

New TABC ‘Temporary Event Application’ - Frequently Asked Questions



Distributed by TWGAA for the benefit of the Texas Wine Industry

HOW DO I APPLY FOR A WINERY FESTIVAL/FARMER’S MARKET? PERMIT?

As of September 1st, the TABC has indicated that events held by two-year license holders will fall into one of two categories, and you won’t pay additional fees.

Q: What is the difference between a private and public event?

A: Private events are not open to the public. See definition below and approval process.

File and Use Notifications (FUN): FUNs allow license holders to submit information about their temporary event to TABC and hold the event without our pre-approval. You can submit a FUN anytime, and it’s not subject to late filing fees if your event meets the following criteria:

- Event will be private (not open to the public).
- Estimated attendance is limited to 500 people maximum.
- Estimated wholesale value of alcohol provided or sold is less than \$10,000.
- Event is not sponsored by a member of the manufacturing or wholesale tiers.
- Property owner has authorized the event.

Private events can be submitted thru AIMS once you register or you may use the new L-FUN form [L-FUN – File and Use Notification](#)

NOTE: There are no conditions in which a licensed winery will be filing for a FUN

Public events are open to the public. See definition below and approval process.

Temporary Event Approvals (TEA): You must submit a TEA request for all to be approved for all other events that don’t meet the aforementioned FUN criteria. These events are limited to four-day increments, but you can submit back-to-back requests for longer events. Submit all requests at least 10 business days before the start date of the event, or your request will be subject to late filing fees.

Use these forms for temporary events occurring September 1, 2021, or later. Learn more about when to use these forms below.

- [L-TEA – Temporary Event Approval](#)
- [L-NT – Nonprofit Entity Temporary Event](#)
- [L-NT-AUC – Nonprofit Entity Temporary Event Auctions](#)

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FREQUENTLY ASKED QUESTIONS.

- Q:** How has TWGGA assisted the Texas Wine industry in regard to these new forms?
- A:** Since the posting of the forms, there have been several updates due to TWGGA’s engagement with TABC’s Legal Service Division. Once it was determined that there were ‘wording’ issues with the L-TEA form that specified a 10-day limit that would especially impact wineries seeking long term permits for farmer’s markets, TWGGA engaged with TABC’s Legal Service Division to change the language to meet the

- Q:** Can I use the new TABC AIMS system to apply for a winery festival or farmer’s market permit?
- A:** According to the TABC, for temporary events occurring on or after September 1st, 1, all TABC license holders and nonprofits without a license may use AIMS to submit temporary event authorizations to TABC only after they’ve onboarded into AIMS.

All others should submit completed forms through the traditional email process or by appointment in a local TABC office. Once you’ve onboarded into AIMS, you aren’t required to submit temporary event authorizations through AIMS but doing so will ensure it is processed quicker.

- Q:** What's the difference between Winery Festival permit (L-GF) and Festival Certificate Request and [Temporary Event Approval \(TEA\)](#)
- A:** On and after September 1st, permits for ‘public’ events, formerly known as a winery festival or Festival Certificate request (L-GF), will be called a TEA, and must be sought using one of the forms mentioned above.
- Q:** The new forms state, *A Temporary Event Approval is effective for a minimum of two consecutive days and no more than four consecutive days for each temporary event. No more than ten temporary events in a calendar year may be held at the same location by the same licensee/permittee, including both File and Use Notifications and Temporary Event Authorizations. If your event is for one day only, include 2 days on the application to allow for your setup as well as delivery and removal of alcoholic beverages to and from the event.* “Does this mean I have to have a 2-day event when I only want to a 1-day event? If I only participate for 1 day, am I doing anything illegal?”
- A:** This new requirement does not require you to ‘host’ or ‘participate’ in an event that you only want for one day. The new 2-day date range is intended to “cover the period in which alcoholic beverages will be delivered or stored in addition to the event itself.” ([RULE §33.72 Term of Authorization; Annual Limitation on Authorizations](#))
- Q:** The new forms state, *"The holder of a Temporary Event Approval may only serve or sell alcoholic beverages for consumption at the location for which this approval was granted"*. Does this mean wineries cannot sell bottles to go at any festivals or farmers markets?
- A:** The statute allows wineries to sell for on and off premises consumption at a festival. TABC cannot prohibit bottles sales in the instructions on a form.

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Q: Where can I read the new rule about the FUN and L-TEA requirements?

A: The new rule about the FUN and L-TEA requirements can be found [here](#).

VIDEO PRESENTATION ABOUT THE TABC ‘TEMPORARY EVENT APPLICATION

Listen [here](#) to the presentation from Kimberly Frost, Attorney at Law, about the new TABC Temporary Event Application

The [Texas Wine and Grape Growers Association](#) is the State’s oldest and largest Association primarily focused on betterment of the Texas Wine industry. TWGGA’s Mission is to promote the production and appreciation of premium grapes and fine wines from Texas and to represent a unified state industry with common marketing, governmental and educational goals.

Questions or concerns about the content therein, please contact Sabrina Houser Amaya sabrina@twgga.org