

Re: A1 Buffet, Inc.
DBA: Rt. 28 Buffet
Premises: 860 North Main Street
City/Town: West Bridgewater, MA 02379
Heard: January 5, 2010

DECISION

A1 Buffet, Inc., dba Rt. 28 Buffet, holds a wine and malt license pursuant to Massachusetts General Laws chapter 138, §12. The Alcoholic Beverages Control Commission (“the Commission”) held a hearing on January 5, 2010 regarding alleged violations of Massachusetts General Laws chapter 138, §23, to wit: sale of alcoholic beverages other than those purchased from a licensee holding a license pursuant to §18 or §19 or from a holder of a special permit under §22A. Prior to the commencement of the hearing, the licensee stipulated that the violations occurred on November 4, 2009.

The following documents are in evidence:

1. The Appearance of Licensee, A1 Buffet, Inc., Rong H. Zhang.
2. Licensee Stipulation of Facts
3. Investigator Jan Kujawski’s Report

Facts

1. On Wednesday, November 4, 2009, Investigators Kujawski, Kenny and Hooton investigated the business operations of A1 Buffet, Inc.
2. The Investigators conducted an inspection of the bar area and found five (5) bottles with retail package store price stickers affixed to the bottles.
3. The bottles were recorded as follows:
 - a. Two (2) 1-gallon bottles of Carlo Rossi Merlot
 - b. One (1) bottle of Livingston Merlot
 - c. One (1) bottle of Livingston Chardonnay
 - d. One (1) bottle of Livingston Burgundy Wine

Conclusion

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws chapter 138, §23. As this is the first violation, and the licensee took full responsibility for its action, the Commission **issues a warning**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman _____

Susan Corcoran, Commissioner _____

Robert H. Cronin, Commissioner _____

Dated in Boston, Massachusetts this 8th day of January 2010.

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: West Bridgewater Licensing Board
Frederick G. Mahony, Chief Investigator
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