



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

**Jean M. Lorizio, Esq.**  
Chairman

NOTICE OF SUSPENSION

March 23, 2023

**ANSH INC. D/B/A KJ BAARON'S FINE WINE & SPIRITS  
730 WEST BOYLSTON STREET  
WORCESTER, MA 01606  
LICENSE#: 00260-PK-1508  
VIOLATION DATE: 10/06/2022  
HEARD: 1/24/2023**

After a hearing on January 24, 2023, the Commission finds Ansh Inc. d/b/a KJ Baaron's Fine Wine & Spirits violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (3 Counts). The Commission **suspends the license for a period of three (3) days to be served.**

**The suspension shall commence on Monday, May 15, 2023, and terminate on Wednesday, May 17, 2023.** The license will be delivered to the Local Licensing Board or its designee on Monday, May 15, 2023, at 9:00 A.M. It will be returned to the licensee on May 18, 2023.

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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ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

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



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
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**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**ANSH INC. D/B/A KJ BAARON'S FINE WINE & SPIRITS  
730 WEST BOYLSTON STREET  
WORCESTER, MA 01606  
LICENSE#: 00260-PK-1508  
VIOLATION DATE: 10/06/2022  
HEARD: 1/24/2023**

Ansh Inc. d/b/a KJ Baaron's Fine Wine & Spirits (the "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, January 24, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (3 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Fleming's Report.

The following documents are in evidence:

1. Investigator Fleming's Report;
  2. ABCC Form 43, License Transfer Approval, 12/3/2015;
  3. Photo of the Fraudulent Massachusetts Driver's Licenses Confiscated;
  4. Licensee Stipulation of Facts.
- A. Licensee's Pre-Hearing submission with attachments.

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

**FINDINGS OF FACT**

1. On Thursday, October 6, 2022, Investigators Gould and Fleming ("Investigators") inspected the business operation of Ansh Inc. d/b/a KJ Baaron's Fine Wine & Spirits to determine the way its business was being conducted.
2. At approximately 4:40 p.m., while conducting surveillance outside the establishment, Investigators observed a gray Nissan Rogue in the Licensee's parking lot. A youthful

appearing male individual was observed standing by the window of the vehicle and in possession of alcoholic beverages.

3. Investigators approached the male standing outside the vehicle, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
4. Underage #1, actual date of birth 3/25/2003 (age 19), was in possession of two 36-packs of Miller Light beer and one 30-pack of Busch beer and a receipt from KJ Baaron's. He provided to Investigators a fraudulent Massachusetts driver's license in his name with a different birth date which he had used to purchase the alcoholic beverages.
5. At approximately 5:50 p.m., Investigators observed a gray Jeep enter the parking lot of the licensed premises. Investigators observed a youthful appearing male individual exit the vehicle and enter the establishment. Shortly thereafter, the same individual exited the store with alcoholic beverages.
6. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #2, actual date of birth 10/16/2001 (age 20), was in possession of one 12-pack of Natural Ice beer. He provided to Investigators a fraudulent Massachusetts driver's license in his name with a different birth date which he had used to purchase the alcoholic beverages.
8. At approximately 6:10 p.m., Investigators observed a black Mercedes enter the parking lot of the licensed premises. Investigators observed a youthful appearing male individual exit the vehicle and enter the establishment. Shortly thereafter, the same individual exited the store with alcoholic beverages.
9. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
10. Underage #3, actual date of birth 11/5/2002 (age 19), was in possession of one bottle of Sutter Home wine, two bottles of Beringer wine, and one sleeve of Dr. McGillicuddy nips. He provided to Investigators a fraudulent Massachusetts driver's license in his name with a different birth date which he had used to purchase the alcoholic beverages.
11. At approximately 9:00 p.m., Investigators entered the licensed premises and spoke to the clerk on duty, Divyen Patel, who is also the Licensee and Manager of Record. Investigators informed Mr. Patel of the violations and that a report would be filed with the Chief Investigator for further action.
12. Mr. Patel appeared at the Commission hearing and testified as to the extensive steps the Licensee has taken to prevent future sales to persons under 21 years of age. Said efforts include installing a scanner, holding employee meetings to emphasize the importance of checking identification, placing a fixed ruler by the cash register to assist clerks when verifying the height of customers, and ceasing the practice of accepting out of state identification.


13. The Licensee has held a license under M.G.L. c. 138, § 15 since 2015.

CONCLUSION

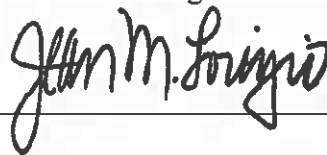
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (3 Counts). Therefore, the Commission **suspends the license for a period of three (3) days.**

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Crystal Matthews, Commissioner 

Deborah Baglio, Commissioner 

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Jean M. Lorizio, Chairman 

Dated: March 23, 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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