



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**131 BRIMBAL LLC D/B/A 7-ELEVEN  
131 BRIMBAL AVENUE  
BEVERLY, MA 01915  
LICENSE#: 89311-PK-0100  
VIOLATION DATE: 4/26/2023  
HEARD: 9/19/2023**

131 Brimbal LLC d/b/a 7-Eleven (“Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (“ABCC” or “Commission”) held a remote hearing via Microsoft Teams on Tuesday, September 19, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Bolcome and Anderson’s Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Bolcome & Anderson’s Minimum Purchase Age Compliance Check Field Report, 4/26/2023;
2. ABCC Summary Review License Transfer Application Approval, 5/10/2018;
3. Licensee’s Stipulation of Facts.
  - A. Employee Counseling Notice, 4/28/2023;
  - B. TIPS Certification Card of Arjun Karki;
  - C. Licensee’s Store Policy with Signed Acknowledgment for all Employees.

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

**FINDINGS OF FACT**

1. On Wednesday, April 26, 2023, at approximately 7:07 p.m., Investigators Bolcome and Anderson (“Investigators”) conducted a compliance check at 131 Brimbal LLC d/b/a 7-Eleven.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 25-ounce can of Bud Light beer, for three dollars and seventy-four cents (\$3.74). The underage operative was not asked for identification.

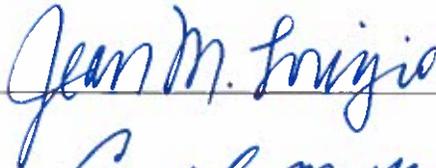
3. Arjun Karki, clerk on duty at the time of the compliance check, appeared at the Commission hearing and testified he mistakenly believed the underage operative was a person he knew to be over twenty-one years of age.
4. Niraj Shrestha, General Manager for several 7-Eleven locations, appeared at the Commission hearing and testified employees are not even allowed to begin training in a store until they are TIPS certified. He stated the clerk in this matter was issued a written warning and was re-certified via TIPS after this compliance check. In addition, an updated written alcohol policy is forthcoming for all stores, and Mr. Shrestha stated an identification scanner was purchased for this location.
5. Abu Mansur also appeared at the Commission hearing.
6. The Licensee has held a license under M.G.L. c. 138, § 15 since 2018 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: December 13, 2023

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.

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto immediatamente.  
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。  
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए  
Dokiman sa a enpòtan epi li ta dwe tradwi touswit  
'Đây là tài liệu quan trọng và cần được dịch ngay'  
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000091-ad-enf

- cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Melissa Anderson, Investigator  
David Bolcome, Investigator  
Michael Ford, Esq.  
Administration, File