

Re: K.A.M., Inc.  
d.b.a.: Themis Pizza  
Premises: 488 Market Street  
City/Town: Rockland, MA 02370  
Heard: August 4, 2009

### DECISION

A Commission hearing was held to determine whether K.A.M., Inc. d.b.a. Themis Pizza violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: Ch. 138, §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 count).

The licensee stipulated to the Rockland Police Department's Compliance Check Field Report. Investigator Caroline Wilichoski testified that on May 20, 2009, at approximately 7:33 p.m., an underage operative (d.o.b. 5/21/1989) entered the Themis Pizza establishment and purchased a Budweiser Light beer. At no point during this transaction did the wait staff ever request identification of the underage operative.

The licensee testified that he has met with his staff and has gone over protocol he has established to check for alcohol intervention methods and has set up a future training for all employees.

An administrative review of the licensee's file reveals that he has had the license for four (4) years and this is his first violation. The Commission finds the licensee in violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: Ch. 138, §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 count), therefore, **issues a warning.**

### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner\_\_\_\_\_

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Robert H. Cronin, Commissioner\_\_\_\_\_

Dated in Boston, Massachusetts this 1<sup>st</sup> day of September 2009.

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 days of receipt of this decision.

cc: Local Licensing Board; Frederick G. Mahony, Chief Investigator; Rockland Police Department; File