



DENNIS BONNEN



SPEAKER OF THE HOUSE

COVID-19 ADVISORY

March 20, 2020 | RE: TABC ALCOHOL PICK-UP & DELIVERY GUIDELINES

Texas Alcoholic Beverage Commission

Generally, restaurants that have a Mixed Beverage Permit may not sell alcohol to consumers that can be taken off the retailer's premises and may not deliver alcohol to consumers without also having a Food and Beverage Certificate (FB). However, in accordance with Governor Abbott's March 13th disaster declaration, TABC has temporarily suspended these limitations to allow for restaurants that hold a Mixed Beverage Permit to conduct "to-go" alcohol sales and alcohol deliveries.

These restaurants are hereby authorized to allow pick-up and delivery of food orders that include alcohol, under the limited conditions they:

- Hold a Mixed Beverage Permit (MB) (regardless of whether they also hold a Food & Beverage (FB) Certificate),
- Have permanent food service capabilities at the premises, and
- Have been forced to end dine-in services by a governmental entity due to the coronavirus pandemic.

Restaurants meeting the above criteria may:

- Allow customers to pick up orders from the restaurant that include alcohol,
- Deliver orders that include alcohol to customers,
- Use third parties acting as an agent of the MB to make deliveries, and
- Use independent contractors holding a Consumer Delivery Permit (CD) to make deliveries on their behalf.

Eligible restaurants may allow pick-up or delivery of beers, ales, wines, and/or distilled spirits to their customers **ONLY WHEN**:

- Accompanied by a food order that was prepared on the business's premises*,
- The alcohol is delivered in the original container that was sealed by the manufacturer of the beverage**, and
- All distilled spirits are delivered in a manufacturer-sealed container that is 375 milliliters or less.

** There is no required food-to-alcohol ratio.*

***MB permittees may not offer any alcoholic beverage in a container that is sealed by the MB or any person other than the product manufacturer.*

Deliveries may only be made to a location:

- Where the sale of that type of alcohol is legal; and
- Within the county where the business is located, or up to two miles beyond the city limits if that city crosses a county line.

Note: Restaurants may NOT deliver alcohol to another licensed or permitted location.

Requirements for completing the customer pick-up or delivery:

- Recipients of the delivery must not be intoxicated, and
- Recipients of the delivery must present valid identification confirming they are at least 21 years old.

TABC stands ready to help its license and permit holders impacted by the coronavirus situation. For additional assistance and information, affected businesses may identify and contact their local TABC Regional office or contact TABC's Austin headquarters at (512) 206-3333.