



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

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

**NOTICE OF SUSPENSION**

September 10, 2019

**BRIJES CORPORATION D/B/A BEACH BLUFF LIQUORS  
260 HUMPHREY STREET  
MARBLEHEAD, MA 01945  
LICENSE#: 88860-PK-0656  
VIOLATION DATE: 5/25/2019  
HEARD: 9/10/2019**

After a hearing on September 10, 2019, the Commission finds Brijes Corporation d/b/a Beach Bluff Liquors violated 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale of delivery of an alcoholic beverage to a person under twenty-one years of age (1 count).

The Commission suspends the license for a period of two (2) days of which one (1) day will be served and one (1) day will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

The suspension shall commence on Monday, October 28, 2019 and terminate on Monday, October 28, 2019. The license will be delivered to the Local Licensing Board or its designee on Monday, October 28, 2019 at 9:00 A.M. It will be returned to the Licensee on Tuesday, October 29, 2019.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio  
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Joseph Di Cicco, Investigator  
Dennis Keefe, Investigator  
Gregory Demakis, Esq.  
Administration, File



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
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**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**BRIJES CORPORATION D/B/A BEACH BLUFF LIQUORS  
260 HUMPHREY STREET  
MARBLEHEAD, MA 01945  
LICENSE#: 88860-PK-0656  
VIOLATION DATE: 5/25/2019  
HEARD: 9/10/2019**

Brijes Corporation d/b/a Beach Bluff Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, September 10, 2019, 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 of delivery of an alcoholic beverage to a person under twenty-one years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Investigative Report;
2. Licensee Stipulation of Facts; and
3. Licensee's License Application Approved 8/24/2016.

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

**FINDINGS OF FACT**

1. On Saturday, May 25, 2019, at approximately Investigators Keefe and Di Cicco ("Investigators") conducted an investigation of the business operation of Brijes Corporation d/b/a Beach Bluff Liquors to determine the manner in which its business was being conducted.
2. At approximately 8:45 p.m., Investigators pulled into the rear parking lot of the licensed premises and observed a motor vehicle occupied by a youthful appearing individual, seating in the front passenger seat.

3. A few moments later, Investigators observed a youthful appearing male exit the premises, in possession of alcoholic beverages, and get into the driver's seat of the motor vehicle. Investigators identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 3/01/1999 (age 20), was in possession of a 6-pack of Modelo beer, a large can of Coors Light beer, and a small bottle of Tito's vodka. The underage male stated that he was not asked for identification when he purchased the alcoholic beverages.
5. The youthful appearing passenger was properly identified and was under the age of twenty-one.
6. Investigators entered the licensed premises with the Underage individual and identified him to Brijesh Patel and Samirkumar Patel. Mr. Brijesh informed Investigators that he sold the alcoholic beverages to the minor and on this occasion, he did not ask him for identification.
7. Investigators informed Brijesh and Samirkumar Patel of the violation, and that a report would be filed with the Chief Investigator for review.
8. The Licensee has been licensed under M.G.L. c. 138, § 15 since 2016 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 of delivery of an alcoholic beverage to a person under twenty-one years of age (1 count). Therefore, the Commission **suspends the license for a period of two (2) days of which one (1) day will be served and one (1) day will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occurs.**

#### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: September 10, 2019

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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