



TABC

General Class B Wholesaler's Permit (X)

Know Your Role As A

General Class B Wholesaler



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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 Permit?

Purchasing

You can purchase wine in-state wineries, out-of-state wineries (aka non-resident sellers) and other in-state wholesalers.

Sales

- You can sell wine directly to other wholesalers and all other retailers authorized to sell wine, including business that hold temporary event permits.
- You can conduct sales and deliver any day except Sundays and Christmas Day.
- Your employees and agents may solicit and take direct wine orders from all retailers, both on- and off-premises.

All sales to retailers are subject to restrictions known as “credit law.” For more information, see **TABC’s Cash and Credit Law Module**.



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What Can I Do With My Permit?

Samples

A wholesaler can give wine samples to retailers under certain conditions:

- Samples can't be something the retailer has previously purchased from the wholesaler.
- The quantity is limited to three liters of any brand of wine.
- Retail employees can only sample the product while a representative of the wholesaler is present. Samples may not be given to customers.

Restocking and Rotating Products

Employees can restock and rotate sales displays at a retail establishment. This includes the retailer's storage areas, sales floor, display counters or coolers.

Storage

In addition to your facility, you can store product either at a warehouse that holds a bonded warehouse permit with TABC, or at a private warehouse you own or lease within the same county as your main facility.

For more information on allowable activities, see all applicable [TABC Marketing Practices Advisories](#).

See Code Sections 102.02 and 20.05.
See Rule Section 45.109.



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Can I Exchange a Retailer's Products — or Give a Credit or Refund?

No. Some exceptions may apply:

- You may replace alcoholic beverages with the same or similar product, provided that one of the following circumstances applies:
 - Product was damaged on or before delivery by the wholesaler.
 - Product was unfit for consumption when delivered to the retailer.
 - On request, TABC may determine that a consumer safety issue occurred during the product's manufacturing process.

You can issue a refund or credit if the delivery was inconsistent with the order originally placed by the retailer and you:

- Issue the refund or credit within 48 hours after the wholesaler made the first delivery.
- State the reason and date of the exchange on the credit memo or exchange receipt.



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How Do I Transport Product?

- You may transport liquor and wine from where you purchased it to your business.
- You can then transport liquor from your business (the place of sale or distribution) to a retailer or other Texas wholesaler (place of purchase) in a vehicle you own or lease.
- You may **not** transport the product directly from the place of purchase to the retailer.
- You must mark and identify each vehicle you use to deliver product before any delivery and register each delivery vehicle with TABC.
- If you also hold a distributor's permit, you can delivery malt beverages at the same time as wine and distilled spirits.
- You may transport liquor from one wet area to another wet area across a dry area if that course of transportation is necessary or convenient.



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What Are Employees Allowed To Do at Tasting Events?

Employees **can** engage with the consumer at a retailer's location during a tasting **but they can't**:

- Attend a tasting at an on and off-premise retailer's location.
- Answer questions along with a Texas winery or nonresident seller.
- *Fund or participate* in the opening or pouring of the product during a consumer tasting event at an off-premise location.

They may *fund and participate* in the opening or pouring of the product during a consumer tasting event at an on-premise location.

For more help, see the **Marketing Practices Module**.



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What Are My Recordkeeping Requirements?

Purchase Invoices

Invoices for all purchases of product must be kept for two years. As with all other records, these are subject to inspection and audit by agency representatives.

Sales Invoices

Invoices for the sales of all alcoholic beverages by you to the retailer must be maintained for two years from the date of delivery and are subject to inspection and audit by any agency representative.

Invoices must be signed by the retailer the product is delivered to acknowledge receipt of the alcohol.



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What Else Do I Need to Know?

Permit and Sign Posting

Your permit must be always displayed in a publicly visible place. TABC 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 is 18 for your employees to prepare, serve or otherwise handle an alcoholic beverage.

Permit Renewal

Your permit is valid for two years from the date its issued. You're responsible for renewing your license or permit before it expires. You can apply for renewal starting 30 days before your permit's expiration date. TABC will send you a notice of renewal.

TABC Inspections

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

Inspection refusal is a violation of the Alcoholic Beverage Code and is a class A misdemeanor.



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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.

- **Excise Tax Module** – How do I file my excise tax reports?
- **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/