

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

Jean M. Lorizio, Esq.
Chairman

DECISION

**BRUSO LIQUOR MART INC.
1240 PARK STREET
PALMER, MA 01069
LICENSE#: 00031-PK-0948
VIOLATION DATE: 4/12/2023
HEARD: 9/05/2023**

Bruso Liquor Mart Inc. ("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 5, 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 Guarino and Flemings's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Guarino and Fleming's Minimum Purchase Age Compliance Check Field Report, 4/12/2023;
2. ABCC Form 4,3 Transfer of License Approval, 6/24/1997;
3. ABCC Notice of Suspension, 5/12/1999;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Wednesday, April 12, 2023, at approximately 6:20 p.m., Investigators Guarino and Fleming ("Investigators") conducted a compliance check at Bruso Liquor Mart Inc.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a 24-ounce bottle of Bud Light beer, for three dollars and twenty-five cents (\$3.25). The underage operative was not asked for identification.
3. Daniel Bruso, Licensee, appeared at the Commission hearing.
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 1997 with one prior violation which occurred more than 20 years ago.

CONCLUSION

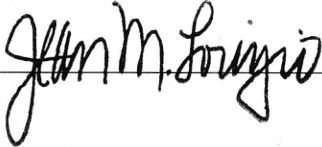
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner _____ 

Deborah A. Baglio, Commissioner _____ 

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

Jean M. Lorizio, Chairman _____ 

Dated: September 15, 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.

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2023-000094-ad-enf

- cc: Local Licensing Board
- Frederick G. Mahony, Chief Investigator
- Kyle E. Gill, Esq., Associate General Counsel
- Caroline Guarino, Investigator
- Sean Fleming, Investigator
- Administration, File