

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358

Jean M. Lorizio, Esq.
Chairman

DECISION

ANDOVER MEXICAN RESTAURANT, INC. D/B/A CASA BLANCA
10-12 MAIN STREET
ANDOVER, MA 01810
LICENSE#: 00051-RS-0026
VIOLATION DATE: 4/25/2024
HEARD: 8/13/2024

Andover Mexican Restaurant, Inc. d/b/a Casa Blanca ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, August 13, 2024, regarding alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the Licensed Premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Bolcome's Report.

The following documents are in evidence:

1. Investigator Bolcome's Report;
2. ABCC Form 43 New License Approval 2/11/2010;
3. Licensee's Stipulation of Facts.

There is one (1) audio recording of this hearing.

FINDINGS OF FACT

1. On Thursday, April 25, 2024, at approximately 9:00 p.m., Investigators Anderson, DiCicco, and Bolcome ("Investigators") inspected Andover Mexican Restaurant, Inc. d/b/a Casa Blanca ("Licensee" or "Casa Blanca") to determine the way its business was being conducted.
2. Investigators entered the licensed premises, identified themselves to staff, and were introduced to Luis Vargas, Licensee. While speaking with Mr. Vargas, Investigators observed a youthful appearing individual at the bar who was consuming an alcoholic beverage.
3. Investigators approached the youthful appearing individual, identified themselves and asked to see proof of legal age to possess an alcoholic beverage.

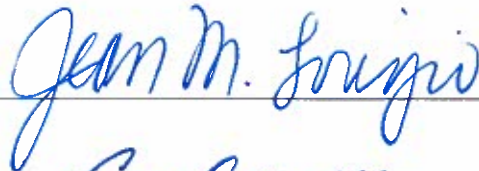
4. Underage #1, actual date of birth 6/14/2004 (age 19), stated that she did not have any identification, and was not asked for identification by the bartender who served her.
5. Investigators then spoke to the bartender who admitted he served Underage #1 a margarita and confirmed that he had not asked her for any identification.
6. Investigators advised Mr. Vargas of the violation and that a report would be submitted to the Chief Investigator for further review.
7. Mr. Vargas appeared at the Commission hearing and testified all staff members are TIPS certified and added that daily meetings are conducted wherein the subject of service of alcohol to underage individuals, amongst other topics, is discussed.
8. The Licensee has held a license under M.G.L. c. 138, § 12 since 2010 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the Licensed Premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count). As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

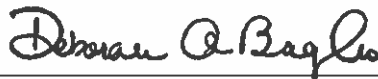
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: November 26, 2024

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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这份文件是重要的，应立即进行翻译。

यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

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‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000120-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
David Bolcome, Investigator
Melissa Anderson, Investigator
Joe DiCicco, Investigator
Karen Simão, Esq.
Administration, File