



Massachusetts Package Stores Association, Inc.

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PRESS RELEASE

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September 17, 2019

Westborough, MA --- The Board of Directors of the Massachusetts Package Stores Association (MPSA) have by unanimous vote determined they will appeal the decision by Attorney General Maura Healey to certify the Cumberland Farms Ballot Petition. Despite strong opposition by all three tiers within the alcohol beverages industry, Attorney General Maura Healey has certified 19-14 Initiative Petition for a “Law Relative to the Sale of Beer and Wine by Food Stores.” I.P. In a challenge to validity of the Cumberland Farms ballot question the Attorney General was warned that the changes in law will do great harm to public safety and the alcohol beverages industry of Massachusetts. The veiled language of the Cumberland Farms ballot question misleads the electorate into terminating the state Section 15 quota system by 2024, immediately creates a new unlimited food store license classification outside the quota system, deregulates ID verification, takes revenues away from the State Budget and potentially reduces the number of ABCC inspectors.

The validity of the ballot petition by Cumberland Farms was challenged by MPSA. The MPSA memorandum to the Attorney General properly demonstrated using case law and pointing to past precedence that the Cumberland Farms ballot question clearly did not meet state standards. MPSA was not alone in challenging the Cumberland Farms ballot question. The Beer Distributors of Massachusetts and the Wine and Spirit Wholesalers of Massachusetts also challenged the validity of the Cumberland Farms initiative. Unknown to the voter is that if passed, the Cumberland Farms petition will:

1. Change the form of acceptable identification that a licensee can rely on to avoid liability for service to a person under the age of 21 by giving discretion to individual licensees to determine what forms of identification would be acceptable in addition to those currently enumerated in section 34B.
2. Requires licensees to adopt and enforce an age verification policy that requires the presentation of a valid and reliable form of identification by all customers regardless of the actual or apparent age of the customer.
3. Establishes a new “food store” license classification that would allow food store licensees to each hold an unlimited number of licenses to sell wines and malt beverages in Massachusetts.
4. Creates unlimited licenses for Food Stores by carving out food store licenses from the definition and requirements imposed on existing “licenses” under section 15 and under section 17’s quota system.
5. Amends section 15 licenses by increasing, on a graduated basis from 7 to unlimited by 2024, the number of all-alcoholic off premise licenses that can be held by a single entity.

The Massachusetts Package Stores Association (MPSA) is a non-profit trade organization representing the interests of the thousands of independently-owned retail liquor stores across Massachusetts. The Board of Directors of MPSA are primarily comprised of owner/operators of liquor stores. Contact the MPSA with any questions at (800) 322-1383, or email info@masspack.org. Visit the MPSA website at: www.masspack.org



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6. Requires licensees to have by January 1, 2022 some form of electronic identification verification technology.
7. Requires the creation of a separate fund for the implementation and ongoing administration of Chapter 138.
8. Imposes requirements on the Alcohol Beverages Control Commission that it maintain a specific ratio of at least one investigator for every 250 licenses issue under sections 15 and 15D.

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