



INFORMATION

NONRESIDENT SELLER'S PERMIT (S) - The Nonresident Seller's Permit (S) authorizes the holder to sell and ship distilled spirits and wine to Texas-based TABC license or permit holders that are authorized to import those beverages into Texas. Authorized Texas importers of distilled spirits or wine include the holders of a Distiller's and Rectifier's Permit (D), Winery Permit (G), Wholesaler's Permit (W) or a General Class B Wholesaler's Permit (X).

NONRESIDENT BREWER'S LICENSE (BN) - The Nonresident Brewer's License (BN) authorizes out-of-state brewers to sell malt beverages to Texas-based TABC license holders that are authorized to import those beverages into Texas. It also authorizes transportation to those Texas importers. Authorized Texas importers of malt beverages hold a Brewer's License (BW), General Distributor's License (BB) or Branch Distributor's License (BC).

INSTRUCTIONS

ALL APPLICANTS: (S, & BN)

Question 1

- Check appropriate license/permit type(s).

Question 2

- Enter your trade name, (doing business as).

Question 3

- Enter the physical business location address.

Question 4

- Enter mailing address

Question 5

- Enter contact information, including an email address (**mandatory**).
 - If application is being made for a foreign location, a U.S. mailing address may be provided

Note: Information may be requested via email or by phone. It is your responsibility to report any changes to your contact information to this agency.

Question 6

- **Form L-POA**, MUST be filed with the Secretary of State. Mail the form directly to the Secretary of State at the address located at the bottom of the form.

Question 7

- If unable to mark 'YES' an explanation must be provided.

Question 8

- Provide the name and contact information for a primary contact person. This should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your license/permit.

Note: Your Service Agent must be an individual and reside in the State of Texas.

Question 9A-E

- Check the type of entity applying for the license/permit and complete section 12 to disclose each entity as applicable. Additional Entity Reporting pages can be found on our public website under License and Permit Forms (L-C, L-LLC, L-P or L-LLC)

IMPORTANT INFORMATION

Reporting Applicant's Entity Structure

Corporations and Limited Liability Companies

Only principal parties who hold more than 50% of stock should be entered as stockholders.

If the principal party that holds greater than 50% of stock is a corporation or LLC, provide pertinent information as indicated in question 9 A-E and 12.

Partnerships

If applicant is a partnership, 100% of the interest in the partnership must be accounted for among the partners listed. If one or more of your general or limited partners is a limited partnership or limited liability partnership, complete an additional entity page that can be found on our public website under [License and Permit Forms](#).

Question 10

- Answer “Yes”, if the applicant currently holds a license/permit under the same FEIN reported in question 9.
- If answered, “Yes” to the above question, you **must** provide your most currently issued permit number.
- If answered, “No”, you must disclose the required ownership structure (section 12)

Question 11

- If answered “Yes”, you **must** complete question 12 to disclose appropriate entity structure.
Example of changes: change of officer(s), stockholder(s), merger, etc.
If, answered “No”, you are **not required** to complete the ownership reporting portion (section 12).

Question 12

- Complete this section to disclose the ownership information for the Type of Owner Applicant checked in question 9A

Question 13A

- If applicable, check the type of offense committed.

Question 13B

- Attach an explanation if anyone in the business section has had a license or permit canceled.

Question 14

- This question must be answered ‘YES’ to qualify for a nonresident seller’s permit (S).

Note: A NONRESIDENT PERMIT (S) IS FOR WINE AND/OR DISTILLED SPIRITS ONLY. The name of the manufacturer and a list of brands is not required for beer, ale or malt liquor.

Nonresident Brewer’s License (BN) Applicants ONLY
Questions 15 - 20

Question 15

- Texas only recognizes the **actual manufacturer** of malt beverages for a **Nonresident Brewer’s License (BN)**. If you are **not** the importer, continue to question 19. **If you are the importer of the malt beverages, you do not qualify for a Nonresident Brewer’s License (BN).**

Question 16

- Mark appropriate answer.

Question 17

- If answered “Yes”, you **must** provide the Texas permit number of the contracted brewery.

Question 18

- If answered “Yes”, you **must** provide the Texas permit number of the brewery with which you have entered into an alternating proprietorship agreement.

Note: A bond is required if the applicant has a contract or alternating proprietorship agreement with another brewery to produce their malt beverage product, and does not hold an ownership interest in **any** brewing facility

Question 19

- If answered “No”, a fee interest bond in the amount of \$30,000 is required for each permit type for which you have applied.

Question 20

- If “Yes”, you **must** provide the TTB number **and copy of the TTB Brewer’s Notice**.

Acknowledgment

- Application must be signed by the individual owner or a partner/officer/manager of the applying entity before a notary public. See chart on signature page to determine who may sign.

IMPORTANT: If you, the applicant, are a party to an alternating brewery proprietorship or a contract brewery arrangement, **each entity that is a party to that arrangement/agreement must hold an additional license(s)/permit(s) at the location where brewing services are conducted.**

Fees **MUST** be paid at the time of application submission. [Click here](#) to see the TABC Fee Chart. Fees may NOT be prorated or refunded. Submit your application along with fees with a cashier’s check, money order, or firm check from corporate permittee payable to the Comptroller of Public Accounts.

Mail original application with proper fees to:

**Texas Alcoholic Beverage Commission
P.O. Box 13127
Austin, Texas 78711**



All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

TABC Use Only	S	ISSUE DATE	FEE
	BN		

1. APPLICATION FILED FOR:

S NONRESIDENT SELLER'S PERMIT (S)

BN NONRESIDENT BREWER'S LICENSE (BN)

Registry No.

2. Trade Name of Business

3. Location Address

City County Foreign Country State Zip Code (9 digits)

4. Mailing Address City/Foreign Country State Zip Code (9 digits)

5. Area Code + Business Phone Area Code + Alternate Phone E-mail Address

ALL APPLICANTS

6. I affirm that I have filed a Power of Attorney form (L-POA) with the Texas Secretary of Texas as required by the Texas Alcoholic Beverage Code Section 37.05? Yes

The applicant, license/permit holder, agent, servant or employee may not directly or indirectly have any overlapping ownerships or other prohibited relationships (including unfair competition and unlawful trade practices) between those engaged in the alcoholic beverage industry at different levels, that is, between a manufacturer and a wholesaler or retailer, or between a wholesaler and a retailer, as the words "wholesaler," "retailer," and "manufacturer" are ordinarily used and understood, regardless of the specific names given a license/permit. Reference Chapter 102 et seq.

7. I affirm that no person involved in this application is in violation of the above requirements. Yes
 If there is an overlapping interest, attach an explanation.

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your license/permit.

8. Contact Person:	Relation to Business:
Phone (mandatory):	Email (mandatory):

TABC USE ONLY	PROCESSOR REVIEW DATE	WRITTEN PROCESS DATE
	END PROCESS DATE	PROCESSOR I.D.

TABC DATESTAMP

BUSINESS INFORMATION

If multiple levels of ownership, use this form to disclose each entity at each level. Use additional copies if necessary to disclose each level.

Corporations and Limited Liability Companies

- Only principal parties who hold more than 50% of stock should be entered as stockholders.
- If the principal party that holds greater than 50% of stock is a corporation or LLC, provide pertinent information as indicated in question 9 A-E and 12.

- If applicant is a partnership, 100% of the interest in the partnership must be accounted for among the partners listed. If one or more of your general or limited partners is a limited partnership or limited liability partnership, complete an additional entity page that can be found on our public website under [License and Permit Forms](#).

9A. Type of Owner/Applicant

- | | | |
|--|--|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Trust | |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Joint Venture | |

B. Owner/Applicant Name (Name of Individual, Corporation, LLC, etc.)

C. SSN or Federal Employer Identification No. (FEIN) (if applicable)

D. Charter Filing No.: _____ **Date Approved:** _____ **State:** _____

E. Number and class of shares, memberships or units issued:

10. Do you hold a current TABC license/permit issued under the above FEIN? Yes No
 If "YES," provide your most recently issued license/permit number.

If "NO," you must provide your entire ownership in section 12 below.

11. If you hold a current license/permit under the above FEIN, has there been a change in the ownership or business structure since the submission of your last application? Yes No
 If "YES," you must complete this application in its entirety.
 If "NO," you do not need to report your business ownership.

12. COMPLETE THE FOLLOWING FOR REPORTING OWNERSHIP

Full Legal Name (Last, First Middle) <input type="checkbox"/> Officer <input type="checkbox"/> Partner <input type="checkbox"/> Director/Manager <input type="checkbox"/> Stockholder/Member		Date of Birth (mm/dd/yyyy)	
Class & No. Shares Held, % Memberships, or % Interest		Title	
Residential Address	City	State	Zip

Full Legal Name (Last, First Middle) <input type="checkbox"/> Officer <input type="checkbox"/> Partner <input type="checkbox"/> Director/Manager <input type="checkbox"/> Stockholder/Member		Date of Birth (mm/dd/yyyy)	
Class & No. Shares Held, % Memberships, or % Interest		Title	
Residential Address	City	State	Zip

Full Legal Name (Last, First Middle) <input type="checkbox"/> Officer <input type="checkbox"/> Partner <input type="checkbox"/> Director/Manager <input type="checkbox"/> Stockholder/Member		Date of Birth (mm/dd/yyyy)	
Class & No. Shares Held, % Memberships, or % Interest		Title	
Residential Address	City	State	Zip

Full Legal Name (Last, First Middle) <input type="checkbox"/> Officer <input type="checkbox"/> Partner <input type="checkbox"/> Director/Manager <input type="checkbox"/> Stockholder/Member		Date of Birth (mm/dd/yyyy)	
Class & No. Shares Held, % Memberships, or % Interest		Title	
Residential Address	City	State	Zip

(FOR ADDITIONAL SPACE, USE ADDITIONAL COPIES OF THIS PAGE or download at [License and Permit Forms](#))

BACKGROUND INFORMATION

13A. Has any person listed in the business information section, or his or her spouse, been finally convicted or received deferred adjudication for any of the offenses below? If so, indicate by checking all that apply. If any boxes are checked, and it has not been five years since the termination of a sentence, parole or probation served, attach an explanation.

- any felony offense
- prostitution
- bookmaking
- gambling or gaming
- bootlegging
- vagrancy offense involving moral turpitude
- any offense involving dangerous drugs, synthetic cannabinoids or controlled substances as defined in Texas Controlled Substances Act
- any offense involving firearms or a deadly weapon
- more than three violations of the Texas Alcoholic Beverage Code relating to minors
- violations of the Texas Alcoholic Beverage Code resulting in a criminal fine of \$500
- violations of an individual's civil rights or discrimination against an individual on the basis or race, color, creed or national origin

13B. If any person listed in the Business Section has had a TABC license or permit canceled, **attach an explanation.**

FOR NONRESIDENT SELLER'S PERMIT (S) (Distilled Spirits and Wine)

Chapter 37

NOTE: Section 37.10(a), (b), and (c) provides:

“ (a) No holder of a nonresident seller's permit may solicit, accept, or fill an order for distilled spirits or wine from a holder of any type of wholesaler's or winery permit unless the nonresident seller is the primary source for the brand of distilled spirits or wine that is ordered.

(b) In this section, “primary American source of supply” means the distiller, the producer, the owner of the commodity at the time it becomes a marketable product, the bottler, or the exclusive agent of any of those. To be the “primary American source of supply” the nonresident seller must be the first source, that is the manufacturer or the source closest to the manufacturer, in the channel of commerce from whom the product can be secured by Texas wholesalers and Texas wineries. Except as provided by Subsection (c), a product may have only one primary American source of supply to Texas.

(c) A product may have more than one primary American source of supply to Texas if the product is a wine that is bottled or produced outside of the United States.”

14. Is the applicant “the primary American source of supply” for any brands of distilled spirits or wine within the meaning of Section 37.10(a), (b), and (c) of the Texas Alcoholic Beverage Code?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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FOR NONRESIDENT BREWER'S LICENSE (BN)

Chapter 63

15. Are you, the applicant, the importer of the malt beverage to be shipped into Texas? If “YES,” STOP. You do not qualify to hold this permit. Permit must be held by the actual manufacturer.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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16. Are you, the applicant, the actual manufacturer of the malt beverage to be shipped into Texas?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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17. Do you, the applicant, contract with another brewery to produce your malt beverage product? If “YES,” provide TABC License/Permit number of that brewery.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Is your product brewed at their location?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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18. Do you, the applicant, utilize an alternating proprietorship agreement to produce your malt beverage product? If “YES,” provide TABC License/Permit number of that brewery. Is your product brewed at their location?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
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19. If questions 17 and/or 18 were answered “YES,” do you, the applicant, own a fee interest (ownership) in a brewing facility? If “NO,” please submit a Fee Interest Bond which must be on file and approved to issue your renewal. Fee Interest Bond form and instructions can be downloaded from http://www.tabc.texas.gov/forms/	<input type="checkbox"/> Yes <input type="checkbox"/> No
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20. Do you, the applicant, hold a Brewer's Notice issued by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury? If “YES,” provide TTB Brewers Notice Number _____ and attach copy.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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ACKNOWLEDGMENT

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who knowingly makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

If Applicant is:	Who Must Sign:	SEE CHART ON LEFT TO DETERMINE WHO MUST SIGN BELOW
Individual	Individual Owner	PRINT NAME: _____
Partnership	Partner	SIGN HERE: _____
Corporation	Officer	
Limited Partnership	General Partner	
Limited Liability Partnership	General Partner	
Limited Liability Company	Officer or Manager	

Before me, the undersigned authority, on this _____ day of _____, 20 ____, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she read the said application and that all the facts therein set forth are true and correct.

(S E A L)

SIGN HERE: _____

NOTARY PUBLIC

**Mail completed application and appropriate fees to:
TABC
PO Box 13127
Austin, TX 78711**