

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
Facsimile: 617-727-1510*

NOTICE OF SUSPENSION

March 21, 2018

**EASTERN BEVERAGE GROUP INC.
D/B/A NEWTON WAREHOUSE WINE & SPIRITS
241 NEEDHAM STREET
NEWTON, MA 02465
LICENSE#: 0800-00098
VIOLATION DATE: 11/22/2017
HEARD: 03/20/2018**

After a hearing on March 20, 2018, the Commission finds Eastern Beverage Group Inc. d/b/a Newton Warehouse Wine & Spirits 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 (1 count).

Therefore, the Commission **suspends the license for five (5) days of which one (1) day will be served and four (4) 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, May 9, 2018 and terminate on Wednesday, May 9, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, May 9, 2018 at 9:00 A.M. It will be returned to the Licensee on Thursday, May 10, 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, reading "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
Dennis Keefe, Investigator
Joseph Di Cicco, Investigator
Administration, File



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DECISION

**EASTERN BEVERAGE GROUP INC.
D/B/A NEWTON WAREHOUSE WINE & SPIRITS
241 NEEDHAM STREET
NEWTON, MA 02465
LICENSE#: 0800-00098
VIOLATION DATE: 11/22/2017
HEARD: 03/20/2018**

Eastern Beverage Group Inc. d/b/a Newton Warehouse Wine & Spirits (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, March 20, 2018, 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 (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Keefe's report.

The following documents are in evidence:

1. Investigator Keefe's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. Photocopy of False Identification and RMV Printout.

A. Receipt for Repair of Scanner.

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

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

FINDINGS OF FACT

1. On Wednesday, November 22, 2017, Investigators Di Cicco and Keefe ("Investigators") conducted an investigation of the business operation of Eastern Beverage Group Inc. d/b/a Newton Warehouse Wine & Spirits to determine the manner in which its business was being conducted.

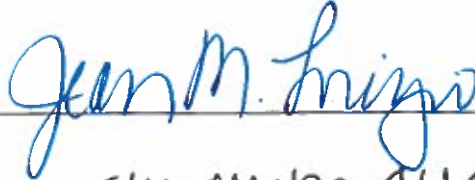
2. At approximately 9:07 p.m., while outside the licensed premises, Investigators observed a youthful appearing male individual exit the store in possession of alcoholic beverages. Investigators identified themselves and asked for proof of legal age.
3. Underage #1, actual date of birth 8/4/1999 (age 18) was in possession of a 12-pack of Bud Light beer. He provided Investigators with a fraudulent Maine driver's license which he had used to purchase the alcohol.
4. Investigators brought the underage male into the store where he identified the clerk on duty, Peter Griff, as the person who sold him the alcoholic beverages.
5. Investigators spoke with the owner, Doug, via telephone and advised him of the violation 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 (1 count). Therefore, the Commission **suspends the license for five (5) days of which one (1) day will be served and four (4) 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

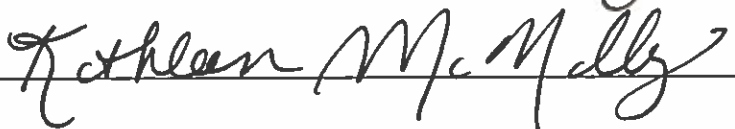
Jean M. Lorizio, Chairman



Elizabeth Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: March 21, 2018

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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