



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**P AND N INC. D/B/A LINCOLN DISCOUNT LIQUORS
560 LINCOLN STREET
WORCESTER, MA 01605
LICENSE#: 00239-PK-1508
VIOLATION DATE: 6/13/2024
HEARD: 9/17/2024**

P and N Inc. d/b/a Lincoln Discount 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 17, 2024, 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 Temple & Fleming's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Temple & Fleming's Minimum Purchase Age Compliance Check Field Report, 6/13/2024;
2. ABCC Form 43, License Transfer Approval, 9/30/1993;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, June 13, 2024, at approximately 6:01 p.m., Investigators Temple and Fleming ("Investigators") conducted a compliance check at P and N Inc. d/b/a Lincoln Discount Liquors.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 24-ounce Modelo beer, for three dollars and ninety-nine cents (\$3.99). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 1993 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. Therefore, 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 M. Lorizio, Chairman Jean M. Lorizio

Dated: October 22, 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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2024-000151-ad-enf

cc: Local Licensing Board
Katherine McCormick, Associate General Counsel
Frederick G. Mahony, Chief Investigator
Sean Fleming, Investigator
Christopher Temple, Investigator
Administration, File