



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**MAULIK CORP. D/B/A VALUE MART
435 ROUTE 28
HARWICH, MA 02646
LICENSE#: 00083-PK-0506 and 90274-PK-0506
VIOLATION DATE: 6/13/2022
HEARD: 11/01/2022**

Maulik Corp. d/b/a Value 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, November 1, 2022, 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 Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Minimum Purchase Age Compliance Check Field Report;
2. ABCC Form 43, Transfer of License Approval, 1/14/2014;
3. ABCC Licensing Authority Certification, Seasonal License Approved, 5/27/2022;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

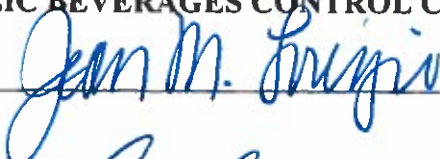
1. On Monday, June 13, 2022, at approximately 4:11 p.m., Investigators Binienda and Velez ("Investigators"), inspected the business operation of Maulik Corp. d/b/a Value Mart.
2. An underage operative, working under the supervision of Investigators, purchased alcoholic beverages, one 6-pack of White Claw hard seltzer, for eleven dollars and forty-nine cents (\$11.49). The underage operative was not asked to produce identification.
3. Bahecharbhai Patel, Licensee, appeared at the Commission hearing. The Commission was informed the clerk who made the sale to the underage operative is no longer allowed to process sales, the Licensee is requiring recertification of all employees via TIPS training and has purchased a state-of-the-art scanner.

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: November 15, 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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2022-000128-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Nicholas Velez, Investigator
Jamie Binienda, Investigator
Matthew Porter, Esq.
Administration, File