

Re: Middleton Liquors, LLC  
d.b.a.: Rusty's Bottle Shop  
Premises: 21 S. Main Street  
City/Town: Middleton, MA 01949  
License: AA Package  
Heard: October 23, 2008

### DECISION

A Commission hearing was held to determine whether Middleton Liquors, LLC d.b.a. Rusty's Bottle Shop 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 15, 2008. The report states an underage operative purchased a can of Bud Light for \$1.25 at Rusty's Bottle Shop. The clerk did not ask the young woman for identification prior to the purchase.

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 3 days of which 3 days will be held in abeyance** for a period of two years provided no further violations of Ch. 138 or Commission regulations occur.

### 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 24<sup>th</sup> 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