

Jean M. Lorizio, Esq.  
Chairman

*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
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NOTICE OF SUSPENSION

December 13, 2017

**NEW BEDFORD LIQUOR CO., INC. D/B/A SILVA'S DISCOUNT LIQUORS  
452 MT. PLEASANT ST.  
NEW BEDFORD, MA 02746  
LICENSE#: 0778-00175  
VIOLATION DATE: 9/08/2017  
HEARD: 12/12/2017**

After a hearing on December 12, 2017, the Commission finds New Bedford Liquor Co., Inc. d/b/a Silva's Discount Liquors violated of M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts).

Therefore, the Commission **suspends the license for seven (7) days of which two (2) days will be served and five (5) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

**The suspension shall commence on Wednesday, January 31, 2018 and terminate on Thursday, February 1, 2018.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 31, 2018 at 9:00 A.M. It will be returned to the Licensee on February 2, 2018.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

A handwritten signature in cursive script that reads "Jean M. Lorizio".

Jean M. Lorizio  
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Lisa Lordan, Investigator  
Jamie Binienda, Investigator  
Administration, File



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## DECISION

**NEW BEDFORD LIQUOR CO., INC. D/B/A SILVA'S DISCOUNT LIQUORS  
452 MT. PLEASANT ST.  
NEW BEDFORD, MA 02746  
LICENSE#: 0778-00175  
VIOLATION DATE: 9/08/2017  
HEARD: 12/12/2017**

New Bedford Liquor Co., Inc. d/b/a Silva's Discount 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, December 12, 2017, regarding an alleged violation of M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts).

Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Lordan's report.

The following documents are in evidence:

1. Investigator Lordan's Amended Investigative Report; and
2. Licensee's Stipulation of Facts.

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

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

## FINDINGS OF FACT

1. On Friday, September 8, 2017, at approximately 5:45 p.m., Investigators Binienda and Lordan ("Investigators") conducted an investigation of the business operation of New Bedford Liquor Co., Inc. d/b/a Silva's Discount Liquors to determine the manner in which its business was being conducted.
2. While outside of the licensed premises, Investigators observed two youthful appearing individuals in possession of an alcoholic beverage. Investigators observed these two individuals place the alcoholic beverages in the trunk of a grey Honda Accord.

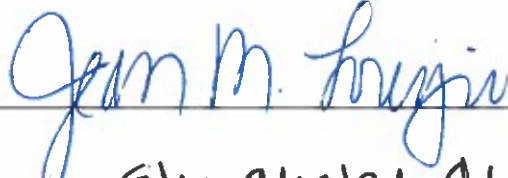
3. Investigators approached the youthful appearing individuals, identified themselves, and asked for proof of legal age.
4. Underage #1, actual date of birth 10/23/1996 (age 20) stated he had not been asked for any identification.
5. Underage #2, actual date of birth 5/16/1997 (age 20) stated to Investigators that he had a fake Connecticut driver's license, but he had not been asked for any identification by the clerk.
6. Investigators took possession of the alcoholic beverages: three bottles of Smirnoff vodka, one case of Twisted tea malt beverage, and one case of Seagram's malt liquor coolers.
7. Investigators informed the clerk on duty, Kristen Gindberg, of the importance of verifying the identity of individuals purchasing alcohol.
8. Investigators informed Ms. Gindberg of the above violations and that a report would be filed with the Chief Investigator for further action.

CONCLUSION

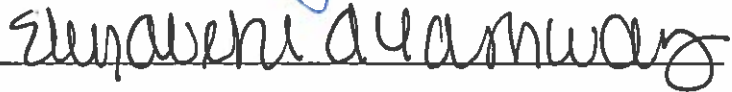
Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts). Therefore, the Commission **suspends the license for seven (7) days of which two (2) day will be served and five (5) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: December 13, 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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