO: Sean
18 Zamorano.

19 COUNCILMAN SQUILLA:
20 Please proceed.

21 MR. ZAMORANO: Good
22 afternoon, Councilmembers. My name
23 is Sean Zamorano. I am a United
24 States Navy veteran and a kratom

1 consumer. Over the past 11 years,
2 I have watched this industry change
3 from one that was focused on
4 natural kratom into a marketplace
5 flooded with synthetic and semi-
6 synthetic products like 7-OH.
7 These compounds interact with the
8 opioid receptors in a much more
9 aggressive way than natural kratom.
10 These products can produce intense
11 euphoria, and they leave the body
12 quickly. This is what encourages
13 compulsion and addiction. Natural
14 kratom does not do this.

15 This is why consumers
16 have been able to use it
17 responsibly for things like
18 discomfort, quality of life, and
19 staying away from more dangerous
20 substances. One question lawmakers
21 often ask is why hasn't kratom or
22 why hasn't the federal government
23 acted on kratom. The FDA completed
24 an eight-factor analysis under the

1 standards of the Controlled
2 Substances Act and did not have
3 cause to schedule natural kratom.

4 The World Health
5 Organization also conducted a
6 scientific review and would not
7 recommend an international ban.
8 The DEA has not scheduled natural
9 kratom, but a ban on synthetics is
10 imminent. Natural plain leaf
11 should not be treated the same as
12 synthetics.

13 I am asking City Council
14 to strike this action in this
15 ordinance that kratom must be
16 approved by Section 505 of the
17 Food, Drug and Cosmetic Act. This
18 act is for pharmaceutical drugs.
19 Applying it to a botanical
20 supplement creates a standard that
21 natural plant products cannot meet.
22 And I do understand that you did
23 make a small amendment.

24 I know that you guys

1 have probably received hundreds, if
2 not thousands of emails from kratom
3 consumers just like me. I
4 encourage you to please take them
5 into consideration when making your
6 choice on natural kratom, because
7 it has helped so many people and it
8 saved my life. And in closing, I
9 just want to say that I think me,
10 you, and one other were the only
11 kratom consumers here. And I know
12 there's a lot more in Philadelphia
13 that couldn't show up. But I hope
14 that you guys, I encourage you to
15 ask us some questions.

16 As people who have been
17 consuming natural kratom, it's been
18 11 years now. I've been consuming
19 kratom and I've been fighting for
20 kratom for almost that long. So
21 thank you.

22 COUNCILMAN SQUILLA:
23 Chair recognizes Council Leader
24 Gilmore Richardson.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Thank you. Thank you
3 very much, Mr. Chair.

4 And I want to thank you
5 for coming in and for your
6 testimony and for being here for
7 the duration of this proceeding.
8 And you should be aware that we
9 sent out a massive email. We did
10 speak with a number of the kratom
11 associations as well and I think
12 they're here represented, American
13 Healthy Alternatives Association,
14 their Vice-Chairman and we reached
15 out to as many folks as we could
16 find and placed the information on
17 social media as well and asked
18 folks to share.

19 We did receive outreach
20 via email from a number of kratom
21 consumers. And they did not
22 indicate that they would come to
23 the hearing today to provide public
24 testimony and/or written testimony

1 for this proceeding. Okay. Thank
2 you very much.

3 COUNCILMAN SQUILLA:
4 Thank you. Please state your name
5 for the record and proceed with
6 your testimony.

7 MR. SUIB: My name is
8 Adam Suib.

9 COUNCILMAN SQUILLA:
10 Please proceed.

11 MR. SUIB: Good
12 afternoon. My name is Adam. I am
13 a father, a business owner, and I
14 am a former heroin addict.
15 Fortunately, I have ten years
16 clean. I was able to change my
17 life. I'm one of the lucky ones.
18 Years ago I overdosed and I had to
19 be revived with Narcan. I tried
20 over and over and over to get
21 clean, rehab meetings, 12-step
22 programs, sponsorship, cold turkey.
23 You name it, I tried it.

24 Sometimes I did put, you

1 know, some decent clean time
2 together, but it just didn't really
3 stick for me. Then somebody
4 introduced me to plain leaf kratom,
5 and that is what changed my life.
6 Since that day, I haven't had a
7 single drink or drug since. I'm a
8 business owner. I have three kids
9 at home that I raise. Kratom
10 helped me become a present father,
11 run my business, live a stable
12 life.

13 What frustrates me is
14 that traditional kratom is now
15 being grouped together with
16 dangerous, highly-concentrated
17 products that have started
18 appearing in the market. 7-OH is
19 one of the big ones. There's a
20 couple different offshoots from
21 that. These are not kratom
22 products. These are totally
23 different things.
24 7-hydroxymitragynine doesn't occur

1 naturally in kratom.

2 There's this

3 misconception that when the leaves

4 come off the tree, 7-OH is kratom.

5 It's not. It's a metabolite.

6 Those products are not what many

7 long-term kratom consumers have

8 been using responsibly for years.

9 Kratom is also not intoxicating in

10 the slightest. It is not legal for

11 sale under a loophole. It's legal

12 for sale under the same conditions

13 as turmeric, fish oil, St. John's-

14 wort, melatonin. These are just

15 things I could think of off the top

16 of my head.

17 I would encourage

18 looking at the Act of 1994. The

19 FDA does not approve creative

20 products like kratom. They remove

21 dangerous products, post-market

22 entry if they are proven to be

23 dangerous, which they have not.

24 Synthetics are dangerous and that

1 is why they are being actively
2 removed and pure leaf is not. If
3 there are concerns about purely
4 kratom products, then I would
5 suggest regulating those products
6 directly, age-gating, lab testing,
7 things like that, manufacturing
8 standards.

9 This ordinance would
10 effectively ban all pure leaf
11 kratom unless it receives FDA
12 approval. And that just
13 fundamentally misunderstands how
14 these products are treated under
15 the law. They don't approve
16 botanical supplements the same way
17 they approve prescription drugs.
18 Their role is to remove the
19 dangerous products.

20 Despite years of
21 scrutiny, kratom in itself has not
22 been federally banned, and the
23 broader scientific and public
24 health landscape does not support

1 this kind of prohibition. HHS did
2 not support federal scheduling.
3 The World Health Organization
4 reviewed kratom and declined to
5 recommend an international ban.
6 Data and research from the CDC,
7 Johns Hopkins, University of
8 Florida and many others do not
9 support this type of action. The
10 data from the CDC alone says, what
11 is it, a little over 90% of the
12 kratom-involved deaths were all
13 polysubstance. So that means if I
14 use fentanyl and I die or if I get
15 in a car accident and I die and my
16 toxicology has kratom, that's now a
17 kratom-involved death. Even though
18 it didn't kill me, it's in my
19 toxicology. So now, it's kratom-
20 involved. And 90% of those were
21 mostly fentanyl.

22 And so, there's a lot of
23 confusion with that. I understand
24 wanting to protect public health.

1 I do too, but creating an ordinance
2 that effectively bans plain leaf
3 kratom because of concerns around
4 concentrated synthetic-style
5 products will hurt people like me
6 and thousands of others in PA. I
7 will admit I'm a little
8 disappointed that there's only
9 three of us here when I know there
10 are thousands of people in
11 Philadelphia that use pure leaf
12 kratom. I personally get emails
13 from people almost every day, how
14 can I get off 7-OH.

15 What is it, the MGM, I
16 hear from these people and they
17 were tricked by these bad actors.
18 They put these drugs in the
19 marketplace and say this is a
20 kratom product. And so, people
21 think they're using just a better
22 way to use these products. But
23 really, it's something totally
24 different. And I talk to these

1 people every day.

2 So I'm not big when it
3 comes to legal jargon. I don't
4 know what the amendments were that
5 were made, but I'm just hoping that
6 you take this into consideration.

7 Pure leaf kratom is not the same
8 thing as these synthetics. We want
9 these synthetics gone just as much
10 as everybody else. Thank you.

11 COUNCILMAN SQUILLA:

12 Well, thank you so much for your
13 testimony. And it means a lot to
14 hear all sides of these
15 conversations. And hopefully,
16 we'll get to a point that manages
17 both the usable form of kratom and
18 the synthetic and the other forms
19 that are preying on people really
20 in the guise of helping them,
21 making them put them in the worst
22 position. So thank you for your
23 testimony.

24 Any questions from the

1 committee?

2 The Chair recognizes
3 Council Majority Leader Gilmore
4 Richardson.

5 COUNCILWOMAN GILMORE

6 RICHARDSON: Thank you very much,
7 Mr. Chair.

8 I wanted to thank you
9 also for sharing your perspective
10 and also your story and
11 congratulate you on ten years of
12 sobriety and for starting your
13 business and being able to be there
14 for your family. That's the most
15 important thing in life is our
16 family. So thank you very much for
17 sharing that information.

18 And I wanted to ask you
19 a quick question. Relative to the
20 testing in your business, are you
21 able to test the products? We
22 talked about this earlier. How do
23 you test the products?

24 MR. SUIB: Oh, we send

1 them directly to a third-party lab.

2 COUNCILWOMAN GILMORE

3 RICHARDSON: You do the third-party
4 lab?

5 MR. SUIB: Yeah, we send
6 them to a third -- so what we do is
7 we send a sample directly to a
8 third-party lab. And then we keep
9 it, retain the sample. So we send
10 one to the lab and then we keep
11 one. So the lab test does all the
12 testing, and then say a customer
13 reaches out and says, oh, I'm
14 having issues with this product and
15 we get a couple. Then we have that
16 retained sample that we can send
17 back to another lab. So those are
18 just two steps right there that
19 provide protection.

20 And a lot of people
21 think that there's no way to tell
22 the difference between pure leaf
23 kratom and the synthetics. And
24 that's just not true whatsoever.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: And I will say in
3 compiling the amendments that we
4 have offered for consideration to
5 the committee from a regulation and
6 enforcement perspective, it would
7 be nearly impossible for the City
8 of Philadelphia to test every
9 single product that is offered in a
10 number of not only convenience
11 stores, shops, stands. It would be
12 nearly impossible for us to test
13 every single product that is being
14 offered. And that's the challenge
15 that we find ourselves in while we
16 are seeking to create a process
17 that will be helpful to what we
18 have been hearing from our
19 community. So I just wanted to
20 ask, and we talked about the
21 testing earlier and notate that for
22 the record. Okay. Thank you.

23 COUNCILMAN SQUILLA:

24 Thank you again for your testimony.

1 Thank you.

2 Mr. McMonagle, can you
3 read the next set of people to
4 testify for public comment.

5 THE CLERK: Can we please
6 have Brandon Thompson and David
7 Keller.

8 (Witnesses approached
9 witness table.)

10 COUNCILMAN SQUILLA:
11 Thank you all for your patience
12 during this hearing. State your
13 name for the record and you can
14 proceed with your testimony.

15 MR. ZELLER: My name is
16 David Keller. I would like to
17 thank you for your patience. It's
18 been a long day. So I had
19 something I prepared, but I'd like
20 to kind of go a little off book
21 here. My name is Dave Keller. I
22 own a series of stores called Paper
23 and Leaf. I'm a cannabis specific
24 company, specifically hemp-derived

1 cannabinoids.

2 My history and pedigree
3 is actually having worked 15 years
4 in the pharmaceutical industry,
5 develop and operationalizing
6 clinical trials for pharmaceutical
7 compounds before I took the leap
8 over to this. I'd like to kind of
9 introduce a little bit of a
10 personal story. I've heard a lot
11 of things, rhetoric regarding the
12 specific products and whatnot, but
13 really outside of a couple of
14 people talking about kratom,
15 haven't been a lot of kind of
16 advocacy stories.

17 I grew up as Scruff
18 McGruff's right-hand man, like the
19 war on drugs, like eggs in a frying
20 pan, all of it bought in hook, line
21 and sinker. My younger brother had
22 very, very severe emotional issues
23 growing up. He couldn't self-
24 regulate. He was effectively kind

1 of totally cast out in terms of
2 social circles because of mental
3 disorders that he couldn't find
4 relief for in the pharmaceutical
5 industry. He used marijuana in
6 order to be able to rectify that.
7 From his use there, he was able to
8 move into a comfortable spot.

9 He found friends, found
10 his niche and very unfortunately,
11 due to a tragic accident he passed
12 away about 21 years ago. I was
13 severely judgmental towards him
14 growing up for his marijuana use.
15 It's one of my biggest regrets in
16 life. And one of the reasons for
17 that is because of the stigma that
18 regulations, such as what is being
19 proposed, placed on it, that
20 cannabis is evil. Utilization of
21 cannabis is evil. There's no real
22 therapeutic use. It's
23 recreational, and only that in a
24 total sense.

1 My business was started
2 to responsibly sell these products
3 to individuals for effectively
4 therapeutic use. Now, you can make
5 the argument that, well,
6 Pennsylvania has a medicinal
7 marijuana industry for that. True;
8 however, there are a great number
9 of product segments that the
10 medicinal marijuana industry in
11 Pennsylvania doesn't service that
12 the hemp industry does, such as
13 beverages and gummies and things of
14 that nature. There's difficulties
15 in terms of getting medical cards,
16 and that is where companies like
17 mine with similar floor plans of
18 what Craig had defined, which is
19 the anti-smoke shop.

20 So I'm going to be brief
21 here because honestly, I need to
22 get home for my kids. It sounds
23 like the issue here is not so much
24 the availability of the products.

1 I've heard a lot of supporters for
2 this bill and a lot of opponents,
3 and I think a lot of people,
4 including us, this bill, which is
5 very, very well-intentioned and I
6 support it, these smoke shops,
7 trust me, I dislike them probably
8 even more so than you or a lot of
9 people that spoke in support of
10 this bill.

11 However. The issue that
12 we have here is a retailer issue,
13 not so much a product issue. This
14 bill eliminates the product piece,
15 but the retailer piece is going to
16 remain. So let's say we remove
17 7-OH. Let's say we remove THC
18 products from these retailers.
19 They're going to move on to
20 something else. They're going to
21 move on to a new designer drug
22 that's even less regulated than
23 what's already on the marketplace.
24 A reputable hemp

1 dispensary, if you will, for the
2 most part self-regulates. Every
3 single product that I have is
4 tested in an ISO-certified lab.
5 Every single product I have does
6 have a QR code on it. Every single
7 product that I carry is not in such
8 an excessive dose that it can cause
9 harm to the people that purchase
10 it. And there are many, many
11 operators like myself out there
12 that are not these stores. These
13 stores are the problem, not the
14 product itself.

15 So I think we need to
16 come up with a legislative solution
17 that actually limits the exposure
18 of these stores to the people,
19 rather than the product category
20 itself. And I'll give you an
21 example of why I'm not just
22 speculating on this. Ohio very
23 recently passed a hemp ban, and I'm
24 involved in several different Ohio

1 groups that involve hundreds of
2 different retailers.

3 And that ban, I can say
4 a lot of these retailers that did
5 operate these types of stores
6 simply looked for the next thing
7 that they can push onto their
8 customers legally. I don't want
9 that for Philadelphia. I've lived
10 in Philadelphia and that is where
11 this is going to head. If this
12 passes, as it stands, it's a game
13 of Whack-a-Mole. And in order to
14 be able to come out on top, we need
15 to deal with putting guardrails on
16 the retail establishments rather
17 than the product categories
18 themselves. Thank you very much.

19 COUNCILMAN SQUILLA:
20 Thank you. Thank you for your
21 testimony.

22 Please state your name
23 for the record and proceed.

24 MR. ESSEX: Jackson

1 Essex. I'd like to start off with
2 a little bit of history about
3 myself. I've been a harm reduction
4 advocate for most of my life. When
5 I was 18 at Ithaca College, I
6 helped to draft a medical amnesty
7 policy, which was later adopted by
8 the state of New York and has
9 saved, in my opinion, many people's
10 lives. It's something that's
11 important to me on a personal
12 level.

13 Beyond that, I've been
14 in the retail sphere for 18 years
15 now. I don't just work at this job
16 because it's a paycheck. I work
17 here because I believe in the
18 products we sell. I truly do
19 believe they help people. Much as
20 we were talking about, I am from
21 the company Craig was advocating
22 for earlier. Anti-smoke shop is a
23 good way to put it.

24 We are not here to push

1 these things as intoxicating
2 substances. We are not here to
3 sell these things to children.
4 They do not have bright, colorful
5 packaging. We are here mainly for
6 people like the two gentlemen who
7 spoke earlier who have had
8 substance abuse issues in the past,
9 or even for people who haven't, who
10 need something to help them get
11 through the day and haven't found
12 something from the pharmaceutical
13 industry that can do that.

14 I have agreed with a lot
15 of the things I've heard here today
16 even from people who are very much
17 in favor of the bill, especially
18 around regulation. One thing that
19 I kept noticing was people saying
20 for the last couple of years, for
21 the last few years, kratom has been
22 well-known in the harm reduction
23 community for the last 30 years.
24 It's not a new thing to us.

1 7-OH has been horrible
2 for the harm reduction community.
3 It has led to kratom bans in many
4 states, in townships, counties.
5 We're not fans. I would like
6 nothing more than to see it taken
7 off the shelves. And I would also
8 like to see more regulation around
9 what retailers could sell it. I do
10 also agree with some of the
11 legislation around where these
12 stores could be. I think that
13 that's apt and appropriate.

14 At the same time we've
15 had some talk about what would that
16 look like, how would testing be
17 accomplished. I see no reason not
18 to put the onus on the companies
19 who want to sell these products.
20 Have a licensing program where you
21 need to have third party testing
22 that's sent into the city before
23 you can get your license. Rather
24 than kind of letting things pop up

1 and play Whack-a-Mole.

2 I'm also a man about
3 town in Philadelphia. I check in
4 with a lot of the local smoke
5 shops. I know a lot of those
6 business owners, speak to them on a
7 weekly basis. I know people who
8 also believe in what they do and do
9 things above board. I also know
10 people who are selling things under
11 the counter. They are not going to
12 stop because of a bill like this,
13 not with the enforcement that
14 Philadelphia can afford to put out,
15 making it so that there are trusted
16 stores where people know what
17 they're getting, know what's
18 tested, makes those stores less
19 appealing.

20 So, yeah, in short I
21 don't think I worry that this would
22 be tantamount to a total ban, that
23 that would lead to people who are
24 using it for harm reduction, no

1 longer being able to access these
2 products. And I'd urge the Council
3 to take a moment, reassess. And if
4 you'd like, come on down to our
5 store. I'd be happy to email
6 anybody our schedule. And I would
7 love to talk to you a bit more.

8 COUNCILMAN SQUILLA:

9 Thank you. Thank you so much for
10 your testimony.

11 Are there any questions
12 from the committee?

13 The Chair recognizes
14 Council Leader Gilmore Richardson.

15 COUNCILWOMAN GILMORE

16 RICHARDSON: Thank you. Thank you
17 very much, Mr. Chair.

18 Thank you both for your
19 testimony. I had a very quick
20 question because I could not hear
21 what you were saying at the end
22 very well. You said something
23 about your store. Did you say a
24 store? I didn't hear --

1 MR. ESSEX: Yes, I
2 manage two stores. One in
3 Wynnefield Heights here in
4 Philadelphia and one over in Media.

5 COUNCILWOMAN GILMORE
6 RICHARDSON: You said Wynnefield
7 Heights?

8 MR. ESSEX: Yes.

9 COUNCILWOMAN GILMORE
10 RICHARDSON: Is it by the Target?

11 MR. ESSEX: Yes.

12 COUNCILWOMAN GILMORE
13 RICHARDSON: Okay. All right.

14 Thank you. I didn't hear what you
15 said. Thank you very much.

16 COUNCILMAN SQUILLA: All
17 right. Thank you.

18 Any questions?

19 (No response.)

20 COUNCILMAN SQUILLA:
21 Seeing none, is there anyone else
22 to testify on this bill, on the
23 list? If not, if you do want to
24 testify and you haven't had time,

1 please make your way up to the
2 table.

3 (Witnesses approached
4 witness table.)

5 COUNCILMAN SQUILLA:

6 Thank you. Just state your name
7 for the record and then you can
8 proceed with your testimony.

9 MS. HALDA: Thank you.

10 My name is Bonnie Halda. Good
11 afternoon and thank you for giving
12 me an opportunity to testify. I'm
13 testifying as part of public
14 comment and as a resident of
15 Philadelphia. I'm not representing
16 any organization or any other type
17 of agency. Again, my name is
18 Bonnie Halda. I live in Society
19 Hill. I've lived in Philadelphia
20 for a little over 35 years.

21 When I first moved here
22 in the 1990s, it was a different
23 city. And as I lived here, worked
24 here, and really made a commitment

1 to being a true Philadelphian, I
2 saw Philadelphia change. I saw it
3 improve. I saw businesses come in
4 that interested me. I saw more
5 residents come in. I saw vibrancy,
6 festivals, amenities and it really
7 became a special place to me to
8 live and work.

9 However, recently what
10 I've really seen is a proliferation
11 of the smoke shops, the illegal
12 nuisance businesses. So my
13 comments today are about the bill
14 that is the illegal smoke shop
15 accountability bill. I'm not
16 really commenting on the
17 intoxicating substances, but I do
18 realize they are linked. I am very
19 concerned about the proliferation
20 of these illegal nuisance
21 businesses, primarily on South
22 Street and Old City.

23 I live right in between
24 those two neighborhoods and I think

1 that these businesses have really
2 been a detriment to everything that
3 the progressive city is trying to
4 be. I think that they have made
5 some of the areas less desirable,
6 less welcoming and have really had
7 an impact on the quality of life,
8 and that's for residents such as
9 myself, but also visitors,
10 especially this year with the
11 250th.

12 With Philadelphia
13 welcoming people from all over
14 worldwide, we need to have
15 welcoming neighborhoods. We need
16 to emphasize the quality of life
17 for businesses, for residents and
18 for visitors. Lastly, I have been
19 very involved in my community.
20 I've been volunteering for a lot of
21 things that involve the quality of
22 life. One of my most recent
23 volunteer initiatives has been with
24 the Head House Square, and thanks

1 to the generous funding that we've
2 received from the city.

3 I watch now as Head
4 House is starting to be renovated,
5 starting to be improved and I think
6 that this area Head House Square
7 can really serve to be a real
8 center for revitalizing a part of
9 our city that really needs it. And
10 I think that the smoke shops could
11 be very much a detriment to that
12 forward progress that we're trying
13 to make. So thank you for your
14 time.

15 COUNCILMAN SQUILLA:
16 Thank you so much for your
17 testimony.

18 Any questions from the
19 committee?

20 (No response.)

21 COUNCILMAN SQUILLA: Is
22 there anyone else here who did not
23 get a chance to testify and wants
24 to testify on Bill Nos. 260162 or

1 260163?

2 (No response.)

3 COUNCILMAN SQUILLA:

4 Seeing none, there being no further
5 questions from the members of the
6 committee and no other witnesses to
7 testify, I'll ask that there's
8 anyone present to hearing whose
9 name we have failed to call, that
10 wishes to offer testimony on these
11 bills and resolutions we consider
12 today?

13 (No response.)

14 COUNCILMAN SQUILLA:

15 Hearing none, I want to thank all
16 the panels of witnesses for their
17 participation. We will now go into
18 a public meeting on Bill No.

19 260167 -- oh, I'm sorry.

20 As for the record, we
21 are holding Bill No. 260167 at the
22 call of the Chair. As we're in our
23 public meeting, the Chair will now
24 recognize Councilmember Gilmore

1 Richardson for a motion to the
2 amendment to Bill No. 260465.

3 COUNCILWOMAN GILMORE

4 RICHARDSON: Thank you,
5 Mr. Chairman.

6 I offer an amendment to
7 Bill No. 260465. A copy of the
8 amendment has been circulated to
9 all members of the committee. I
10 move that the amendment to Bill No.
11 260465 be approved.

12 (Duly seconded.)

13 COUNCILMAN SQUILLA:

14 Thank you. The Chair notes for the
15 record that Councilmember Jones
16 seconds. The motion has been moved
17 and properly seconded that the
18 amendment to Bill No. 260465 be
19 approved.

20 All those in favor
21 signify by saying aye.

22 (Aye.)

23 COUNCILMAN SQUILLA:

24 Those opposed?

1 (No response.)

2 COUNCILMAN SQUILLA: The
3 ayes have it. And the motion
4 carries. An amendment to Bill No.
5 260465 has been approved.

6 The Chair now recognizes
7 Councilmember Gilmore Richardson
8 for a motion on Bill No. 260465 as
9 amended.

10 COUNCILWOMAN GILMORE
11 RICHARDSON: Thank you,
12 Mr. Chairman.

13 I move that Bill No.
14 260465 as amended be reported from
15 this committee with a favorable
16 recommendation and further move
17 that the rules of Council be
18 suspended as to permit first
19 reading of this bill at the next
20 session of Council.

21 (Duly seconded.)

22 COUNCILMAN SQUILLA:
23 Chair notes for the record that
24 Councilmember Jones seconds. The

1 motion has been moved and properly
2 seconded that Bill No. 260465 as
3 amended be reported from this
4 committee with a favorable
5 recommendation and further move
6 that the rules of Council be
7 suspended to permit the first
8 reading of this bill at the next
9 session of Council.

10 All those in favor
11 signify by saying aye.

12 (Aye.)

13 COUNCILMAN SQUILLA:

14 Those opposed?

15 (No response.)

16 COUNCILMAN SQUILLA: The
17 ayes have it and the motion
18 carries.

19 The Chair now recognizes
20 Councilmember Gilmore for a motion
21 to the amendment to Bill No.
22 260163.

23 COUNCILWOMAN GILMORE

24 RICHARDSON: Thank you,

1 Mr. Chairman.

2 I offer an amendment to
3 Bill No. 260163. A copy of the
4 amendment has been circulated to
5 all members of the committee. I
6 move that the amendment to Bill No.
7 260163 be approved.

8 (Duly seconded.)

9 COUNCILMAN SQUILLA:

10 Chair notes for the record that
11 Councilmember Jones seconds. The
12 motion has been moved and properly
13 seconded that the amendment to Bill
14 No. 260163 be approved.

15 All those in favor of
16 the motion will signify by saying
17 aye.

18 (Aye.)

19 COUNCILMAN SQUILLA:

20 Those opposed?

21 (No response.)

22 COUNCILMAN SQUILLA: The
23 ayes have it and the motion
24 carries. An amendment to Bill No.

1 260163 has been approved.

2 The Chair now recognizes
3 Councilmember Gilmore Richardson
4 for a motion to Bill No. 260163 as
5 amended.

6 COUNCILWOMAN GILMORE
7 RICHARDSON: Thank you,
8 Mr. Chairman.

9 I move that Bill No.
10 260163 as amended be reported from
11 this committee with a favorable
12 recommendation and further move
13 that the rules of Council be
14 suspended as to permit first
15 reading of this bill at the next
16 session of Council.

17 (Duly seconded.)

18 COUNCILMAN SQUILLA:
19 Chair notes for the record that
20 Councilmember Jones seconded. The
21 motion has been moved and properly
22 seconded that Bill No. 260163 as
23 amended be reported from this
24 committee with a favorable

1 recommendation and further move
2 that the rules of Council be
3 suspended as to the first reading
4 of this bill at the next session of
5 Council.

6 All those in favor
7 signify by saying aye.

8 (Aye.)

9 COUNCILMAN SQUILLA:

10 Those opposed?

11 (No response.)

12 COUNCILMAN SQUILLA: The
13 ayes have it and the motion
14 carries.

15 Chair recognizes
16 Councilmember Gilmore Richardson
17 for a motion on Bill No. 260162.

18 COUNCILWOMAN GILMORE

19 RICHARDSON: Thank you, Mr.
20 Chairman.

21 I move that Bill No.
22 260162 be reported from this
23 committee with a favorable
24 recommendation and further move

1 that the rules of Council be
2 suspended as to permit first
3 reading of this bill at the next
4 session of Council.

5 (Duly seconded.)

6 COUNCILMAN SQUILLA:

7 For the record, Councilmember Jones
8 seconds the motion. It has been
9 moved and properly seconded that
10 Bill No. 2600162 be reported from
11 this committee with a favorable
12 recommendation and further move
13 that the rules be suspended as to
14 permit the first reading of this
15 bill at the next session of
16 Council.

17 All those in favor
18 signify by saying aye.

19 (Aye.)

20 COUNCILMAN SQUILLA:

21 Those opposed?

22 (No response.)

23 COUNCILMAN SQUILLA:

24 Ayes have it and the motion

Committee on Commerce and Economic Development

1 carries.

2 That will conclude our
3 business before the Committee on
4 Commerce and Economic Development
5 today. Thank you all very much for
6 your attendance and participation.

7 COUNCILMAN JONES: Good
8 job, Chairman. Thank you.

9 - - -

10 (Committee on Commerce
11 and Economic Development concluded
12 at 3:35 p.m.)

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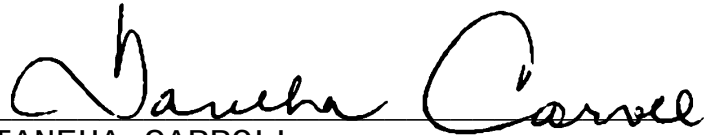
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I, hereby certify that the proceedings
and evidence noted are contained fully and
accurately in the stenographic notes taken
by me in the foregoing matter, and that
this is a correct transcript of the same.



TANEHA CARROLL
Court Reporter - Notary Public

(The foregoing certification of this
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supervision of the certifying reporter.)

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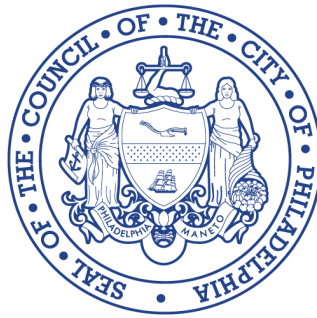
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City of Philadelphia

*City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107*



Meeting Agenda

Thursday, May 21, 2026

12:00 PM

Room 400, City Hall

Committee on Commerce & Economic Development

The Committee on Commerce & Economic Development of the Council of the City of Philadelphia will hold a Public Hearing on Thursday, May 21, 2026, at 12:00 PM, in Room 400, City Hall, to hear testimony on the following items:

260162

An Ordinance Amending Chapter 9-600 of The Philadelphia Code (“Service And Other Businesses”) by adding a new Section 9-631.1 to establish requirements for commercial landlords to take certain remedial action against commercial tenants who engage in tobacco retailing without a required tobacco retailer permit and establishing penalties, all under certain terms and conditions.

Attachments: [Bill No. 26016200](#)

260163

An Ordinance Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," to establish restrictions and regulations related to the sale of certain intoxicating substances and provide for associated penalties and enforcement, all under certain terms and conditions.

Attachments: [Bill No. 26016300](#)

260167

An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled “Towing,” to revise certain requirements regarding the issuance of a ticket on Private Lots, Private Property and Driveways.

Attachments: [Bill No. 26016700](#)

260465

An Ordinance Amending Chapter 10-100 (“Animals”) of The Philadelphia Code to restrict the operation of carriage horse businesses and to provide for penalties for violations, all under certain terms and conditions.

Attachments: [Bill No. 26046500](#)

Immediately following the public hearing, a meeting of the Committee on Commerce & Economic Development, open to the public, will be held to consider the action to be taken on the above listed items. Copies of the foregoing items are available in the Office of the Chief Clerk of the Council, Room 402, City Hall.