



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

May 24, 2022

PRATTYS CAV INC D/B/A PRATTY'S
10 PARKER STREET
GLOUCESTER, MA 01930
LICENSE#: 00029-GP-0450
VIOLATION DATE: 12/4/2021
HEARD: 4/26/2022

After a hearing on April 26, 2022, the Commission finds Prattys Cav Inc d/b/a Pratty's violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). The Commission **suspends the license for a period of two (2) days to be served.**

The suspension shall commence on Monday, July 11, 2022, and terminate on Tuesday, July 12, 2022. The license will be delivered to the Local Licensing Board or its designee on Monday, July 11, 2022, at 9:00 A.M. It will be returned to the licensee on July 13, 2022.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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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。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Dennis Keefe, Investigator
Nicole Smith, Investigator
Nicole Terasconi, Investigator
Patricia S. Johnstone, Esq.
Administration, File



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Alcoholic Beverages Control Commission
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DECISION

**PRATTYS CAV INC D/B/A PRATTY'S
10 PARKER STREET
GLOUCESTER, MA 01930
LICENSE#: 00029-GP-0450
VIOLATION DATE: 12/4/2021
HEARD: 4/26/2022**

Prattys Cav Inc. d/b/a Pratty's (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, April 26, 2022, regarding an alleged violation of M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the facts in Investigator Keefe's report.

The following documents are in evidence:

1. Investigator Keefe's Report;
2. Form 43 License Transfer Approval, 5/20/1986;
3. ABCC Decision, 12/28/2005;
4. Licensee's Stipulation of Facts.
5. List of TIPS Certified staff;
6. Licensee's Employee Handbook;
7. Staff Acknowledgements of Reading Employee Handbook.

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

FINDINGS OF FACT

1. On Saturday, December 4, 2021, Investigators Smith, Terasconi, and Keefe ("Investigators") inspected Prattys Cav Inc d/b/a Pratty's to determine the manner in which their business was being conducted.
2. Investigator Keefe entered the licensed premises in an undercover capacity at approximately 11:10 p.m. and proceeded directly to the bar. A male individual introduced himself to Investigator Keefe and indicated a vacant bar stool next to him was available.

Investigator Keefe observed the male's eyes were glassy, his speech was slurred, and a strong smell of alcohol emanated from his breath.

3. The male patron asked Investigator Keefe where he was from and what he was doing in the area. Investigator Keefe stated he was not from the area but just visiting. A moment later, the male patron appeared to have forgotten that conversation and asked Investigator Keefe a similar question.
4. Investigator Keefe observed the male patron walk towards the center of the bar and sit next to a female individual, in clear view of the bartenders on duty. Investigator Keefe contacted Investigators Smith and Terasconi to join him inside the establishment.
5. Investigators observed Brian's movements were very slow and methodical, and that he had difficulty drinking his beer and eating his pizza.
6. At approximately 11:40 p.m., the male patron ordered another Corona beer from a female bartender. Investigators observed his head was bobbing while his eyes were closed.
7. Based on their training and experience, Investigators determined the male patron was intoxicated.
8. At approximately 11:44 p.m., the male patron got the bartender's attention and ordered another drink. Investigators observed the female bartender pouring Jameson whiskey, Peachtree liqueur, and soda into a shaker, then pour the mixed drink into four separate shot glasses.
9. Investigators observed the female bartender deliver the shots to the male patron at approximately 11:46 p.m. Investigators observed him drink a shot, then stumble and lean upon other patrons as he got off his bar stool.
10. Investigators spoke to a male bartender, advised him of the violation, and asked him to make sure that Brian was not driving. The male bartender approached the male patron's group and his friends stated that he did not have a car. The male bartender assured Investigators he would ensure Brian had safe transport home.
11. The male bartender stated to Investigators that he thought Brian entered the premises in his current state and had only one drink at the establishment. Investigators informed the male bartender that the male patron had been observed consuming three alcoholic beverages.
12. Investigators informed the male bartender of the violation and that a report would be filed with the Chief Investigator for further review.
13. Joseph Pratt II, Manager of Record, and Nicholas Pratt appeared at the Commission hearing. The Commission was informed the Licensee took this incident very seriously and met with all staff members, including intensive one-on-one meetings with the employees working on the night of the Investigator's visit. The Licensee created an Employee Handbook and went through the handbook thoroughly with employees, ensuring all read the handbook and signed an acknowledgment regarding having done so.
14. The Licensee has held a license under M.G.L. c. 138, § 12 since 1986 with one violation which occurred more than 15 years ago.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Therefore, the Commission **suspends the license for a period of 2 days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner *Crystal Matthews*

Deborah Baglio, Commissioner *Deborah A Baglio*

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

Dated: May 24, 2022

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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2022-000021-ad-enf

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