

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

MIKAKU, INC.
290 WEST MAIN ST.
NORTHBOROUGH, MA 01532
LICENSE# 090200048
HEARING HELD: 1/24/2012

Mikaku, Inc. (the "Licensee") holds an all-alcoholic beverages license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, January 24, 2012, 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 Dennis Keefe's Compliance Check Field Report.

The following documents are exhibits in evidence:

Commission Exhibits

1. Investigator Keefe's Compliance Check Field Report dated September 28, 2011; and
2. Licensee's Stipulation of Facts.

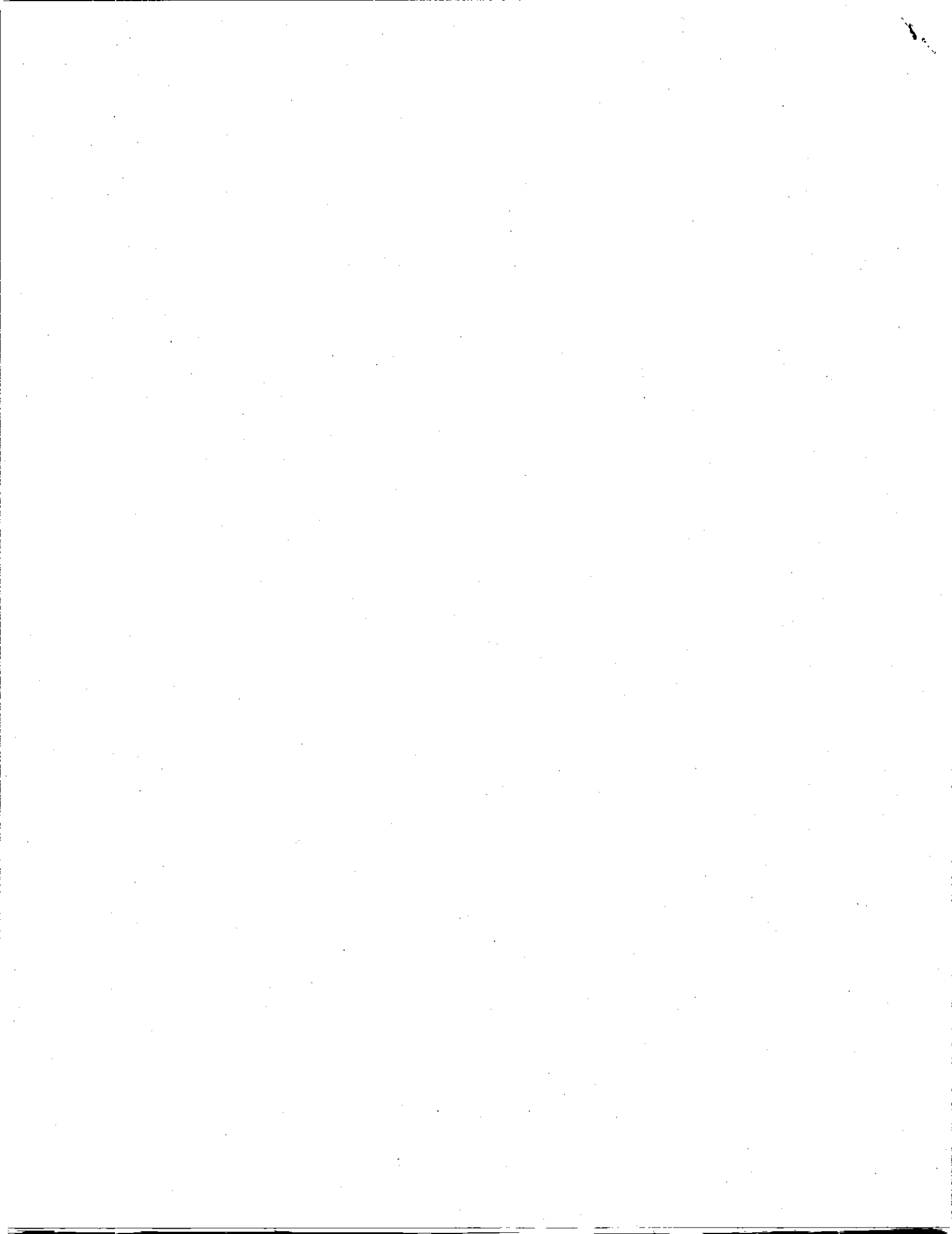
Licensee Exhibits

- A. Massachusetts Department of Revenue Certificate of Good Standing for Licensee dated January 17, 2012;
- B. ServSafe Alcohol Certificate dated November 9, 2009 for Arthur Su; and
- C. ServSafe Alcohol Certificate dated November 9, 2009 for Dorothy Su.

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

FACTS

1. On Wednesday, September 28, 2011, at approximately 5:32 p.m., Commission Investigators Keefe and Kujawski conducted an investigation of the licensed premises of Mikaku, Inc.
2. An underage operative, working with the Investigators, purchased an alcoholic beverage, a bottle of Budweiser Light beer, for four dollars and seventy-five cents (\$4.75). The underage operative was not asked for identification.

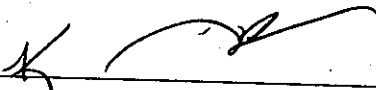


CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. 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



Dated: January 24, 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
Dennis Keefe, Investigator
✓ Administration
File

