



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

June 28, 2022

**PRETZEL PUB INC. D/B/A DEL REY TAQUERIA BAR
211 WORTHINGTON STREET
SPRINGFIELD, MA 01103
LICENSE#: 06439-RS-1226
VIOLATION DATE: 4/01/2022
HEARD: 5/31/2022**

After a hearing on May 31, 2022, the Commission finds Pretzel Pub Inc. d/b/a Del Rey Taqueria Bar violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C – Possession of an alcoholic beverage to a person under twenty-one years of age (5 counts). The Commission **suspends the license for a period of six (6) days to be served.**

The suspension shall commence on Monday, August 15, 2022, and terminate on Saturday, August 20, 2022. The license will be delivered to the Local Licensing Board or its designee on Monday, August 15, 2022, at 9:00 A.M. It will be returned to the licensee on August 21, 2022.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译。

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



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DECISION

**PRETZEL PUB INC. D/B/A DEL REY TAQUERIA BAR
211 WORTHINGTON STREET
SPRINGFIELD, MA 01103
LICENSE#: 06439-RS-1226
VIOLATION DATE: 4/01/2022
HEARD: 5/31/2022**

Pretzel Pub Inc. d/b/a Del Rey Taqueria Bar (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission") held a remote hearing via Microsoft Teams on Tuesday, May 10, 2022, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C – Possession of an alcoholic beverage to a person under twenty-one years of age (5 counts). 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 Report;
2. ABCC Licensing Authority Certification, License Transfer approved, 11/23/2021;
3. Licensee Stipulation of Facts.

A. Letter to Licensee from State Representative Carlos Gonzalez, 5/18/2022.

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

FINDINGS OF FACT

1. On Friday, April 1, 2022, at approximately 9:10 p.m., Investigators Gardner and Velez ("Investigators") inspected the business operation of Pretzel Pub Inc. d/b/a Del Rey Taqueria Bar to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises and observed a group of youthful appearing female individuals, at a high-top table near the bar, in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.

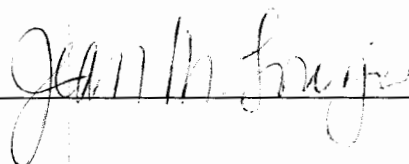
3. Underage #1, actual date of birth 5/29/2002 (age 19) admitted she was under 21 years of age and was in possession of a Baby Blue Margarita mixed drink. Investigators found this beverage listed on the drink menu which indicated a Baby Blue Margarita contains silver tequila, sour mix, Triple Sec liqueur, and Blue Curacao liqueur.
4. Underage #2, actual date of birth, 6/30/2002 (age 19), admitted she was under 21 years of age and informed Investigators she was in possession of a Paloma mixed drink. Investigators found this beverage listed on the drink menu which indicated a Paloma contains premium mixed 1800 tequila.
5. Underage #3, actual date of birth, 8/30/2002 (age 19), admitted she was under 21 years of age and stated she was in possession of a Baby Blue Margarita mixed drink.
6. Underage #4, actual date of birth, 9/11/2001 (age 20), admitted she was under 21 years old and stated she was in possession of a Pina Colada mixed drink.
7. Underage #5, actual date of birth, 5/03/2002 (age 19), admitted she was under 21 years of age and stated she was in possession of a strawberry Margarita mixed drink.
8. Investigators informed the Licensee and Manager of Record, Jacinto Blanco-Munoz, of the violations and that a report would be filed with the Chief Investigator for further action.
9. Mr. Blanco-Munoz stated he would check the video surveillance to see if the underage individuals had presented any identifications to the server.
10. On Monday, April 4, 2022, Mr. Blanco-Munoz telephoned Investigator Velez. He informed Investigator Velez that he had viewed the video surveillance and observed the server did not check identifications for the underage individuals.
11. Mr. Blanco-Munoz appeared at the Commission hearing. He testified that he meets with staff every night and stresses the importance of checking identification. He added that each employee signs an acknowledgement of the Licensee's policies.
12. The Licensee has held a license under M.G.L. c. 138, § 12 since 2021. The Licensee opened for business in January of 2022 and has no prior violations.

CONCLUSION

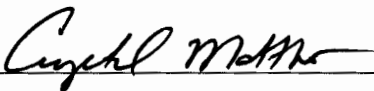
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C – Possession of an alcoholic beverage to a person under twenty-one years of age (5 counts). Therefore, the Commission **suspends the license for a period of six (6) days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

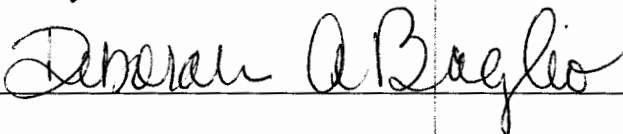
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: June 28, 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.

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