



**TEXAS ALCOHOLIC  
BEVERAGE COMMISSION**  
*Texans Helping Businesses & Protecting Communities*

**Adding a  
Food & Beverage Certificate**

L-AFB (10/2022)

**Instructions**

Mail completed form with fees to:

TABC  
Austin, TX 78731  
5806 Mesa Dr.

OR

TABC  
PO Box 13127  
Austin, TX 78711

A separate form must be submitted for each permit

If providing one check for multiple permits, provide spreadsheet listing all permits adding an FB

1. Current License/Permit No.

2. Trade Name of Location as on Current License/Permit

3. Phone Number

4. Email Address:

**Sales Data**

5. Provide **projected** (future) sales data for the next 12 months of operation.

Alcoholic Beverage Sales \$ \_\_\_\_\_

Food Sales \$ \_\_\_\_\_

Other Sales \$ \_\_\_\_\_

Total Sales \$ \_\_\_\_\_

**Additional Requirements You Are Attesting To:**

- Food service will be maintained on the licensed premise.
- There is a permanently designated food service facility on the licensed location.
- Multiple entrees per meal are available to customers.
- Food items are prepared for consumption on or off the licensed location.
- Hours of operations for sale and service of food and alcoholic beverages are the same. Note, food may be sold or served before or after the legal hours for sale of alcoholic beverages.
- If the designated food service facility on the licensed location is operated by a separate business entity, the business entity will provide records for food service for the purpose of inspections or audit.
- If the premise is a hotel, separate food service facility for each separate area for restaurants, lounges or bars are maintained.

Mark **only one** of the boxes below to identify the method that qualifies the location to hold a Food & Beverage Certificate.

- |   |   |
|---|---|
| <input type="checkbox"/> In addition to the above requirements, you qualify as a restaurant as defined by Rule 33.5(b)(6) <ul style="list-style-type: none"> <li>• The location operates its own permanent food service facility with commercial cooking equipment on its premises; and</li> <li>• Prepares and offers to sell multiple entrees for consumption on or off the premises</li> </ul> | <input type="checkbox"/> In addition to the above requirements, you qualify based on the projected receipts from the sale of alcoholic beverages by the license or permit holder at the location will be 60% or less of the total receipts from the location. |
|---|---|

**WARNING AND  
SIGNATURE**

**If Applicant Is/Must Sign**

Individual/Individual Owner

Corporation/Officer

Partnership/Partner

Limited Liability Company/ Officer or Manager

Limited Partnership/General Partner

**EACH LICENSEE OR PERMITTEE SHALL HAVE EXCLUSIVE OCCUPANCY AND CONTROL OF THE ENTIRE LICENSED LOCATION WITH RESPECT TO SALE OF ALCOHOLIC BEVERAGES. ANY ARRANGEMENT THAT SURRENDERS SUCH CONTROL OF THE EMPLOYEES, PREMISES OR BUSINESS, INCLUDING PROFITS AND LOSSES, TO PERSONS OTHER THAN THE LICENSEE OR PERMITTEE IS UNLAWFUL.**

**WARNING:** Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."  
**BY SIGNING YOU ARE SWEARING TO ALL INFORMATION AND ATTACHMENTS TO THIS PACKET.**

**PRINT  
NAME** \_\_\_\_\_

**SIGN  
HERE** \_\_\_\_\_

**TITLE** \_\_\_\_\_

Before me, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

**SIGN HERE** \_\_\_\_\_

**S E A L**

NOTARY PUBLIC

## **Food and Beverage Certificate Application Document Guide**

The following is a guide of documents that may be requested by the Commission to accompany your completed Food and Beverage Certificate application. The appropriate fees are required at the time of submission.

**To qualify for a Food and Beverage Certificate your business must either: (a) meet the definition of a restaurant under section 1.04(29) of the Alcoholic Beverage Code; or (b) maintain alcohol sales that are 60% or less of the business's total sales. Additionally, your location must have permanent food service facilitates for the preparation and service of multiple entrees for consumption at the location.**

**If applicable, documentation you should be prepared to provide includes:**

- A menu or, if no menu is available, a listing of the food and beverages, including prices, offered for sale.
- Hours of operation of food service and hours for the sale or service of alcoholic beverages.
- Sales data or, if not available, projection of sales which should include breakdown of food, alcoholic beverages, and other major categories at the location.
- Listing of equipment used in the preparation and service of food and copies of floor plans of the licensed premise indicating areas devoted to preparation and service of food and those devoted primarily to the preparation and service of alcoholic beverages.

### **Additional Information:**

- Food service facilities means a designated permanent portion of the licensed location where food is stored and prepared for consumption at the location.
- An entrée is a course of a meal that may include an appetizer, small plate, main dish, dessert, or other similar food item.
- To qualify as a restaurant, the applicant business must operate its own permanent food service facility with commercial cooking equipment on its premises.
- If you operate in a hotel/motel, the food service facilities must exist for each separately licensed/permited location.
- Food and Beverage Certificate holders who qualify based on the business's receipts must maintain records reflecting separate totals for alcoholic beverage sales or service, food sales, and all other sales categories at the location that, when combined, make up the location's total sales. These businesses must also maintain purchase invoices reflecting the total purchases of alcoholic beverages, food, and all other purchase categories at the location.