

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

Jean M. Lorizio, Esq.
Chairman

DECISION

WH2008 INC. D/B/A CROSSROADS MARKETPLACE
1060 MAIN STREET
LEICESTER, MA 01524
LICENSE#: 90111-PK-0600
VIOLATION DATE: 6/28/2022
HEARD: 10/25/2022

WH2008 Inc. d/b/a Crossroads Marketplace ("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 25, 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 Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Minimum Purchase Age Compliance Check Field Report, 6/28/2022;
2. ABCC Licensing Authority Certification, Transfer of License Approved, 9/22/2021;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Tuesday, June 28, 2022, at approximately 4:43 p.m., Investigators Binienda and Velez ("Investigators"), inspected the business operation of WH2008 Inc. d/b/a Crossroads Marketplace.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 24-ounce can of White Claw Ruby hard seltzer for two dollars and ninety-nine cents (\$2.99). The underage operative was not asked for identification.
3. Wael Tawfik, Licensee, appeared at the Commission hearing and testified he continuously instructs employees to check identification. In addition, employees are trained to refer to the cash register which displays the date by which a person must have been born to make them twenty-one years of age or older.

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

Crystal Matthews, Commissioner

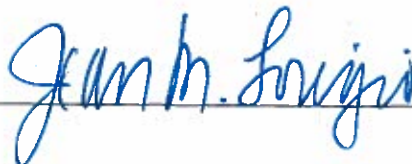


Deborah A. Baglio, Commissioner



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

Jean M. Lorizio, Chairman



Dated: November 14, 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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2022-000142-ad-enf

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