



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**R.S.L. ENTERPRISES INC. D/B/A HARRAHY'S PACKAGE STORE
107-107A WARD STREET
WORCESTER, MA 01610
LICENSE#: 00263-PK-1508
VIOLATION DATE: 7/20/2019
HEARD: 10/08/2019**

R.S.L. Enterprises Inc. d/b/a Harrahy's Package Store (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. Copy of Application Approved 10/12/1988;
4. ABCC Decision, 12/6/2018.

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

FACTS

1. On Saturday, July 20, 2019, at approximately 3:50 p.m., Investigators Bolcome and Di Cicco ("Investigators") investigated the business of R.S.L. Enterprises Inc. d/b/a Harrahy's Package Store.
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 ninety-nine cents (\$2.99). The underage operative was not asked for identification.

3. The Licensee has held a license under M.G.L. c. 138, § 15 since 1988

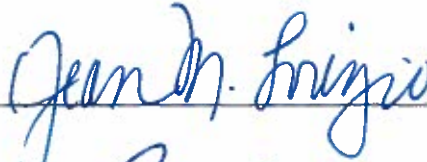
CONCLUSION

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. Therefore, the Commission **suspends the license for one (1) day to be served.**

By decision dated December 6, 2018, the Commission had previously ordered a six (6) day license suspension, with six (6) days to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the Commission, in its discretion, hereby orders that 6-day suspension to be served. The Licensee will serve a total seven (7) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Kathleen McNally, Commissioner



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.

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



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

October 15, 2019

**R.S.L. ENTERPRISES INC. D/B/A HARRAHY'S PACKAGE STORE
107-107A WARD STREET
WORCESTER, MA 01610
LICENSE#: 00263-PK-1508
VIOLATION DATE: 7/20/2019
HEARD: 10/08/2019**

After a hearing on October 8, 2019, the Commission finds R.S.L. Enterprises Inc. d/b/a Harrahy's Package Store 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 suspends the license for a period of one (1) day to be served.

By decision dated December 6, 2018, the Commission had previously ordered a six (6) day license suspension, with six (6) days to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the Commission, in its discretion, hereby orders that 6-day suspension to be served. The Licensee will serve a total seven (7) days.

The suspension shall commence on Monday, December 2, 2019 and terminate on Sunday, December 8, 2019. The license will be delivered to the Local Licensing Board or its designee on Monday, December 2, 2019 at 9:00 A.M. It will be returned to the Licensee on Monday, December 9, 2019.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION



Jean M. Lorizio
Chairman

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