



# Instructions: Provisional Product Registration Application

## Who May Use This Application

Holders of a Brewer's License (BW), Winery Permit (G), Distiller's and Rectifier's Permit (D), Brewpub License (BP), Nonresident Brewer's License (BN), or Nonresident Seller's Permit (S).

## When to Use This Application

Use this application for Provisional Product Registration only when there's a federal government shutdown or other interruption in service that prevents the U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) from issuing Certificates of Label Approval (COLAs), and you do not have the necessary COLA to include in a standard [TABC Product Registration](#) Application. See Texas Alcoholic Beverage Code [Sec. 101.67\(f\)\(3\)](#) and [TABC Rule 45.12](#).

## Instructions

1. Verify you hold an active TABC license or permit before submitting this application.
2. Verify you are the primary American source of supply for the brand being registered (nonresident sellers and nonresident brewers only).
3. Complete each field in this application.
4. **Email this application with the required attachments to [product.registration@tabc.texas.gov](mailto:product.registration@tabc.texas.gov).**
  - Include the words "Provisional Application" in your email subject line.
  - Write in the email that you do not have a COLA because the TTB has stopped issuing COLAs due to an interruption in their service.
  - Attach this completed application to the email.
  - Attach a clear image of the product label for the product you're registering.
5. **There is no fee to submit this provisional application.** You will pay a \$25 product registration fee only when you obtain your COLA and submit a standard product registration application.

## Wait to receive provisional approval from TABC.

- While you wait to receive approval, your product may not be shipped into Texas or marketed, distributed, or sold in Texas.
- TABC will evaluate your application using the federal standards required for a COLA.
- If TABC sends you a request for missing or incorrect information in your application, you must respond within 10 days, or your application will be withdrawn.
- If you meet the federal COLA standards, TABC will register your product on a provisional basis and notify you by an email sent from [product.registration@tabc.texas.gov](mailto:product.registration@tabc.texas.gov).
- Approval of this product does not signify compliance with [TABC's Code and Rules](#).



## **Apply for a COLA within 30 days of TTB resuming services.**

If you receive a provisional product registration from TABC, you must apply to the TTB for a COLA **within 30 days** of the TTB resuming its processing of COLA applications. If you don't do this, your provisional product registration will automatically expire on the 31st day after the TTB resumes processing of COLA applications.

## **Take prompt action after you receive TTB approval or denial.**

**If the TTB approves your COLA**, you must **reapply to TABC** for product registration using the standard process within 30 days of receiving the COLA from the TTB. Your provisional product registration will expire on the 31st day after the TTB issues your COLA if you don't reapply.

**If the TTB issues a notice of denial for your COLA application**, your provisional product registration with TABC will expire when provisional approval is revoked. You must notify TABC of the TTB's denial within five days of receiving the denial by emailing [product.registration@tabc.texas.gov](mailto:product.registration@tabc.texas.gov). If you do not notify TABC within five days, your license or permit will be subject to administrative action for a violation of [TABC Rule 45.12\(f\)](#).



## Provisional Product Registration Application

Date: \_\_\_\_\_

TABC License or Permit Number: \_\_\_\_\_

Trade name: \_\_\_\_\_

Product type (i.e., malt beverage, wine, or spirit): \_\_\_\_\_

Product name: \_\_\_\_\_

Alcohol content: \_\_\_\_\_

Contact name: \_\_\_\_\_

Contact phone number: \_\_\_\_\_

Contact email address: \_\_\_\_\_

**NONRESIDENT SELLERS AND NONRESIDENT BREWERS ONLY:** *You are the primary*

*American source of supply for the brand being registered.* Yes: \_\_\_\_\_ No: \_\_\_\_\_

### Sworn Statement by the Person Submitting This Application

*I represent to the Commission that I am legally authorized to submit this application on behalf of the entity/business listed as the applicant and that all the information and facts stated in this application, and in any written instrument relating to or supplementing this application, are true, correct, and not misleading. I understand that a false or misleading statement in these documents may result in denial of this application or cancellation or suspension of the applicant's license or permit.*

\_\_\_\_\_  
First Name

\_\_\_\_\_  
Last Name

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date