Grace Jiang

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First Draft

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**Surprise! That Cone Cost $14: Ice Cream Trucks Rack Up Complaints in NYC Over Hidden Prices and No-Cash Policy**

In New York City, buying ice cream on a hot summer day can feel like ordering a blind box — you won’t know how much it costs until the charge hits your phone.

Main story:

On July 4, Devolea Rey and her daughter had just arrived from Argentina and were celebrating Independence Day in Brooklyn. Hungry and eager to cool off, they approached an ice cream truck. Seeing the colorful pictures on the truck’s side, they ordered two vanilla cones without hesitation. After paying by credit card, Rey suddenly realized she hadn’t asked about the price. Her phone showed no transaction details yet due to processing delays. She expected to pay around $6 for both cones. The actual cost: $28.



(Devolea Rey shows her credit card after paying $28 for two vanilla cones in Brooklyn.)

“[It’s]more expensive than Argentina,”Rey said. “We have a lot of inflation, but it’s really expensive.”

She wasn’t alone.

Katie Granillo, a native New Yorker, had a similar experience when she ordered a vanilla cone with cherry dip while her brother got chocolate dip [at the same truck (?)/]. “I handed him money, and then he came back and said, ‘No, it’s $10 each,’” she said. “Prices weren’t said beforehand.”



(Katie Granillo and her brother handed the cash to the ice cream truck operator.)

George Buggs, a visitor buying ice cream from an ice cream truck for the first time, paid $14 for his ice cream using Google Pay. “If it cost $14, it’d be my last,” he said, estimating he was overcharged by at least $10. “If the price is written clearly, I won’t buy it.”

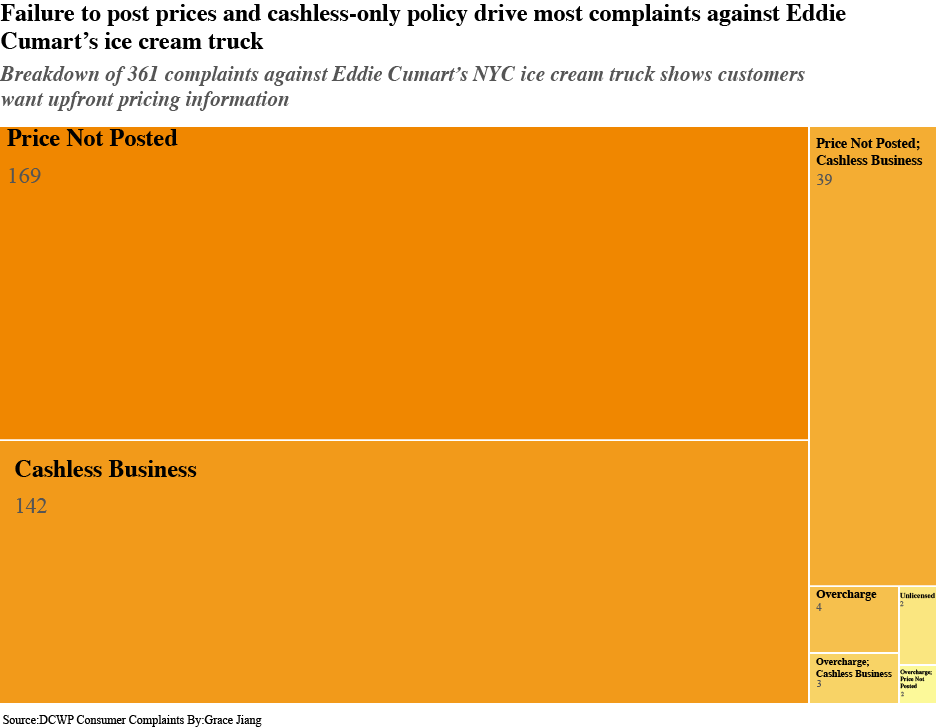
Even customers familiar with high Manhattan prices expressed surprise. Kayshla Pendleton paid $14.15 for a waffle cone with chocolate ice cream and rainbow sprinkles. “I’ve only gotten ice cream from Mr. Softee, and usually it’s around no less (more?) than $10,” she said. “Seeing that it’s $14, it’s like, wow.”



(Kayshla Pendleton with her ice cream cone.)

Since 2023, the most complained-about business in New York City is a fleet of ice cream trucks owned by a single operator –– Eddie Cumart. According to data from the NYC Department of Consumer and Worker Protection (DCWP), his business has generated more consumer complaints than any other. The primary complaint reasons: “Price not posted” and operating as a “Cashless Business,” along with complaints about overpricing.





Cumart, who calls himself the “King of Ice Cream,” operates 33 trucks, mostly in Brooklyn, with others scattered across Queens, Staten Island and New Jersey. His goal: “100 trucks.” What customers experience as price confusion, Cumart describes as location-based pricing tied to his operating costs.

Starting in 2015, Cumart built his ice cream empire by purchasing trucks from retiring operators. He exclusively [franchises with Carvel](https://www.restfinance.com/app/pdf/fdd/Carvel-2023.pdf) and operates other food truck businesses. Three managers help train employees, with one dedicated to ice cream operations.

“Nobody [is] allowed to take cash. Everybody must take credit cards,” Cumart said. “Cash business, everybody steals.” The money flows to a bank account, and he pays taxes monthly.



(A “Cashless” sign on one of Eddie Cumart’s ice cream trucks in Brooklyn.)

Cumart insists prices are displayed “right next to the permits” on every truck and daily inspections occur. “If you don’t ask, I’m not gonna tell you,” he said. “The minute you better ask before you purchase or check the prices. I cannot tell you what to buy. I’m not enforcing them to buy.”

He attributes communication problems to language barriers with tourists: “It’s too hard to deal with the tourist people, they don’t speak English.”

Cumart’s pricing varies by location. His trucks inside Six Flags charge $16 for cones, while Statue of Liberty locations charge $18 for waffle cones and $8 for regular cones. Hudson for $14.

The majority of complaints have been concentrated in Brooklyn, records show.

“Everywhere is a different value. All about location,” Cumart said. “In some locations, we pay a lot of rent, like for park permits. That money goes to the permits. In some locations, we must pay rent to the city.”

He compares the current situation with earlier days: “Before, when I was a minstrel, I used to charge $3 for a cone, and I didn’t have to pay nobody. Now I have to pay everybody, parks, apartments, general liability insurance, truck insurance, parking lots [and] drivers.”

For a $15 cone, Cumart said his profit margin is $3.

Customers in residential neighborhoods pay different rates. “If I come to your neighborhood, regular customers, we open the jingle, people come downstairs, it’s $5,” Cumart said. “All about the location. If I don’t pay for that location, it’s $5.”

Over the past two years, DCWP conducted 23 inspections of Cumart’s Brooklyn trucks. In October 2024, the department issued a summons due to failure to display prices and refusing to accept cash payments in violation of the city’s consumer protection laws and the [Cashless Ban](https://www.nyc.gov/site/dca/consumers/Prohibition-of-Cashless-Establishments.page).

Some customers said they would still purchase ice cream if prices were clearly posted, though many acknowledged they might choose differently. As Pendleton noted about potentially knowing the $14.15 price upfront: “Maybe I would have been like, ‘Oh wow, that’s crazy.’ I probably still would have bought it though.”