



*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
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**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**AVON FOOD MART INC.  
17 NORTH MAIN ST.  
AVON, MA 02322  
LICENSE#: 005800016  
VIOLATION DATE: 04/19/2017  
HEARING DATE: 07/18/2017**

Avon Food Mart Inc. (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 18, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Kujawski's Compliance Check Field Report; and
3. Photo of Underage Operative.

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

The Commission took Administrative Notice of the Licensee's record.


**FACTS**

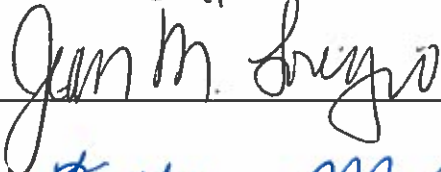
1. On Wednesday, April 19, 2017, at approximately 6:30 p.m., Investigators Teehan and Kujawski ("Investigators") investigated the business operation of Avon Food Mart Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Bud Light beer, for seven dollars and forty-nine cents (\$7.49). The underage operative was not asked for identification.

## 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: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner 

Jean M. Lorizio, Chairman 

Kathleen McNally, Commissioner 

Dated: July 18, 2017

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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jan Kujawski, Investigator  
Michael Teehan, Investigator  
Administration, File