

**CITY OF SALEM
BOARD OF HEALTH
MEETING MINUTES**

July 14, 2026

MEMBERS PRESENT: Sara Moore, Chair, Jeremy Schiller, Datanis Elias, Sean Lunde

MEMBERS EXCUSED: Marie Feldmannova

OTHERS PRESENT: David Greenbaum, Health Agent, Joyce Redford, Director, North Shore/Cape Ann Tobacco Policy Program

TOPIC

DISCUSSION/ACTION

1. Call to Order

7:02pm

**2. Approval of Minutes
(June 9, 2026)**

J. Schiller motioned to approve the minutes S. Lunde 2nd. All in favor.

Motion passed by a vote of 3 to 0.

The Board discussed taking the agenda out of order to address the proposed new regulation first.

S. Lunde motioned to take the agenda out of order J. Schiller 2nd. All in favor.

Motion passed by a vote of 3 to 0.

3. Public Hearing regarding the updated Board of Health Regulation #34, Regulation Prohibiting the Manufacturing, Sale, and Distribution of Synthetically Derived Cannabinoids, Kratom Products and Unregulated Novel Intoxicating Products. (Vote Anticipated)

The Board opened the public hearing regarding the updated Board of Health Regulation #34 regulation prohibiting the manufacturing, sale, and distribution of synthetically derived cannabinoids, kratom products, and unregulated novel intoxicating products. Board member Dee Elias arrived as the public hearing began.

J. Redford provided the Board with an overview of the revised regulation. She explained that the draft regulation the Board agreed upon included synthetically derived cannabinoids, kratom products, and unregulated novel intoxicating products. She explained that the regulation received legal review from the Board of Health technical assistance provider MA Association of Health Boards and the City Solicitor's office. The City Solicitor's office made some amendments that were incorporated into the final regulation.

J. Schiller asked if someone could grow a Kratom plant under this regulation. It was explained that they could because the Board was not criminalizing Kratom. The Board is prohibiting the sale and distribution of these products.

S. Moore asked if all the City Solicitor's concerns have been addressed. D. Greenbaum explained that he had some minor edits that he incorporated into the regulation before the Board.

S. Moore stated she was struck by the messages the Board received in support of the ban.

D. Greenbaum stated that it would be important to have those emails officially entered into the record. He explained that the Board received 3 emails from who were strongly in support of the regulation. They were from Holly Trouville, Shannon Mandeville, and Dan Gibbs.

S. Moore read the three emails into the record, and all are on file.

D. Greenbaum advised the Board that the email provided by Mr. Gibbs did not contain any of the attachments he mentioned in his email. He also informed the Board that he had been provided with an article from Stars and Strips magazine from the Pentagon prohibiting the use of the drug.

J. Schiller asked if we received any written testimony against it banning the regulation? D. Greenbaum explained that we did not receive any written testimony against the regulation.

S. Lunde stated that the Board added other unregulated novel and intoxicating products. He feels that is the main thing, we should not be allowing things to be sold to children that we do not know what they are. He stated, without regulation he thinks there is no chance for the Board to know that there is not some illicit substance in any of these bags because of where they're coming from.

Susan Eppard testified that she would like the Board to ban all forms of kratom. Her son Matthew died at 22 years old from full-leaf all-natural kratom Powder. He died in 2021 before there were any semi-synthetics or synthetic kratoms available. It caused him to have a seizure, go into cardiac arrest and die instantly on his kitchen floor. His toxicology and autopsy showed he had no underlying health conditions. He had no prescription drugs, no street drugs, and no alcohol in his system. He was an otherwise perfectly healthy 22-year-old who should have lived out his entire life. She implored the Board to ban all forms of kratom.

S. Moore thanked Ms. Eppard for her testimony and on behalf of the Board gave her condolences on the loss of her son.

Holly Trouville advised the Board that Tisbury on Matha's Vineyard band Kratom at 4 o'clock today. She stated that the neighboring community of Beverly has a hearing to ban it tomorrow, and Peabody has a hearing coming up. Melrose Stoneham and other areas have already banned it as well. She implored the Board to be all forms of Kratom. She added there is no way to test this to know what it really is. She does not think people should be determining their own doses, especially when most people doing it are recovering addicts that they say have helped them get off other drugs. She does not think that is wise for anybody to be determining their own dosage of something that isn't regulated. She stated that you will hear a lot of people say the FDA just wants to ban 7OH, but you go on their website they are not regulating it. If you look on the back of those bags that you buy in any of your stores, it says only for a botanical specimen, which means not for human consumption. The FDA could approve Kratom for human consumption, and it has not. That should be very telling.

S. Moore stated appreciated hearing from people about their experiences and the losses that people experienced. She reiterated that the Board acknowledged there could be some benefit to natural Kratom, she felt there was no way to know what was in anything being sold. The Board was not criminalizing the use of Kratom. People can certainly still access it. But as a Board of Health, it is important for us to look out for public health

by minimizing access to it, especially young people.

D. Elias inquired that while reviewing the email, it says that the Board cannot issue the \$1,000 fine directly and asked if this was in the final draft of the regulation.

D. Greenbaum explained that this was clarified by the technical assistance provider, the MA Association of Health Boards. Under MGL Chapter 111, Section 31, Boards of Health do have the authority to issue fines of \$1,000 per offense. That information was provided to the City Solicitor, and he agreed that was appropriate to include it in the regulation.

S. Lunde motioned to approve the Salem Board of Health regulation prohibiting the manufacture, sale and distribution of synthetically derived cannabinoids, Kratom products, and unregulated intoxicating products. Effective September 1st, 2026. J. Schiller 2nd. All in favor.

Motion passed by a vote of 4 to 0.

4. Discussion and vote to rescind current Board of Health Regulation #34, Prohibiting the Manufacture, Sale, or Distribution of Synthetic Cannabinoids. (Vote Anticipated)

J. Schiller motioned rescind the former Board of Health regulations #34 that prohibited the manufacture, sale, and distribution of synthetic cannabinoids, as it would be redundant to the amended regulation effective September 1, 2026. D. Elias 2nd. All in favor.

Motion passed by a vote of 4 to 0.

Discussion took place regarding how businesses would be notified about this new regulation. D. Greenbaum stated that a notice would go out to all convenience stores where these products are believed to be sold. Staff would notify any business after September 1st where these products were found of the regulations. Discussions also took place regarding additional messaging on social media and the website.

5. Public Health Announcements /Reports/Updates

D. Greenbaum advised the Board that the Beverly-Salem Water Supply Board had submitted a permit request to temporarily suspend the application of fluoride for 60 days. He wanted the Board to be aware of this submittal. He advised the Board that the administrative report was also available for review. This outlines all the financial information for the department.

He advised the Board that the City of Salem has been named in a federal lawsuit regarding the FDA marketing granting order letter that was sent in May with an enforcement date of July 1, 2026. The suit includes 16 communities, the Commissioner of Public Health, and MA DPH. The suit basically states that the Boards of Health have exceed their authority to take this action. We are coordinating with the Department of Public Health to determine how this is going to proceed. The lawsuit claims that we are enforcing federal law. We are not enforcing federal law. We are requiring our permit holders to comply with federal law as a requirement of their tobacco permit.

J. Redford added that the suit includes 16 total communities and of those communities 5 are within our collaborative.

D. Greenbaum added that in the coming months he may be looking to

amend the tobacco regulation. Looking to add things like retiring cap. He advised the Board that the auxiliary shelter on Canal Street had closed on July 1st. He is working with the City Solicitor's office to draft some public health guidance rules and regulations about how people can camp following these regulations. This will allow us to address situations when they arise, so we do not have similar public health issues to those that we saw in the past.

He told the Board that he will be on vacation during the last week of July and the first week in August.

The Board confirmed that they will not hold an August meeting and will meet next in September.

- | | |
|--|---------|
| 6. Chairperson Communications | NONE |
| 7. Administrative Report | ON FILE |
| 8. Council Liaison Updates | NONE |
| 9. New Business/Scheduling of Future Agenda Items | NONE |
| 10. Items that could not be anticipated prior to the posting of the agenda. | NONE |

MEETING ADJOURNED:

D. Elias motioned to adjourn. S. Lunde 2nd. All in favor.

Motion passed by a vote of 4 to 0.

Meeting Adjourned: 7:38 PM

Next regularly scheduled meeting is Tuesday, September 8, 2026, at 7:00pm at City Hall Annex, 98 Washington Street, 1st Floor, Salem, MA

Respectfully submitted,

David Greenbaum
Health Agent