



*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**

**SCOTT'S FOOD MART, INC.**  
**1266 LAKEVIEW AVE**  
**DRACUT, MA 01826**  
**LICENSE#: 029200071**  
**HEARD: 06/26/2012**

Scott's Food Mart, Inc. (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, June 26, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Guarino's Compliance Check Field Report.

The following items are in evidence:

1. Investigator Guarino's Compliance Check Field Report dated April 9, 2012; and
2. Licensee's Stipulation of Facts.

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

**FACTS**

1. On Monday, April 09, 2012 at approximately 07:10 p.m., Investigators Hooton and Guarino conducted an investigation of the business operation of Scott's Food Mart, Inc.
2. An underage operative working with investigators purchased an alcoholic beverage, a forty ounce (40 oz.) bottle of Budweiser beer for three dollars and fifty-four cents (\$3.54). The underage operative was not asked for identification.

2012-4114

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CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. As the licensee has been in business for over ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

**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 *Kim S. Gainsboro*

Dated: June 26, 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  
Caroline Guarino, Investigator  
Timothy Hooton, Investigator  
Administration  
File