



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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainstoro, Esq.
Chairman

DECISION

JANDAV, INC. DBA BURDITT HILL MARKET
363 MAIN STREET
CLINTON, MA 01510
LICENSE #: 023400032
HEARD: 12/13/2011

JanDav, Inc. dba Burditt Hill Market (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, December 13, 2011, regarding an alleged violation of M.G.L. c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Brad Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report dated August 3, 2011.

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

FACTS

1. On August 3, 2011 at approximately 8:07 p.m., Commission Investigators investigated the business operation JanDav, Inc. dba Burditt Hill Market.
2. An underage operative, working with the investigators, purchased a Budweiser can for two dollars and thirty-five cents (\$2.35). The underage operative was not asked for identification.
3. The under-aged operative is eighteen (18) years old, with a date of birth of November 29, 1992.
4. Administrative review of the file indicates the licensee has been at this location since 2004 and has no prior violations.

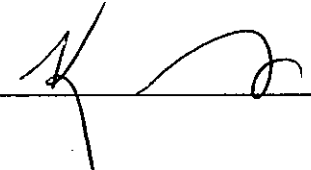
CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. 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 

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

Kim S. Gainsboro, Chairman 

Dated: December 28, 2011

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
Administration
File