



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

Jean M. Lorizio, Esq.
Chairman

DECISION

E & S GROUP, INC. D/B/A HINGHAM LIQUORS
118 MAIN STREET
HINGHAM, MA 02043
LICENSE#: 00051-RS-0026
VIOLATION DATE: 4/25/2024
HEARD: 8/13/2024

E & S Group, Inc. d/b/a Hingham Liquors ("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, August 13, 2024, regarding alleged violation of M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). 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. Investigative Report of N. Velez;
2. ABCC Form 43, Transfer of License Approval, 12/2/1994;
3. Photograph of Fraudulent Driver's License;
4. Licensee's Stipulation of Facts.

A. Licensee's Statement & Supporting Documents (3 pages).

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

FINDINGS OF FACT

1. On Thursday, May 2, 2024, at approximately 7:15 p.m., Investigators Gould, Smiddy, and Velez ("Investigators") conducted surveillance of E & S Group, Inc. d/b/a Hingham Liquors ("Licensee" or "Hingham Liquors") to determine the way its business was being conducted.
2. Investigators observed a youthful appearing male individual exit a gray Volkswagen Golf motor vehicle and enter the licensed premises. Moments later, the same individual exited the establishment carrying one 12-pack of Coors Light beer. Investigators identified

themselves to the male and requested he provide proof of legal age to possess alcoholic beverages.

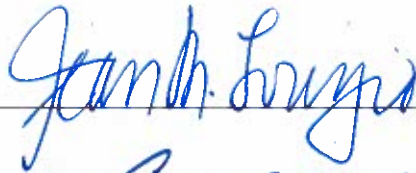
3. Underage #1, actual date of birth 8/27/2005 (age 18), provided Investigators with a fraudulent New Jersey driver's license bearing his name but a different birth date. He stated that he was not asked for any identification when he purchased the beer.
4. Investigators entered the licensed premises, identified themselves, and spoke with the clerk, advised him of the violation and that a report would be submitted to the Chief Investigator for further action.
5. Joseph Ierardi, President of the License entity, appeared at the Commission hearing. He testified that the clerk recognized Underage #1 as someone who had produced identification on prior occasions, so he didn't request it on this night. Mr. Ierardi stated that in 2023, they had upgraded their point-of-sale system to scan identifications and began accepting out of state identification, believing they would be able to rely on the scanner to identify fraudulent identifications. However, because of this incident, the Licensee has returned to their prior policy of only accepting Massachusetts identification or a U.S. Passport.
6. The Licensee has held a license under M.G.L. c. 138, § 15 since 1994, nearly 30 years, with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: November 26, 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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‘Đây là tài liệu quan trọng và cần được dịch ngay’

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2024-000119-ad-enf

cc: Local Licensing Board
Katherine McCormick, Esq., Associate General Counsel
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Brian Gould, Investigator
Sean Smiddy, Investigator
Administration, File