



*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**

**ZHENG'S ASIAN CUISINE INC. D/B/A MIKADO ASIAN CUISINE  
49 DODGE ST. (RT. 1A)  
BEVERLY, MA 01915  
LICENSE#: 0100-00060  
VIOLATION DATE: 07/17/2017  
HEARING DATE: 10/31/2017**

Zheng's Asian Cuisine Inc. d/b/a Mikado Asian Cuisine (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission" or "ABCC") held a hearing on Tuesday, October 31, 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 Wilichoski's Report.

The following documents are in evidence:

1. Investigator Wilichoski's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

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

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

**FACTS**

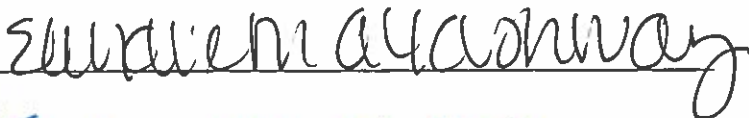
1. On Monday, July 17, 2017, at approximately 6:37 p.m., Investigators Di Cicco and Guarino-Wilichoski ("Investigators") investigated the business operation Zheng's Asian Cuisine Inc. d/b/a Mikado Asian Cuisine.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 12-ounce bottle of Coors Light beer for four dollars and twenty-three cents (\$4.23). 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. Therefore, the Commission **suspends the license for a period of three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: November 1, 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  
Joseph Di Cicco, Investigator  
Caroline Guarino-Wilichoski, Investigator  
Administration, File