



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

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

**DECISION**

**M. Z. SONS INC. D/B/A SANDWICH FOOD MART  
298 ROUTE 130  
SANDWICH, MA 02563  
LICENSE#: 1074-00064  
VIOLATION DATE: 7/15/2019  
HEARD: 9/24/2019**

M. Z. Sons Inc. d/b/a Sandwich Food Mart (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, September 24, 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 Binienda's Report.

The following documents are in evidence:

1. Investigator Binienda's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Copy of Application Approved 9/24/2008.

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

**FACTS**

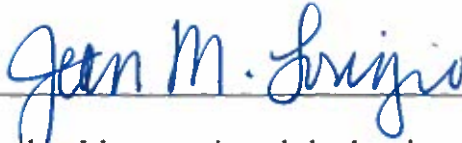
1. On Monday, July 15, 2019, at approximately 5:48 p.m., Investigators Velez and Binienda ("Investigators") investigated the business of M. Z. Sons Inc. d/b/a Sandwich Food Mart.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Budweiser beer for seven dollars and twenty-nine cents (\$7.29). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2008 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



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

Kathleen McNally, Commissioner



Dated: October 10, 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  
Jamie Binienda, Investigator  
Nick Velez, Investigator  
Administration, File