



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**J. E. MULLALY'S PACKAGE STORE INC.
221 WEBSTER STREET
WORCESTER, MA 01610
LICENSE#: 00266-PK-1508
VIOLATION DATE: 7/20/2019
HEARD: 10/08/2019**

J. E. Mullaly's Package Store Inc. (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, October 8, 2019, 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 (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. ABCC Decision 11/25/2002;
4. Copy of License Application Approval 12/08/1960;
5. Copy of Late Renewal Application Approved 12/21/2010.

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

FACTS

1. On Saturday, July 20, 2019, at approximately 3:20 p.m., Investigators Bolcome and Di Cicco ("Investigators") investigated the business of J. E. Mullaly's Package Store Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 25-ounce can of Bud Light beer for two dollars and fifty cents (\$2.50). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 1960 with one prior violation.


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 (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner 

Kathleen McNally, Commissioner 

Jean M. Lorizio, Chairman 

Dated: October 15, 2019

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。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Joseph Di Cicco, Investigator
David Bolcome, Investigator
Administration, File