

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

AMAL FUEL, INC. DBA DRUM HILL GULF
1299 WESTFORD ST
LOWELL, MA 01852
LICENSE#: 063000280
HEARD: 08/14/2012

Amal Fuel, Inc. dba Drum Hill Gulf (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 14, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Capurso's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Capurso's Compliance Check Field Report dated May 9, 2012; and
 2. Licensee's Stipulation of Facts.
- A. Letter to Licensee from Lowell Police Department on Passing Their Compliance Check Investigation of May 4, 2012.

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

FACTS

1. On Wednesday, May 9, 2012 at approximately 7:41 p.m., Investigators Temple and Capurso conducted an investigation of the business operation of Amal Fuel, Inc. dba Drum Hill Gulf.
2. An underage operative working with investigators purchased an alcoholic beverage, a forty ounce (40 oz.) bottle of Budweiser beer for three dollars and four cents (\$3.04). 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.**

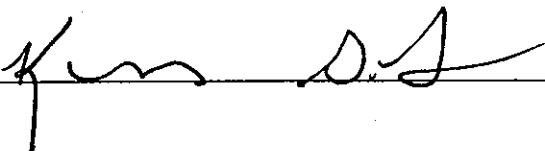
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ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner 

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

Kim S. Gainsboro, Chairman 

Dated: August 15, 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
Paul Capurso, Investigator
Christopher Temple, Investigator
Administration
File