



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

D & NG INC. DBA KING JADE RESTAURANT
1229 PROVIDENCE ROAD
NORTHBRIDGE, MA 01588
LICENSE#: 090400039
VIOLATION DATE: 05/14 /2013
HEARD: 10/22/2013

D & Ng Inc. dba King Jade Restaurant (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, October 22, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Kujawski's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Kujawski's Compliance Check Field Report dated May 14, 2013.

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

FACTS

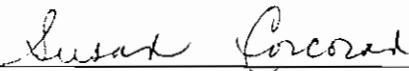
1. On Tuesday, May 14, 2013, at approximately 7:01 p.m., Investigators Keefe and Kujawski conducted an investigation of the business operation of D & Ng Inc. dba King Jade Restaurant.
2. An underage operative, working with investigators, purchased an alcoholic beverage, a bottle of Budweiser Light beer for three dollars and seventy cents (\$3.70). The underage operative was not asked for identification.

1767 2125


CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. 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

Susan Corcoran, Commissioner 

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

Kathleen McNally, Commissioner 

Dated: October 25, 2013

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
Jan Kujawski, Investigator
Dennis Keefe, Investigator
Administration
File