

**Testimony of Commissioner Samuel A.A. Levine
New York City Department of Consumer and Worker Protection**

**Before the Committee on Consumer and Worker Protection
Oversight Hearing on Surveillance and Dynamic Pricing
and Introductions 891, 892, and 813**

June 17, 2026

Introduction

Good morning, Chair Epstein, and members of the Committee on Consumer and Worker Protection. My name is Sam Levine, and I am the Commissioner of the Department of Consumer and Worker Protection (DCWP). I am joined by our Chief of Staff, Carlos Ortiz, and Associate General Counsel, Andrew Schwenk. Thank you for the opportunity to testify before the committee today on these bills.

Protecting New Yorkers

The NYC Department of Consumer and Worker Protection (DCWP) is the nation's leading municipal enforcement agency, charged with delivering economic justice. DCWP leverages its authority to bring New Yorkers real economic relief and protect them from predatory, deceptive, and unfair practices that violate their rights as consumers and workers. This includes pioneering cutting-edge protections, such as the City's Consumer Protection Law, Protected Time Off Law, Fair Workweek Law, and Delivery Worker Laws, including the Minimum Pay Rate for delivery workers. Through licensing more than 45,000 businesses in over 45 industries, DCWP ensures fair competition and a level playing field for responsible small businesses that are integral to New York City's vibrant communities. DCWP also provides essential services such as free tax preparation and financial counseling to ensure New Yorkers keep more of what they earn and can plan for their futures. DCWP is committed to making sure New York City is a fairer, more affordable place to live.

Championing Consumers against Surveillance and Dynamic Pricing

Let me now turn to the subject of today's hearing – dynamic and surveillance pricing. I commend the Speaker and Majority Leader for these bold steps to ensure New York remains a leader when it comes to protecting consumers from emerging pricing abuses. This is an issue I care about deeply – over the last two years, I have launched federal studies, published reports, and testified before the U.S. Senate on the threat these practices pose. Yet, as with so many issues facing American consumers today, the federal government is asleep at the wheel. That is why these bills – which would arm New Yorkers with the strongest safeguards in America – are so critical.

The fact is, large corporations are getting ever-better at ripping us off. If you listen carefully to what executives are telling investors these days, they are often boasting about their ability to jack up prices to the maximum each consumer is willing to pay – what some investors are calling the “Holy Grail” of pricing. It is wrong, it is deeply unpopular, and thanks to the work of this body, it can soon be illegal in the City of New York.

And let's be clear. Surveillance and dynamic pricing practices are not just a threat to affordability. Companies today are collecting vast amounts of data on consumers – not only our purchases but our internet searches, our location, our ethnicity, and even data to infer our intelligence. This data can then be sold to data brokers and placed on the market for anyone to purchase. Last month, I was deeply concerned – but hardly surprised – to read [reporting](#) that ICE is now looking to purchase commercial data to track our immigrant neighbors.¹ It is becoming clearer and clearer that reforms are necessary not only to protect fair pricing but also our privacy and civil rights.

Finally, these practices also undermine small businesses, many of whom are already struggling. Surveillance and dynamic pricing create a race to the bottom, where firms compete over how much data they can collect from consumers in order to maximize their profits. Small businesses, in contrast, cannot collect vast reams of data, or spend millions to implement dynamic or surveillance pricing. This pattern threatens to further undermine small businesses already struggling to compete with corporate giants. For all these reasons, we applaud the Council's leadership in protecting both New York City consumers and small businesses from these unfair, unconscionable practices.

Introduction 891

Turning to the specifics of today's legislation, Introduction 891 would prohibit any person that sells, leases, or rents goods or services, whether online or offline, from engaging in surveillance pricing. DCWP supports Introduction 891. Surveillance pricing has no place in New York City. Prices should not be differentiated from one person to the next based on personal data like where they live, work, or their online history. We thank the Speaker for this historic and much-needed legislation, and we look forward to working to strengthen consumer protections to prevent predatory and exploitative business practices like surveillance pricing. Specifically, we'd like to work with Council on adding a private right of action to this bill to ensure that consumers have the proper tools to identify and respond to violations. We also think it is important to ensure that any personal data collected to administer discount programs is used only for such discount program and not for any harmful purpose, such as to increase prices for other consumers or to be sold to third-party data brokers.

Introduction 892

Introduction 892 would prohibit grocery stores from increasing the price of any item more than once in a 24-hour period. DCWP supports Introduction 892. Pricing is critical for New Yorkers' affordability issues, and we need to ensure we are proactively and effectively anticipating changes in the marketplace to ensure consumers are protected. We also have recommendations to share to strengthen the provisions of this bill with additional recordkeeping requirements and we look forward to working with Council on this legislation.

Introduction 813

Introduction 813 would allow DCWP to refuse to renew, suspend, or revoke a tobacco retailer dealer (TRD) license upon a finding that the licensee violated sections of the NYS Cannabis Law. We support the goal of this bill and look forward to working with council through the legislative process.

¹ <https://www.politico.com/news/2026/05/30/ice-immigration-privacy-data-advertising-00939078>

Conclusion

Thank you for the opportunity to testify before your committee on today's legislation. We look forward to working with the Council to consistently advance the strongest consumer protections in the country. I welcome any questions you may have for further discussion.



June 17, 2026

WRITTEN TESTIMONY OF THE YEMENI AMERICAN MERCHANTS ASSOCIATION (YAMA)

REGARDING INTRO. 813

Submitted to the New York City Council

The Yemeni American Merchants Association (YAMA) appreciates the opportunity to submit testimony regarding Intro. 813, which would authorize the Department of Consumer and Worker Protection to refuse to renew, suspend, or revoke a tobacco retail dealer license for certain violations related to the unlawful sale of cannabis products.

For over a decade, YAMA has worked alongside Yemeni-owned small businesses that serve as the backbone of New York's neighborhood retail economy. Today, more than 10,000 Yemeni-owned stores operate throughout New York, many of them family-owned bodegas, convenience stores, and neighborhood retailers that provide essential goods and services in communities across the city and state.

YAMA recognizes the challenges posed by the sale of unlicensed cannabis products and supports efforts to protect consumers, promote compliance, and ensure a fair marketplace. Businesses that knowingly violate the law should be held accountable.

At the same time, we are concerned that Intro. 813 may create unintended consequences for responsible small business owners who are making good-faith efforts to comply with an increasingly complex regulatory environment.

Many of the merchants we work with are first-generation immigrant entrepreneurs who operate family-owned businesses without access to attorneys, compliance departments, or regulatory specialists. They often rely on distributors and wholesalers to provide products that are represented as lawful for retail sale. As a result, merchants may unknowingly purchase products that later become the subject of enforcement actions.

The concern we hear repeatedly from merchants is not whether illegal cannabis sales should be addressed. Rather, it is whether small retailers can reasonably determine which products are lawful, which products require additional authorization, and what consequences may result from an inadvertent mistake.

As drafted, the bill would allow a cannabis-related violation to place a merchant's tobacco retail license at risk. For many neighborhood stores, tobacco sales remain a significant source of revenue. The loss of a tobacco license can jeopardize the viability of a small business, impact employees, and create financial hardship for families that depend on these businesses for their livelihood.

Many of the businesses affected by this legislation have operated in New York for decades. These stores employ local residents, pay taxes, support community organizations, and often serve neighborhoods that rely on them every day. Any enforcement framework should recognize the important role these businesses play in the economic and social fabric of our communities.

YAMA respectfully offers the following recommendations for the Council's consideration:

First, establish a warning and cure period before a tobacco license may be suspended, revoked, or denied renewal. Merchants should receive written notice of a violation and a reasonable opportunity to remove prohibited products and come into compliance. Education and corrective action should be encouraged whenever possible.

Second, focus the strongest penalties on repeat and intentional violators. A business that knowingly and repeatedly violates the law should be treated differently than a merchant who makes a first-time mistake and immediately takes corrective action.

Third, expand multilingual education and compliance assistance. We appreciate the bill's requirement for outreach and education and encourage the City to provide clear guidance in multiple languages, including Arabic and Spanish, through trusted community organizations and merchant-serving nonprofits. The more merchants understand the rules, the more likely they are to comply.

Finally, require consideration of mitigating circumstances before imposing the most severe licensing penalties. Regulators should consider factors such as whether the violation was intentional, whether the merchant has a history of prior violations, whether corrective action was taken promptly, and whether the merchant cooperated with enforcement authorities.

YAMA believes New York City can effectively address unlawful cannabis sales while also protecting responsible small business owners who are making good-faith efforts to comply with the law. We respectfully urge the Council to ensure that enforcement mechanisms are fair, proportional, and focused on promoting compliance while preserving the viability of neighborhood businesses that communities depend upon every day.

Thank you for your consideration.

Respectfully submitted,

Joel Feliciano
Chief Operating Officer
Yemeni American Merchants Association (YAMA)

Support for Intro 0813-2026

Good afternoon Chair and Members of the Committee.

My name is Hamid Michael Ardebili, and I am a licensed New York adult-use cannabis retailer and Social and Economic Equity licensee.

I strongly support Intro 0813-2026.

Licensed cannabis businesses are required to comply with extensive state and local regulations. We undergo background investigations, maintain seed-to-sale inventory tracking, meet strict testing, packaging, labeling, security, and recordkeeping requirements, and pay substantial taxes and fees. We also face significant local restrictions on where we can operate.

In my own experience, obtaining a compliant location required navigating community review, securing a Proximity Protection Area (PPA/PCA) determination, and finding a landlord willing to lease to a state-licensed cannabis business. Many landlords are reluctant to rent to cannabis operators due to perceived risks and regulatory uncertainty, while those willing to do so often demand significantly higher rents than would be charged for a traditional retail use. Cannabis operators frequently spend months searching for viable locations and invest hundreds of thousands of dollars in application costs, professional fees, deposits, rent, legal expenses, design, and compliance requirements before generating a single dollar of revenue.

Meanwhile, many illicit cannabis operators simply open wherever they choose, often without regard for zoning requirements, proximity restrictions, schools, houses of worship, consumer safety regulations, or community concerns. They avoid the costs and obligations imposed on licensed businesses while competing for the same customers.

This creates an uneven playing field and undermines the very regulatory framework New York established under the Marijuana Regulation and Taxation Act (MRTA). Licensed operators who followed the rules, invested significant capital, signed long-term leases, hired professionals, and relied on the state's regulatory process should not be forced to compete against businesses operating outside the law.

Intro 0813-2026 addresses an important enforcement gap by ensuring that businesses holding City-issued tobacco licenses face meaningful consequences if they are found illegally selling cannabis. A business should not be permitted to benefit from a City-issued license while simultaneously violating cannabis laws.

I also encourage the Council to consider expanding this enforcement framework to include other retail license categories frequently associated with illicit cannabis sales, including certain vape and CBD retailers, so that accountability is applied consistently across all businesses engaged in unlawful cannabis activity.

Strong enforcement is not about limiting competition. It is about ensuring that everyone plays by the same rules, protecting consumers, supporting legitimate small businesses, and preserving the integrity of New York's regulated cannabis market.

For New York's legal cannabis market to succeed, regulators and policymakers must continue supporting those who comply with the law while ensuring meaningful consequences for those who choose not to. The long-term success of legalization depends on maintaining public confidence in a fair and well-regulated marketplace.

I respectfully urge the Council to pass Intro 0813-2026.

Thank you for your consideration.

Hamid Michael Ardebili
Licensed Adult-Use Cannabis Retailer
Social and Economic Equity Licensee
DBA: iDispenseNYC
License No. OCM-RETL-24-000213

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0813-2026 Res. No. _____

☒ in favor ☐ in opposition

Date: 6/17/20

(PLEASE PRINT)

Name: Vanessa Yee-Chan

Address: [REDACTED] NY, NY

I represent: Cannabis Retail Alliance of NY

Address: Albany, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 6-17-26

(PLEASE PRINT)

Name: Paul Dorestant

Address: [REDACTED] Bklyn, N.Y. 11201

I represent: Transcend Wellness

Address: 772 Nostrand Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 813 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mar Fitzgerald

Address: [REDACTED] 1004

I represent: Myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Patricia Conner

Address: _____

I represent: Smacked Village

Address: 144 Bleeker Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Roland Connor

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6-17-26

(PLEASE PRINT)

Name: Coss Marie

Address: 110 Bowery NY NY 10013

I represent: CRAN4

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☒ in favor ☐ in opposition

Date: 6/17/26

(PLEASE PRINT)
Name: Christopher Leon Johnson

Address: _____

I represent: 5 CIV

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)
Name: Fernando Lendof

Address: _____

I represent: Erudito Cannaboli boutique

Address: _____

Please complete this card and return to the Sergeant-at-Arms