

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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

July 1, 2024

ANRUSH LLC D/B/A BRADFORD LIQUORS
91 SOUTH MAIN STREET
HAVERHILL, MA 01835
LICENSE#: 89261-PK-0520
VIOLATION DATES: 8/11/2018 to 7/14/2020
HEARD: 4/05/2022

After a hearing on April 5, 2022, the Commission finds Anrush LLC d/b/a Bradford Liquors violated:

- 1) M.G.L. Ch. 138, § 2 Unlawful Importation: No person shall manufacture, with intent to sell, sell or expose or keep for sale, store, transport, import or export alcoholic beverages or alcohol, except as authorized by this Chapter;
- 2) M.G.L. Ch. 138, § 23 Unlawful Purchase: No license issued under section 12, 14, or 15, and no certificate of fitness issued under section 30 shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under section 18, 19, or 19F or 19C or from a holder of a special permit to sell issued under section 22A;
- 3) M.G.L. Ch. 138 § 18 Unlawful Shipment: In order to ensure the necessary control of traffic in alcoholic beverages for the preservation of the public peace and order, the shipment of such beverages into the Commonwealth, except as provided in this section and section 19F, is hereby prohibited;
- 4) M.G.L. Ch. 138, § 22 Unlawful Transportation: Licensees for the sale of alcoholic beverages or alcohol, may transport and deliver anywhere in the Commonwealth alcoholic beverages or alcohol lawfully bought or sold by them, in vehicles owned or leased by them or their employees, if each vehicle used for such transportation and delivery is covered by a permit issued by the Commission;
- 5) M.G.L. Ch. 138 § 2 Unlawful Exposing or Keeping for Sale: No person shall manufacture, with intent to sell, sell or expose or keep for sale, store, transport, or import or export alcoholic beverages or alcohol, except as authorized by this chapter.

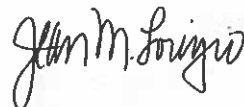
The Commission **SUSPENDS** the license for a period of sixty (60) days of which thirty (30) days will be served and thirty (30) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.

The suspension shall commence on Monday, August 19, 2024, and terminate on Tuesday, September 17, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, August 19, 2024 , at 9:00 A.M. It will be returned to the licensee on Wednesday, September 18, 2024.

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

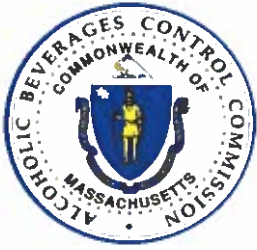


Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
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2021-000067-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Robert Gardner, Investigator
Joseph Di Cicco, Investigator
David Bolcome, Investigator
Dennis Keefe, Investigator
Katelyn Quinn, Investigator
Stephen V. Miller, Esq.
Administration, File



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DECISION

ANRUSH LLC D/B/A BRADFORD LIQUORS
91 SOUTH MAIN STREET
HAVERHILL, MA 01835
LICENSE#: 89261-PK-0520
VIOLATION DATES: 8/11/2018 to 7/14/2020
HEARD: 4/05/2022

Anrush LLC d/b/a Bradford Liquors ("Licensee" or "Bradford") holds an all-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 5, 2022, regarding alleged violations of:

- 1) M.G.L. Ch. 138, § 2 Unlawful Importation: No person shall manufacture, with intent to sell, sell or expose or keep for sale, store, transport, import or export alcoholic beverages or alcohol, except as authorized by this chapter;
- 2) M.G.L. Ch. 138, § 23 Unlawful Purchase: No license issued under section twelve, fourteen, or fifteen, and no certificate of fitness issued under section thirty shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under section 18, 19, or 19F or 19C or from a holder of a special permit to sell issued under section twenty-two A;
- 3) M.G.L. Ch. 138 § 18 Unlawful Shipment: In order to ensure the necessary control of traffic in alcoholic beverages for the preservation of the public peace and order, the shipment of such beverages into the Commonwealth, except as provided in this section and section 19F, is hereby prohibited;
- 4) M.G.L. Ch. 138, § 22 Unlawful Transportation: Licensees for the sale of alcoholic beverages or alcohol, may transport and deliver anywhere in the Commonwealth alcoholic beverages or alcohol lawfully bought or sold by them, in vehicles owned or leased by them or their employees, if each vehicle used for such transportation and delivery is covered by a permit issued by the commission;
- 5) M.G.L. Ch. 138 § 2 Unlawful Exposing or Keeping for Sale: No person shall manufacture, with intent to sell, sell or expose or keep for sale, store, transport, or import or export alcoholic beverages or alcohol, except as authorized by this chapter;
- 6) 204 CMR 2.06 (9) No false, deceptive or misleading statement shall be made or used, or shall be permitted to be made or used, by any licensee on any label on any keg, cask, barrel,

bottle or other container of any alcoholic beverages.

Prior to the commencement of the hearing, the Licensee stipulated to the facts in Investigator Gardner's report.

The following documents are in evidence:

1. Investigator Gardner's Report;
2. Bank Statements for 2018, 2019, & 2020;
3. New Hampshire Liquor Store receipts from 2018, 2019, & 2020;
4. Wholesalers Invoices to Anrush LLC;
5. Main Street Liquors to Bradford Liquors Ledger and Bradford Liquors to Richdale Ledger;
6. Wholesalers Invoices to Ahpp LLC;
7. Wholesalers Invoices to Kunj LLC;
8. Wholesalers Invoices to Yakshil LLC;
9. ABCC Application Summary Review, Transfer of License Approval, 2/6/2018;
10. Licensee's Stipulation of Facts.

A. Award to Bradford Liquors Best Liquor Store of the Region.

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

FINDINGS OF FACT

1. On July 1, 2020, the Enforcement Division of the ABCC received a complaint that Anrush LLC d/b/a Bradford Liquors ("Licensee" or "Bradford") was purchasing liquor from out of state using a U-Haul truck.
2. Prior to July 1, 2020, complaints had been received regarding Bradford Liquors. On December 27, 2019, Investigators Bolcome and Di Cicco conducted an investigation into the complaint. During the investigation, one of the owners stated to Investigators that he had transferred alcoholic beverages between locations in the past. Investigators warned him that such transfers of stock were not allowed and advised him to review Commission rules and regulations.
3. On Tuesday, July 7, 2020, at approximately 9:30 a.m., Investigator Di Cicco ("Investigator") conducted surveillance outside of Bradford Liquors and observed a Horizon Distributors truck delivering alcoholic beverages via the rear door to the licensed premises.
4. While Horizon was making its delivery, Investigator Di Cicco observed a U-Haul truck with a male driver parked in a McDonalds parking lot, located one lot over from Bradford Liquors. At approximately 9:48 a.m., Di Cicco observed the Horizon truck pull out of Bradford's rear lot, and the U-Haul truck back into the rear lot of Bradford Liquors.
5. Investigator Di Cicco contacted Haverhill Police Detective Kyle McCann and he joined the investigation. They were later joined by ABCC Investigators Bolcome, Keefe, Quinn, and Gardner ("Investigators").

6. Investigator Di Cicco and Detective McCann observed boxes of alcoholic beverages being loaded into the U-Haul truck. As the truck began to pull away, Investigators identified themselves to the male driver and requested that he back up into Bradford's rear lot.
7. Investigators observed a male individual, Alpesh Patel, standing near the rear door of the establishment. Investigators identified themselves and asked to see the required transportation permit for the U-Haul truck. They were informed they did not have a transportation permit. Investigators observed a large quantity of alcoholic beverages and a subsequent inventory indicated there were 212 cases of alcohol in the U-Haul truck.
8. The driver of the U-Haul truck informed Investigators he was going to deliver the contents of the U-Haul truck to Main Street Liquors in Tewksbury. He stated he had been working for Mr. Patel for approximately two weeks.
9. Investigators interviewed Mr. Alpesh Patel who stated that the alcoholic beverages exposed for sale in Bradford Liquors had been purchased from New Hampshire liquor stores. Mr. Patel explained the case costs of the New Hampshire liquor stores in comparison to the Massachusetts wholesale prices. Patel stated that he has been purchasing alcohol in New Hampshire once a week for the past two years and has been sharing the inventory with other stores to keep costs down.
10. Mr. Patel stated that he was sending the alcohol that was purchased in New Hampshire to Main St Liquors in Tewksbury and Jessy's Liquors in West Bridgewater.
11. Commission records indicate that Mr. Patel is the manager of record and/or has partial ownership of Main Street Liquors in Tewksbury and Jessy's Liquors in West Bridgewater. Mr. Patel informed Investigators that he was part of the ownership at Plaza Liquors and Methuen Package, both located in Methuen.
12. Investigators then asked Mr. Patel about the ownership structure for Bradford Liquors. Patel stated his wife, Swetal Patel, owns the store and he is a "part co-owner." Mr. Patel advised Investigators that he has been working at the establishment since March 2018 and he hires and fires employees, orders the alcohol, and manages the day-to-day operations.
13. Neither Commission records nor the Secretary of the Commonwealth's Corporations Division records indicate that Alpesh Patel is manager of record or a beneficial interest holder in Bradford Liquors.
14. At the Bradford location, Investigators were provided with credit card statements and/or receipts confirming frequent alcohol purchases from New Hampshire liquor stores, as well as receipts from New Hampshire liquor stores.
15. Investigators also received invoices with hand-written notes showing different amounts of alcohol being transferred to other individuals and other § 15 locations as well as two ledgers with writing on the covers indicating "Bradford to Main Street and Main Street to Bradford" and "Bradford to Richdale and Richdale to Bradford." These ledgers contained entries detailing the alcohol being transferred between the § 15 retail package store locations.

16. Investigators then traveled to AHPP LLC d/b/a Main Street Liquors, 391 Main St., Tewksbury to view its inventory. Inside the licensed premises, Investigators observed cases of alcoholic beverages with labels indicating they had originally been delivered to Bradford Liquors and Shawsheen Village. Investigators observed a blow torch which Mr. Patel admitted he used to remove labels from cases and attach them to others.
17. Investigators inspected the upstairs office in Main Street Liquors and observed multiple cases of alcoholic beverages, later confirmed to be from the Bradford Liquors premises. Investigators were provided with invoices that, as with those found at Bradford Liquors, contained handwritten notes detailing alcohol being transferred between other § 15 retail package store locations.
18. Investigators advised the manager, Pathik Patel, of their investigation. Mr. Pathik stated that he was unaware of the New Hampshire liquor store purchases and transfers of alcohol between stores.
19. Investigators next traveled to Kunj LLC d/b/a Groveland Liquor, 1 Washington St., Groveland where they viewed the sales floor and storage room. Investigators observed cases of alcoholic beverages with labels which indicated the cases had been delivered to Main Street Liquors, Shawsheen Liquors, and Bradford Liquors.
20. Investigators observed several cases of alcoholic beverages with torn-off labels or partially torn-off labels, and one that appeared burned off, as well as handwritten names of other § 15 retail package store locations. Investigators also observed several Groveland Market & Liquors labels torn off and balled together.
21. Investigators were again provided with invoices with handwritten notes detailing alcohol being transferred to other § 15 retail package store locations.
22. Later in the evening of July 7th, Investigators spoke with Alpesh Patel and Pathik Patel via telephone and inquired as to why labels were being removed from the cases of alcoholic beverages. Mr. Alpesh stated that they removed the labels with a blow torch or peeled them off and then would attach a label of the store to which the alcohol was being transferred, so the alcohol would appear to have been purchased by and delivered to that § 15 retail package store location.
23. On Friday, July 10, 2020, Investigators traveled to Mohil LLC d/b/a Jessy's Liquors, 387 West Center Street, West Bridgewater and viewed the sales floor and storage room. Investigators observed a few cases of alcoholic beverages with missing labels, and some cases where labels had been torn off.
24. On Tuesday, July 14, 2020, Investigators traveled to Yakshil LLC d/b/a Wine & Beer at the Andovers, 350 Winthrop Avenue, North Andover where they viewed the sales floor, storage room, and office. They observed multiple cases of alcoholic beverages with labels from other § 15 retail package store locations. Investigators were provided with invoices with handwritten notes detailing alcohol being transferred to other § 15 retail package store locations.

25. The Licensee has held a license under M.G.L. c. 138, § 15 since 2018 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds NO VIOLATION of 204 CMR 2.06 (9) No false, deceptive or misleading statement shall be made or used, or shall be permitted to be made or used, by any licensee on any label on any keg, cask, barrel, bottle or other container of any alcoholic beverages.

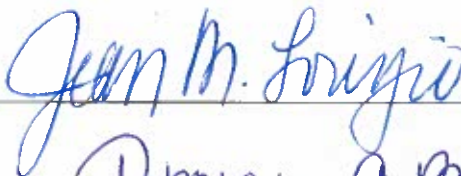
Based on the evidence, the Commission finds Anrush LLC d/b/a Bradford Liquors violated:

- 1) M.G.L. Ch. 138, § 2 Unlawful Importation: No person shall manufacture, with intent to sell, sell or expose or keep for sale, store, transport, import or export alcoholic beverages or alcohol, except as authorized by this Chapter;
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On violations found above, the Commission **SUSPENDS the license for a period of sixty (60) days of which thirty (30) days will be served and thirty (30) 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



Deborah A. Baglio, Commissioner



Dated: July 1, 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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