



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

MELVIN & MABLE, INC DBA BUNGHOLE PACKAGE STORE
075-79 LOWELL ST
PEABODY, MA 01960
LICENSE#: 095600070
HEARD: 3/13/2012

Melvin & Mable, Inc. dba Bunghole Package Store (the "Licensee") holds an all-alcoholic beverages license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, March 13, 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 Paul Capurso's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Capurso's Compliance Check Field Report dated August 31, 2011; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Wednesday, August 31, 2011, at approximately 6:15 p.m., Investigator Paul Capurso conducted an investigation of the business operation of Melvin & Mable, Inc. dba Bunghole Package Store.
2. An underage operative working with investigators purchased an alcoholic beverage, a forty ounce (40 oz.) can of Budweiser beer, for three dollars and twenty-five cents (\$3.25). The underage operative was not asked for identification.
3. An administrative review of the files indicates the licensee has held the license since 1995, and has no previous violations.

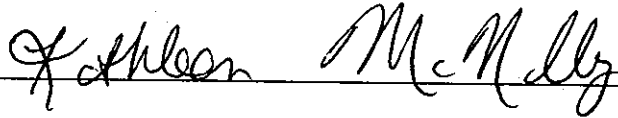
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CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. As the licensee has been in business for more than ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

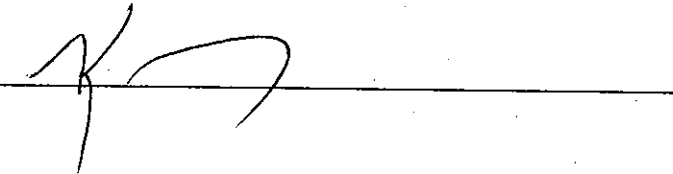
ALCOHOLIC BEVERAGES CONTROL COMMISSION

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: March 14, 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
Administration
File