



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

DECISION

STOCKBRIDGE WINE CELLAR INC. D/B/A NEJAIME'S WINE CELLAR
3 ELM STREET
STOCKBRIDGE, MA 01262
LICENSE#: 1240-00014
VIOLATION DATE: 8/15/2018
HEARING DATE: 9/25/2018

Stockbridge Wine Cellar Inc. d/b/a Nejaime's Wine Cellar (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, September 25, 2018, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. 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 Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

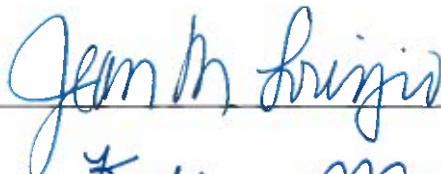
1. On Wednesday, August 15, 2018, at approximately 5:27 p.m., Investigators Watson and Temple ("Investigators") investigated the business of Stockbridge Wine Cellar Inc. d/b/a Nejaime's Wine Cellar.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 16-ounce Bud Light beer, for one dollar and ninety-nine cents (\$1.99). 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: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for over 50 years with no previous violation, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: September 26, 2018

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.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Lisa Watson, Investigator
Christopher Temple, Investigator
Administration, File