



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

Jean M. Lorizio, Esq.
Chair

DECISION

**MAYFLOWER BREWING COMPANY
12 RESNIK ROAD
PLYMOUTH, MA 02360
LICENSE#: WM-LIC-000445
VIOLATION DATE: July 24, 2020, through November 16, 2022
HEARD: 5/16/2023**

Mayflower Brewing Company (“Licensee”) holds a wine and malt beverages wholesaler’s and importer’s license issued pursuant to M.G.L. c. 138, § 18. The Alcoholic Beverages Control Commission (“ABCC” or “Commission”) held a remote hearing via Microsoft Teams on Tuesday, May 16, 2023, regarding an alleged violation of Ch. 138, § 25 It shall be unlawful for any licensee under this chapter to receive or extend credit, directly or indirectly, for alcoholic beverages sold or delivered to any licensee engaged in the sale of alcoholic beverages except in the usual course of business and for a period of not more than 60 days. The credit period shall be calculated from the date of the delivery of the alcoholic beverages to the purchaser to the date when the purchaser discharges in full the indebtedness for which the credit was extended. If any licensee does not discharge in full any such indebtedness within such 60-day period, the indebtedness shall be overdue and such licensee shall be delinquent within the meaning of this section. Within three days after a licensee becomes delinquent, the licensee who extended the credit shall mail a letter of notice by certified mail to the commission and a copy thereof to the delinquent licensee.

Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gardner’s Report.

The following documents are in evidence:

1. Investigator Gardner’s Report;
2. Licensee’s 2016 Wholesaler license, 12/21/2016;
3. UL Enterprises Inc. Transfer of License approval, 9/12/1995;
4. Accela Summary page for UL Enterprises Inc.;
5. Licensee’s Invoices;
6. Licensee’s Statement;
7. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. Mayflower Brewing Company (“Mayflower”) holds a Ch. 138, § 18 wine and malt beverages wholesaler’s and importer’s license exercised at 12 Resnik Road, Plymouth, Massachusetts.
2. UL Enterprises Inc. d/b/a SLM Wines (“SLM Wines”) holds an all-alcoholic Ch. 138, § 15 retail package store license exercised at 431 South Street, Plainville, Massachusetts. The license was approved September 12, 1995.
3. On Wednesday, December 28, 2022, Investigator Gardner (“Investigator”), investigated a complaint filed by SLM Wines with this Commission. Investigator Gardner spoke with Tommy Lee, the manager of SLM Wines who reported that Mayflower had posted his business on the credit delinquency list in early November 2022 for an unpaid invoice from two years prior.
4. On January 4, 2023, Investigator Gardner spoke with Drew Brosseau, the owner and president of Mayflower about the complaint filed.
5. Mr. Brosseau stated that from May 2020 through September 2020, SLM Wines had accumulated seven unpaid invoices which totaled \$1,812.40. He stated he and his sales personnel made numerous attempts to resolve this matter with SLM Wines, including as recently as November 2022, but the invoices remained unpaid. Mr. Brosseau provided the Investigator with copies of the unpaid invoices.
6. Mr. Brosseau stated that he posted a credit delinquency notice against SLM Wines with M & S Service Bureau on November 16, 2022.
7. On November 17, 2022, SLM Wines paid the amount due to Mayflower and were removed from the credit delinquency list.
8. Investigator Gardner informed Mr. Brosseau of the violation and that a report would be filed with the Chief Investigator for review.
9. The Licensee has held a license under Ch. 138, § 18 since 2016 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated Ch. 138, § 25 It shall be unlawful for any licensee under this chapter to receive or extend credit, directly or indirectly, for alcoholic beverages sold or delivered to any licensee engaged in the sale of alcoholic beverages except in the usual course of business and for a period of not more than 60 days. The credit period shall be calculated from the date of the delivery of the alcoholic beverages to the purchaser to the date when the purchaser discharges in full the indebtedness for which the credit was extended. If any licensee does not discharge in full any such indebtedness within such 60-day period, the indebtedness shall be overdue and such licensee shall be delinquent within the meaning of this section. Within three days after a licensee becomes delinquent, the licensee who extended the credit shall mail a letter of notice by certified mail to the commission and a copy thereof to the delinquent licensee.

As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman Jean M. Lorizio

Crystal Matthews, Commissioner Crystal Matthews

Deborah A. Baglio, Commissioner Deborah A. Baglio

Dated: May 16, 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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2023-000026-ad-enf

- cc: Local Licensing Board
- Frederick G. Mahony, Chief Investigator
- Kyle E. Gill, Esq., Associate General Counsel
- Robert Gardner, Investigator
- Administration, File