



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**J & K ENTERPRISES LLC D/B/A WHISKEY HILL LIQUORS
2370 MAIN STREET
WARREN, MA 01092
LICENSE#: 00020-PK-1330
VIOLATION DATE: 4/25/2023
HEARD: 9/19/2023**

J & K Enterprises LLC d/b/a Whiskey Hill Liquors (“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, September 19, 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 Guarino and Fleming’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Guarino and Flemings’s Minimum Purchase Age Compliance Check Field Report, 4/25/2023;
2. ABCC Form 43, Transfer of License Approval, 2/23/2010;
3. Licensee’s Stipulation of Facts.

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

FINDINGS OF FACT

1. On Tuesday, April 25, 2023, at approximately 7:39 p.m., Investigators Fleming and Guarino (“Investigators”) conducted a compliance check at J & K Enterprises LLC d/b/a Whiskey Hill Liquors.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a 16-ounce can of Bud Light beer, for one dollar and seventy cents (\$1.70). The underage operative was not asked for identification.
3. Joanne Laurin, Licensee, appeared at the Commission hearing and testified regarding steps taken to prevent future sales to persons under the age of twenty-one. Ms. Laurin stated the point-of-sale system now reminds employees to ask a patron to produce identification, she

has posed signs in the licensed premises stating all customers must produce identification, and she regularly speaks with employees about enforcing the policy.

4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2010 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: November 7, 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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2023-000105-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Caroline Guarino, Investigator
Sean Fleming, Investigator
Administration, File