



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

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

**DECISION**

**THE AVOCADO CAFÉ INC. D/B/A AVOCADO CAFÉ  
5 RAILROAD STREET  
LEE, MA 01238  
LICENSE#: 06619-RS-0596  
VIOLATION DATE: 4/01/2024  
HEARD: 7/23/2024**

The Avocado Café Inc. d/b/a Avocado Café ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, July 23, 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 Guarino & Fleming's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Guarino & Fleming's Minimum Purchase Age Compliance Check Field Report, 4/1/2024;
2. ABCC Licensing Authority Certification, New License Approved 3/01/2022;
3. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

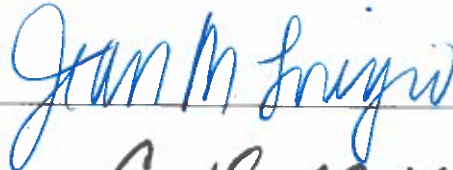
1. On Monday, April 1, 2024, at approximately 6:51 p.m., Investigators Fleming and Guarino ("Investigators"), conducted a compliance check at The Avocado Café Inc. d/b/a Avocado Café.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one 16-ounce draft of Oktoberfest lager for nine dollars and three cents (\$9.03). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 12 since 2022 with no previous 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. As a result, the Commission issues a **WARNING**.

## **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: October 9, 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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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។

2024-000089-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Katherine McCormick, Esq., Associate General Counsel  
Caroline Guarino, Investigator  
Sean Fleming, Investigator  
Administration, File