



*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

DECISION

**GERMANO INC. D/B/A FOUR SEASONS WINE & LIQUORS
328 EAST STREET
LUDLOW, MA 01056
LICENSE#: 0632-00032
VIOLATION DATE: 05/16/2017
HEARING DATE: 06/20/2017**

Germano Inc. d/b/a Four Seasons Wine & Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, June 20, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Di Cicco's Compliance Check Field Report;
3. Photograph of Underage Operative; and
4. 24-ounce can of Bud Light beer.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

1. On Tuesday, May 16, 2017, at approximately 5:57 p.m., Investigators Kujawski and Di Cicco ("Investigators") investigated the business operation of Germano Inc. d/b/a Four Seasons Wine & Liquors.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a twenty-four ounce (24 oz.) can of Budweiser Light beer, for three dollars (\$3.00). The underage operative was not asked for identification.

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. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 15 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: June 20, 2017

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
Jan Kujawski, Investigator
Joseph Di Cicco, Investigator
Administration, File