



*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
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**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**MANDARIN WILBRAHAM ENTERPRISE INC. D/B/A MANDARIN WILBRAHAM  
RESTAURANT  
309-B GREAT ROAD  
WILBRAHAM, MA 01095  
LICENSE#: 1472-00045  
VIOLATION DATE: 05/15/2017  
HEARING DATE: 07/25/2017**

Mandarin Wilbraham Enterprise Inc. d/b/a Mandarin Wilbraham Restaurant (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 25, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.
  - A. E-Tips Certificate for Bartender A.S.; and
  - B. E-Tips Certificate for Licensee/Owner Z.G.

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

The Commission took Administrative Notice of the Licensee's record.

**FACTS**

1. On Monday, May 15, 2017, at approximately 5:56 p.m., Investigators Keefe and Di Cicco ("Investigators") investigated the business operation of Mandarin Wilbraham Enterprise Inc. d/b/a Mandarin Wilbraham Restaurant.
2. An underage operative, working with Investigators, was in possession of an alcoholic beverage, a Bud Light beer. The underage operative was not asked for identification.

### 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, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: July 25, 2017

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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Joseph Di Cicco, Investigator  
Dennis Keefe, Investigator  
Administration, File