



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**NASTY NONNI'S WINE & SPIRITS INC.
325 MAIN STREET
SAUGUS, MA 01906
LICENSE#: 00037-PK-1078
VIOLATION DATE: 7/23/2019
HEARD: 11/05/2019**

Nasty Nonni's Wine & Spirits Inc. (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 Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Copy of License Transfer Approval, 7/12/2004.

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

FACTS

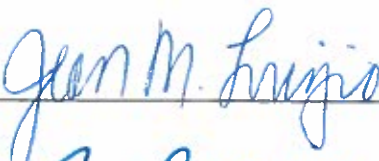
1. On Tuesday, July 23, 2019, at approximately 8:12 p.m., Investigators Keefe and Di Cicco ("Investigators") conducted an investigation of the business operation of Nasty Nonni's Wine & Spirits Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a can of Bud Light beer, for one dollar and fifty cents (\$1.50). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2004 with no prior violations.
4. The Licensee testified at the Commission hearing that he has retrained all employees regarding checking identifications.

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
Joe Di Cicco, Investigator
Dennis Keefe, Investigator
Administration, File