

## **NOTICE TO ALL RETAIL LICENSEES**

The Alcoholic Beverages Control Commission announces that on October 1, 2004 it will launch a compliance initiative to identify all existing retail licenses issued pursuant to M.G.L. c. 138, § 12 and § 15 that are not being actually operated. Any licensee that does not comply with its obligations to conduct the licensed business and holds a so-called "pocket license" will be subject to enforcement action by the Commission.

Licensees are reminded that M.G.L. c. 138, § 77 provides that the Commission may cancel the license of any license holder who "ceases to conduct the licensed business" that is, any license holder who closes the business or stops doing business.

Licensees should be conducting the licensed business on all days authorized by the license. Any licensee not conducting the business as of the date of this Notice should immediately comply with its obligations by: (1) operating the license on the days and at the location authorized under the license; or, (2) filing the appropriate application to transfer the location of the license to a location where the licensee will comply and operate the licensed business; or, (3) filing the appropriate application to transfer the ownership of the license to a person that will comply and operate the license on the days and at the location authorized under the license.

Any licensee who is complying with its obligations to conduct the licensed business and does not close the business or stop doing business will not be subject to this Commission compliance initiative to enforce the provisions of M.G.L. c. 138, § 77.

Questions concerning this Notice can be addressed to the Commission's Executive Director, Ellen Moriarty.

Dated at Boston, Massachusetts this 28th day of September, 2004.

Eddie J. Jenkins, Chairman  
Suzanne Iannella, Commissioner  
Robert H. Cronin, Commissioner