

# *The Commonwealth of Massachusetts*

*Department of the State Treasurer*

*Alcoholic Beverages Control Commission*

*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

## **DECISION**

**JANDAV, INC. DBA BURDITT HILL MARKET**  
**363 MAIN STREET**  
**CLINTON, MA 01510**  
**LICENSE #: 023400032**  
**HEARD: 12/13/2011**

JanDav, Inc. dba Burditt Hill Market (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, December 13, 2011, regarding an alleged violation of M.G.L. c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Brad Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report dated August 3, 2011.

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

## **FACTS**

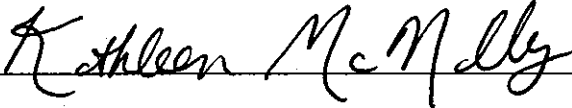
1. On August 3, 2011 at approximately 8:07 p.m., Commission Investigators investigated the business operation JanDav, Inc. dba Burditt Hill Market.
2. An underage operative, working with the investigators, purchased a Budweiser can for two dollars and thirty-five cents (\$2.35). The underage operative was not asked for identification.
3. The under-aged operative is eighteen (18) years old, with a date of birth of November 29, 1992.
4. Administrative review of the file indicates the licensee has been at this location since 2004 and has no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. The Commission suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

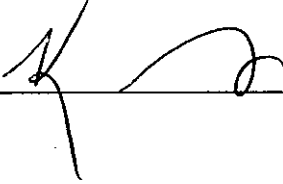
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



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

Kim S. Gainsboro, Chairman



Dated: December 28, 2011

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.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Brad Doyle, Investigator  
Administration  
File