



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

**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**GANSHYAM INC. D/B/A HARTES PACKAGE & VARIETY STORE  
47 DALTON AVENUE  
PITTSFIELD, MA 01201  
LICENSE#: 00107-PK-0974  
VIOLATION DATE: 6/22/2022  
HEARD: 10/18/2022**

Ganshyam Inc. d/b/a Hartes Package & Variety Store ("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, October 18, 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 Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Minimum Purchase Age Compliance Check Field Report, 6/22/22;
2. ABCC Form 43 License Transfer Approved, 12/27/2002;
3. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Wednesday, June 22, 2022, at approximately 7:05 p.m., Investigators Teehan and Velez ("Investigators") inspected the business operation of Ganshyam Inc. d/b/a Hartes Package & Variety Store.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 24-ounce can of Bud Light beer for three dollars (\$3.00). The underage operative was not asked for identification.
3. Pinal Shah, Licensee, appeared at the Commission hearing and testified he has since made changes to prevent the sale of alcoholic beverages to underage individuals in the future. These changes include prompt TIPS training for all employees, added safeguards to the point-of-sale system, and extra reminders to all employees to check identification.

## 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. Therefore, the Commission issues a **WARNING**.

## **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Deborah A. Baglio, Commissioner

*Deborah A. Baglio*

Crystal Matthews, Commissioner

*Crystal Matthews*

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

Jean M. Lorizio, Chairman

*Jean M. Lorizio*

Dated: November 22, 2022

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.

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto immediatamente.  
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。

2022-000131-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Nicholas Velez, Investigator  
Michael Teehan, Investigator  
Administration, File