

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

THE BORDER MARKET LLC
651 BROADWAY
LAWRENCE, MA 01840
LICENSE#: 059400251
VIOLATION DATE: 04/09/2014
HEARD: 08/05/2014

The Border Market LLC (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 5, 2014, regarding an alleged violation of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, 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 Bailey's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Bailey's Compliance Check Field Report dated April 9, 2014.

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

FACTS

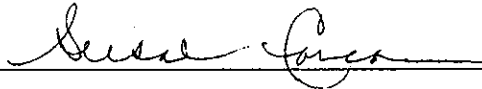
1. On Wednesday April 9, 2014, at approximately 6:52 p.m., Investigators Temple and Bailey conducted an investigation of the business operation of The Border Market LLC.
2. An underage operative, working with investigators, purchased an alcoholic beverage, a twenty five ounce (25 oz.) can of Natural Ice beer for one dollar and seventy-five cents (\$1.75). The underage operative was not asked for identification.

CONCLUSION

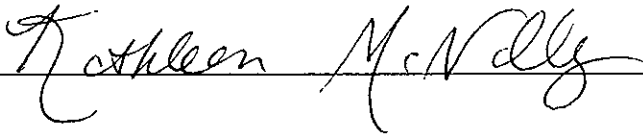
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: c. 138, §34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (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

Susan Corcoran, Commissioner



Kathleen McNally, Commissioner



Dated: August 5, 2014

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
Rose Bailey, Investigator
Christopher Temple, Investigator
Administration
File