



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

Jean M. Lorizio, Esq.
Chairman

DECISION

NAND CORP. D/B/A UXBRIDGE BEER AND WINE
158 NORTH MAIN STREET
UXBRIDGE, MA 01569
LICENSE#: 00012-PK-1304
VIOLATION DATE: 6/12/2023
HEARD: 11/14/2023

NAND Corp d/b/a Uxbridge Beer and Wine ("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, November 14, 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 Kujawski and Gould's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Kujawski and Gould's Minimum Purchase Age Compliance Check Field Report, 6/12/2023;
2. Licensee's Stipulation of Facts;
3. ABCC Form 43, Transfer of License Approval, 10/4/2013.

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

FINDINGS OF FACT

1. On Monday, June 12, 2023, at approximately 6:12 p.m., Investigators Kujawski and Gould ("Investigators") conducted a compliance check at NAND Corp. d/b/a Uxbridge Beer and Wine.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 25 oz. Natural Light beer, for one dollar and seventy cents (\$1.70). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2013.

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

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

Crystal Matthews, Commissioner *Crystal Matthews*

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

Jean Lorizio, Chairman *Jean M. Lorizio*

Dated: January 24, 2024

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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2023-000129-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jan Kujawski, Investigator
Brian Gould, Investigator
Administration, File