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Chairman

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

**JNT PACKAGE CORP. D/B/A ODB LIQUORS
1253 HYDE PARK
BOSTON, MA 02136
LICENSE#: 0116-000990
VIOLATION DATE: 9/08/2017
HEARD: 2/13/2018**

JNT Package Corp. d/b/a ODB Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, February 13, 2018, regarding an alleged violation of M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Teehan's report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report; and
2. RMV Printout of Underage.

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

The Commission took Administrative Notice of the Licensee's record. At the close of the hearing, the Commission left the record open for one week in order that the Licensee might submit a surveillance video from 9/8/2017. By March 6, 2018, the Commission had not received anything from the Licensee. Therefore, the Commission voted to close the record.

FINDINGS OF FACT

1. On Friday, September 8, 2017, Investigators Kenny and Teehan ("Investigators") conducted an investigation of the business operation of JNT Package Corp. d/b/a ODB Liquors to determine the manner in which its business was being conducted.
2. At approximately 3:00 p.m., while outside the premises, Investigators observed two youthful looking female individuals exit the store with an 18-pack of Bud Light beer, a 12-

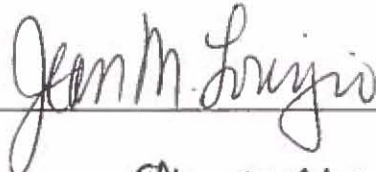
pack of Bud Light beer, and 5 nips of Dr. McGillicuddy whiskey. Investigators identified themselves and asked for proof of legal age.

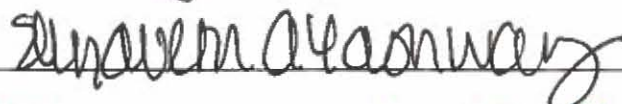
3. Underage #1, actual date of birth 4/3/1997 (age 20) stated that when she purchased the 12-pack of Bud Light beer, she was not asked for identification.
4. Underage #2, actual date of birth 6/4/1997 (age 20) stated that when she purchased the 18-pack of Bud Light beer and the 5 nips of Dr. McGillicuddy whiskey, she was not asked for identification.
5. Investigators informed the clerk on duty, Nguyen Pham, of the violations and that a report would be filed with the Chief Investigator for further action.


CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission **suspends the license for six (6) days of which four (4) days will be served and two (2) 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

Jean M. Lorizio, Chairman 

Elizabeth A. Lashway, Commissioner 

Kathleen McNally, Commissioner 

Dated: March 6, 2018

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
Mark Kenny, Investigator
Michael Teehan, Investigator
Administration, File