

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

UDACHA, INC. DBA FALLON'S WINE & SPIRITS
3 TAYLOR STREET
LITTLETON, MA 01460
LICENSE#: 062400007
HEARD: 12/6/2011

Udacha, Inc. dba Fallon's Wine & Spirits (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, December 6, 2011, 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 Brad Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report dated July 25, 2011.

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

FACTS

1. On, July 25, 2011 at approximately 7:13 p.m., Commission Investigators investigated the business operation Udacha, Inc. dba Fallon's Wine & Spirits.
2. An underage operative, working with the investigators, purchased a Budweiser twenty-four (24) ounce can for two dollars and ninety cents (\$2.90). The underage operative was not asked for identification.
3. Administrative review of the licensee's files indicates no violations. Licensee has held license since 2006.

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 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.**

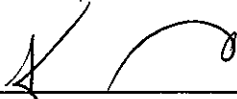
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: December 8, 2011

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
Brad Doyle, Investigator
John Connell, Esq. via facsimile
Administration
File