



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

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INDUSTRY NOTICE April 3, 2020

To: TABC Licensed Manufacturers, Distributors, Wholesalers, & Package Stores with Local Distributor Permits (BA, DA, B, DB, BP, D, G, BB, BC, W, X, & LP)

Re: Repurchasing Product from Retailers Affected by Coronavirus/COVID-19 Situation

TABC has received numerous inquiries regarding unique situations that the alcoholic beverage industry is experiencing due to the rapidly evolving coronavirus/COVID-19 situation. One major impact is the mass cancellation of events, which have left many alcohol retailers with excess product.

To address this situation, pursuant to the authority provided by Governor Abbott's March 13, 2020, disaster declaration, TABC is making certain exceptions to state laws and TABC Rules in order to protect public safety, ensure fair competition among the alcoholic beverage industry, and allow industry to navigate the changing circumstances.

Manufacturers, Distributors, Wholesalers, & Package Stores with Local Distributor Permits (BA, DA, B, DB, BP, D, G, BB, BC, W, X, & LP) are authorized to repurchase unused/unopened alcoholic beverage products from retailers under the following limited conditions:

- Repurchases must be limited to relieving a retailer adversely affected by an event cancellation due to the coronavirus/COVID-19.
 - *Examples: Houston Livestock Show and Rodeo, SXSW, professional and college sporting events, concerts, theatrical productions, parades, etc.*
- May only consider making repurchases for sales they made to a retailer on February 16, 2020, or thereafter.
- Must verify each repurchase, using the original purchase invoice.
- Must maintain invoices in case of subsequent audits.
- Repurchasing product from a retailer is completely discretionary. Retailers are not guaranteed product repurchase.
- Manufacturers may reimburse a distributor that repurchases product from a retailer under this authority.

The Alcohol & Tobacco Tax and Trade Bureau (TTB) recently issued [similar guidance for industry members](#).

TABC stands ready to help its license and permit holders impacted by the coronavirus/COVID-19 situation.

For additional assistance and information, affected businesses may identify and contact their [local TABC regional office](#) or contact TABC's Austin headquarters at (512) 206-3333