



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

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

**DECISION**

**BAPGI CORP D/B/A DANNY'S WINE AND SPIRITS**  
**474 BOSTON POST ROAD**  
**SUDBURY, MA 01776**  
**LICENSE#: 00016-PK-1250**  
**VIOLATION DATE: 5/09/2023**  
**HEARD: 10/31/2023**

Bapgi Corp d/b/a Danny's Wine and Spirits ("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 31, 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 Keefe and David's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Keefe and David's Minimum Purchase Age Compliance Check Field Report, 5/9/2023;
2. ABCC Form 43, Transfer of License Approval, 5/31/2016;
3. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Tuesday, May 9, 2023, at approximately 7:26 p.m., Investigators Keefe and David ("Investigators") conducted a compliance check at Bapgi Corp d/b/a Danny's Wine and Spirits.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a can of Bud Light beer, for two dollars and four cents (\$2.04). The underage operative was not asked for identification.
3. Dinesh Patel, Licensee, appeared at the Commission hearing. The Commission was informed that all employees had already been TIPS certified and after this incident were re-certified. The Licensee has retrained employees and added signage above the

identification scanner reminding employees to request and check the identification of each customer.

4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2016 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. Therefore, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Crystal Matthews, Commissioner *Crystal Matthews*

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

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

Deborah A. Baglio, Commissioner *Deborah A. Baglio*

Dated: December 11, 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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2023-000152-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
John David, Investigator  
Dennis Keefe, Investigator  
Matthew S. Porter, Esq.  
Administration, File