



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**B.D. GUPTA CORP. D/B/A 732 EXPRESS
732 MAIN STREET
OXFORD, MA 01540
LICENSE#: 89445-PK-0944
VIOLATION DATE: 7/31/2019
HEARD: 11/05/2019**

B.D. Gupta Corp. d/b/a 732 Express (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, November 5, 2019, 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 (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gould's Report.

The following documents are in evidence:

1. Investigator Gould's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Copy of License Transfer Approval, 11/16/2018.

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

FACTS

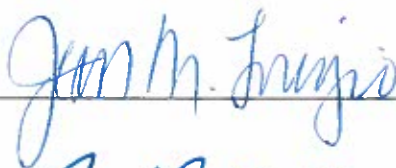
1. On Wednesday, July 31, 2019, at approximately 4:27 p.m., Investigators Kujawski and Gould ("Investigators") conducted an investigation of the business operation B.D. Gupta Corp. d/b/a 732 Express.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 24-ounce bottle of Bud Light beer. The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2018 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 (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Kathleen McNally, Commissioner



Dated: November 5, 2019

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
Brian Gould, Investigator
Jan Kujawski, Investigator
Ankit Gupta
Administration, File