

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

DECISION

BERKSHIRE LIQUORS INC.
33 CANAL ST
LEE, MA 01238
LICENSE#: 059600020
VIOLATION DATE: 03/06/2014
HEARD: 06/10/2014

Berkshire Liquors 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 10, 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 Kujawski's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Kujawski's Compliance Check Field Report dated March 6, 2014.

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

FACTS

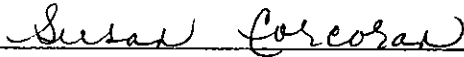
1. On Thursday, March 6, 2014, at approximately 4:13 p.m., Investigators Keefe and Kujawski conducted an investigation of the business operation of Berkshire Liquors Inc.
2. An underage operative, working with investigators, purchased an alcoholic beverage, a can of Budweiser Light beer for one dollar and twenty five cents (\$1.25). The underage operative was not asked for identification.

CONCLUSION

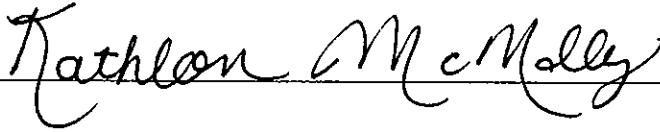
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for 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: June 16, 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
 Dennis Keefe, Investigator
 Jan Kujawski, Investigator
 Administration
 File