



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 BOTTLE SHOP
909 SHAKER RD
LONGMEADOW, MA 01106
LICENSE#: 062800013
HEARD: 07/31/2012

The Bottle Shop (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, July 31, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: M.G.L. 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. Licensee's Stipulation of Facts; and
2. Investigator Carey's Compliance Check Field Report dated May 2, 2012.

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

FACTS

1. On Wednesday, May 02, 2012 at approximately 5:35 p.m., Investigators Michael Teehan and Jack Carey conducted an investigation of the business operation of The Bottle Shop.
2. An underage operative working with investigators purchased an alcoholic beverage, a twenty-four (24) ounce can of Bud Light beer, for two dollars and thirty cents (\$2.30). 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 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

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

DATE: July 31, 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
Administration
File