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Chairman

*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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DECISION

**PEREGRINE ENDEAVORS, INC. D/B/A INDUSTRY BAR ROOM/DISTRICT
109 WATER STREET
WORCESTER, MA 01604
LICENSE#: 1508-00475
VIOLATION DATE: 3/01/2018
HEARD: 12/04/2018**

Peregrine Endeavors, Inc. d/b/a Industry Bar Room/District (the “Licensee” or “Super Liquors”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (“Commission” or “ABCC”) held a hearing on Tuesday, December 4, 2018, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (9 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Keefe’s Report.

The following documents are in evidence:

1. Investigator Keefe’s Investigative Report; and
2. Licensee Stipulation of Fact.

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

The Commission took Administrative Notice of the Licensee’s record.

FINDINGS OF FACT

1. On Thursday, March 1, 2018, at approximately 10:45 p.m., Investigators Di Cicco, Temple, Velez, Watson, and Keefe (“Investigators”) along with Lieutenant Johnson and other members of the Worcester Police Department Alcohol Unit (“Officers”), conducted an investigation of the business operation of Peregrine Endeavors, Inc. d/b/a Industry Bar Room/District to determine the manner in which its business was being conducted.
2. Upon entering the licensed premises, Investigators observed a large group of youthful appearing individuals in possession of alcoholic beverages.

3. Investigators and Officers identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 4/14/1999 (age 18), was in possession of a Keystone Light draft beer. She stated to Investigators that the beer was given to her, she did not order it.
5. Underage #2, actual date of birth 12/07/1998 (age 19), was in possession of a Keystone Light draft beer. She presented to Investigators a Massachusetts identification in another's name. Investigators observed that the facial features on the identification did not match those of the person before them.
6. Underage #3, actual date of birth 3/28/1997 (age 20), was in possession of a draft beer. He presented to Investigators a Massachusetts identification in another's name. Investigators observed that the facial features on the identification did not match those of the person before them.
7. Underage #4, actual date of birth 3/03/1999 (age 18), was in possession of a can of Pabst Blue Ribbon beer. He stated to Investigators that the beer was given to him, he did not order it.
8. Underage #5, actual date of birth 7/07/1999 (age 18), was in possession of a can of Pabst Blue Ribbon beer. He stated to Investigators that the beer was given to him, he did not order it.
9. Underage #6, actual date of birth 7/19/1997 (age 20), was in possession of a vodka and soda mixed drink. She presented to Investigators a Massachusetts identification in another's name. Investigators observed that the facial features on the identification did not match those of the person before them.
10. Underage #7, actual date of birth 1/22/1999 (age 19), was in possession of a vodka and cranberry mixed drink. She presented to Investigators a fraudulent Connecticut driver's license.
11. Underage #8, actual date of birth 9/08/1999 (age 18), was in possession of can of Pabst Blue Ribbon beer. She presented to Investigators a Connecticut driver's license in her sister's name.
12. Underage #9, actual date of birth 3/30/1999 (age 18), was in possession of was in possession of a vodka and cranberry mixed drink. She stated to Investigators that the drink was given to her, she did not order it.
13. Investigators spoke to the owner and manager, Christopher Belisle, informed him of the violations, and that a report would be filed with the Chief Investigator for further review.

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, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (9 counts). Therefore, the Commission **suspends the license for a period of thirty-nine (39) days of which fifteen (15) days will be served and twenty-four (24) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: December 6, 2018

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Dennis Keefe, Investigator
Joseph Di Cicco, Investigator
Christopher Temple, Investigator
Nicholas Velez, Investigator
Lisa Watson, Investigator
Officer Patrick Harrington
Wayne LeBlanc, Esq. via facsimile 508-831-0443
Administration, File