

Re: F&M New Home Liquors, Inc.
Premises: 115A New Athol Road
City/Town: Orange, MA 01364
License: All Alcohol Package Store
Heard: April 26, 2007

DECISION

This was a hearing concerning alleged 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).

The licensee stipulated to the facts of the investigator's report which stated that an underage operative, working under the supervision of A.B.C.C. investigators purchased a 6 pack of Miller Light. The minor whose date of birth is 09/04/1986 (age 20) was not asked for identification. The licensee has owned the establishment for 11 years and has not had any previous violations.

Based on the evidence, the Alcoholic Beverages Control Commission finds that the licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch.138 §34 - Sale of delivery of an alcoholic beverage to a person under twenty-one years of age (1 count) and therefore, issues a warning.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Suzanne Iannella, 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 2nd day of May 2007.

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.

SI/kac

CC: Local Board, Chief Investigator, File

