

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

FALZBRO, INC. DBA BLACK LAB LOUNGE
306 MAIN STREET
DOUGLAS, MA 01516
LICENSE#: 028800011
HEARD 2/28/2012

Falzbros, Inc. dba Black Lab Lounge (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, February 28, 2012, regarding an alleged violation of M.G.L. c. 138 §23 (6 counts). Prior to the commencement of the hearing, the licensee stipulated to the violations alleged in Investigator Dennis Keefe's Investigative Report.

The following documents are in evidence as exhibits:

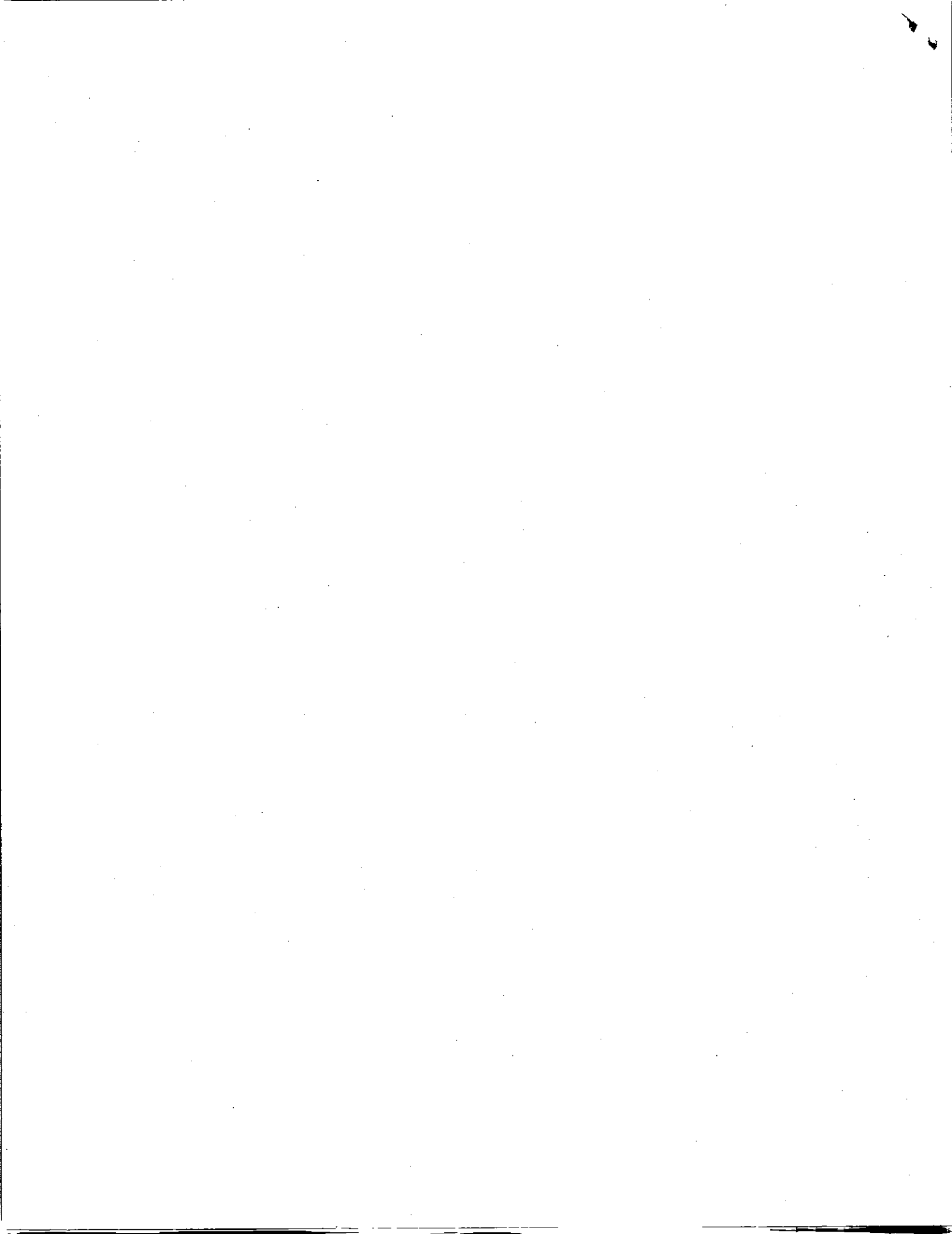
1. Licensee's Stipulation of Facts; and
2. Investigator Keefe's Investigative Report dated December 2, 2011.

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

FACTS

1. On Friday, December 2, 2011, at approximately 6:19 p. m., Investigators Brad Doyle and Dennis Keefe investigated the business operation of Falzbros, Inc. dba Black Lab Lounge to determine the manner in which their business was conducted.
2. Investigators identified themselves to the owner, Mr. Scott Hurley.
3. Investigators informed Mr. Hurley that the Commission had received an anonymous complaint, and they would conduct an inspection of the licensed premises.
4. Investigators observed six (6) bottles of alcoholic beverages, each with a sticky glue-like substance on the exterior.
5. Based on their training and experience, investigators concluded these alcoholic beverages had been purchased from a retail store.
6. Investigators found a receipt dated December 2, 2011, which stated six (6) bottles of wine were purchased from Douglas Liquor Package Store.

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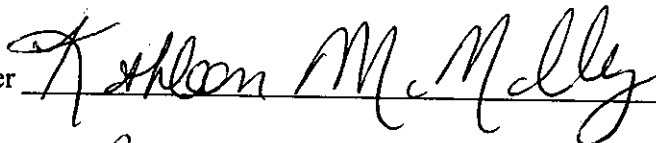
7. The six (6) bottles taken into evidence were:
 - a) One (1) bottle of Cavit Pinot Noir, 1.5 liters;
 - b) One (1) bottle of Cavit Chardonnay, 1.5 liters;
 - c) Two (2) bottles of Barefoot Pinot Grigio, 1.5 liters;
 - d) One (1) bottle of Barefoot Riesling, 1.5 liters; and
 - e) One (1) bottle of Woodbridge Merlot, 1.5 liters.
8. Investigators informed Mr. Hurley of the violation.
9. Investigators noted that Mr. Hurley was cooperative and honest with them.
10. Investigators informed Mr. Hurley that a report would be submitted to the Chief Investigator for review.
11. Investigator Keefe conducted an administrative review of the file. The licensee has held this license since 2007, and has no previous violations.

CONCLUSION

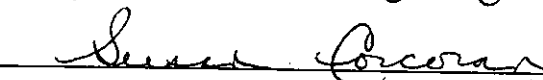
Based on the evidence, the Commission finds the licensee violated of M.G.L. c. 138 §23 (6 counts). The Commission **suspends the license for six (6) days, of which six (6) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

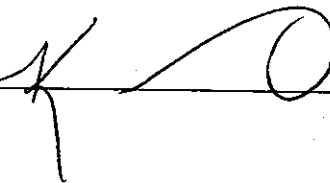
Kathleen McNally, Commissioner



Susan Corcoran, Commissioner



Kim S. Gainsboro, Chairman



Dated: February 28, 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
 Administration
 File

