

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION**

NOTICE AND PARTICULARS

By Email: oyama.asian.inc@gmail.com

In the matter of:

Zhen Chen, Permittee
Oyama
200 Merrow Road Unit 1
Tolland, CT 06084

Permit No. LIR.0019755
Case No. 2024-341
Backer: OYAMA ASIAN INC.

PURSUANT TO CONN. GEN. STAT. § 30-43 AS AMENDED:

Pursuant to Chapter 545 generally and specifically Section 30-55 of the Connecticut General Statutes as amended, you and a member of the backer limited liability company are hereby summoned to appear before the Department of Consumer Protection of the State of Connecticut, on the **29th day of April 2025 at 9:00 a.m.**, remotely through Microsoft Teams, then and there to answer to the complaint and charges of said Division, the particulars of which are as follows:

Incident 1. September 17, 2024

Charge 1. Containers to be sealed. On or about September 17, 2024, you violated Sec. 30-93 of the Connecticut General Statutes which provides that alcoholic liquors, except beer, cider, wine and cordials shall be purchased by the holders thereof in sealed bottles or containers and poured for sale and consumption from the original bottles or containers. No such bottle or container shall be refilled in whole or in part.

AS MORE PARTICULARLY SET FORTH:

On September 17, 2024, Wei Chen, who submitted an application to be substituted as the permittee for this permit premises, admitted to refilling original 750 ml bottles of alcoholic liquor with the same brand of alcoholic liquor from 1.75 liter bottles.

Incident 2. September 20, 2024

Charge 2. Purchase for resale. On or about September 20 2024, you violated Sec. 30-76 of the Connecticut General Statutes which provides that no person holding a permit for the retail sale of alcoholic liquor shall purchase for resale alcoholic liquor except from a person holding a permit under the provisions of sections 30-16 and 30-17, provided any permittee going out of business may, upon application to and approval by the Department of Consumer Protection, sell all or part of his stock in trade to any permittee authorized by law to retail the kind of liquors so sold. No person holding a manufacturer or wholesaler permit shall purchase for resale alcoholic liquor except from a person holding a manufacturer permit, wholesaler permit or out-of-state shipper's permit. Any person convicted of a violation of this section shall be subject to the penalties provided in section 30-113.

Charge 3. Records of liquor purchases and sales. On or about September 20, 2024, you violated Sec. 30-6-A27(d) of the Regulations of Connecticut State Agencies which provides that all invoices and records referred to in the foregoing subsections of this regulation shall be maintained on the permit premises, or at such other location as the department may in writing authorize, for at least two years from the date of the transactions recorded thereby, and shall be available for inspection and copying by agents of the department at any time during business hours.

AS MORE PARTICULARLY SET FORTH:

On September 20, 2024, during a follow up site -inspection by liquor control agents, Wei Chen admitted to purchasing several bottles of alcoholic liquor for resale at local package stores in Tolland. Since they were purchased from package stores, there were no invoices for the purchases.

Incident 3. October 30, 2024

Charge 4. New Applications-Change of ownership. On or about October 30, 2024, you violated Sec. 30-6-A1(f) of the Regulations of Connecticut State Agencies which provides that a new application shall be filed whenever there is a change in ownership of the permit premises, except for situations covered by section 30-6-A4 of the Regulations of Connecticut State Agencies, or in situations where the corporate structure changes but the individuals who comprise the current ownership remain the same. The backer or owner on the new application shall not exercise any ownership or dominion over such business until such time as such backer has been approved by the department. If such application is filed less than sixty days prior to the expiration date of the existing permit, the permittee on the existing permit shall be required to file a renewal in order to assure the continuance of the business. The department will permit the dating back of new permits to the expiration date of the previous permit on the premises involved in the change of ownership, where the department is satisfied that the new application was filed in accordance with the provisions of this section.

AS MORE PARTICULARLY SET FORTH:

On October 30, 2024, during an unannounced visit by liquor control agents, Wei Chen claimed that you transferred all of your shares in the backer corporation in February 2024 to him and that you no longer participated in the business. Nevertheless, the Department did not receive a transfer of stock application when this transfer occurred.

Incident 4. December 4, 2024

Charge 5. Failure to cooperate On or about December 4, 2024, you violated Sec. 30-6-A10 of the Regulations of Connecticut State Agencies which provides that no permittee or backer or his agent shall refuse to cooperate with or give information to the department, the police authorities or any other enforcement agency upon any matter arising out of the conduct of the permit premises.

AS MORE PARTICULARLY SET FORTH:

On November 21, 2024, after Wei Chen submitted transfer of stock application indicating that you were still a 60 percent shareholder in the backer corporation, a liquor control agent requested a copy of the bill of sale showing proof of ownership percentage of the business owners. As of December 4, 2024, the agent had not received the requested document.

PLEASE BE ADVISED THAT YOU WILL BE EXPECTED TO APPEAR WHEN YOUR HEARING IS CALLED BY THE COMMISSION. FAILURE TO APPEAR AT THE DESIGNATED TIME MAY RESULT IN A DEFAULT. YOU WILL BE REQUIRED TO SHOW CAUSE, IF THERE BE ANY, WHY YOUR LIQUOR PERMIT SHOULD NOT BE REVOKED OR SUSPENDED OR ANY OTHER AUTHORIZED PENALTY IMPOSED ON YOU.

This matter is being set down for a formal hearing following a compliance meeting held on February 18, 2025 , and by decision by the full Commission.

If you have any questions, please contact Anna C. Martinez of the Department of Consumer Protection's Legal Division by email Anna.Martinez@ct.gov

Dated this 20th day of February 2025.

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Scott P. Madeo
Staff Attorney
Legal Division