

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

ANDERSON FAMILY ENTERPRISES, INC. DBA RYAN'S PACKAGE STORE
31 FRANKLIN STREET
WESTFIELD, MA 01085
LICENSE#: 144000048
VIOLATION DATE: 04/14/2014
HEARD: 10/07/2014

Anderson Family Enterprises Inc. dba Ryan's Package Store (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 7, 2014, 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 Teehan's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Teehan's Investigative Report dated April 14, 2014.
 - A. Copy of TIPS Course Completion and Certification; and
 - B. A letter from the Westfield Police Department.

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

FACTS

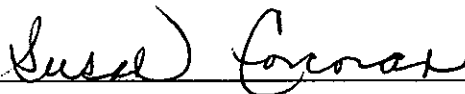
1. On Monday, April 14, 2014, at approximately 4:20 p.m., Investigators Kenny and Teehan conducted an investigation of the business operation of Anderson Family Enterprises Inc. dba Ryan's Package Store.
2. An underage operative, working with investigators, purchased a 6-pack of Budweiser Light beer for seven dollars (\$7.00). The underage operative was asked for identification but didn't present one, and despite this fact, was sold the alcoholic beverages.

CONCLUSION

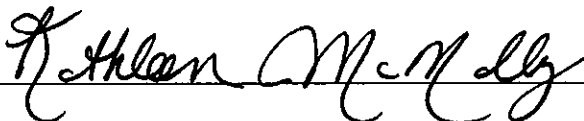
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for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



Kathleen McNally, Commissioner



Dated: October 16, 2014

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
Mark Kenny, Investigator
Administration
File