

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
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Jean M. Lorizio, Esq.
Chairman

DECISION

**WINE COUNTRY INC.
741 MAIN STREET
WINCHESTER, MA 01890
LICENSE#: 1488-00015
VIOLATION DATE: 08/29/2017
HEARING DATE: 1/16/2018**

Wine Country Inc. (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, January 16, 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 Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe'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 Tuesday, August 29, 2017, at approximately 5:13 p.m., Investigators Di Cicco and Keefe ("Investigators") investigated the Wine Country Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Bud Light beer, for seven dollars and forty-nine cents (\$7.49). The underage operative was not asked for identification.

CONCLUSION

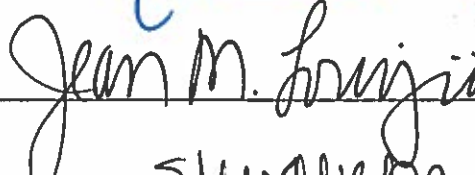
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

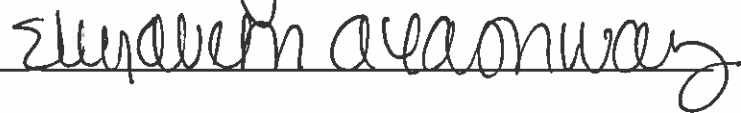
Kathleen McNally, Commissioner



Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Dated: January 17, 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
Dennis Keefe, Investigator
Joseph Di Cicco, Investigator
Administration, File