



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

Jean M. Lorizio, Esq.
Chairman

DECISION

AVON FOOD MART INC.
17 NORTH MAIN STREET
AVON, MA 02322
LICENSE # 00016-PK-0058
HEARD: 6/11/2024

Avon Food Mart Inc. ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, June 11, 2024, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Smiddy & Gardner's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Smiddy & Gardner's Minimum Purchase Age Compliance Check Field Report, 3/13/2024;
2. ABCC Form 43, New License Approval, 10/1/1996;
3. ABCC Decision, 7/18/2017
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

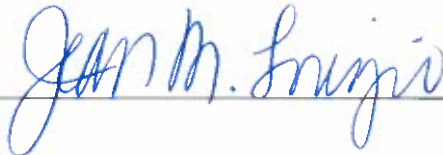
1. On Wednesday, March 13, 2024, at approximately 4:49 p.m., Special Investigators Smiddy & Gardner ("Investigators") conducted a compliance check at Avon Food Mart Inc.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 6-pack of Bud Light beer for seven dollars and ninety-nine cents (\$7.99). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 1996 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: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Deborah A. Baglio, Commissioner



Dated: July 24, 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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Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.

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។

2024-000045-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Robert Gardner, Investigator
Sean Smiddy, Investigator
Administration, File