



TABC

**Wine Only Package Store Permit (Q) with a Package Store
Tasting Permit (PS) and Local Cartage Permit (E)**

Know your responsibilities for a

**Wine Only Package Store Permit (Q)
with a Package Store Tasting Permit
(PS) and Local Cartage Permit (E)**



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The Permit

Your permit must be displayed in a conspicuous place at all times. It expires two (2) years from the date it was issued and it is your responsibility to renew it prior to expiration. The expiration date is printed on the face of your license.

Prior to expiration, a courtesy renewal is mailed to your mailing address on file. The commission cannot guarantee that the renewal will be delivered by the post office. If you do not receive your renewal form, contact your [local TABC office](#) or you can obtain the [form\(s\)](#) from our website.

You now have the option to [RENEW ONLINE!](#)

There is a 30 day grace period to renew after expiration, however you may not resume selling alcoholic beverages until the renewal is filed and the appropriate fees and late fees are paid.

IMPORTANT!

\$100 late fee will be assessed for each permit including subordinates if renewed after the expiration date. If you engage in activity during the grace period without the appropriate fees being paid, your license is subject to administrative action.



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The Permit

You cannot sell or transfer your permit or let anyone else operate with it. If you anticipate any type of change not limited to; trade name, address, officer, stockholder or entity, please contact your [local TABC office](#) for direction and procedures prior to beginning any change.

Failure to comply with the statutes governing such changes may result in a delay of business operation or administrative action against your permit.



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Purchasing Alcohol

Wine may only be purchased from a:

- Wholesaler's Permit (W)
- General Class B Wholesaler's Permit (X)
- Local Class B Wholesaler's Permit (LX)

Ale and Malt Liquor may be purchased from a:

- Wholesaler (W)
- General Class B Wholesaler (X)
- Local Class B Wholesaler (LX)
- Brewer's Permit (B) that holds a Brewer's Self-Distribution permit (DA)
- Wine and Beer Retailer's permit (BG) that also holds a Brew pub license (BP) that only sells brewpub made products**

These sales are subject to Credit Law



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Purchasing Alcohol

IMPORTANT!

****You may not purchase or acquire ale or malt liquor from any other retailer.**

Alcohol beverages damaged or determined to be unfit for human consumption while in the possession of the retailer, must be destroyed by the retailer and cannot be exchanged or returned to the seller for credit or refund.



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Selling of Alcohol

The holder of a Wine Only Package Store Permit (Q) is authorized to sell malt liquor, ale, and wine in sealed containers to the consumer for off premise consumption only.

- You may sell non-alcoholic products and may conduct other lawful business on the premises.
- No one may possess an open container of an alcoholic beverage on or near the licensed premises where it was sold.

Exceptions:

Package Store Tasting Permit (§52.01) or free product sampling of ale, malt liquor or wine on the licensed premises in compliance with (§24.12). Any open containers of alcoholic beverages remaining from the conclusion of the sampling event must be immediately destroyed or removed from the premises

Premise:

Means the grounds and all buildings at the licensed address, as well as adjacent premises, if they are directly or indirectly under your control.



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Hours of Sale

If only a Wine-Only Package Store Permit (Q) is held, alcoholic beverages may be sold or served during the following hours:

- 10:00 A.M. to 9:00 P.M., Monday through Saturday
- Closed on New Year's Day, Thanksgiving Day, Christmas Day, or Sunday

If a Beer Retailers Off-Premise License (BF) is held, alcoholic beverages may be sold or served during the following hours:

- 7:00 A.M. to 12:00 Midnight, Monday through Saturday
- 12:00 Midnight to 1:00 A.M., Sunday
- 12:00 Noon to 12:00 Midnight, Sunday

IMPORTANT!

Wine over 17% alcohol by volume may not be sold after 10:00 PM and can not be sold on Sunday.



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Employees

The minimum age for your employees to sell or otherwise handle alcoholic beverages while working on your premises is 16 (sixteen) years old.



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Selling to Minors

You or your employees cannot sell, serve, or give alcoholic beverages to anyone under 21 years of age.

- The only defense in the Texas Alcoholic Beverage Code against a charge for selling an alcoholic beverage to a minor states, a person who sells a minor an alcoholic beverage does not commit an offense if the minor falsely represents himself to be 21 years old or older by displaying an apparently valid proof of identification that contains a physical description and photograph consistent with the minor's appearance, purports to establish that the minor is 21 years of age or older, and was issued by a governmental agency.

The proof of identification may include a driver's license or identification card issued by the Department of Public Safety, a passport, or military identification card.



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Selling to Minors

The Texas Alcoholic Beverage Commission and/or your local law enforcement agency often conduct underage compliance operations.

Minors are sent into a retail establishment under the supervision of a peace officer in an attempt to purchase and obtain an alcoholic beverage to ensure voluntary compliance of state law



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Sale to Intoxicated Person

You may not sell alcoholic beverages to an intoxicated person. Your permit/license can be suspended or cancelled for the sale, service or delivery of an alcoholic beverage to an intoxicated person.



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Reporting Disturbances

You and your employees are responsible for the supervision of all persons permitted on the permitted premises. At the first sign of an argument or trouble between your customers, you should require those customers involved to immediately leave the premises. If necessary, call the local law enforcement authority to have them removed.

If a breach of the peace (a disturbance, fight or other violent act) occurs on your premises between any customer and/or employees, you **must notify** the [local TABC office](#) as soon as possible, but not later than **five (5) calendar days after the incident**.

IMPORTANT!

If a shooting, stabbing or murder, or an incident involving serious bodily injury occurs on the licensed premise, you must notify the local TABC office not later than **24 hours** from the time of the incident.



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Invoices

Invoices for the purchase of all alcoholic beverages by the retailer must be maintained for a period of **four (4) years** from the date of delivery.

Invoices must be signed by the retailer upon delivery of the product.

IMPORTANT!

These invoices are subject to inspection by authorized representatives of the Texas Alcoholic Beverage Commission, or any peace officer.



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Credit Law

Wine may only be purchased from a wholesaler (W, X, LX) and is subject to Credit Law. Ale and malt liquor purchased from a wholesaler that does not also hold a Distributor's (BB/BC/BD) license is subject to credit law.

- If credit is extended, these alcoholic beverages, if purchased between the 1st and 15th of the month, must be paid for by the 25th of the month.
- If they are purchased between the 16th and the last day of the month, they must be paid for by the 10th of the following month.

If not paid timely, the wholesaler is required by statute to report this non-payment to the TABC and your permit will be placed on the agency's internet-based [credit law delinquent list](#) until the reporting wholesaler notifies the TABC that you have paid in full.

IMPORTANT!

- No wholesaler is permitted to sell to the retailer while on the credit law delinquent list.
- An action to cancel or suspend a permit may be initiated for repeat violations of being on the credit law delinquent list.



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Inspections

Any authorized representative of the Texas Alcoholic Beverage Commission or any other peace officer has the right and authority to enter your premise and make an inspection of your entire premises for violation(s) of the Texas Alcoholic Beverage Code/Rules.



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Signs

The commission will determine which sign you must post at your establishment from information provided on your original application, as well as your renewal applications. These [signs](#) are available from the Texas Alcoholic Beverage Commission at no charge, or you can choose to have the sign made as long as the sign meets the below size/word requirements.



CONSUMPTION SIGN – You are required to display in a prominent place, a sign stating in letters at least two inches high: **IT IS A CRIME (MISDEMEANOR) TO CONSUME LIQUOR OR BEER ON THESE PREMISES.** Even though the sign is posted, it is still your responsibility to ensure that no one on your premises consumes an alcoholic beverage. The only legal exception is the consumption of beer during an organized free product sampling event. The sign will be provided to you at no charge from the Texas Alcoholic Beverage Commission.

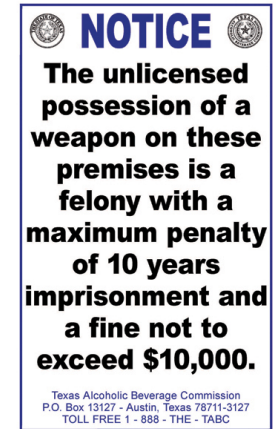


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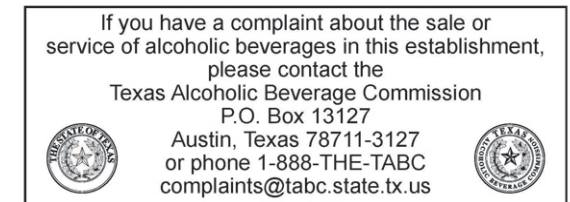
Signs

NOTICE (Weapons Sign) – You are required to post a sign at each entrance of your licensed premises informing persons that the unlicensed possession of a weapon on the premises is a felony. The sign will be provided to you at no charge from the Texas Alcoholic Beverage Commission.



HUMAN TRAFFICKING SIGN – Must be displayed in a prominent place on your premise, unless you hold a food and beverage permit. The sign must be in both English and Spanish. Signs are provided to you at no charge from the Texas Alcoholic Beverage Commission.

PUBLIC INFORMATION/COMPLAINT SIGN – Must be posted in a prominent place on your premises. The sign shall be no smaller than 6" X 3 1/2" and state the following: "If you have a complaint about the sale or service of alcoholic beverages in this establishment, please contact the Texas Alcoholic Beverage Commission at P. O. Box 13127, Austin, Texas, 78711-3127, or phone 1-888-THE-TABC Complaints@tabc.texas.gov"





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Educational Programs

The Texas Alcoholic Beverage Commission has developed [educational programs](#) to assist in your efforts to voluntarily comply with the law. Agents are available to come to your place of business to help instruct you and your employees concerning the laws that apply to your business. Your [local TABC Office](#) will have information concerning this project.



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Seller-Server Training

The commission approves [seller-server training programs](#) sponsored by private businesses and issues certificates to individuals who successfully complete the program. The program covers the laws concerning the sale or service of alcoholic beverages to minors and intoxicated persons, as well as techniques used to prevent such sales.

Depending on the prior violation history of your permit, the actions of an employee may not be attributable to the employer and the employer may claim an exemption from administrative action if:

1. The employer requires only those engaged in the sale, service, or delivery, including managers, to successfully complete a commission-approved seller-server training program within 30 days of their initial employment,
2. The employee that has committed the violation has completed the program and has a current certificate prior to the violation, and
3. The employer has not directly or indirectly encouraged the employee to violate such law.



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Seller-Server Training

The commission shall require the permittee to produce evidence indicating that the above three criteria were met. Such evidence shall indicate that the permittee had adopted policies within view of its employees. These policies and procedures should be designed to prevent the sale, service and consumption of alcoholic beverages by minors and sale or service to intoxicated persons. The policy should also express a strong commitment by the permittee to prohibit such sales, service and consumption. In addition, the permittee should have had the employee acknowledge in writing that they have read and understood the policies and procedures.

A current list of commission [approved seller-server training schools](#) is available on our website.



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Package Store Tasting Permit (PS)



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Eligibility

A Package Store Permit (P) may only issue a package store tasting permit to a holder of a package store permit (P) or wine only package store permit (Q).

****A package store tasting permit may not be considered a permit authorizing the sale of alcoholic beverages for on-premise consumption.***



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Tastings

The holder of a Package Store Tasting Permit (PS) is authorized to conduct product tastings of distilled spirits, wine, beer and malt based or spirit-based coolers on the premises of a Wine Only Package Store Permit (Q) or Package Store (P) during regular business hours.

- May conduct product tastings only of alcoholic beverages the permit holder is authorized to sell.
- Only products purchased from authorized sources may be used in the tastings

Beer and malt-based coolers must be purchased from a licensed beer distributor.

Ale, malt liquor, wine, distilled spirits, and spirit-based coolers must be purchased from a licensed wholesaler.



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Tastings – Notification

Written notification of the tasting must be posted at the licensed premises of the permit holder no later than 48 hours prior to the event.

The notification must include:

- a) the type and brand of alcoholic beverages to be tasted;
- b) the date and hours the tasting is to take place; and
- c) the address of the premises where the tasting is to occur.

A copy of the notification shall be kept on file and available for inspection on the premises during all tasting hours.



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Tastings – Sample Portions

Not more than twenty (20) different products may be available for tasting at any one time.

Sample portions at product tasting shall be limited to no more than:

- a) 1/2 oz. of distilled spirits;
- b) 1 oz. of wine; and
- c) 1 oz. of beer and coolers.

During the tasting

- No more than two (2) containers of each brand or type of product being tasted may be open on the premises at one time.
- No charge of any kind may be made for sample servings.
- No samples may be removed from licensed premises.

IMPORTANT!

At the conclusion of the tasting, all empty or partially full containers of alcoholic beverages used in the tasting shall be locked up or removed from the premises.



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Tastings – Advertising and Dispensing

Advertising for the tasting is restricted to on-site communication, direct mail, electronic mail or the permit holder's web site.

The holder of a distiller's or rectifier's permit (D), distiller's agent's permit (DK), nonresident seller's permit (S), or manufacturer's agent's permit (T) or that permit holder's agent or employee may participate in and conduct product tastings of alcoholic beverages and may open, touch, or pour alcoholic beverages, make a presentation, or answer questions at the tasting.

- Any alcoholic beverage tasted must be purchased from the package store permit holder on whose premises the tasting is held.
- The permit holder may not require the purchase of more alcoholic beverages than are necessary for the tasting.
- Except as listed above, person other than the permittee or the permittee's agent or employee may not dispense or participate in the dispensing of alcoholic beverages

****A package store tasting permit may not be considered a permit authorizing the sale of alcoholic beverages for on-premise consumption.***



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Local Fees and Taxes

The governing body of an incorporated city or town may levy and collect a fee not to exceed one-half of the state fee for each license issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee equal to one-half the state fee for each license issued for premises located within the county. Those authorities may not levy or collect any other fee or tax from the licensee except general ad valorem taxes, the hotel occupancy tax levied under Chapter 351, Tax Code, and the local sales and use tax levied under Chapter 321, Tax Code.

The commission or administrator may cancel a permit if it finds that the permittee has not paid a fee levied as described above.

IMPORTANT!

A permittee who sells an alcoholic beverage without first having paid a fee levied under this section commits a misdemeanor punishable by a fine of not less than \$10 nor more than \$200.



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Cancel or Deny Permit

The commission or administrator may cancel or deny a permit for the retail sale or service of alcoholic beverages, if it finds that the permit holder or applicant has not paid delinquent ad valorem taxes due on that permitted premises or due from a business operated on that premises to any taxing authority in the county of the premises. A permit holder or applicant is presumed delinquent in the payment of taxes due if the license holder or applicant:

- Is placed on a delinquent tax roll prepared under Section 33.03, Tax Code;
- Has received a notice of delinquency under Section 33.04, Tax Code; and
- Has not made payment required under Section 42.08, Tax Code.



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Forfeiture of Performance Bond

If your business premise is located within 1,000 feet of a public school the permit holder will be required to provide a Conduct Surety Bond in the amount of \$10,000.00.

Forfeiture of Conduct Surety Bond (Rule 33.24): When a license or permit is cancelled or there are three or more violations of the Alcoholic Beverage Code while the conduct surety bond is in place, the commission shall notify the licensee or permittee, in writing, of its intent to seek forfeiture of the bond.

Licensee or permittee may, within thirty days of the notice request a hearing on the question of whether the criteria for the forfeiture of the bond have been satisfied.

Upon entry of final order against the licensee or permittee in the hearing, the commission shall notify the surety company, bank or credit union to remit to the state the amount of surety required within ten days after notification.



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Cancellation of Bond by Bond Company

33.24(k)(1)... "Surety may terminate liability by giving the proper 30 day written notice..."- a Notice of Cancellation is sent to the commission notifying the bond is being cancelled. Letters are sent by this office notifying applicant to provide another bond and a 30 grace period to provide is given. Permit will be cancelled if they fail to maintain surety.



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Congratulations!



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Certificate of Completion

This certifies that:

Name: _____

Has successfully completed the Responsibilities Course for a Wine Only Package Store Permit (Q) with a Package Store Tasting Permit (PS) and Local Cartage Permit (E) offered by the Texas Alcoholic Beverage Commission.

Business Trade Name: _____

Business Location Address: _____

☐ Check this box if you would like additional information in regards to your responsibilities.

By signing this certificate you acknowledge that you have completed this Responsibilities Course.

Applicant Signature/Title/Position

Date

Press the Print button to print your Certificate of Completion. After the print dialogue box opens, change "Pages to Print" from "All" to "page 31" to print only your certificate.