



TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

José Cuevas, Jr.
Presiding Officer-Midland

Steven M. Weinberg, MD, JD
Member-Colleyville

Melinda S. Fredricks
Member-Conroe

Sherry Cook
Administrator

Today

Volume 2012, Issue 2

Fall 2012

TABC Welcomes New Leadership

Commissioners Select TABC Administrator Sherry Cook



**Sherry Cook
Administrator**

José Cuevas, Jr.
Presiding Officer

Steve Weinberg, MD, JD
Commissioner

Melinda Fredricks
Commissioner

INSIDE

2

Commissioners Select Cook
and Swedberg Welcomed

3

Agency Direction and
Challenges

4

Saenz Appointed Chief

5-6

Cloud Retires,
TABC Reports to LAP and
Alcohol Workgroups

7-8

Texas Growth Monitored

9-10

TABC Honored with
TASSCC Award and
Agents Assist with Manhunt

11-12

TABC:Online Introduced,
Permit Issued for Venue and
Spring Break Grant

13

Agency to Unveil
Campaign/Website and
Agents Honored

14

Agent Promotes Alcohol
Awareness

15

Marketing Practices
Guidelines/Amended
Bulletin and
Educational Project

The Texas Alcoholic Beverage Commission (TABC) board selected TABC Assistant Administrator Sherry Cook as the new Administrator beginning July 1, 2012. Sherry Cook joined TABC in 2006 as the Information Technology Director and Information Resources Manager.

In 2008, Cook was promoted to Assistant Administrator for Regulatory and Business Operations. As the Assistant Administrator, her responsibilities included oversight of Business Services, Marketing Practices, Licensing, Human Resources, Information Resources, Tax, Ports of Entry, and Education and Prevention. She has played a key role in the modernization of TABC business practices leveraging technology.

Prior to coming to TABC, she served 29 years with the Texas Department of Public Safety (DPS) in various diversified positions. Cook's career with the DPS included nine years with the Texas Rangers Division as a crime analyst where she worked on such high profile cases involving murderer Kenneth Allen McDuff and the Texas Ranger Investigation of the Branch Davidian incident in Waco.

Cook earned associate degrees from Austin Community College in Information Technology and from



New TABC Administrator Sherry Cook takes oath of office at swearing-in ceremony held at TABC Headquarters in Austin, on July 24, 2012. Pictured: TABC Chairman, José Cuevas, Jr., Administrator, Sherry Cook and Commissioner, Melinda Fredricks.

Alvin Community College in Criminal Justice and Corrections. She received her Bachelor's of Applied Arts and Science and a Master's of Science in Interdisciplinary Studies from Texas State University. Cook also received several awards including Outstanding Graduate and Research Student and was selected as the commencement speaker for her graduating discipline at Texas State University. She is a TCLEOSE Certified Peace Officer, Certified Public Manager and a member of various professional and civic organizations.

Said Cook, "I have come to respect and recognize the outstanding service

Continued on page 2

TABC Welcomes New Leadership

Ed Swedberg Welcomed as TABC Assistant Administrator

TABC TODAY

Continued from page 1

Commissioners Select TABC Administrator Sherry Cook

and dedication our employees bring daily to the people of the great State of Texas. As I accept this appointment, I look forward to providing the kind of service one would expect from a government entity.”

As the new Administrator, she will continue to oversee an agency with over 600 employees, a

biennial budget of approximately \$84 million and almost \$200 million in annual revenue collections.

Cook made history as the first female administrator of TABC since its creation in 1935.

Welcome Assistant Administrator Ed Swedberg



The Texas Alcoholic Beverage Commission (TABC) welcomed Ed Swedberg as the agency’s new Assistant Administrator effective September 17, 2012. Swedberg will be responsible for overseeing the agency’s day-to-day operations while Administrator Sherry

Cook will focus on external issues, including communication with the Commissioners and the Legislature.

Cook said, “I am excited about the future and look forward to working with Ed. We will continue to identify additional ways to be more efficient in the services we provide, while maintaining a focus on public safety.”

Previously, he served as the Deputy Executive Director for Data Center Services with the Texas Department of Information Resources from 2009-2012 and as the Assistant Director of Innovation

and Technology with the Texas Comptroller of Public Accounts from 2007-2009.

In his previous career, Swedberg served for nearly 24 years as an active duty officer in the United States Air Force, retiring in 2006 as a full Colonel. His specialty area included communications and computers, research and development, signals intelligence and multispectral imaging systems, space operations, and space launch. He was assigned to both command and staff positions during his military career. Swedberg’s final assignment was as the Commander of the 45th Mission Support Group at Patrick Air Force Base and Cape Canaveral Air Force Station. His military decorations include the Legion of Merit and the Defense Superior Service Award.

Swedberg holds a Bachelor of Science in Electrical Engineering from the University of Texas at Austin and a Master of Science in Electrical Engineering from Northrop University. He also earned Master’s degrees from U.S. Army Command and General Staff College in Military Arts and Science and from Air War College in Strategic Studies.

Message from the Administrator

Agency Direction and Challenges

TABC TODAY

Administrator Addresses Agency Direction and Challenges

I want to personally thank each of you for your well wishes and support as I assume my new role as the administrator. I'm also truly grateful for the team effort you all showed in filling in the gaps and steadying the ship while I put together our new leadership team. My first order of business was to select an assistant administrator followed by the hiring of the chief of field operations. Assistant Administrator Ed Swedberg and Chief Robert Saenz both bring the qualities and necessary skill sets to raise the bar moving us to the next level. Ed's military experience and his experience leading and implementing major operational projects will be an asset to our agency as we endeavor to operate efficiently and strategically. Chief Saenz' personal experience as an agent trainee to chief will be invaluable in identifying regional needs as well as the agency's response to them. I am extremely proud of our executive leadership team that supported me throughout this transition. We have a lot of hard work ahead of us but I am confident that we have the right people to meet the future. Our leadership team has a wealth of knowledge, experience, and history with TABC and I know that each of them supports the TABC mission and is dedicated to providing exemplary service to our internal and external stakeholders.

The legislative session convenes on January 8, 2013, but we've not been resting. Our TABC leadership team has been meeting with legislative members, and their staff to stress our conservative approach to maintaining current levels of efficiencies. With the exception of additional positions in our Ports of Entry division, the majority of our funding requests focus on technology initiatives. These initiatives allow

the agency to provide our customers with easier access to our services. Without additions to staffing, technology is crucial to TABC continuing to respond to the growing demands of the alcoholic beverage industry. The State of Texas is growing at a rate of just under two percent annually, and with that, the consumer demand for alcoholic beverages grows.

Along with technology, I plan to continue placing our employee resources around the state strategically. We have been analyzing data gathered in an internal at-risk report. Last year, you may remember that TABC used that data to align our resources with industry needs. We based the alignment on the number of permits around the state. Further examination of the data revealed statistics to us that indicates a need to distribute resources not only by the number of permits but also by permit types. I will continue to examine that information and make changes as needed.

TABC is currently facing three major challenges: the growing threat of organized criminal activity within licensed locations, market and legal challenges to the three-tier system, and the challenge of regulating a growing and ever-changing industry. During the legislative session, we will ask for the funding to maintain our current staffing to conduct investigations in a timely manner. We will continue to work with industry and the legislature regarding potential conflicts between the Alcoholic Beverage Code and the First Amendment, 14th Amendment and the Interstate Commerce Clause. We will serve as a key resource regarding recent lawsuits and

Continued on page 4

Comings and Goings

Robert Saenz Appointed Chief

TABC TODAY

Continued from page 3

Administrator Addresses Agency Direction and Challenges

what we expect to see in the future. We can also provide testimony on changes in the marketplace that the Code restricts. The legislature can use the information to make changes to the Code as they deem appropriate.

Finally, as I look forward to the future, I expect TABC to continue to raise the bar. As an agency, we will seek to improve and streamline business

processes, advance technology and provide automation, continue to provide efficient and responsive service to our stakeholders, and most importantly to listen and communicate to each of you my expectations so that we together can exceed expectations. I look forward to this next chapter in TABC history.

Sherry Cook
TABC Administrator

Robert Saenz Appointed Chief of Field Operations



The Texas Alcoholic Beverage Commission (TABC) promoted Robert Saenz to the Chief of Field Operations beginning October 1, 2012. Robert Saenz joined TABC in September 1993 as an agent. He worked throughout the state stationed in Austin, Houston, Galveston, Del Rio and Odessa.

Chief Saenz served as Captain in the Austin District Office for four years. His most recent assignment was as the Regional Director of the Coastal Bend Region. He assumed that position in August 2011.

Saenz obtained a Master Peace Officer Certification and has been a licensed TCLEOSE instructor since 1997. He is a member of the Central Texas Police Chiefs and Sheriffs' Association.

Robert Saenz graduated from Texas State University with a degree in Criminal Justice. After graduating from college, Saenz was employed as a patrol officer and detective with the Del Rio Police Department prior to his employment with the agency. TABC looks forward to his contributions as the new Chief of Field Operations.

Legislation

Robert Cloud Retires and LAP Reviews Processes

TABC TODAY



Arlington Regional Director Robert "Charlie" Cloud Retires



After more than 24 years of law enforcement service to the state, Major Robert "Charlie" Cloud of Arlington retired on October 31, 2012. Charlie Cloud joined TABC on January 1, 1988. He served as an agent throughout Texas in Fort Worth, Longview, Dallas, and Arlington.

In 1994, he promoted to sergeant serving the Longview Enforcement District until he advanced to a lieutenant position in May of 2008 and transferred to Fort Worth. Then in April 2009

Cloud advanced to Captain in the Dallas Region. In August 2011, Cloud promoted once more to his current position as Major and Regional Director of the Arlington Regional Office.

During his tenure, Cloud obtained a TCLEOSE Advanced Proficiency Certificate. Prior to TABC, Cloud attended Sam Houston State University in Huntsville. In 2001, he was elected to serve on the Granbury Independent School District Board of Trustees overseeing a 54 million dollar annual budget. Since his election, Charlie Cloud has served as Secretary, Vice President, and President on the board.

TABC Reports to LAP on House Interim Charge

TABC staff appeared before the House Committee on Licensing and Administrative Procedures (LAP) to provide information on the Alcoholic Beverage Code in July 2012. The LAP committee held the meeting in response to the charge given to them by Speaker of the House Joe Straus to review the alcoholic beverage licensing and permitting process. Speaker Straus also charged the committee to explore possible reforms with interested stakeholders to streamline and improve the licensing process through statutory changes.

The committee sought TABC's input regarding application processes for liquor permits and beer licenses. Currently, the Alcoholic Beverage Code details two different processes in Chapter 61 and Chapter 11. TABC Administrator Sherry Cook provided clarification on the intent of each chapter and answered questions from

the committee members. Chapter 61 includes provisions relating to applications for beer retailer licenses, beer distributors, beer manufacturers, and wine and beer retailer permits. Chapter 11 applies to permits involving the production, distribution, and retail sale of ale/malt liquor, wine and distilled spirits (collectively referred to as "liquor"). During the licensing process, the differences between the two chapters can become confusing to applicants. The most significant differences between these two chapters is shown in the tables on page six.

TABC staff sought to give as much information as possible to the committee agreeing that having one path in the licensing process would be beneficial. TABC will continue to respond to the committee by providing feedback and clarification in support of the committee's charge.

Continued on page 6

Legislation

Senator Van de Putte Hosted Alcohol Workgroups

TABC TODAY

Continued from page 5

TABC Reports to L&P

Beer Licenses and Wine and Beer Retailer Permits
County Judge Hearing Requirement
Fees and Surcharges Initially Paid to County Tax Assessor Collector. (TABC bills the county the month following the license or permit issuance.)
Application Notice - County Clerk Responsible
Protests Heard by County Judge

Liquor Permits (except Wine and Beer Retailer Permits)
No Hearing Requirement
Fees and Surcharges Paid Directly to TABC
Application Notice - Applicant Responsible
Protests Heard by State Office of Administrative Hearings (SOAH)

Alcohol Workgroups Hosted by Senator Leticia Van de Putte

Over the last few years, the Alcoholic Beverage Code has been the subject of several lawsuits asserting that certain alcohol statutes are unconstitutional – some because of the Interstate Commerce Clause (showing preference to in-state products or businesses vs. out-of-state), the First Amendment (advertising restrictions without state’s interest), or 14th Amendment (Equal Protection: treating different products or permits differently than others without state’s interest).

Senator Leticia Van de Putte volunteered to host a series of workgroup meetings, reviewing and discussing laws that could result in a suit and looking for ways to “level the playing field.” Senator Van de Putte has brought together stakeholders from virtually every aspect of the alcoholic beverage industry: brewers, brewpubs, distillers, grape growers, wineries, wholesalers, distributors, package stores, grocery stores, convenience stores, bars, and restaurants. One of the focal points of these meetings is

exploring possible ways to expand the authority of Texas brewers, brewpubs, and distillers to promote economic growth and to more closely mirror the authority of Texas wineries.

“It has been an unprecedented opportunity to participate in a dialogue on a wide range of ideas from all parts of the industry,” said TABC Administrator Sherry Cook. “No agreements or decisions have been made. However, any legislation that does result from these discussions is expected to boost small businesses and/or minimize the risk of losing lawsuits, which can result in alcohol policy being crafted by federal judges instead of the state legislature,” added Cook.

Anyone interested in providing input is welcome and invited to contact Amber Hausenfluck in Senator Van de Putte’s Capitol Office at amber.hausenfluck@senate.state.tx.us.

Industry Trends

Texas Growth Monitored

TABC TODAY

TABC Observes Growth of Texas Craft Breweries, Texas Distilleries and Alcoholic Beverage Sales

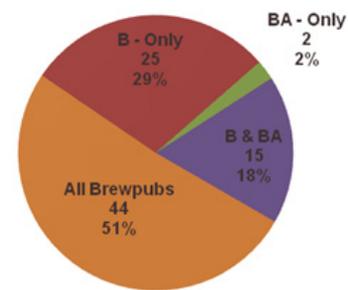
In the past five years, the TABC has observed significant growth in the number of Texas craft breweries, Texas distilleries, and alcoholic beverage products. This growth is due to expanding markets and increased consumer demand for craft products.

Texas Craft Breweries

A “craft” brewery is defined as a small, independent manufacturer of malt beverage products that is no more than 24 percent owned by another alcoholic beverage company that is not itself a craft brewer, and that produces less than 75,000 barrels of malt beverage products (beer, ale, malt liquor, etc.) per year. Included in this definition are those businesses that the American Brewer’s Association defines as brewpubs, microbreweries (production 15,000 barrels or less), and regional breweries with production between 15,000 and 75,000 barrels. While the number remains relatively small, the number of craft brewers has more than doubled growing from a total of 41 in June 2008 to a total of 86 by mid-June 2012. Of these businesses, 44 were brewpubs, operating with a mixed beverage permit, a beer license, or a beer and wine permit

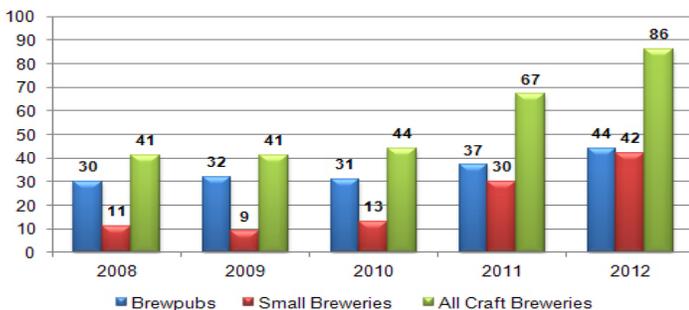
as the business’ primary license or permit. Brewpubs also have the option of selling food in addition to alcoholic beverage products directly to consumers. The remaining 42 would be best described as “small breweries” whose products can be sold either through licensed wholesalers and/or distributors, or directly to members of the retail tier, but not consumers.

**Texas Craft Breweries
By License Type**
June 2012



At the current time, the composition of the craft brewer segment of the industry is as shown in the above chart. Brewpubs (BP) are the largest group (44 each). Those holding only Brewer’s Permits (B) are the second largest group (25 each), and an additional 15 small brewers hold both a Brewer’s Permit (B) and Manufacturer’s License (BA). Small brewers holding only Manufacturer’s Licenses for beer account for the remainder of the state’s craft brewers (two each).

In-State Craft Breweries
June 2008 - June 2012



Continued on page 8

Industry Trends

Texas Growth Monitored

TABC TODAY

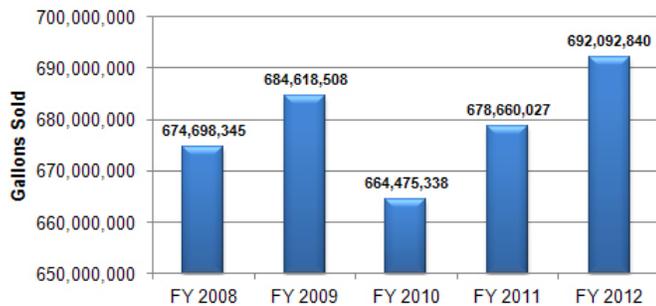
Continued from page 7

TABC Observes Growth of Texas Craft Breweries, Texas Distilleries and Alcoholic Beverage Sales

Texas Distilleries

Also small in total number, but benefiting from impressive growth, has been the state's licensed distilleries. The number of licensed Texas distilleries has grown from just nine in June 2008 to 34 in June 2012, or by almost 400 percent. Most are relatively new with more than half licensed in the past two years, as was the case with Texas craft brewers. The state is likely to see applications for additional distilleries as time progresses.

**Wholesale Alcoholic Beverage Sales
FY 2008 - FY 2012**

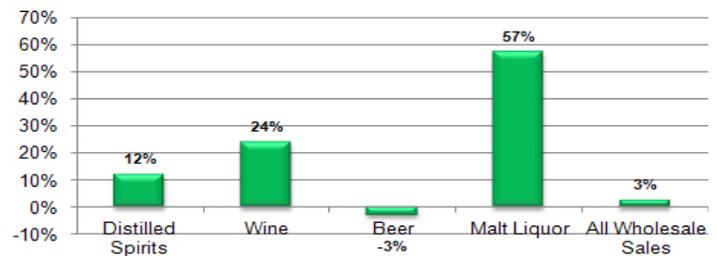


Aggregate Demand – Alcoholic Beverage Products

As measured by wholesale level sales, the aggregate demand for alcoholic beverages grew from 675 million gallons in FY 2008 to 692 million gallons in FY 2012, or by approximately 2.6 percent. An unexpected decline in alcohol sales in FY 2010 kept the rate of growth for the four year period well below expectations, which assumed that aggregate alcohol demand would

keep pace with population growth, which was expected to be in the range of seven to eight percent.

**Percentage Change in Wholesale
Volume by Beverage Class
FY 2008 to FY 2012**



In terms of gallons sold, malt liquors (malt beverages with an alcohol content greater than four percent by weight) posted a gain in the period between FY 2008 and FY 2012, as did wines and distilled spirits. The volume of malt liquors sold in Texas grew by 57 percent (more than 21 million gallons) from FY 2008 to FY 2012, while wine volume grew by 24 percent and distilled spirits increased by 12 percent. The volume of beer sold declined by three percent from the end of FY 2008 to the end of FY 2012, and since beer still accounts for four-fifths of the bulk volume sold in Texas, the decline in beer sales held the increase in the total volume of alcoholic beverage wholesale sales to less than three percent.

Partnering within Our Communities

TABC Honored with TASSCC Award

TABC TODAY

Agency Receives TASSCC Excellence Award for the Cash and Credit Law Compliance System



The Texas Association of State Systems for Computing and Communication (TASSCC) held its annual conference in Arlington, Texas from August 13 through August 15. Almost 400 members

and associate members attended. During the conference, TASSCC bestowed the TASSCC Excellence Award to recognize excellence and innovation in Texas public sector IT services to TABC for the Cash and Credit Law Compliance System.

The TASSCC Excellence Award recognizes a project that showcases innovative application of leading-edge computing and/or communications technologies. It recognizes those who have implemented a technical application that significantly improved internal operations, customer services, or communications. Special consideration is given to projects that use leading edge technology or that use existing technology in an innovative manner. Projects must be fully implemented and deliver the services described.

TABC, by statute, is required to track, publish, and take administrative action against retailers who are delinquent in their payment for malt beverages and distilled spirits. Cash law relates to the sale of malt beverage products by beer distributors to retailers. Cash payment is required at the time of delivery for

all such transactions by statute. Credit law, on the other hand, pertains only to transactions involving the sale of wines or distilled spirits by wholesalers to retailers. By statute, no wholesaler may sell nor may any retailer buy wines or distilled spirits when appearing on the delinquent list.

Prior to the Cash and Credit Law Compliance System, wholesalers and distributors had to manually complete an affidavit, including notarized signatures and copies of the financial instrument. This was a paper-intensive and time-consuming process. The automated system allows for on-line submission and attestation of the information. Wholesalers, distributors and retailers have real-time access to the delinquent list. Retailers must make good on their debts before they can order more alcohol.

Since the automated system went into effect in FY 2009, the amount of debt that retailers owe to wholesalers was reduced dramatically (from \$573.8 million in FY 2009 to \$11.6 million in FY 2012), creating more market stability. In FY 2009, more than 10 percent of all permittees authorized to sell liquor to the ultimate consumer failed to pay for liquor purchases made on credit in a timely manner on at least one occasion and were placed on the delinquent list. By FY 2011, the proportion of liquor vendors receiving that sanction had been cut to less than five percent.

TABC congratulates Assistant Chief Dexter Jones, who received the award on behalf of the agency, as well as Information Resources

[Continued on page 10](#)

Partnering within Our Communities

Agents Assist with Manhunt

TABC TODAY

Continued from page 9

TABC Receives the TASSCC Excellence Award for the Cash and Credit Law Compliance System

Director Jay Webster, Project Manager David Brandon, Programmer Chuck Zoch, Business Analyst Mona Appling, and Compliance

Supervisor Gene Bowman for their collaboration on the project for the cash and credit law compliance system.

Agents Assist with Manhunt in Angelina County

TABC agents in the Lufkin and Bryan Service Areas collaborated with officers from the Angelina County Sheriff's Department and other local and state agencies assisting in the search of a male suspect on the run in Angelina County. On the morning of July 26, 2012, at approximately 4:00 a.m., officers of the Angelina County Sheriff's Department were called to the scene of a double homicide.

Officers were advised that the suspect, 32-year-old Terrance Barnes had left the scene of the crime on foot. After attempts were unsuccessful to locate him in the surrounding area, Captain Allan Hill of the Angelina County Sheriff's Department requested TABC's assistance in the search.

During the manhunt, TABC Lieutenant Jeffrey Taylor of Lufkin provided security along the perimeter from Farm to Market Road 1669 between State Highway 103 and United States

Highway 69. Meanwhile, TABC Sergeant Gilbert Alba of Bryan, Agent Omar Cantu of Bryan, and Agent Joey Davidson of Lufkin joined in the search as roving units and worked various checkpoints throughout the county.

Finally, at 10:35 p.m. the suspect was located and apprehended. Sheriff Kent Henson and officers of the Angelina County Sheriff's Department took the suspect into custody and transported him to the Angelina County Jail.

Sheriff Henson and his staff were grateful for the assistance that TABC and other agencies provided. The following is a list of those agencies that assisted in the manhunt: the Texas Alcoholic Beverage Commission, Texas Department of Criminal Justice, Texas Department of Public Safety, Texas Parks and Wildlife, Lufkin Police Department, Nacogdoches County Constable Precinct 4, Angelina County Constable Precinct 3 and 5, and the Huntington Police Department.

Licensing Division

TABC:Online Introduced and Permit Issued for Venue

TABC TODAY

Licensing Launches for TABC:Online Renewals

In April 2012 TABC partnered with several wholesalers and distributors to pilot the online renewal process for the Agent's Permit (A), Agent's Beer License (BK) and Manufacturer's Agent Permit (T). As a result, online renewals for these three license/permit types launched statewide on May 30, 2012. In addition, Airline Beverage Permit (AB), Carrier's Permit (C), Industrial Permit (I), Local Industrial Alcohol Manufacturer's Permit (LI), Market Research Packager's Permit (MR), Passenger Train Beverage Permit (PT), Out of State Direct Shipper's Permit (DS), Promotional Permit (PR), Non-Resident Seller's Permit (S), and Non-Resident Manufacturer's License (BS) can now renew online.

TABC launched **Online Renewals** for several license/permit types. Advantages of the online renewals are:

- Anytime/Anywhere
- No hassle – 24-hour/7-day access
- No postage lines
- No notary lines
- Immediate update
- Pay by ACH or credit card

Great Scott! Austin's Newest Theatre Obtains Mixed Beverage Permit

Early this year, TABC employees in the Austin District Office (D.O.) began working with the Zachary Scott Theatre on plans to obtain a Mixed Beverage Permit for their new Topfer Theatre in Austin. The \$22 million facility seats more than 400 and spans 32,000 square feet. The Topfer Theatre hosted its grand opening gala on September 27, 2012, which featured Bernadette Peters in *Once Upon a Dream*.

Prior to permit issuance, TABC Austin D.O. Compliance Manager Gene Bowman, and Licensing Manager Shaun Jordan met with Zachary Scott Theatre's Beverage Manager Rick Ryan, and Senior Development Manager for Special Events Eric Scott to inspect the new facility.



On August 15, 2012, Zachary Scott Beverage Manager Rick Ryan, TABC Compliance Manager Gene Bowman, and Zachary Scott Senior Development Manager Eric Scott met to survey and inspect the new Topfer Theater in Austin. Photograph courtesy of Shaun Jordan.

Education and Awareness

Permit Issued for Venue and Spring Break Grant

TABC TODAY

Austin Staff Inspects Formula 1 Racetrack

On August 29, 2012, TABC Licensing Director, Amy Harrison, Lieutenant Cathleen Cavazos, Licensing Manager Shaun Jordan, and Compliance Manager Gene Bowman met with representatives from Premier Hospitality Management Team to discuss permit issuance and to tour the Formula 1 racetrack and multipurpose facility. The company anticipates a variety of motorsports, concerts, and SXSW events to be held at the venue in Austin.

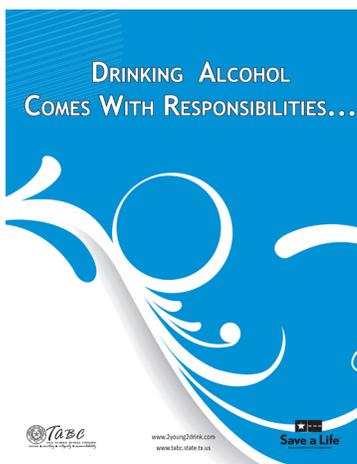
The Formula 1 racetrack, one of 26 Grade 1-certified motorsports facilities in the world is the only FIA-certified Grade 1 track in the United States. The facility is estimated to draw thousands of people to the Capital City, and approximately 30 million television viewers from

all over the world to watch the FORMULA 1 UNITED STATES GRAND PRIX™. Circuit of the Americas will host the first Formula 1 US Grand Prix November 16-18, 2012. This world-class motorsports and entertainment venue is less than 15 miles from downtown and nine miles from Austin-Bergstrom International Airport.



TABC Compliance Manager Gene Bowman and Licensing Manager Shaun Jordan of the Austin District Office toured the Formula 1 racetrack in Austin during a recent inspection of the facility. Photograph courtesy of Shaun Jordan.

TABC Receives Spring Break Grant and Develops Program



TABC was awarded a \$430,000 two-year grant for 2012-2013 funded by the State Criminal Justice Planning (421) Fund through the Office of the Governor's Criminal Justice Division. With the funding and in an effort to reduce the dangers of over-consumption such as

alcohol poisoning, injuries, and assaults, TABC is developing the program called

"Drinking Alcohol Comes with Responsibilities". The program will target 21 to 25-year-olds. Within the program, students will learn:

- Standard drink sizes;
- Alcohol by volume;
- Blood alcohol content;
- Intoxication;
- Binge drinking;
- Alcohol poisoning; and
- Texas laws regarding alcohol.

TABC agents and auditors will present the program at colleges and universities in the months prior to Spring Break 2013. Anyone interested in the program may e-mail: education@tabc.state.tx.us.

TABC Cares

Agency to Unveil Campaign/Website and Agents Honored

TABC TODAY

TABC to Unveil Alcohol by Volume and Drink Responsibly Campaign

Drinking alcohol comes with responsibilities. Check out TABC's new campaign about Alcohol by Volume at 2young2drink.com.

facebook

twitter

Like us on Facebook!

<http://www.facebook.com/txabc>

Follow us on Twitter!

@TexasABC

Announcing New Website: legal2drink.org

In 2013, TABC plans to unveil a new visually engaging website designed to educate adult consumers over 21 about responsible alcohol consumption. TABC's Education and Prevention Division will use the website to provide information to the public about alcohol. The site will include information about alcohol poisoning warning signs, signs of intoxication, and other key information for drinking responsibly as well as featuring public service announcements (PSA's).



Watch us on TABC's YouTubeChannel:
<http://www.youtube.com/tabchannel>

Agents Recognized by Lubbock Crime Victim Coalition

District 1 Agents Anthony Bates and James Martin were recognized by the Lubbock Crime Victim Coalition for their outstanding service in the community on behalf of crime victims. Violations of the law can result in citizens becoming victims of irresponsible alcohol use, including but not limited to drunk driving, over-serving, and illegal sales to minors and intoxicated persons. Agents Bates and Martin's were honored for their efforts in educating individuals within the community on safe alcohol sales and consumption at a ceremony held at the Lubbock Women's Center on April 27, 2012.

Agent Anthony Bates has worked hard to educate civic and fraternal organizations at Texas Tech University in Lubbock, as well as local law enforcement agencies regarding Texas alcoholic beverage laws and responsible sales and



Agent
Anthony Bates

Agent
James Martin

consumption. In addition to his responsibilities in monitoring and investigating TABC-licensed locations in 10 counties, Bates makes time to offer educational presentations to numerous organizations and agencies throughout Lubbock. Educational topics include responsible and lawful sales and service of alcoholic

Continued on page 14

Continued from page 13

Lubbock Agents Recognized by Crime Victim Coalition

beverages by permit holders, recognizing signs of intoxication, attempts by minors to obtain alcohol, legal penalties, and enforcement efforts of local law enforcement agencies to regulate area retailers and promote public safety. Last year he educated over 2,500 individuals.

Agent James Martin was responsible for educating nearly 5,000 students of local schools, alcoholic beverage business employees, law enforcement officers, and civic groups. As TABC's primary representative in Lubbock, Martin works with local agencies and schools to present the 'Shattered Dreams' program. This public awareness program specifically involving high school students is an excellent educational experience about the extreme danger and serious consequences of drunk driving. In addition, Agent Martin has been involved in several TABC 'source' investigations, in which the agency

determined whether a TABC-licensed business was the direct or indirect cause of a drunk driving or alcohol poisoning fatality. These investigations occurred in conjunction with Lubbock Police Department or Sheriff's Department investigations of such incidents, and directly involved the victims and parties of alcohol-related tragedies.

The Lubbock Crime Victim Coalition consists of the Lubbock County District Attorney's Office, Texas Department of Public Safety, Women's Protective Services, Rape Crisis Center, Lubbock Victims Assistance Services, Legal Aid Society of Lubbock, and Mothers Against Drunk Driving.

TABC congratulates Agents Bates and Martin for their continuing hard work and service to their community. Such awards exemplify TABC's commitment to courtesy, service, integrity, and accountability.

Beaumont Agent Promotes Alcohol and Community Awareness



Agent
Nicole Walker

TABC Agent Nicole Walker of Beaumont has been busy in her community taking part in the Annual Cops-N-Kids events held at Claiborne West Park in Vidor and the new Events Center in Beaumont, Texas. TABC participated to educate children and their parents on the dangers of alcohol consumption,

safety, and to stress the importance of forming trusting relationships with law enforcement and emergency services personnel in the community.

During the Cops-N-Kids events, Agent Walker distributed handouts, answered questions, and provided visitors with the opportunity to try on vision impairment goggles that simulated being intoxicated. Agent Walker said, "It was a great opportunity for her to foster alcohol awareness with the youth and their parents in Orange and Jefferson Counties."

Marketing Practices

Guidelines/Amended Bulletin and Educational Project

TABC TODAY

On-Premise Consumer Taste Comparisons Guidelines

The new Marketing Practices Advisory MPA051, *Market Research Guidelines* and the amended Marketing Practices Bulletin 020, *On-Premise Consumer Taste Comparisons* are now available on the web at http://www.tabc.state.tx.us/marketing_practices/bulletins.asp. The advisory amends TABC guidelines for market research conducted at bona fide research firms.

In the past, TABC prohibited market research firms from informing the participants which manufacturer had requested the test. This also

prevented the testing of packaging and label designs by participants in Texas. The new guidelines outlined in MPA051 allow market research firms to share this information with the participant. The result is more accurate data for the manufacturer without the consequences of a disorderly market that resulted from the still prohibited on-premise taste comparisons. For more information on the new Marketing Practices Advisory MPA051, visit: http://www.tabc.state.tx.us/marketing_practices/bulletins/MPA051.pdf

Educational Project

The Texas Department of Transportation Traffic Safety Section awarded TABC \$280,000 for the Marketing Practices Educational Project. The project started October 1, 2012, and continues through September 30, 2013. The project goal is to provide educational opportunities for alcoholic beverage retailers, their employees, law enforcement officers, and the public on the alcoholic beverage laws and penalties associated with marketing practices regulations. This includes the regulations associated with product tastings, promotions such as happy hours and special events, beer and wine festivals, charity events, and other short-term events where alcoholic beverages are made available.

The Marketing Practices project will create a False ID and Special Events program, which includes training videos focusing on the marketing practices regulations. This program will also create and include training modules with videos, an interactive learning mobile application, and public service announcements.

Senior Editor: Loretta Doty

Editor/Layout: Julie Davis

Contributors: Carolyn Beck, David Brandon, Mindy Carroll, Sherry Cook, Carrie Coulter, Thomas Graham, Roy Hale, Dexter Jones, Shaun Jordan, Jo Ann Joseph, Agent James Martin, Capt. Mark Menn, Ed Swedberg, Lt. Jeff Taylor, and Agent Nicole Walker.

TABC Today is an external publication of the Texas Alcoholic Beverage Commission. We welcome your comments, suggestions and questions. You may contact us via e-mail at: questions@tabc.state.tx.us.

To report a possible violation of the Alcoholic Beverage Code, call toll-free 1-888-THE-TABC.

In compliance with the Americans with Disabilities Act, this newsletter may be requested in alternative formats by contacting TABC at (512) 206-3220, Relay Texas: 1-800-735-2989 (TTY/TDD), (512) 206-3350 (fax) or writing P.O. Box 13127, Austin, Texas 78711-3127.

The Texas Alcoholic Beverage Commission is an equal opportunity employer and does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment, or in the provision of services, programs or activities.