



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**HAYAN INC. D/B/A HINSDALE WINE & SPIRITS
70 SOUTH STREET
HINSDALE, MA 01237
LICENSE#: 894474-PK-0530
VIOLATION DATE: 6/22/2022
HEARD: 10/18/2022**

Hayan Inc. d/b/a Hinsdale Wine & Spirits ("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, October 18, 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 Smith's Report.

The following documents are in evidence:

1. Investigator Smith's Minimum Purchase Age Compliance Check Field Report, 6/22/2022;
2. ABCC Licensing Authority Certification, Transfer of License Approved, 11/20/2018;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, June 22, 2022, at approximately 6:47 p.m., Investigators David and Smith ("Investigators") inspected the business operation of Hayan Inc. d/b/a Hinsdale Wine & Spirits.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 24-ounce can of Bud Light beer for three dollars and fifty-four cents (\$3.54). The underage operative was not asked for identification.
3. Kirankumar Patel, Licensee, and Shauna Gilardi, Assistant Manager, appeared at the Commission hearing. Ms. Gilardi testified the Licensee has implemented new training procedures and purchased a new point-of-sale system which requires identification be scanned prior to all alcohol sales.

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

Deborah A. Baglio, Commissioner

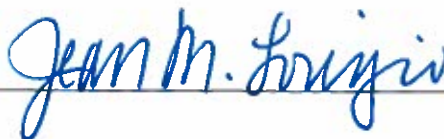


Crystal Matthews, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Jean M. Lorizio, Chairman



Dated: December 7, 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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2022-000130-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Nicole Smith, Investigator
John David, Investigator
Administration, File