



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**SALISBURY MINIMART INC.
192 ELM STREET
SALISBURY, MA 01952
LICENSE#: 00064-PK-1066
VIOLATION DATE: 5/02/2023
HEARD: 10/10/2023**

Salisbury Minimart Inc. ("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 10, 2023, 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 Investigators Bolcome and Anderson's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Bolcome and Anderson's Minimum Purchase Age Compliance Check Field Report, 5/2/2023;
 2. ABCC Form 43, New License Approval, 8/18/1998;
 3. Licensee's Stipulation of Facts.
- A. Employee Warning Notice.

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

FINDINGS OF FACT

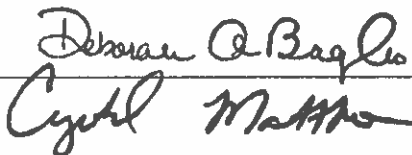
1. On Tuesday, May 2, 2023, at approximately 6:05 p.m., Investigators Bolcome and Anderson ("Investigators") conducted a compliance check at Salisbury Minimart Inc.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 23.5-ounce can of Four Loko malted beverage, for three dollars and nine cents (\$3.09). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 1998, more than twenty years, 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 years of age. As a result, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

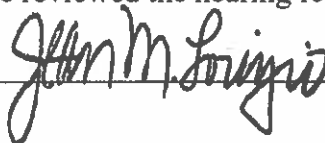
Deborah A. Baglio, Commissioner



Crystal Matthews, Commissioner

I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman



Dated: January 26, 2024

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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2023-000126-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Melissa Anderson, Investigator
David Bolcome, Investigator
Administration, File