



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**HOLDEN FUEL, INC.
1175 MAIN STREET
HOLDEN, MA 01520
LICENSE#: 00018-PK-0534
VIOLATION DATE: 5/24/2022
HEARD: 8/02/2022**

Holden Fuel Inc. ("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 2, 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 Kujawski's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Kujawski's Compliance Check Field Report;
2. ABCC Form 43, Transfer of License Approval, 1/26/2012;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Tuesday, May 24, 2022, at approximately 6:36 p.m., Investigators Gould and Kujawski ("Investigators"), inspected the business operation of Holden Fuel Inc.
2. An underage operative, working with Investigators, purchased an alcoholic beverage, one can of Bud Light beer, for two dollars and twenty-four cents (\$2.24). The underage operative was not asked for identification.
3. Carlos Elkoury, Manager, and Richard Davenport, General Manager, appeared at the Commission hearing on behalf of the Licensee. The Licensee took steps to ensure all employees received TIPS certification.

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

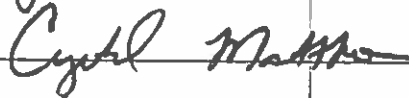
Deborah A. Baglio, Commissioner



Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Dated: August 5, 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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2022-000086-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Jan Kujawski, Investigator
Brian Gould, Investigator
Administration, File