



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

DECISION

Kim J. Gainsboro, Esq.
Chairman

ENTERPRISES LIQUOR STORE, INC. DBA WOODY'S LIQUORS
266 BRAODWAY
REVERA, MA 02151
LICENSE#: 102200067
HEARD: 08/09/2011

Enterprise Liquor Store, Inc. (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 Tuesday, August 09, 2011, regarding an alleged violation of 2.04 CMR 4.03 (2). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Brad M. Doyle's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Report of Investigator Brad M. Doyle's.

There is one (1) tape of this hearing.

FACTS

1. On Tuesday, March 29, 2011 at approximately 12:30 p.m., Investigators Capurso and Doyle investigated the business operation of Enterprise Liquor Store, Inc. after receiving a complaint regarding an advertisement on Facebook.
2. The advertisement stated that anyone who mentioned the Facebook page would get a free Smirnoff nip.
3. Investigators printed out a copy of this advertisement the morning of March 29, 2011.
4. Investigator Doyle entered the premises and purchased two (2) twelve (12) ounce bottles of beer; (Rolling Rock and Samuel Adams) from a cooler indicating each bottle was one (1) dollar.
5. Investigator Doyle stated to the clerk on duty, Mr. Buttiglier, "I saw the Facebook page indicating a free nip."
6. Mr. Buttiglier stated he was not aware of a Facebook page and asked Investigator Doyle what the page said.
7. Investigator Doyle stated that the Facebook page said "mention this post and get a free Smirnoff nip."
8. Mr. Buttiglier then asked Investigator Doyle which nip he wanted.
9. Investigator Doyle stated "any kind." Buttiglier placed the two (2) bottles of beer and a root beer flavored Smirnoff nip in a bag.
10. Mr. Buttiglier charged Investigator Doyle two (2) dollars for the purchase. Investigator Doyle exited the premises.

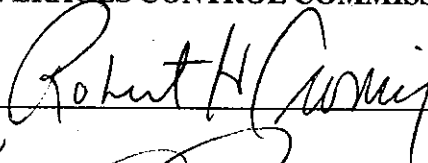
11. Investigators Capurso and Doyle then entered the premises and spoke with Mr. Buttiglier about the free advertisement.
12. Buttiglier called the owner on the phone and stated "the ABCC are here about the Facebook page."
13. Investigators informed Mr. Buttiglier that a report would be submitted to the Chief Investigator for review.
14. Investigators exited the premises at approximately 1:00pm without incident.
15. Investigators then returned to the Commission office.
16. Investigator Doyle went to the Enterprise Liquor Store, Inc. Facebook page and discovered the post indicating the free nip had been removed from the site.
17. An administrative review of the file indicates that the licensee has been in business since 1997 and has had no previous violations.

CONCLUSION

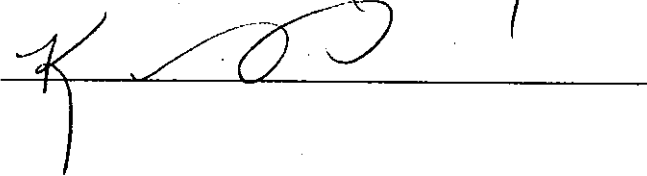
Based on the evidence, the Commission finds the licensee violated 2.04 CMR, 4.03 (2). The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert Cronin, Commissioner



Kim S. Gainsboro, Chairman



Dated: September 19, 2011

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
Brad Doyle, Investigator
Administration
File