

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**KINGSTON LIQUORS INC.
179 SUMMER STREET
KINGSTON, MA 02364
LICENSE#: 00012-PK-0546
VIOLATION DATE: 6/02/2022
HEARD: 9/13/2022**

Kingston Liquors 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, September 13, 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 Cutter's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Cutter's Minimum Purchasing Age Compliance Check Field Report, 6/2/2022;
2. ABCC License Transfer Approved, 7/1/1969;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

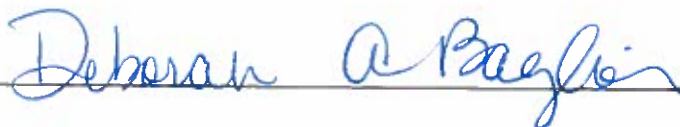
1. On Thursday, June 2, 2022, at approximately 6:05 p.m., Investigators Kenny and Cutter ("Investigators"), inspected the business operation of Kingston Liquors Inc.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one can of Coors Light beer, for one dollar and sixty cents (\$1.60). The underage operative was not asked for identification.
3. William White, President of the Licensee entity and store manager, appeared at the Commission hearing and testified that the employee who sold the alcohol to the underage operative was new and was terminated after the incident. Mr. White further testified that during the pandemic TIPS training was attended virtually. After the compliance check he scheduled and is requiring all employees attend an in-person TIPS training class. He explained that he retrained all employees with regard to the Licensee's policies.

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

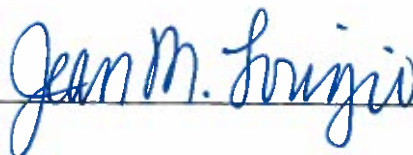


Crystal Matthews, Commissioner



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

Jean M. Lorizio, Chairman



Dated: October 12, 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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2022-000104-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Alicia Cutter, Investigator
Mark Kenny, Investigator
Administration, File