

Chairman

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

NOTICE OF SUSPENSION

November 25, 2024

ANRUSH LLC D/B/A BRADFORD LIQUORS 91 SOUTH MAIN STREET HAVERHILL, MA 01835 LICENSE#: 89261-PK-0520

VIOLATION DATE: 9/28/2023

HEARD: 4/09/2024

After a hearing on April 9, 2024, the Commission found Anrush LLC d/b/a Bradford Liquors violated M.G.L. Ch. 138, § 23 Unlawful Purchase: No license issued under §§ 12, 14, or 15 and no certificate of fitness issued under § 30 shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under §§ 18, 19, or 19F or 19C or from a holder of a special permit to sell issued under § 22A. The Commission SUSPENDS the license for a period of twenty (20) days of which seven (7) days will be served, and thirteen (13) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission. Regulations are found by this Commission.

The suspension shall commence on Monday, January 27, 2025, and terminate on Sunday, February 2, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, January 6, 2025, at 9:00 A.M. It will be returned to the licensee on February 3, 2025.

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

Telephone: (617) 727-3040 * Fax: (617) 727-1510 * www.mass.gov/abcc

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यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए Dokiman sa a enpòtan epi li ta dwe tradwi touswit 'Đây là tài liệu quan trọng và cần được dịch ngay' ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែដាបន្ទាន់។

2023-000249-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Associate General Counsel
David Bolcome, Investigator
Melissa Anderson, Investigator
Stephen V. Miller, Esq.
Administration, File



Chairman

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

DECISION

ANRUSH LLC D/B/A BRADFORD LIQUORS 91 SOUTH MAIN STREET HAVERHILL, MA 01835 LICENSE#: 89261-PK-0520

VIOLATION DATE: 9/28/2023

HEARD: 4/09/2024

Anrush LLC d/b/a Bradford Liquors ("Licensee" or "Bradford Liquors") holds an alcoholic beverages retail package store 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, April 9, 2024, regarding an alleged violation of M.G.L. Ch. 138, § 23 Unlawful Purchase: No license issued under §§ 12, 14, or 15 and no certificate of fitness issued under § 30 shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under §§ 18, 19, or 19F or 19C or from a holder of a special permit to sell issued under § 22A. Prior to the commencement of the hearing, the Licensee stipulated to the facts in Investigator Bolcome's report.

The following documents are in evidence:

- 1. Investigator Bolcome's Report;
- 2. Photographs of Alcoholic Beverages Cases with labels for Wine and Beer at The Andovers;
- 3. Photographs of Alcoholic Beverages Cases with labels for Main Street Liquors;
- 4. Photographs of Alcoholic Beverages Cases with labels for Shamrock Liquors;
- 5. Photographs of Alcoholic Beverages Cases with labels for Mcaloon's Package;
- 6. Photographs of Alcoholic Beverages Cases with labels for Groveland Market & Liquor;
- 7. Violation Report for Anrush LLC, 7/2020;
- 8. ABCC Updated Advisory Re: Consolidated Buying, 8/4/2017;
- 9. ABCC Application Summary, Transfer of License Approved 2/6/2018;
- 10. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, September 28, 2023, Investigators Anderson and Bolcome ("Investigators") conducted an inspection of Anrush LLC d/b/a Bradford Liquors ("Licensee" or "Bradford Liquors") and to investigate a complaint filed with this Commission.

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- 2. At approximately 4:30 p.m., Investigators entered the licensed premises. They observed next to the cashier's counter a case of Tito's Vodka which had a label on it for Groveland Market & Liquors.
- 3. Investigators spoke to the clerk on duty and inquired about the case of Tito's vodka and the label with a different licensee's name. He indicated that the owner ordered all the inventory and he said he was unsure why the case was there.
- 4. Investigators then inspected the basement area of the premises and continued to inspect the licensee's inventory. They observed additional cases of alcoholic beverages which had labels with names of other licensees affixed to them. Investigators also observed 38 cases with labels that were ripped, peeled or altered, indicating an attempt to conceal another licensee's name.
- 5. Investigators found 17 cases with labels addressed to other licensees. These licensees included:
 - Groveland Market & Liquor;
 - Main Street Liquors;
 - McAloon's Package;
 - Wine & Beer at the Andovers;
 - Shamrock Liquors.
- 6. Investigators advised the clerk of the violation and that a violation report would be filed with the Chief Investigator for review. The clerk then identified Alpesh Patel as the manager who ordered the alcohol for Bradford Liquors.
- 7. Alpesh Patel is not an approved manager of record or owner of Bradford Liquors.
- 8. The Licensee has held a license under M.G.L. c. 138, § 15 since 2018.

CONCLUSION

Based on the evidence, the Commission finds Anrush LLC d/b/a Bradford Liquors violated M.G.L. Ch. 138, § 23 Unlawful Purchase: No license issued under §§ 12, 14, or 15 and no certificate of fitness issued under § 30 shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under §§ 18, 19, or 19F or 19C or from a holder of a special permit to sell issued under § 22A. As a result, the Commission SUSPENDS the license for a period of twenty (20) days of which seven (7) days will be served and thirteen (13) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman

Crystal Matthews, Commissioner _

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Deborah A. Baglio, Commissioner

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Dated: November 25, 2024

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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