



# TABC Retail Dealer's Off-Premise License (BF)

**Know Your Role As A**

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**Retail Dealer's Off-Premise License (BF)**



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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.



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## What Can I Do With My BF License?

### Selling Malt Beverages

You are authorized to sell malt beverages to consumers to-go (“off-premises”) for consumption away from your store. The term “premises” refers not only to your store’s building(s), but also the grounds and surrounding areas, including parking areas that are directly or indirectly under your control. 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.** 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.



## Who Can I Buy Malt Beverages From?

You can only purchase malt beverages from certain types of businesses. You cannot buy malt beverages from retailers like grocery stores or corner stores for resale as an example. That is a violation of the law and could result in significant fines and penalties.

You can buy malt beverages from these businesses:

- General (BB) and Branch Distributors (BC)
- Brewer (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**.



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## Can Product Be Exchanged or Refunded?

You cannot receive a refund or credit for alcoholic beverages purchased and in your possession. 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 distributor.
- Product was unfit for consumption upon delivery to the retailer.
- Upon request by the manufacturer of the product, TABC may determine that a consumer safety issue occurred during the product's manufacturing process and authorize it be removed from the market.



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## When Can I Be Open to The Public?

### Hours of Sale

You can sell 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**



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## What Are My Record Keeping Requirements?

### Record Keeping Requirements

All alcoholic beverages on your premises must be covered by an invoice from an authorized distributor 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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## Malt Beverage Sampling

You are authorized to conduct product samplings of malt beverages at your store during regular business hours.

- The samplings must be provided for free to the customer.
- You or your employees must be present and in control of the sampling and dispense the samples to your customers.
- The manufacturer of the product may be present during the sampling and may touch and pour the sample products provided the malt beverage product is purchased from the retailer by the manufacturer.
- Any malt beverages used in a sampling event must be purchased from or provided by the retailer on whose premises the sampling event is held.





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## What Else Do I Need To Know?

### License & Sign Posting

Your license 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

There is no minimum age for your employees to sell malt beverages under state law.

### License Renewal

Your license is valid for two years from date of issuance. It is your responsibility to renew your license prior to expiration. You can apply for renewal starting at 30 days out from your license's expiration date. TABC will send you a notice of renewal based on the information provided in your prior application or 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 business. This includes maintaining order among customers and with staff. Make sure your employees are 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 that 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 license, 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 license.

- **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/](http://tabc.texas.gov/contact-us/)