



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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

ASHLEY BROOKE FOODS INC. DBA MANGIA MANGIA
430 BOSTON ROAD
BILLERICA, MA 01821
LICENSE#: 010600052
HEARD: 08/28/2012

Ashley Brooke Foods Inc. dba Mangia Mangia (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, August 28, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report dated May 14, 2012; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Monday, May 14, 2012 at approximately 07:01 p.m., Investigators Bailey and Doyle conducted an investigation of the business operation of Ashley Brooke Foods Inc. dba Mangia Mangia.
2. An underage operative working with investigators purchased an alcoholic beverage, a bottle of Budweiser beer for four dollars and twenty-four cents (\$4.24). The underage operative was not asked for identification.

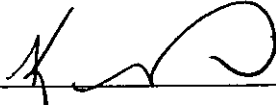
CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for two (2) days of which two (2) days will be held in abeyance for a period of one (1) year provided no further violations of Chapter 138 or Commission Regulations occur.**

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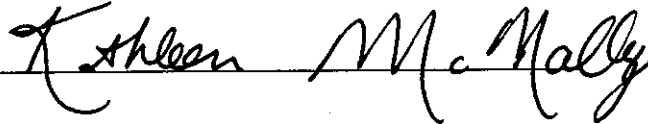
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner



Dated: September 4, 2012

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
Brad Doyle, Investigator
Rose Bailey, Investigator
Administration
File