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Chairman

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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DECISION

**THE RED RAVEN INC. D/B/A RED RAVEN
3 NAGOG PARK
ACTON, MA 01720
LICENSE#: 0006-00002
VIOLATION DATE: 06/10/2017
HEARING DATE: 08/08/2017**

The Red Raven Inc. d/b/a Red Raven (the “Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the “Commission”) held a hearing on Tuesday, August 8, 2017, 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 Doyle’s Report.

The following documents are in evidence:

1. Investigator Doyle’s Compliance Check Field Report; and
2. Licensee’s Stipulation of Facts.
 - A. Licensee’s Alcohol Service Policies and Hire Guidelines;
 - B. Affidavit from Bartender; and
 - C. Licensee’s Refusal of Alcohol Service Reports.

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

The Commission took Administrative Notice of the Licensee’s record.

FACTS

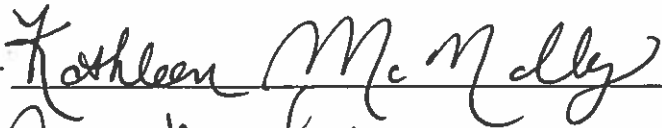
1. On Saturday, June 10, 2017, at approximately 1:23 p.m., Investigators Bailey and Doyle (“Investigators”) investigated the business operation of The Red Raven Inc. d/b/a Red Raven.

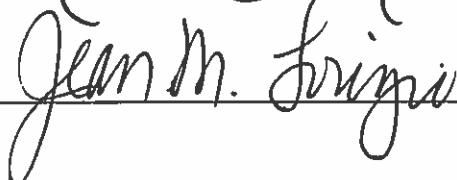
2. An underage operative, working with Investigators, was in possession of an alcoholic beverage, a bottle of Bud Light beer. The underage operative was not asked for identification.

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. Therefore, the Commission **suspends the license for a period of 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

Kathleen McNally, Commissioner 

Jean M. Lorizio, Chairman 

Dated: August 8, 2017

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
Brad Doyle, Investigator
Rose Bailey, Investigator
Administration, File