



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Deborah B. Goldberg
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

VICTOR RAMOS DBA APPLETON MARKET
435 APPLETON ST.
HOLYOKE, MA 01040
LICENSE#: 054000111
VIOLATION DATE: 03/16/2015
HEARD: 04/21/2015

Victor Ramos dba Appleton Market (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, April 21, 2015, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 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 violation alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Compliance Check Field Report dated March 16, 2015;
2. Licensee's Stipulation of Facts; and
3. Photograph of Underage Operative.
 - A. Five (5) Photographs of Licensed Premises with "Must be 21" Signs.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

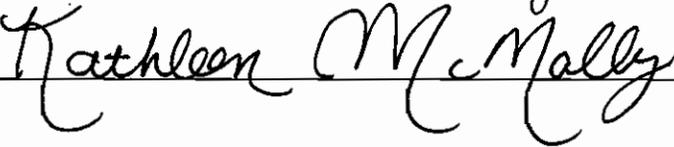
1. On Monday, March 16, 2015, at approximately 5:46 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of Victor Ramos dba Appleton Market.
2. While on the licensed premises an underage operative working with investigators purchased from the Licensee an alcoholic beverage, a Budweiser Light beer, for two dollars and fifty cents (\$2.50). The underage operative was not asked for identification.

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: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the licensee has been in business for more than ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth Lashway, Commissioner 

Kathleen McNally, Commissioner 

Dated: April 21, 2015

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jan Kujawski, Investigator
Dennis Keefe, Investigator
L. Dorothea MacNeil, Esq. via email
Administration
File