



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**WFM CORP. D/B/A WOODBERRY FOOD MART
157 ESSEX STREET
BEVERLY, MA 01915
LICENSE#: 90121-PK-0100
VIOLATION DATE: 4/26/2023
HEARD: 8/01/2023**

WFM Corp. d/b/a Woodberry Food Mart (“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, August 1, 2023, 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 Anderson and Bolcome’s Minimum Purchase Age Field Report.

The following documents are in evidence:

1. Investigators Anderson and Bolcome’s Minimum Purchase Age Compliance Check Field Report, 4/26/2023;
2. ABCC Licensing Authority Certification, New License Approved, 10/18/2021;
3. Licensee’s Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, April 26, 2023, at approximately 6:54 p.m., Investigators Bolcome and Anderson (“Investigators”) conducted a compliance check at WFM Corp. d/b/a Woodberry Food Mart.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 6-pack of Bud Light beer, for eight dollars and twenty-nine cents (\$8.29). The underage operative was not asked for identification.
3. Mr. Amit Patel, Licensee, appeared at the Commission hearing and testified he provides extensive training to employee, and his point-of-sale system displays the date by which a patron must be born to legally purchase alcoholic beverages. Since this incident, Mr. Patel has retrained all employees and plans to have them TIPS certified.

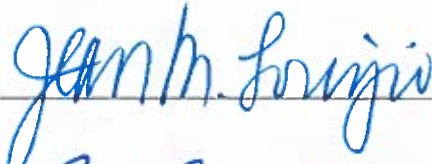
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2021.

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. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

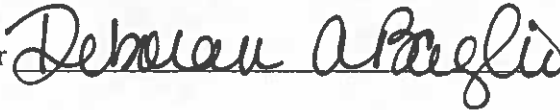
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: August 23, 2023

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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2023-000090-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Melissa Anderson, Investigator
David Bolcome, Investigator
Administration, File