

*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**

**MASSIH ENTERPRISES INC. DBA THE COUNTRY STORE**  
**212 NORTH STREET**  
**FOXBOROUGH, MA 02035**  
**LICENSE#: 042600010**  
**HEARD: 08/28/2012**

Massih Enterprises Inc. dba The Country Store (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, August 28, 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 Carey's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Carey's Compliance Check Field Report dated May 9, 2012; and
  2. Licensee's Stipulation of Facts.
- A. TIPS Certification dated July 1, 2012, for Nabil Mourtada.

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

FACTS

1. On Wednesday, May 9, 2012, at approximately 4:57 p.m., Investigators Teehan and Carey conducted an investigation of the business operation of Massih Enterprises Inc. dba The Country Store.
2. An underage operative working with investigators purchased an alcoholic beverage, a sixteen ounce (16 oz.) can of Budweiser beer for one dollar and seventy-five cents (\$1.75). The underage operative was not asked for identification.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for two (2) days of which two (2) days will be held in abeyance for a period of one (1) year provided no further violations of Chapter 138 or Commission Regulations occur.**

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**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro, Chairman



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

Kathleen McNally, Commissioner



Dated: September 4, 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  
Jack Carey, Investigator  
Michael Teehan, Investigator  
Paul G. Kennedy, Esq. via Facsimile  
Administration  
File