

Re: MAJ Convenient, Inc.
d.b.a.: Town Market
Premise: 14 Merrimac Square
City/Town: Merrimac, MA 01860
Heard: June 4, 2009

DECISION

A Commission hearing was held to determine whether MAJ Convenient, Inc. 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 the facts contained in the Investigator Compliance Check Field Report dated April 11, 2009. On April 11, 2009 at approximately 4:17 p.m., an underage operative (d.o.b. 6/2/1988) entered MAJ Convenient , Inc. and purchased a 24 oz Budweiser can of beer. At no point during the transaction was the underage operative ever asked for any type of identification.

An administrative review of the licensee's file indicates that he has been in business for five years without any violations.

The licensee stated that subsequent to this violation he has put signage up and has spoken to his employees. He was also amenable to educational programs his employees could partake in. The clerk on duty that night has since retired.

The Commission finds that 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 (1 count) and, therefore, **issues a warning.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, 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 15th day of June 2009.

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
Frederick G. Mahony, Chief Investigator
File