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Cannabis Count Reveals 26 Illicit Retailers on Upper West Side

*Legalization undermined by
brazen businesses and enforcement apathy.*

NEW YORK, NY- The Upper West Side is saturated with 26 unlicensed cannabis retailers, according to a block-by-block analysis by Council Member Gale Brewer, who warns of lasting consequences of unregulated stores selling with impunity.

The survey of 61 bodegas, delis, smoke shops and newsstands by Brewer's office revealed 22 of the 26 illicit cannabis retailers also sell tobacco products, a handful of them without a license, according to public data.

"I am concerned that the free-for-all environment will become entrenched and undermine the law's intent before the legal market takes shape," Brewer said. "There are public health risks such as underage use and contaminated products. The city and state miss out on tax revenue, which we need, and is used to fund the law's social equity programs. Leverage to reduce violent crime and limit participation in illegal markets goes away."

"There is no ambiguity in the law, it's illegal to sell cannabis without a license, but there's ambiguity in who should enforce it," said Brewer, who [called on city and state officials to come up with solutions](#). "The NYPD apparently directed precincts not to enforce cannabis laws, the city Department of Consumer and Worker Protection does not have authority over cannabis products, and the New York State Office of Cannabis Management only has authority over already-licensed retailers," Brewer said.

Brewer pointed to the NYC Department of Finance and the NYC Sheriff's Office for help. Their officers regularly inspect tobacco retailers for untaxed cigarettes, seize illegal products like cannabis and flavored vapes, and issue civil fines. Brewer also asked the NYC Department of Consumer and Worker Protection to use their authority over unlicensed tobacco sellers to take illegal cannabis products off shelves.

Of 26 smoke shops in the 6th Council District, 22 also sold tobacco.



Data: from CM Brewer store survey // Leaf icons: Alice Noir, Noun Project

“I urge City and State officials to consider additional measures to limit these stores, such as revocation of Certificates of Registration, a public information campaign to educate consumers on why buying from licensed sellers matters, and the use of public nuisance laws to hold knowing landlords accountable.”

In response to hundreds of constituents calls and emails, **Council Member Brewer and Assembly Member Linda Rosenthal are hosting a [West Side Cannabis Town Hall on Tuesday, December 13](#)** at John Jay College of Criminal Justice with representatives from Office of Cannabis Management, NYPD, Manhattan DA's Office, Departments of Consumer and Worker Protection and Small Business Services, and Community Boards 4 and 7.

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