

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**2DS TRANSPORT INC. D/B/A FULLER'S PACKAGE STORE
300 ROUTE 6
TRURO, MA 02666
LICENSE#: 00012-PK-1292
VIOLATION DATE: 6/22/2023
HEARD: 10/24/2023**

2Ds Transport Inc. d/b/a Fullers Package Store ("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 24, 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 Velez and Binienda's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Velez and Binienda's Minimum Purchase Age Compliance Check Field Report, 6/22/2023;
2. ABCC Form 43, Transfer of License Approval, 7/9/2014;
3. Licensee's Stipulation of Facts.
 - A. Photographs (8);
 - B. Video.

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

FINDINGS OF FACT

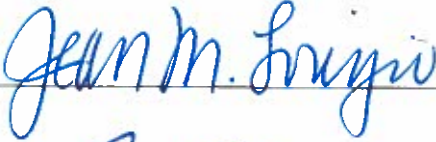
1. On Thursday, June 22, 2023, at approximately 4:39 p.m., Investigators Binienda and Velez ("Investigators") conducted a compliance check at 2Ds Transport Inc. d/b/a Fullers Package Store.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 24-ounce can of Black Cherry White Claw Hard Seltzer, for three dollars and fifty-five cents (\$3.55). The underage operative was not asked for identification.


3. Fred and Faith Dunn, Licensees, appeared at the Commission hearing.
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2014 with no prior violations.

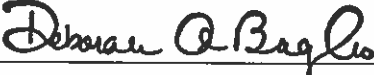
CONCLUSION

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

Jean M. Lorizio, Chairman 

Crystal Matthews, Commissioner 

Deborah A. Baglio, Commissioner 

Dated: October 25, 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.

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
Dokiman sa a enpòtan epi li ta dwe tradwi touswit
'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000146-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Jamie Binienda, Investigator
Mark D. Carchidi, Esq.
Administration, File