



TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

Today

Volume 2011, Issue 1

Spring 2011



Alan Steen
Administrator

José Cuevas, Jr.
Presiding Officer

Steve Weinberg, MD, JD
Commissioner

Melinda Fredricks
Commissioner

INSIDE

2

TABC Focus

3 - 4

Cutler, Dickson and Allee
Join Local Law Enforcement

5

Meet Dickerson, Jordan
and Muñoz

6

Local Option Elections
Expected to Rise

7 - 9

Focus on Public Safety
Spring Break 2011
and Paperless Process

10 - 12

Dallas Local Option Election
Best Practices Award
and TABC:Online Services

13

Beverages Authorized for Sale

14 - 15

Allan Shivers, Jr. Award
for Excellence

16 - 17

Regions Raise Funds
and Collect Donations

18

You Asked

Administrator's Corner - TABC Focus

Continuing to Improve to Better Serve Texas

Since the passing of the Sunset Review in 2007, we at TABC have worked tirelessly to shift our focus from citing drunks and minors to becoming an investigative agency that stops the problem at its source. We continue to keep our commitment to putting the good actors in business and taking the bad actors out of business.

First, I want to discuss what we've done to improve ourselves here within TABC. We made a commitment to invest in employee training to make our staff more qualified and effective. Being the face of TABC is a simple but important concept; our employees should be friendly, approachable, and helpful toward the citizens of Texas at all times. Also, we have increased the minimum qualifications requirements for agent applicants. We want to make sure we have the best people out there, and asking for peace officers with at least four years of investigative experience is a good start.

While improving the quality of our staff, we also worked to improve processes using technological advancements. The Licensing Division has made big changes to the application process, resulting in a 2010 Best Practices Award from the National Association of Licensing and Compliance Professionals. Also, in February 2009, an online based cash/credit law system was introduced to distributors

and wholesalers. After giving the industry a nine-month transition period, the agency implemented administrative actions against violators. Upon implementation, there was an approximate \$600 million debt between the wholesale tier and the retail tier. In fiscal year 2010, that debt was reduced to \$82 million. As of April, the fiscal year 2011 debt has only reached \$18 million. The updated cash/credit law system is clearly working to keep the Texas market stable.

Second, I continue to stress the importance of communication, consistency and common sense in our regulatory function. When we become aware of trends that are causing disruption in the market place, our Marketing Practices Division evaluates the cause and develops a solution that is applied uniformly throughout the state. The solution is communicated both internally and externally. I encourage all of our staff to apply a common sense approach when interpreting the law.

Marketing Practices Bulletins are one of the agency's tools for communicating our interpretation and policy regarding the TABC Code and Rules. If we find there are retailers who continue to violate the statutes despite all of the available resources, our staff

Continued on page 2

Administrator's Corner

TABC Focus - Continuing to Improve to Better Serve Texas



TABC TODAY

Continued from page 1

in the field will hold targeted retailer meetings to make sure these folks get back on the right track.

This agency is committed to keeping the permittees and licensees in the market place informed of current and regulatory changes. We also turn to them for their input in our rule making process. By holding stakeholder's meetings, we ensure partnerships with our communities and the industry and keep all parties informed of changes that could impact them even in the slightest way.

TABC efficiently uses resources through risk-based enforcement. Our new at-risk management tool is critical, and it is propelling us even further as an investigative agency. There are several factors involved in determining the overall risk of a permit including protests, complaints, cash/credit violations, vice activity and calls for service. When we identify a high-risk location, we conduct an investigation and do our best to bring them into compliance.

We had a situation in Dallas a few years back where permittees on the same block continually demonstrated this "bad actor" behavior despite community outcry. This situation could have been controlled more quickly if a risk assessment program had been in place to identify the location earlier in the process. Today, our focused work has helped reduce police calls for service to neighborhoods with problem locations by as much as 60 percent.

Finally, we rely on partnerships to enhance our mission of public safety. We at TABC cannot make comprehensive determinations about these businesses without the help of outside resources. The Law Enforcement

Analysis Portal (LEAP) allows law enforcement agencies to see crime incidents and offender activities across city, county, and state boundaries to reduce crime and protect the public. We are excited about having the opportunity to use the system. It will allow TABC to track trends in complaints, violations, and calls for service and identify permits displaying risky behavior.

Protesting a new application or a renewal application is a way for the community to let TABC know that they are having problems with a business. In situations where a retailer continues to be a public nuisance, we can coordinate efforts with partner agencies and the community to bring an end to the disturbances. We can turn to city codes or fire marshals if needed. If the retailer has repeated tax issues, we work with the Office of the State Comptroller to help suspend the licenses or permits.

In these situations, first and foremost, we want to determine what is causing the retailer to operate poorly and provide them with resources in order for them to operate safely. Our Education and Prevention Division offers programs to deter violations and promote safe operations. These education programs require a personal investment from retailers who want to be good business owners, but it is an investment that will surely pay off. It's a two way street: If the retailer wants TABC's help, we will willingly provide it.

As you can see, we have been very busy here at TABC and things are only going to get busier, but we don't mind! Keeping the people of Texas safe while maintaining a stable market is a tireless fight; one that we will keep fighting.

Alan Steen, Administrator

Staff Retirements

Gary Cutler and Tom Dickson Join Local Law Enforcement

TABC TODAY

TABC Investigator Gary Cutler Retires from State to Serve as Sheriff of Hays County



Gary Cutler, an Investigator VII with TABC's Field Operations retired in November 2010 when he was elected Sheriff of the Hays County Sheriff's Office located in San Marcos.

In April 2004 Cutler joined TABC's newly formed unit, Homeland Security. He spent the next six years in the position working criminal and regulatory investigations in the following areas: organized crime, money laundering, human trafficking, narcotics, gang activity and other felony offenses.

Prior to TABC, Cutler attended Sam Houston State University and earned his bachelor's degree in criminal justice. In 1974, he began his law enforcement career with the Travis County Sheriff's Office, which he served for 26 ½ years before his retirement in December 2000.

In 2001, Cutler joined the Williamson County Sheriff's Office as a lieutenant. For three years he supervised the Major Crimes Unit, juvenile, crime lab, evidence property room, victim services and fugitive warrants.

He holds a Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) Master and Instructor Peace Officer certification.

TABC Lieutenant Tom Dickson Joins City of Lorena Police Department



After 22 years of state service, TABC Lieutenant Tom Dickson of Waco retired on November 30, 2010, leaving the agency to serve as the Chief of Police for the city of Lorena Police Department.

In 1988, he joined TABC as an agent stationed in Victoria and Waco. In 2001, Dickson promoted to Sergeant and relocated to Houston. In October of that year, he transferred to TABC's Austin District Office where he promoted to Lieutenant in 2002.

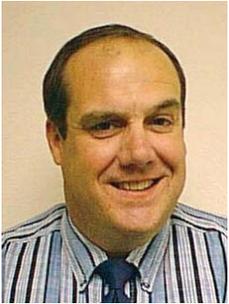
Two years later for his efforts against underage drinking, he was named Law Enforcement Officer of the Year 2004, by the Central Texas Chapter of Mothers Against Drunk Drivers. During his tenure, Dickson was awarded a Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) Master Peace Officer Certification and Instructor License. He is also Vice President of the Central Texas Police Chief's and Sheriff's Association.

Staff Retirements

Rod Allee Joins Local Law Enforcement

TABC TODAY

TABC Lieutenant Rod Allee Retires to Join Midland County Sheriff's Office



After 28 years of law enforcement service, Lieutenant Rodney Allee retired on February 28, 2011, to become a deputy with the Midland County Sheriff's Office.

On November 15, 1982, he joined TABC as an agent and began his law enforcement career. After graduating from the Harris County Sheriff's

Academy with his Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) certification, Allee was stationed in the Houston and El Paso Offices. In January 2004 he transferred to the Odessa Office. In March 2005 he promoted to sergeant. He promoted to lieutenant in December 2007.

Allee graduated from Alpine High School and worked as a cowboy in his younger days. He is a fifth generation Texas peace officer.

Additional TABC Staff Retirements October 2010 - March 2011

October:

Steven Cagle Sergeant
Houston District Office

December:

Bruce Boardman Investigator VII
Field Operations, HQ

Stephen Jaffe Auditor V
Houston Compliance Office

February:

Jaunita Greer Accounts Examiner III
Austin Compliance Office

Richard Najera Taxpayer Compliance
El Paso Ports of Entry

February:

Michael Zabkiewicz Auditor IV
Houston Compliance Office

March:

Ronald Clinton Agent VI
Longview District Office

Daniel Garcia Agent V
Belton Outpost

John Peek Agent VI
Austin District Office

Staff Take On New Challenges

Meet Luann Dickerson, Shaun Jordan and Merideth Muñoz

TABC TODAY



Meet Executive Assistant Luann Dickerson

Luann Dickerson joined TABC in 2010, as the Executive Assistant to TABC Administrator Alan Steen and secretary to TABC Chairman José Cuevas Jr., and Commissioners Steven M. Weinberg and Melinda S.

Fredricks. Dickerson replaced Renee Johnston Andrews, who retired last August after more

than 30 years with the state. Prior to TABC, she worked in a variety of office manager positions in various industries including power sports, health care and shipping. Although this is Dickerson's first job working for the State of Texas, her father is a retired state employee, so she feels right at home! Her supervisor Alan Steen says, "I feel so fortunate that we found someone like Luann who could quickly learn the ropes and help keep me in line without missing a beat!"



Shaun Jordan Chosen as Region 4 Licensing Supervisor

On March 21, 2011, Shaun Jordan assumed his new position as Acting Licensing Regional Supervisor for Region Four at the Austin District Office. Jordan, a native of Austin, began his career with TABC in December 1983

as a data entry clerk in the Licensing Data Entry Section.

In 1985, he worked with the agency's first mainframe computer system, and then helped to test and implement the newest technology of the time, the M204 system that TABC utilized until 2005. In 1993, Jordan promoted to program supervisor of the Licensing Division, and provided

many services to the division, field offices and license and permit holders. He was instrumental in developing, testing and implementing LicenseEase and the Agency Reporting and Tracking System (ARTS).

Following the licensing reorganization in September 2009 he brought his knowledge and experience to the Licensing Resource Support Team. Jordan is currently working with Versa:Regulation the upgrade to LicenseEase and the TABC:Online System. He is excited to be working in his new position, which has enabled him to learn and gain a different perspective of licensing operations by working in the field.



New Information Specialist, Merideth Muñoz

Merideth Muñoz joined TABC in March 2010 as an Administrative Assistant at Headquarters in Austin. In February 2011 she promoted to an Information Specialist I. Muñoz is responsible for responding to public and

industry inquiries, creating and editing public

documents such as press releases and Marketing Practices Bulletins, conducting research for legislative inquiries and bill analysis, developing and maintaining the Compliance Division's intranet web content and administering the division's case administration process. Muñoz is an asset to the agency, and brings versatility and a firm commitment to the position.

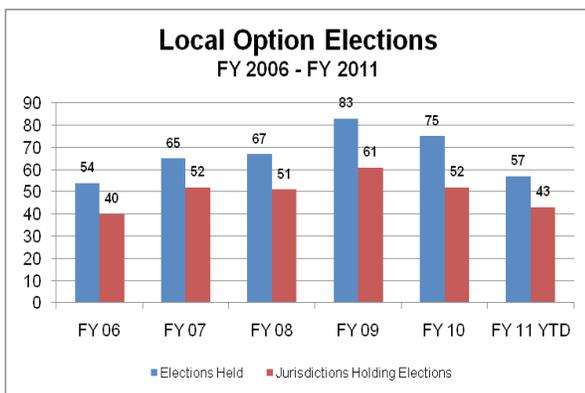
TABC Trends

Local Option Elections Expected to Rise

TABC TODAY

Local Option Election Issues Favor Alcoholic Beverage Sales

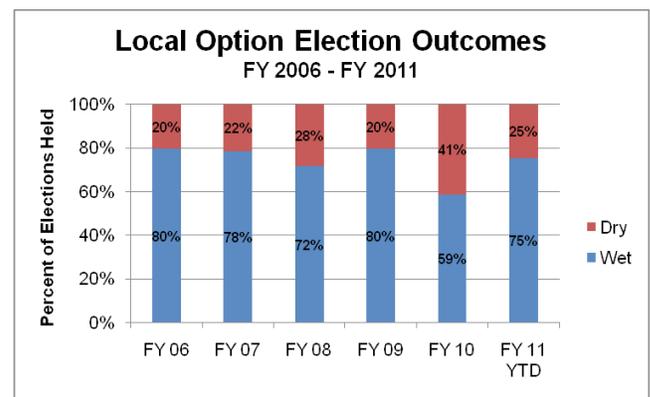
Over the past five years, TABC has observed trends in the number of local option elections (LOE) across the State of Texas. Since fiscal year (FY) 2006, with a low of 54 elections, LOEs increased to a high of 83 elections in FY 2009. In FY 2010, the numbers decreased slightly as there were 75 elections.



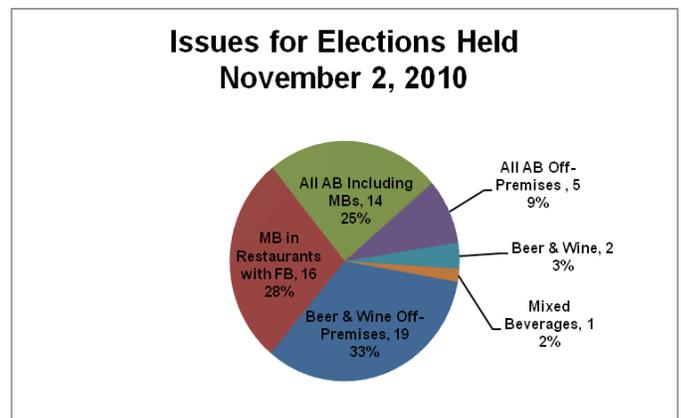
The volume of elections during the first part of FY 2011 (57) and the number of new petition efforts initiated since the cut-off date for the November 2010 elections, strongly suggests that the number of elections in FY 2011 will equal or exceed the number held in FY 2010. In addition, TABC anticipates the number of elections in FY 2011 could beat the number of elections in the peak year (FY 2009).

Election outcomes have also varied from year to year, but on average those favoring alcoholic beverage sales have won three out of four of the elections. In each fiscal year, a wide range of election issues have gone before voters. Two issues have been especially popular as election options particularly in jurisdictions that were

previously “dry”-- “the legal sale of beer and wine for off-premises consumption only” and “the legal sale of mixed beverages in restaurant by holders of food and beverage certificates only.”



So far during FY 2011, those two issues have accounted for 61 percent of the elections. Only the issue that would permit all alcoholic beverage sales, including the sale of mixed beverages, approaches them in popularity. That issue was more likely seen in elections for jurisdictions that were, for the most part, “wet” for some alcoholic beverage sales.





Compliance Division Update

Focus on Public Safety and Spring Break 2011

TABC TODAY

TABC Focuses on Public Safety, Teamwork and Training

Super Bowl XLV was a great success. Assistant Chief of Compliance Dexter Jones, Assistant Chief of Enforcement Rod Venner and Director of Licensing Amy Harrison worked diligently with their field staff to ensure the public's safety and to help local permittees and licensees promote their businesses. Assistant Chief Jones also collaborated with TABC's Education and Prevention Section to facilitate successful training events specifically designed for the Super Bowl.

The first of the two-day training sessions offered free special events training to law enforcement personnel. Training topics related to responsible alcohol service, verbal de-escalation techniques and human trafficking. Seventy-one law enforcement personnel were in attendance.

Over 100 retailers attended the retailer training session which taught responsible service

techniques, intervention techniques and risk management initiatives that helped retailers be better equipped to serve alcohol in a legal and responsible manner. Fifty-six retail employees were TABC certified in the final training session of day two.

In addition, Captain Charlie Cloud addressed approximately 4500 stadium employees at a Super Bowl pep rally hosted by Dallas Cowboys Owner Jerry Jones at Cowboy Stadium. Cloud spoke on the importance of responsible alcoholic beverage service and their role to foster public safety. Dallas Fort-Worth CBS, CW, Fox, NBC, and Telemundo affiliates aired news stories commending TABC for the agency's proactive Super Bowl XLV efforts. To view the Dallas Fort-Worth Fox station's article on-line visit:

<http://www.myfoxdfw.com/dpp/news/122810-tabc-gets-proactive-for-super-bowl-45>

Planning and Preparedness = Prevention

When most people think of Spring Break they think of that time in March when they can take a break from their studies, books, and school in general. Spring Break for many is a time for sun, sand, and celebration. For employees of TABC, it begins many months in advance with planning, grant applications, preparations, and the culminating of prevention and enforcement activities immediately before and during Spring Break. TABC civilian and enforcement personnel are equally important in ensuring that those participating in Spring Break activities at South Padre Island, Port Aransas and throughout Texas are safe, and return to their schools or universities with great memories and perhaps a little sand in their shoes.

Every year, TABC's Education and Prevention Section writes grants to support activities in the following year. The monies obtained for these funded projects are used in a variety of ways. Grant funded projects play a very important role in a safe and successful Spring Break.

TABC auditors and other employees of the Compliance Division were actively involved in Spring Break activities on South Padre Island. This year, auditors stayed busy answering questions and distributing public information and educational materials.

Auditors also conducted inspections at over 60 area retailers as part of 2011's

Continued on page 8

Enforcement Division Update

Spring Break 2011

TABC TODAY

Planning and Preparedness = Prevention

Continued from page 7



TABC Auditors Lizet Hinojosa and Elsa Dovalina distribute alcohol awareness information at South Padre Island's Visitors Center.

TABC booth set up at the Visitors Center. The message to Spring Break visitors was 'No Alcohol until 21' and 'If 21, drink responsibly.'

As in years past, immediately prior to the start of Spring Break, TABC agents conducted Minor Stings along the Interstate 35 corridor and the other major roadways leading to the coast. These operations, called "corridor stings" were conducted along Interstate 35, 37, and 45, U.S. Highway 59, and 77, and State Highways 35 and 361. During a minor sting, a young person usually between the ages of 16 and 18 attempts to purchase alcoholic beverages while under the close supervision of TABC agents. Of the 1,193 licensed locations checked this year, only 137 of the retailers sold alcoholic beverages to the minors used in these stings resulting in a compliance

"Safe Spring Break" initiative. Region 5 Compliance Supervisor Karen Smithwick said, "Compliance Division auditors were tasked to spread the 'Safe Spring Break' message during Texas week at South Padre Island, and interacted with over 900 spring breakers at the

rate of 88.52%. The TABC would like to thank those retailers who complied with the law.

Beginning March 7 to March 20, 2011, TABC agents worked along the Texas Gulf Coast, concentrating their efforts on the beaches of Jefferson County, Galveston County, Port Aransas, Corpus Christi, and South Padre Island. As agents checked the beaches, hotels and other public places, they issued a total of 2,092 citations. The majority of these citations were issued for minor in possession of an alcoholic beverage and other alcohol related violations. South Padre Island Police Chief Randy Smith remarked, "I continually reassure concerned parents of college students considering South Padre Island for Spring Break that we strive diligently to provide a secure environment in which their family can safely visit and enjoy. TABC is a major component within our security plan, and that is why South Padre Island P.D. looks forward to years of successful affiliation between our agencies."



A minor caught by TABC agents during a routine beach check destroys a bottle of whiskey.



Ice chest of illicit alcoholic beverages in possession of persons under 21.

During the two week period of Spring Break, agents also conducted operations on TABC-licensed premises with the intent of reducing violations and retaining the safety of all involved. These operations included Cops In Shops and Operation Fake Out. During Cops in Shops operations, TABC agents, with the cooperation

Continued on page 9

Licensing Division Update

Spring Break 2011 and Paperless Process

TABC TODAY

Planning and Preparedness = Prevention

Continued from page 8

of retailers and their employees, pose as customers or employees of these establishments and apprehend underage violators as they attempt to purchase alcoholic beverages.

While conducting an Operation Fake Out, TABC agents with expertise in detecting fake ID's work alongside the employees of participating on-premises retailers hoping to prevent those with false or fake identifications



Minor signs citation issued by Agent Bill Allen after being caught with alcoholic beverages.

from gaining entry and purchasing alcoholic beverages. Port Aransas Police Chief Scott Burrows expressed his appreciation on the partnership he has with TABC. "The pre-event education afforded to local merchants and the presence of TABC agents during Spring Break provides an effective deterrent to liquor law violations. TABC is always willing to respond to our requests for assistance," said Chief Burrows. He added, "I have received a lot of positive feedback from local merchants, citizens, and city leaders complementing the cooperative working relationship between the Port Aransas P.D. and our law enforcement partners, the TABC. It would be impossible for us to provide the level of service we provide during Spring Break without the assistance of those partners."

Imaging Brings Modernization to TABC Regions

As of October 1, 2010, all TABC Regional offices went paperless in an effort to improve information accessibility and to reduce the amount of paperwork. How does this benefit the agency and the public?

TABC's decision to go paperless by utilizing electronic imaging has sped up the application process. Employees regardless of their location now have access to Neubus and can view any applications that are pending, the paperwork or the permits or licenses that have been issued. This new process has saved the agency time and money. For instance, a regional field team member and the team member at TABC Headquarters in Austin can now work at the same

time without delay to complete their portion of the application process.

Imaging has proven to be a great tool for TABC, especially since the local option election passed last November in the city of Dallas. Licensing personnel from across the state were able to assist Region Two by processing the hundreds of applications received.

Imaging has enhanced the way files can be viewed by all employees of the agency. Our agents have benefited by this paperless system as they can now view images from their in-car computers providing them up-to-date information regarding licensed premises.

Licensing Division Update

Dallas Local Option Election and Best Practices Award

TABC TODAY

Permits Issued After Dallas Local Option Election

On November 2, 2010, the citizens of the city of Dallas, the second largest city in the State of Texas, voted to support a new local option which would allow for a Mixed Beverage Restaurant Permit or a Wine and Beer Retailer's Off Premise Permit. Prior to the election, the city of Dallas was, for the most part, dry for the sale of alcoholic beverages.

Arlington's Regional Management Team met with Dallas City and County officials to discuss TABC licensing procedures and to establish partnerships to ensure that the application process went as smoothly as possible. During this course of action,

TABC established a strategy to process the influx of new applications.

Throughout the month of November, the Arlington office accepted 207 applications and 346 applications in December. Licensing personnel across the state played a big part in this plan by speeding up the application process. Within 24 hours of the Arlington office accepting applications, licensing staff logged into the agency's reporting and tracking system, and sent the paperwork to Neubus for imaging. After approximately 48 hours, the applications were viewable and ready for processing.

Licensing Division Receives 2010 Best Practices Award

The TABC Licensing Division was the recipient of the 2010 Best Practices Award from the National Association of Licensing and Compliance Professionals (NALCP). The award presented by Ryan Bissett, president of the NALCP was given to Director of Licensing Amy Harrison at TABC's 75th Anniversary celebration and commission meeting on November 18, 2010.

The NALCP is a network of licensing and compliance professionals that work inside the U.S. restaurant and hospitality industry. Each year the organization bestows a Best Practices Award to those who have shown a commitment to innovative and outstanding customer service. The Licensing Division was recognized for improvements made to the licensing process and the level of service provided to the industry. Accomplishments recognized included:

- The reorganization of the division, and regional teams.



On November 18, 2010, TABC Licensing Director, Amy Harrison receives the 2010 Best Practices Award from NALCP President, Ryan Bissett.

- The reduction of paperwork required for original and supplemental applications.
- A new master file process which has further reduced the paperwork and requirements for "known applicants."



Licensing Division Update

Best Practices Award and TABC:Online Services

TABC TODAY

Licensing Division Receives 2010 Best Practices Award

Continued from page 10

- The implementation of the prequalification process.
- The scanning and storing of applications electronically, which has allowed for faster reviews.
- The continued improvement to the agency's on-line public inquiry system, which enables applicants to track the status of their applications and issued licenses.
- The increased level of customer service to the industry achieved through maintaining open lines of communication.

The Licensing Division is committed to providing exceptional customer service. As the division continues to dedicate its efforts on improving the application process, it is currently working towards on-line processing for renewal applications and electronic payments of fees and surcharges.

Agency to Launch Online Services

Over the next few months, TABC will launch several new online services. Beginning May 31 the first of the services, our new Seller Server Training registration system will be implemented as an upgrade from our current eGateway system. Then on June 6, 2011, TABC will launch License Renewals for A, BK and T permits with a simultaneous upgrade of TABC's back-office licensing system. The new systems will allow TABC to progressively launch additional online services for other permit types.

The new systems will support on-line applications for renewal of existing licenses, original licenses, and requests for changes such as addresses or trade name, and an online payment interface. The new systems will also provide multi-language by user choice, a secure user registration/logon, password retrieval capability, and an E-mail transaction confirmation feature. Additionally, per state law, the web-based systems will be accessible to citizens with disabilities.

TABC Licensing Director, Amy Harrison said, "The alcoholic beverage industry has begun demanding web-based solutions that are user friendly and provide customer self service. This new system is more flexible than its predecessor, contains more functionality and can be configured to more closely match business processes. The TABC is at a point where it must invest in technologies that promote growth and presence via the Internet."

The project includes several key components:

- TABC:Online Implementation – Provides the online license portal functions (including user registration, password retrieval and login), License and Permit Renewal Capability, and Seller Server Registration. Eventually, TABC will include Original Applications online. Upon implementation, the eGateway capability will no longer be available.

Continued on page 12

Licensing Division Update

TABC:Online Services

TABC TODAY

Agency to Launch Online Services

Continued from page 11

- Versa:Regulation Upgrade – TABC has used LicenseEase, a software solution provided by IronData (formerly Versa Systems), since 2005. The upgrade to Versa:Regulation will support more efficient back office licensing and case management functions for TABC.
- TABC:BizGuide – This online “Wizard” will help public users navigate the maze of regulatory requirements using a question and answer survey. Based on the responses, the applicant will be directed to the appropriate license and pre-qualification packet.
- To process payment transactions, TABC will use the Transaction Payment Engine (TPE) service provided by Texas.gov (the portal that processes Texas Drivers’ License Renewals, Vehicle Registration Renewals, Birth Certificate Orders, etc.) to process payments online. The service provides a secure online payment system, allowing credit card payments (MasterCard, VISA, AMEX, and Discover) and debit cards. In addition, TPE also accepts payments via Automated Clearing Houses (electronic checking). Transaction fees may apply. Because the system calculates the amount due and processes payment immediately, the payment will be accurate, eliminating overpayments, underpayments and insufficient funds.

TABC Project Manager, David Brandon noted, “The launch scheduled for May is not the end of the project, but rather the beginning. TABC will have the capability to configure the new software to accommodate additional license types over time. We will systematically launch additional online permit renewals as we prove the system’s capability. We have put in a number of safeguards, to make the system secure and validate the online user.”

TABC:Online – An Introduction

- User Registration (On-Boarding) for user to establish an online account – Before using the system, an applicant must provide an e-mail address for a User ID to establish a secure online account. TABC will e-mail a transaction confirmation to the applicant.
- Owners can assign a designee to renew on their behalf (Delegate Authority) – An applicant may grant permissions to another individual, such as a Licensing Service or an employee.
- TABC will continue the Public License Search, already provided through the Public Inquiry System, which is not changing.
www.tabc.state.tx.us/PublicInquiry

TABC Deputy Administrator, Sherry Cook said, “We are excited about the new features. The agency wants to do more e-business transactions, including accepting online payments. We will begin with A, BK, and T permits because they are very straightforward, but require relatively greater staff time. We expect to see immediate efficiencies.”

Tax Division Update

Beverages Authorized for Sale

TABC TODAY

TABC Approves Reformulated Versions of Flavored Malt Beverages

As of January 2011 TABC approved reformulated versions of flavored malt beverages Four Loko, Joose and Crunk Juice, which no longer contain the stimulant caffeine. The reformulated versions are now available for sale and distribution in Texas. New Century Brewing has ceased production of Moonshot, while United Brands Company has ceased production of Max and 3Sum and has no plans to reformulate these caffeinated malt beverage products.



Reformulated versions of caffeine-free flavored malt beverages approved for sale and distribution in Texas.

On November 19, 2010, TABC asked members of the alcoholic beverage industry to voluntarily halt sales of caffeinated malt beverages in Texas. This request for voluntary compliance came after the Food and Drug Administration concluded on November 17 that caffeinated malt beverages were unsafe and posed a public health concern.

TABC agents and auditors visited over 11,000 retailers, and found widespread voluntary compliance in the removal of caffeinated malt beverages. Rusty Woodland, HEB Business Development Manager of Beer and Wine Coolers, thanked TABC, “for the prompt and professional manner in which the agency handled the recent removal of certain caffeinated alcoholic beverages from the marketplace.” Woodland said, “Your initial actions protected

the citizens of Texas, and subsequent rulings allowed for a fair remedy for distributors and retailers. This decision is a great example of how a regulatory agency can collaboratively work with all segments of the three tier system to achieve a greater public good.”

Jeff Wright of Drink Four Brewing Company makers of Four Loko said, “In the days after deciding to reformulate our products, we took immediate action to cease the production, shipment and sale of the caffeinated versions of our products. We’re proud of the way we’ve mobilized our network of distributors and retailers to remove the old versions of our product from store shelves, where necessary. Our company has a history of working with regulators and making concessions, such as adding multiple warning labels to our cans and selling versions of our products with reduced alcohol content where required. We’re proud to work with the TABC to ensure compliance with all state rules and regulations that pertain to our reformulated products.”

TABC appreciates the cooperation of Texas retailers and wholesalers/distributors in removing these products from the Texas marketplace. Assistant Chief Dexter Jones said, “We applaud members of the alcoholic beverage industry for their commitment to uphold public safety despite any financial loss stemming from the removal of all caffeinated malt beverages from the retail market. We appreciate their concern for the health, safety and welfare of the citizens of Texas.”

Allan Shivers, Jr. Award for Excellence

Four TABC Employees Honored

TABC TODAY

Employees Receive Shivers Award for Excellence

The employee of the year program began in 1995 under the leadership of Allan Shivers, Jr. In February 2003 after Mr. Shivers retired from the Commission, the TABC's governing board renamed the annual awards program in his honor. The Allan Shiver's Award for Excellence recognizes the outstanding performance and accomplishments of agency employees.

In 2009, the Commission began a new tradition by accepting nominations in four categories using the agency's cornerstones: Courtesy, Service, Integrity and Accountability. Last year, a total of 38 nominations were received and four recipients were chosen. The winners were recognized at the November 18, 2010, Commission Meeting. Our 2010 employee of the year winners are:



TABC Chairman José Cuevas, Jr. awards Joe Iagnemmo (Information Resources Division) the Allan Shivers, Jr. Award for Excellence in Service.

Joseph Iagnemmo Award for Service

Joe Iagnemmo began his career with TABC in November 1999 as a system support specialist in the Information Resources Division. As web administrator, Iagnemmo is

responsible for posting all of TABC's public information regarding the agency's business practices and regulations to its external web site. In 2009, he began working with the agency's Web Team to gather, update

and redesign TABC's 12 year-old public web site. Iagnemmo collaborated with web team members and the Director of Communications and Government Relations to achieve agency goals which required him to create a new navigational structure, edit the out-dated information, and add new or revised content to produce the layout of each division's web pages. His work with the team members, division managers and upper management resulted in a web site that is both aesthetically and technically improved. TABC's public web site is flexible, expandable, and future-oriented and he delivered it on schedule!



TABC Chairman José Cuevas, Jr. awards Fran Kolliner (Tax Division) the Allan Shivers, Jr. Award for Excellence in Courtesy.

Frances Kolliner Award for Courtesy

Fran Kolliner began her career with TABC in February 1996 as an administrative technician in the Compliance Department. In February 2008 her duties transferred to the Tax Division where she can be described as

calm, yet always moving and constantly busy to meet the demands of her administrative assistant position. She is always available to assist a customer or fellow employee, despite ringing phones and pressing deadlines. Kolliner listens intently to questions or concerns and provides a professional, courteous answer. The

Continued on page 15

Allan Shivers, Jr. Award for Excellence

Four TABC Employees Honored

TABC TODAY

Employees Receive Shivers Award for Excellence

Continued from page 14

person requesting information is not only given her undivided attention, but they never feel as though they have imposed upon her or that she was planning to do anything else at that moment except assist them with the information needed. In the 14 years she has been with the agency, Kolliner has never received a single complaint. Instead she has received numerous compliments from the industry, seller training schools, and her peers.



TABC Chairman José Cuevas, Jr. awards Lola Logan (Arlington) the Allan Shivers, Jr. Award for Excellence in Integrity.

Lola Logan Award for Integrity

Lola Logan began her career with TABC in April 2001 as a secretary in the Fort Worth Enforcement Office and now serves as administrative assistant in the Arlington Enforcement District

Office. Logan takes great pride in her work and she is "all business." Before she puts her name on an assignment, she checks and double checks to make sure her work is accurate. When an error is identified, Logan accepts responsibility and does not quit until all is corrected. She rarely misses work - not even for bad weather. Last year, when the Fort Worth-Dallas area was bombarded with ice and snow, Logan still arrived at work on time despite the fact that she lives 60 miles away. She brought a change of clothes and

her bed roll as she prepared to spend the night in the office to ensure she was at work the next day. Of course, they sent her home along with everyone else.



TABC Chairman José Cuevas, Jr. awards Ronald Alexander (Houston) the Allan Shivers, Jr. Award for Excellence in Accountability. Mrs. Alexander also pictured.

Ronald Alexander Award for Accountability

Ronald Alexander began his career with TABC in July 2007 as an accounts examiner in the Houston Regional Office. Alexander holds himself accountable to TABC's rules, laws and policies.

He applies the Alcoholic Beverage Code in a fair, consistent and timely manner as he examines and processes beer and wine on-premise and other types of applications. Alexander will go out of his way to educate and inform applicants, so they can better understand the process. From his desk to his filing cabinets, it all has purpose that embodies his self-directed style. Alexander is accessible, transparent, efficient and effective while always being accountable to the people he encounters. When life gets in the way, he does not use excuses, justifications, rationalizations or apologies. In the face of a critical personal situation, Alexander never wavered in his commitment nor did he make excuses or try to justify any of his hardships. Moreover, he tackled the endeavor with a smile and an unrelenting fortitude.

In the Community

Regions Raise Funds for Memorial and Senior Gifts

TABC TODAY

TABC Staff Hold Fundraiser for Texas Peace Officers' Memorial

TABC Austin Headquarters and Region Four staff held a hamburger cookout on April 7, 2011, to help raise money for the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) Peace Officers' Memorial repair fund. TCLEOSE has been charged with the responsibility to raise money from private and public entities for the continued maintenance and update of the Texas Peace Officers' Memorial.

In recent years, the memorial has been badly damaged by groundwater that has seeped into the marble foundation. As the guardians of the memorial, TCLEOSE asked TABC to assist them in raising funds for the repairs, and TABC staff gladly obliged.

A silent auction was held in conjunction with the hamburger cookout at TABC Headquarters in Austin. Baked goods, and other donated items



The Texas Peace Officers' Memorial located on the Texas State Capitol grounds in Austin, honors the names of 1782 Texas law enforcement and correctional officers who have died in the line of duty. Photograph courtesy of the Texas Peace Officers' Memorial Organization.

were made available for bidding. A drawing for various prizes was also held to encourage participation and increase donations.

The total amount raised from Headquarters and regional staff statewide was \$3,296.61. TABC would like to thank everyone who contributed to this worthy cause.

Lubbock Office Raises Funds for Senior Citizens



TABC employees in the Lubbock District Office have done it again!

Lubbock Office staff (left to right): Agent Doyce Vandivere, Agent Chris Shultz, Agent Bobby Castillo, Accounts Examiner Brooke Prince, Compliance Auditor Deon Smith, Lieutenant Brian Williams, Agent James Martin, Agent Graig Francis, Agent Anthony Bates, and Sergeant Michael Lockhart.

In December 2010 with only limited funds in their aluminum recycling account, TABC Lubbock District Office employees banded together and collected a \$700 dollar cash donation to benefit the Be a Santa to a Senior program. The Be a Santa to a Senior holiday gift-giving program received requests from over 300 needy senior citizens in the Lubbock area.

The employees used a combination of specific and general requests from Home Instead Senior Care to put together care packages. Items most requested were warm clothes such as a winter coat, hat or socks, household items and snacks.

In the Community

Staff Support U.S. Troops and Collect Donations

TABC TODAY

Employees Participate in Race to Provide Homes for Our Troops

Three employees with TABC's Austin Headquarters participated in a Spartan 3K Race to support Homes for Our Troops at the Texas Rocky Hill Ranch in Smithville on March 26, 2011. Homes for Our Troops, a national non-profit organization, assists servicemen and women, who have carried out duties in the U.S. military since September 11, 2001, and have returned home with serious disabilities and injuries. Homes for Our Troops raises funds for the cost of building materials and labor, so a home can be built for an eligible service member.

Dewayne Thompson of the Enforcement Division, and David Clowe and Jason Cannaday (not pictured) of the Information Resources Division, became Spartans for the day as they joined other athletic enthusiasts in the three-kilometer race through various obstacle courses. The race, completed on foot, tested each participant's resilience, strength, and stamina. A variety of

challenges were devised along the route including rugged terrain, mud, an eight-foot wall climb, balance beams, crawling under barbed-wire, and running through gladiators.

The Texas Rocky Hill Ranch collected a \$50 dollar entrance fee from each participant. Additional donations were accepted at the race and online in support of Homes for Our Troops.



On March 26, 2011, (left to right) David Clowe (IRD) and Dewayne Thompson (Enforcement) participated in a 3K Spartan Race to raise money for Homes for Our Troops.

Austin Staff Support Capital Area Food Bank



On December 15, 2010, Austin-area employees held a food drive at TABC Headquarters to collect items desperately needed for the Capital Area Food Bank (CAFB). In 2010 like many non-profit organizations across the state, the CAFB had experienced difficulty in maintaining food and supplies in high demand.

TABC staff donated approximately 426 pounds of non-perishable food, baby food, infant formula, and hygiene items. The donations, equivalent to 340 meals, made a difference in the lives of Central Texans enduring hunger into 2011.



You Asked . . .

Questions about alcoholic beverage regulations

Q: I'm a retailer and I'd like to advertise specials and offer coupons to my customers by e-mail. Is this allowed?

A: Digital advertising such as sending e-mails with alcoholic beverage prices is allowed. If the e-mail states that a customer can only receive the advertised price if they print out a copy of the e-mail or show a copy of the e-mail on their Smartphone, this would not be allowed. TABC Administrative Rule 45.101(b) prohibits the use of coupons for the purchase of alcoholic beverages. The redeeming of an e-mail for a discount on the purchase of any alcoholic beverage is considered a coupon. Rule 45.101(b) also prohibits the redemption of discounted coupons, such as Groupon or Living Social, toward alcoholic beverages. Retailers can receive an administrative sanction if they are found to have offered and redeemed any type of coupon.

Senior Editor: Loretta Doty
Editor/Layout: Julie Davis
Contributors: Carolyn Beck, Capt. Hank Blanchard, Tiffany Blandford, David Brandon, Julie Davis, Luann Dickerson, Darla Elam, Capt. Bobby Gideon, Loretta Green, Steve Greinert, Roy Hale, Dexter Jones, Jo Ann Joseph, Lt. Larry Linscombe, Lt. Michael Lockhart, Merideth Muñoz, Capt. Robert Saenz and Dewayne Thompson.

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.