



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**LEICESTER PACKAGE STORE INC.
869 MAIN STREET
LEICESTER, MA 01524
LICENSE#: 000015-PK-0600
VIOLATION DATE: 4/12/2023
HEARD: 7/25/2023**

Leicester Package Store 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, July 25, 2023, 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 Investigators Velez & Binienda’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Velez & Binienda’s Minimum Purchase Age Compliance Check Field Report, 4/12/2023;
2. ABCC Form 43, Transfer of License Approval, 12/19/1991;
3. Licensee’s Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, April 12, 2023, at approximately 5:20 p.m., Investigators Binienda and Velez (“Investigators”) conducted a compliance check at Leicester Package Store Inc.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 24-ounce can of Twisted Tea malt beverage, for two dollars and ninety-nine cents (\$2.99). The underage operative was not asked for identification.
3. Ronald Canane, Licensee and Manager, appeared at the Commission hearing along with his employee who made the sale to the underage operative, and his son, Jeffrey Canane. The Commission was informed Mr. Canane has held a license at this location since 1958, converting to a corporation in 1991.

4. The Licensee has held a license under M.G.L. c. 138, § 15 since 1991 with no prior violations.

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. As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman Jean M. Lorizio

Crystal Matthews, Commissioner Crystal Matthews

Deborah A. Baglio, Commissioner Deborah A. Baglio

Dated: August 8, 2023

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Nick Velez, Investigator
Jamie Binienda, Investigator
Administration, File