



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

TESORO SUPERMARKET, INC.
80 HOLLIS STREET
FRAMINGHAM, MA 01702
LICENSE#: 042800163
HEARD: 01/24/2012

Tesoro Supermarket, Inc. (the "Licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, January 24, 2012 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 Dennis Keefe's Compliance Check Field Report.

The following documents are in evidence:

Commission Exhibits

1. Compliance Check Field Report of Investigator Dennis Keefe; and
2. Licensee's Stipulation of Facts.

Licensee Exhibits

- A. Letter of Apology from Claudia Quintanilla;
- B. Mass Card of Emerson Quintanilla;
- C. Tesoro Supermarket Log dated January 9, 2012;
- D. Tesoro Supermarket Log dated January 6, 2012;
- E. Tesoro Supermarket Log dated December 10, 2011;
- F. Tesoro Supermarket Log dated November 30, 2011;
- G. Alcohol Server Training Verification Card of Claudia Quintanilla; and
- H. TIPS Certification Card for Employees (2 pages).

There is one (1) recording of this hearing.

FACTS

1. On September 7, 2011 at approximately 6:16 p.m., Commission Investigators investigated the business operation Tesoro Supermarket, Inc.



2. An underage operative, working with the investigators, purchased a twenty-four (24) ounce Bud can for two dollars and twenty cents (\$2.20). The underage operative was not asked for identification.

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 (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.**

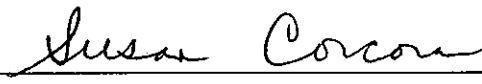
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



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

Susan Corcoran, Commissioner



Dated: January 24, 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
Thomas C. Grassia, Esq. via First Class Mail
Administration
File

