



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

P.O. Box 13127
Austin, Texas 78711-3127
(512) 206-3333
www.tabc.texas.gov

February 27, 2020

LICENSING BULLETIN – LIC004

FILE AND USE CATERING CERTIFICATES: FUNERALS AND PRIVATE EVENTS

To: Alcoholic Beverage Retailers

This bulletin explains who is eligible to obtain a File and Use Catering Certificate by filing a notice form with TABC before the event (no prior approval required), how to file the notice form, and the requirements for keeping certain records.

General Eligibility

File and Use Catering Certificates are only available to holders of a **Caterer's Permit (CB)** who wish to sell/serve alcohol at private or funeral-related events. An event is “private” if it is not open to the public.

It is a violation of TABC Administrative Rules if a permit holder submits a [File and Use Catering Certificate Form](#) when the event is not funeral-related or does not meet the requirements for a private event. This violation may result in enforcement action, and you may be subject to administrative sanctions, including a civil penalty and/or cancellation of your primary permit.

General Requirements to Keep Certain Records for File and Use Events

Permit holders who acquire a File and Use Catering Certificate must keep the following records¹ for four² years:

- records of the dollar amount of alcohol purchased and sold/served at the event;
- number of event attendees; and
- an agreement or contract between the permit holder and the venue authorizing the event, including the:
 - event date;
 - hire date;

¹ Rule §41.25(c), (d)

² Texas Alcoholic Beverage Code §206.01(a)



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- type of event (e.g., a wedding, private office party, funeral-related event); and
- a copy of any invitation to the private event or the obituary for the funeral-related event.

Note: TABC will conduct audits to ensure full compliance with this requirement. If you do not keep these records, you could face administrative action.

Obtaining File and Use Catering Certificates for Funeral-Related Events

Catering Certificates for funeral-related events do not require prior approval by TABC.³ To obtain the certificate, complete and submit the [File and Use Catering Certificate Form](#) along with a copy of the obituary for the funeral-related event.

Email the form and obituary to your local TABC office any time before the event. You can find the correct email address for your area at the end of this bulletin. The email's subject line must include the word "Funeral," the license/permit holder's tradename, and their license/permit number.

- Example email subject: *File & Use: Funeral – (Tradename) (MBXXXXXX)*

Obtaining File and Use Catering Certificates for Private Events

You do not need prior approval from TABC for a private event's Catering Certificate if the event meets all of the following requirements:⁴

- the estimated total wholesale value of the alcohol to be provided or sold at the event is less than \$10,000;
- the estimated attendance is 500 people or fewer;
- the event is not open to the general public (Selling tickets or hosting an event that lasts longer than one day can indicate it is not private.);
- the event is not sponsored by a member of the alcohol manufacturing or wholesale tiers; and
- the applicant has an agreement or contract with the owner of the premises where the event will be held to sell alcohol at the event.

³ Rule §33.12(c)

⁴ Rule §33.12(d) (This requires applicants to submit additional documents or agreements needed to determine the applicant's qualifications.)



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If an event meets all of these requirements, you may obtain the necessary Catering Certificate by completing and submitting the [File and Use Catering Certificate Form](#) along with a copy of any documentation.

Submit this form and the event invitation to your local TABC office by email at any time before the event. You can find the correct email address below. The subject line of the email must include the words "Private Event," the event type, the license/permit holder's tradename, and their license/permit number.

- *Example email subject: File & Use: Private Event – Wedding (Tradename) (MBXXXXXX)*

If the event does not meet all of the requirements, you must submit a [Catering Certificate Application](#) to TABC at least 10 business days before the event.⁵ If you do not submit the application in a timely manner, you will incur an [expedited processing fee](#).⁶

Submitting File and Use Catering Certificate Forms

The [File and Use Catering Certificate Form](#) and supporting documents may be submitted in person at any [local TABC office](#) or by email to the appropriate local office.

You will NOT receive a physical certificate from TABC after submitting your form. To ensure you have proof that you may conduct these activities, print a copy of your completed [File and Use Catering Certificate Form](#) and post it at the event.

Local TABC Office Email Addresses

Region 1: AbileneCatering@tabc.texas.gov
AmarilloCatering@tabc.texas.gov
ElPasoCatering@tabc.texas.gov
LubbockCatering@tabc.texas.gov
OdessaCatering@tabc.texas.gov

⁵ Rule §33.12(e)

⁶ Rule §33.23(i)



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Region 2: CateringArlingtonRegion@tabc.texas.gov

Region 3: CateringHoustonRegion@tabc.texas.gov

Region 4: CateringAustinRegion@tabc.texas.gov

Region 5: CateringSanAntonioRegion@tabc.texas.gov

Statement from TABC

This bulletin represents the opinion of TABC staff.

It was developed to improve internal and external communications, ensure a more consistent application of the Texas Alcoholic Beverage Code and TABC Administrative Rules, and ultimately to help the alcoholic beverage industry in their endeavors.

This guidance reflects appropriate processes, requirements and interpretations, based on the general situations presented, and may not apply to every situation.

If you have questions about this bulletin and how it applies to you, contact TABC at licensing@tabc.texas.gov or P.O. Box 13127, Austin, TX 78711.