

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

1395 BEER WINE INC. DBA RICHDALÉ FOOD SHOPS
1395 NORTH MAIN STREET
RANDOLPH, MA 02368
LICENSE#: 100800066
HEARD: 10/08/2013

1395 Beer Wine Inc. dba Richdale Food Shops (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, October 8, 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 Hooton's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Hooton's Compliance Check Field Report dated April 3, 2013.

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

FACTS

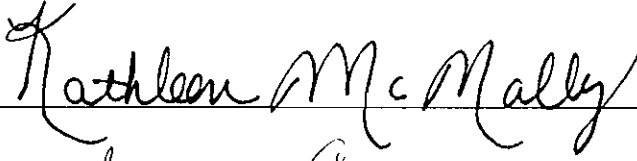
1. On April 3, 2013 at approximately 5:35p.m., Investigators Teehan and Hooton conducted an investigation of the business operation of 1395 Beer Wine Inc. dba Richdale Food Shops.
2. An underage operative working with investigators purchased an alcoholic beverage, a 24 oz Bud Light can, for two dollars and fifty cents (\$2.50). The underage operative was not asked for identification.

CONCLUSION

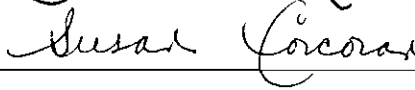
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three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

Kathleen McNally, Commissioner



Susan Corcoran, Commissioner



Dated: October 9, 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
Michael Teehan, Investigator
Timothy Hooton, Investigator
Administration
File