

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER
1511 PONTIAC AVENUE 69-1
CRANSTON, RHODE ISLAND 02920

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MONSIEUR TOUTON :
SELECTION (RD) LTD. :
: :
RESPONDENT. :
: :
: :

CONSENT AGREEMENT

It is hereby agreed between the Department of Business Regulation ("Department") and Monsieur Touton Selection (RD) Ltd, 11 Grandview Street, Unit 11, Coventry, RI ("Respondent") as follows:

1. Respondent holds a Wholesaler's license, Class B for the sale of malt and vinous beverages and distilled spirits at wholesale pursuant to R.I. Gen. Laws § 3-6-10.
2. R.I. Gen. Laws § 3-5-21 provides that every license is subject to revocation or suspension and a licensee is subject to fine by the Department, on its own motion, for breach by the holder of the license of the conditions on which it was issued or for violation by the holder of the license of any statute, rule or regulation applicable.
3. COMMERCIAL LICENSING REGULATION 8 LIQUOR CONTROL

ADMINISTRATION RULE 31 SALES LICENSE -
WHOLESALE/MANUFACTURER STATES:

Holders of manufacturers' and wholesalers' licenses shall file with the Department the names and addresses of all salespersons employed by them, whether paid a salary, commission, or any other basis of compensation. They shall also file with the Department such means of identification of such salespersons as the Department shall, from time to time, require. No person shall solicit orders for alcoholic beverages without first receiving a sales license from the Department. The fee for said license shall be fifty (\$50.00) dollars per year.

4. The Department became aware that certain salespersons licenses had not been renewed by Monsieur Touton on December, 2008 and December 2009. Therefore from December 2008 to the present two salespersons worked in this capacity unlicensed.

5. The Department has sufficient cause to impose an administrative penalty pursuant to R.I. Gen. Laws § 3-5-21.

6. In an effort to resolve the above-referenced violation and allow Respondent to maintain its license in good-standing, Respondent agrees to the

following:

A. Respondent understands that the Department is charged with protecting the public by ensuring that its Licensees are competent and trustworthy and are reasonably familiar with the statutes, rules or regulations relating to alcoholic beverages.

B. Respondent shall comply with all terms and requirements for licensure under *Commercial Licensing Rule 31 – Liquor Control Administration*.

C. Respondent shall pay a fine in the amount of \$ 16,500.00, payable to the Rhode Island General Treasurer.

D. Respondent voluntarily waives its right to the hearing process, voluntarily waives its right to appeal to Superior Court, admits that the allegations herein are true, and agrees to take all necessary action as delineated in this Consent Agreement in order to maintain its license in good-standing.

7. If Respondent fails to comply with the terms of this Consent Agreement, Title 3 or Regulation 8; the Department reserves the right to initiate the administrative hearing process to suspend or revoke Respondent's license pursuant to R.I. Gen. Laws §§ 3-5-21, and 42-35-9.

THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department of Business Regulation
By:



Maria D'Alessandro, Esq.
Deputy Director of Securities,
Commercial Licensing and Racing & Athletics

Date: 12/22/10

Respondent
By:


NSP

Monsieur Touton Selection (RI)
LTD

Date: 12/20/10