



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

JR'S SHAMROCK, INC. DBA THE SHAMROCK RESTAURANT & PUB
645 MAIN STREET
DALTON, MA 01226
LICENSE#: 026200022
HEARD: 10/02/2012

JR's Shamrock, Inc. dba The Shamrock Restaurant & Pub (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, October 2, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: 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 Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Keefe's Compliance Check Field Report dated May 23, 2012; and
3. Photo of Underage Operative.

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

FACTS

1. On Wednesday, May 23, 2012, at approximately 6:54 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of JR's Shamrock, Inc. dba The Shamrock Restaurant & Pub.
2. An underage operative working with investigators purchased an alcoholic beverage, a bottle of Budweiser Lite beer for three dollars (\$3.00). The underage operative was not asked for identification.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated of 204 CMR 2.05(2), to wit: 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 ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

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ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner *Susan Corcoran*

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

Kim S. Gainsboro, Chairman, *KG*

Dated: October 2, 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
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Administration
File