



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

BITTERSWEET RESTAURANT, INC. DBA BITTERSWEET RESTAURANT
438-40 MAIN ROAD
WESTPORT, MA 02790
LICENSE#: 145200044
HEARD: 11/1/2011

Bittersweet Restaurant, Inc. dba Bittersweet Restaurant (the "Licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, November 1, 2011, 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 Jamie Binienda's Compliance Check Field Report.

The following documents are in evidence:

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

There is one (1) tape of this hearing.

FACTS

1. On, July 27, 2011 at approximately 5:56 p.m., Commission Investigators investigated the business operation Bittersweet Restaurant, Inc. dba Bittersweet Restaurant.
2. An underage operative, working with the investigators, purchased a Bud Light. The underage operative was not asked for identification.
3. Administrative review of the file indicates the license has no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34. 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

Susan Corcoran

Kathleen McNally, Commissioner

Kathleen McNally

Dated: November 9, 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
Jamie Binienda, Investigator
Mark Kenny, Investigator
Administration
File