

Re: Waterhouse, Inc.
d.b.a.: The New Old Oak
Premises: 74 East Main Street
City/Town: Merrimac, MA 01860
License: AA Restaurant
Heard: October 23, 2008

DECISION

A Commission hearing was held to determine whether Waterhouse, Inc. d.b.a. The New Old Oak 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 that facts contained in the investigator's compliance check field report dated September 8, 2008. The report states an underage operative purchased a bottle of Bud Light beer for \$3.00 at The New Old Oak. The bartender did not ask the young woman for identification prior to service.

Administrative review of the file indicates an A.B.C.C. violation in 2006.

The Commission finds the licensee 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 and, therefore, **suspends the license for a period of 5 days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert H. Cronin, Commissioner _____

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

Suzanne Iannella, Commissioner _____

Dated in Boston, Massachusetts this 24th day of October 2008.

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
Chief Investigator Mahony
File