Re: Norfolk Fine Wine & Spirits, Inc.
Premise: 206 Dedham Street
City/Town: Norfolk, MA 02056
License #:   081800012
Heard: August 3, 2010

DECISION

Norfolk Fine Wine & Spirits ("the licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §15. The Alcoholic Beverages Control Commission ("the Commission") held a hearing on August 3, 2010 regarding an alleged violation of Massachusetts General Laws c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Tim Hooton's Investigative Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigative Report of Investigator Tim Hooton.

There is one (1) tape of this hearing.

Facts

1.   On, June 2, 2010 at approximately 5:30 p.m., Commission Investigators investigated the business operation of Norfolk Fine Wine & Spirits.

2.   While outside of the licensed premises, Commission investigators, working with a underage operative conducted a compliance check. The underage operative entered the premises and exited with a forty (40) ounce can of Bud Light beer for $3.50. The underage operative was not asked for identification.

Conclusion

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. As the licensee has had no previous violations the Commission **suspends the license for three (3) days of which (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 _____

Susan Corcoran, Commissioner _____

Robert Cronin, Commissioner _____

Dated in Boston, Massachusetts this 10th day of August 2010.

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 days of receipt of this decision.

cc: Norfolk Licensing Board
       Frederick G. Mahony, Chief Investigator
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