



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

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

**DECISION**

**MARLBORO FOOD INC. D/B/A 7 ELEVEN STORE 37380B  
664 UNION STREET  
FRANKLIN, MA 02038  
LICENSE # 90583-PK-0430  
VIOLATION DATE: 3/20/2024  
HEARD: 6/11/2024**

Marlboro Food Inc. d/b/a 7 Eleven Store 37380B ("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, June 11, 2024, 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 Cutter & Teehan's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Cutter & Teehan's Minimum Purchase Age Compliance Check Field Report, 3/20/24;
2. ABCC Licensing Authority Certification, Transfer of License Approved 8/11/2023;
3. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Wednesday, March 20, 2024, at approximately 5:45 p.m., Investigators Cutter & Teehan ("Investigators") conducted a compliance check at Marlboro Food Inc. d/b/a 7 Eleven Store 37380B.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 6-pack of Bud Light beer for ten dollars (\$10.00). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2023 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**

Deborah A. Baglio, Commissioner Deborah A. Baglio

I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman Jean M. Lorizio

Dated: July 10, 2024

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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यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

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‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000052-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Michael Teehan, Investigator  
Alicia Cutter, Investigator  
Administration, File