

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

Deborah B. Goldberg
Treasurer and Receiver General

Kim L. Gainsboro, Esq.
Chairman

DECISION

SHREE SOMNATH INC. D/B/A COUNTRY FARMS
57 NORTH MAIN STREET, LOT 2
CHARLTON, MA 01507
LICENSE#: 019000040
VIOLATION DATE: 05/25/2016
HEARD: 11/15/2016

Shree Somnath Inc. d/b/a Country Farms (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, November 15, 2016, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. 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 May 25, 2016;
2. Licensee's Stipulation of Facts.
 - A. Letter November 11, 2016 from Charlton Police Department Detective-Sergeant Dowd;
 - B. TIPS Certificate for T. Swadia; and
 - C. TIPS Certificates for K. Swadia and R. Larosse.

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

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

FACTS

1. On Wednesday, May 25, 2016, at approximately 6:15 p.m., Investigators Di Cicco and Keefe ("Investigators") investigated the business operation of Shree Somnath Inc. d/b/a Country Farms.

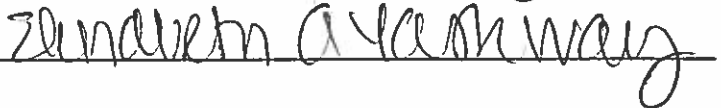
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 24-ounce can of Coors Light beer for two dollars and fifty cents (\$2.50). The underage operative was not asked for identification.

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: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner 

Elizabeth A. Lashway, Commissioner 

Dated: November 16, 2016

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.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
Joseph Di Cicco, Investigator
Arthur Pearlman, Esq. via facsimile 508-875-7843
Administration, File