



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

**Jean M. Lorizio, Esq.**  
*Chairman*

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**DECISION**

**RAW RESTAURANT GROUP LLC D/B/A MIJA  
1 FANEUIL HALL MARKETPLACE  
BOSTON, MA 02109  
LICENSE#: 00072-RS-0116  
VIOLATION DATE: 12/20/2019  
HEARD: 9/21/2021**

Raw Restaurant Group LLC d/b/a Mija (the "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, September 21, 2021, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (4 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Investigative;
2. ABCC Form 43 License Transfer Approval, 5/19/2011
3. ABCC Decision, 4/10/2012;
4. ABCC Decision, 11/6/2012;
5. ABCC Decision, 12/3/2012;
6. Photocopy of Fraudulent and Genuine Identifications;
7. Photocopy of Fraudulent Identifications;
8. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Friday, December 20, 2019, at approximately 11:50 p.m., Investigators Keefe and Di Cicco ("Investigators") conducted an inspection of the business operation of Raw Restaurant Group LLC d/b/a Mija to determine the manner in which its business was being conducted.

2. Upon entering the licensed premises, Investigators observed several youthful appearing individuals in possession of what appeared to be alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 4/06/2001 (age 18), was in possession of a mixed alcoholic beverage. She presented to Investigators a fraudulent Connecticut driver's license in her own name with a different date of birth, which she had used to gain entry into the premises and when ordering the drink.
4. Underage #2, actual date of birth 7/04/2001 (age 18), was in possession of a mixed alcoholic beverage. She presented to Investigators a fraudulent Connecticut driver's license in her own name with a different date of birth, which she had used to gain entry into the premises and when ordering the drink.
5. Underage #3, actual date of birth 12/24/1999 (age 19), was in possession of a margarita mixed drink. She presented to Investigators a fraudulent Connecticut driver's license in her own name with a different date of birth.
6. Underage #4, actual date of birth 4/20/1999 (age 20), was in possession of a margarita mixed drink. She presented to Investigators a fraudulent Delaware driver's license in her own name with a different date of birth.
7. Investigators identified all underage patrons to staff members who ensured their safe transportation home.
8. Investigators informed the manager of the violations and that a report would be filed with the Chief Investigator for review.
9. C. Charles Larner, the Licensee and Manager of Record, appeared at the Commission hearing and testified as to measures taken to prevent such an incident from occurring in the future. The Commission was informed as to significant changes made to the Licensee's policies and procedures, including the immediate retraining of staff, and requiring all patrons who appear to be under the age of 30 to produce identification. In addition, the Licensee has begun using a portable scanner to aid in assessing identification presented by patrons seated at tables and/or the bar.
10. The Commission was asked to take into consideration that the Licensee was closed for a significant amount of time due to the COVID-19 Pandemic.
11. The Licensee has held a license under M.G.L. c. 138, § 12 since 2011 with several prior violations.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (4 Counts). Therefore, the Commission **suspends the license for a period of 6 days, which are hereby deemed served.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Crystal Matthews, Commissioner

*Cybil Matthews*

Jean M. Lorizio, Chairman

*Jean M. Lorizio*

Deborah Baglio, Commissioner

*Deborah A. Baglio*

Dated: November 18, 2021

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  
Kyle E. Gill, Esq., Associate General Counsel  
Joseph Di Cicco, Investigator  
Dennis Keefe, Investigator  
Lesley D. Hawkins, Esq.  
Kevin Kilduff, Esq.  
Administration, File