



TABC

Wine Only Package Store Permit (Q)

Know Your Role As A

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TABC wants your business to prosper. One part of your success is understanding how Texas law affects your business. We've designed this course to provide the basics of what you can and can't do with your business. This is a summary of your responsibilities and isn't meant to be an exhaustive list. Please see the [Alcoholic Beverage Code](#) (Code), [TABC Administrative Rules](#) (Rules) and our [Marketing Practices Advisories](#) for more details.



What Can I Do With My Permit?

You are authorized to sell wine and vinous liquors for customers to-go (“off-premises”) for consumption away from your store’s premises. The term “premises” refers not only to your store’s building(s), but also the grounds and surrounding areas, including parking areas. Here are some details about what can and cannot occur at your premises:

- **No Open Containers.** No one may possess or consume an open container of an alcoholic beverage on or near the licensed premise where it was sold.
- **No Repackaging.** Wine, vinous liquors, and malt beverages must be sold in their original packaging and cannot be repackaged by the retailer. The only exception is the sale of individual containers (singles). A package may be broken down into singles for resale.



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Who Can I Buy Wine, Vinous Liquors, And Malt Beverages From?

You can only purchase wine and vinous liquors, and malt beverages from certain types of businesses. You cannot buy alcohol from retailers like grocery stores or corner stores. That is strictly forbidden and could result in significant fines and penalties. You can buy from these types of businesses:

Malt Beverages can be purchased from businesses that hold these permits/licenses:

- General (BB) and Branch Distributors (BC)
- Brewer's License (BW) with a Self-Distribution License (SD)
- Brewpub (BP) with a Wine and Malt Beverage Retailer's Permit (BG)

Malt beverage purchases are subject to "cash law". For more information, see TABC's **Cash and Credit Law Module**.

Wine can be purchased from business that hold these permits:

- Winery Permit (G)
- Wholesaler's Permit (W) and General Class B Wholesaler's Permit (X)

Wine purchases are subject to "credit law." For more information, see TABC's **Cash and Credit Law Module**.



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When Can I Be Open to the Public?

Hours of Sale

You can sell wine and vinous liquors, and malt beverages during these standard hours:

- 7:00 A.M. to 12:00 Midnight, Monday through Friday
- 7:00 A.M. Saturday to 1:00 A.M., Sunday
- 10:00 A.M. to 12:00 Midnight, Sunday

Notice: Wine over 17% alcohol by volume may not be sold after 10:00 P.M. and cannot be sold on Sunday.



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What Are My Record Keeping Requirements?

Record Keeping Requirements

All alcoholic beverages on your premises must be covered by invoice and these invoices must remain on your premises for a period of two years.

- These invoices are subject to inspection by authorized representatives of the Texas Alcoholic Beverage Commission, or any peace officer.
- Invoices must be signed by the retailer upon delivery of the product.



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Can Product Be Exchanged or Refunded?

You cannot receive a refund or credit for alcoholic beverages purchased.

Alcoholic beverages may be replaced/exchanged with the same or similar product, provided that one of the following circumstances applies:

- Product was damaged upon or prior to delivery by the wholesaler.
- Product was unfit for consumption upon delivery to the retailer.
- Upon request, TABC may determine that a consumer safety issue occurred during the product's manufacturing process.



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Tastings

As the holder of a Wine Only Package Store permit, you are authorized to conduct product tastings of wine and malt beverages at your store during regular business hours.

- The samplings must be provided for free to the customer.
- You must purchase the product in advance from a wholesaler, winery, or distributor.
- You or your employees must be in charge of the tasting event, and dispense the samples to the customers.
- You are allowed to advertise tasting events via on-site communications, postal mail, e-mail, or on your website.

Notifications for Tasting Events

You are provided to post a written notification of the tasting event at least 48 hours prior to the event. The notification must include:

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

Keep a copy of the notification on file and available for inspection at your store during the tasting event.



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Tastings – Sample Portions

At a tasting event, you can't make more than 20 different products available at any one time. You must limit sample portions to a single ounce of wine or a single ounce of malt beverage.

During the tasting:

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

Notice:

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.



Can Manufacturers Participate in Tastings?

Owners, employees, or agents of a Nonresident Seller's Permit or a Brewer's License may participate in and conduct product tastings of alcoholic beverages they manufacture. They can open and pour samples, make presentations, and answer questions at the tasting under the following conditions:

- Any alcoholic beverage tasted must be purchased from your store where the tasting is held.
- You may not require the purchase of more alcoholic beverages than are necessary for the tasting.
- Except as listed above, a person other than the permittee, the permittee's employees, or an agent working on behalf of the permittee may not dispense or participate in the dispensing of alcoholic beverages.



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Delivery of Alcoholic Beverages

A wine only package store may deliver alcoholic beverages to consumers:

- Each vehicle used to deliver must be plainly marked and lettered identifying the vehicle as transporting alcoholic beverages.
- The identification letter/number must not be less than 1 ½ inches in height.
- Deliveries are restricted to the city limits or two-mile radius provided the address is in an area wet for the type of alcohol being sold and delivered.

In addition, you can have wine and vinous liquors malt beverages delivered by companies that hold a Consumer Delivery Permit under Chapter 57 of the Alcoholic Beverage Code.



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What Else Do I Need To Know?

Permit & Sign Posting

Your permit must be always displayed in a publicly visible place. The commission will determine which [signs](#) you must post at your establishment from information provided on your original application, as well as your renewal applications.

Employees

The minimum age for employees of a Wine Only Package Store to sell an alcoholic beverage is 16 years old.

Permit Renewal

Your permit is valid for two years from date of issuance. It is your responsibility to renew your permit prior to its expiration. You can apply for renewal starting at 30 days out from your permit's expiration date. TABC will send you a notice of renewal.

TABC Inspections

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

Inspection refusal is a violation of the Alcoholic Beverage Code and is a Class A Misdemeanor.



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Public Safety Considerations

You're responsible for maintaining public safety at your facility. This includes maintaining order among customers and with staff. Make your employees aware of these requirements and call law enforcement when you need assistance. Public safety violations can result in administrative penalties — potentially even cancellation of your license.

Serving Minors

You are responsible for ensuring that your employees do not sell, serve or give alcoholic beverages to anyone younger than 21. **Check IDs.** The only exception is if the minor is in the visible presence of a parent, spouse over 21 or legal guardian. Valid proof of identification may include a: state-issued driver's license or ID card issued by the Texas Department of Public Safety, passport or military ID card.

Serving People Who Are Intoxicated

The same principle applies to customers who are intoxicated. **Don't sell or overserve.** If a customer enters your business inebriated, provide water or soft drinks but not alcohol. When you refuse service to an intoxicated person, make sure another patron isn't purchasing alcohol for the person.

Reporting Breaches of the Peace

Texas law requires a license or permit holder to report any breach of the peace — a disturbance, fight or other violent act — to TABC within five calendar days of the incident. You must report any breach involving a shooting, stabbing, murder or incident resulting in serious bodily injury within 24 hours of the incident.



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Safe Harbor Protection

Safe Harbor

- Depending on the violation history of your permit, the actions of your employee may not be attributable to you (the employer) and you may claim an exemption from administrative action (e.g., penalties and/or suspension) if:
 1. The employer requires all personnel engaged in the sale, service or delivery of alcoholic beverages, including managers, to successfully complete a commission-approved seller-server training program within 30 days of their initial employment.
 2. The employer has a written policy for responsible alcohol service and consumption read by each employee.
 3. The employee that has committed the violation has completed the program and has a current certificate before the violation.
 4. The employer has not directly or indirectly encouraged the employee to violate such law.
 5. The person that committed the violation is not the permit holder.

Seller-Server Training

- The program covers the laws concerning the sale or service of alcoholic beverages to minors and intoxicated persons, as well as techniques that may be used to prevent such sales.
- TABC approves [seller-server training programs](#) sponsored and taught by private businesses.



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What Other Programs are Available?

Retailer Education and Awareness Program – REAP

[REAP](#) provides owners, managers and general employees of retail establishments continued education to help them follow the state's alcoholic beverage laws.

Texas Responsible Alcohol Delivery Training – TRAD

TRAD is specifically for delivery drivers who will be delivering alcoholic beverages directly to consumers. Trainees must be 21 or older at the time of registration and have a valid driver's license.



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What Other Modules Should I Take?

You've now completed the Know Your Role module. Please proceed to the following modules for additional guidance for your permit.

- **Cash and Credit Law Module** – What is cash and credit law?
- **Marketing Practices Module** – What marketing promotions and advertisements are allowed?



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Questions?

Please contact your local TABC office.

tabc.texas.gov/contact-us/