



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

Jean M. Lorizio, Esq.
Chairman

DECISION

MONSON MARKETS INC. D/B/A ADAMS DISCOUNT LIQUORS
115 MAIN STREET
MONSON, MA 01057
LICENSE#: 00012-PK-0734
VIOLATION DATE: 6/14/2022
HEARD: 11/15/2022

Monson Markets Inc. d/b/a Adams Discount Liquors ("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, November 15, 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 Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Minimum Purchase Age Compliance Check Field Report;
2. ABCC Form 43, License Transfer Approval, 7/24/2001;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Tuesday, June 14, 2022, at approximately 6:49 p.m., Investigators Fleming and Keefe ("Investigators"), conducted a compliance check at Monson Markets Inc. d/b/a Adams Discount Liquors.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one bottle of E & J Brandy for thirteen dollars and ninety-nine cents (\$13.99). The underage operative was not asked for identification.
3. Investigator Keefe notified the clerk of the violation and that a report would be filed with the Chief Investigator for further action.
4. Michael Butler, Store Manager, and Sherrie Palmer, Vice President of Retail Operations, appeared at the Commission hearing. Ms. Palmer testified regarding the store's policies and procedures. The store's sale system prompts for the entry of a customer's date of birth

and employees are trained to request identification from any patron who appears to be 40 years of age or younger. In this instance, the clerk failed to follow policy. He did not request identification and entered a fictitious date. The clerk has since been terminated. Ms. Palmer testified the policies and procedures have been reviewed with all employees.

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

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

Deborah Baglio, Commissioner

Deborah A. Baglio

Dated: February 7, 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
Dennis Keefe, Investigator
Sean Fleming, Investigator
Administration, File