



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

January 27, 2025

**KINGSTON FOOD & LIQUOR, INC.
58 SUMMER STREET
KINGSTON, MA 02364
LICENSE#: 89402-PK-0568
VIOLATION DATES: 7/26/2024
HEARD: 10/15/2024**

After a hearing on October 1, 2024, the Commission finds Kingston Food & Liquor, Inc. violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 Counts).

The Commission suspends the license for a period of two (2) days, of which one (1) day will be served and one (1) day will be held in abeyance for a period of two years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.

The suspension shall be served on Monday, March 10, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, March 10, 2025, at 9:00 A.M. It will be returned to the licensee on March 11, 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

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Dokiman sa a enpòtan epi li ta dwe tradwi touswit
‘Đây là tài liệu quan trọng và cần được dịch ngay’
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000172-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Esq., Associate General Counsel
Nicole Smith, Investigator
Melissa Anderson, Investigator
Nicole Terasconi, Investigator
Michael J. Rossi, Esq.
Administration, File



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DECISION

**KINGSTON FOOD & LIQUOR, INC.
58 SUMMER STREET
KINGSTON, MA 02364
LICENSE#: 89402-PK-0568
VIOLATION DATES: 7/26/2024
HEARD: 10/15/2024**

Kingston Food & Liquor, 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, October 15, 2024, regarding an alleged violation M.G.L. Ch.138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 Counts). 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 Report;
 2. ABCC Application Summary Review, Transfer of License Approved, 9/19/2018;
 3. Photograph of Fraudulent Identifications;
 4. Licensee's Stipulation of Facts.
- A. Three (3) Certificates of Completion- We Card Employee Training Course;
B. Photographs of Store Signage.

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

FINDINGS OF FACT

1. On Friday, July 26, 2024, Investigators Smith, Anderson, and Terasconi ("Investigators") inspected the business operation of Kingston Food & Liquor, Inc. ("Licensee").
2. At approximately 7:36 p.m., Investigators observed two youthful appearing male individuals exit the licensed premises in possession of two 12-packs of Arizona Hard Iced Tea, one 18-pack of Twisted Tea, and two sleeves of Dr. McGillucuddy's liqueur nips, which they placed in the back seat of a Toyota 4-Runner motor vehicle. Investigators approached the vehicle, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

3. Underage #1, actual date of birth 5/04/2007 (age 17), provided to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which he stated he used to purchase the alcoholic beverages.
4. Underage #2, actual date of birth 10/25/2006 (age 18), provided to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date which stated he used to purchase the alcoholic beverages.
5. Investigators entered the licensed premises and spoke to the clerk on duty. Investigators showed the fraudulent driver's licenses used to purchase the alcohol and the clerk indicated at the time of the sale he scanned their identifications and they passed. The clerk scanned the identifications in the presence of the Investigators and both passed.
6. Investigators informed the clerk of the violations and that a report would be submitted to the Chief Investigator for further review.
7. Mohammad Waheed, Licensee and Manager of Record, appeared at the Commission hearing. The Licensee testified he had existing policies regarding requesting and inspecting identification and employees had been trained, but has since added monthly training through We Card. In addition, all employees have been certified by the We Card training course. Signage has been placed in and around the licensed premises.
8. 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 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 (2 Counts). Therefore, the Commission **suspends the license for a period of two (2) days, of which one (1) day will be served and one (1) day will be held in abeyance for a period of two years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner

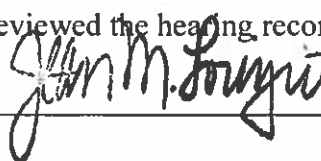


Crystal Matthews, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman



Dated: January 27, 2025

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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