



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**RIVERSIDE, INC.
54 CANAL STREET
MILLBURY, MA 01527
LICENSE#: 00032-PK-0712
VIOLATION DATE: 4/19/2023
HEARD: 7/25/2023**

Riverside, 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, 4/19/2023;
2. ABCC Form 43, New License Approval, 4/10/2001;
3. Licensee’s Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, April 19, 2023, at approximately 5:20 p.m., Investigators Binienda and Velez (“Investigators”) conducted a compliance check at Riverside, Inc.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 16.9-ounce container of Beatbox Blue Razzberry Party Punch malt beverage, for four dollars and ninety-nine cents (\$4.99). The underage operative was not asked for identification.
3. Mr. Fadi El-Massih, Licensee, appeared at the Commission hearing. Mr. El-Massih testified he changed his software system which now requires employees to scan an identification prior to making a sale.

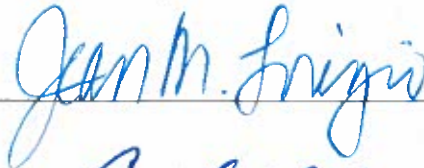
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2001 with no prior violations.

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



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



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