



*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*239 Causeway Street*  
*Boston, Massachusetts 02114*  
*Tel. (617) 727-3040*  
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**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**APPLE COUNTRY MARKETS INC. D/B/A APPLE COUNTRY MARKET**  
**159 MECHANIC STREET**  
**CLINTON, MA 01510**  
**LICENSE#: 0234-00033**  
**VIOLATION DATE: 8/15/2018**  
**HEARING DATE: 9/25/2018**

Apple Country Markets Inc. d/b/a Apple Country 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, September 25, 2018, 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 Doyle's Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

A. Clerk's Employment Application and Licensee's Policies.

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

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

**FACTS**

1. On Wednesday, August 15, 2018, at approximately 6:36 p.m., Investigators Bailey and Doyle ("Investigators") investigated the business of Apple Country Markets Inc. d/b/a Apple Country Market.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a can of Bud Light beer, for three dollars and fifty cents (\$3.50). The underage operative was not asked for identification.

### CONCLUSION

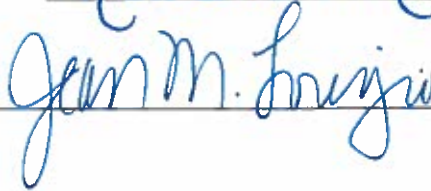
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 25 years with no prior violations, the Commission issues a **WARNING**.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



Jean M. Lorizio, Chairman



Dated: September 26, 2018

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  
Brad Doyle, Investigator  
Rose Bailey, Investigator  
Administration, File