



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

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TABC's COVID-19 Business Best Practices

Updated August 25, 2020

Important note: To open, businesses must follow [Executive Order GA-28](#) and subsequent executive orders. They must also complete the proper processes if they need to [reclassify their business as a restaurant or update their 51% status](#). Any establishment that is opened as a restaurant **MUST follow the checklist from the Governor's Strike Force to Open Texas. You can find that [checklist here](#). This document outlines best practices for businesses that are legally open and the records needed for businesses seeking to reopen.**

The Texas Alcoholic Beverage Commission is working with businesses to help them operate in compliance with public health guidelines so that they can safely serve Texans during the coronavirus pandemic. To this end, TABC has developed a list of best practices that business owners can easily follow.

These are based on the current executive orders from Gov. Greg Abbott and the Minimum Standard Health Protocols posted on open.texas.gov as of the date listed at the top of this document. The best practices below are not a substitute for any information contained in those official documents. If new executive orders or health protocols are issued, businesses must follow those updated standards. This document in no way should be construed to allow businesses to circumvent Executive Order GA-28 or any subsequent order.

Businesses that have recently received a Food and Beverage Certificate (FB) should expect to have a TABC representative inspect your establishment in the next 90 days to ensure you are following the protocols and operating under the guidelines.

Please review this information and contact TABC if you have questions.

Business Best Practices for Dine-In Service

Businesses should ensure that:

1. They follow all applicable standards at open.texas.gov and not only the points on this list.
2. The number of patrons inside the location should not exceed the percentage of the occupancy limit allowed under Gov. Abbott's Executive Order GA-28 or any subsequent orders.
3. A sanitation station is available for people entering the restaurant.
4. Hand sanitizer, disinfectant wipes or other sanitation materials are available at multiple locations throughout the premises.
5. All employees wear face coverings when 6-foot social distancing is not possible.
6. Seated groups do not exceed 10 people.
7. Groups are kept at least 6 feet apart. Groups may be closer only if a partition is used as outlined in the current health protocols (e.g., using a partition at least 6 feet above ground level between booths).
8. Employees address patrons who are not following social distancing standards or wearing face coverings.
9. Employees discourage patrons from walking freely throughout the location, loitering in areas other than their seat, and being less than 6 feet from others not in their immediate group.
10. Patrons practice social distancing between groups and wear face coverings when they wait to be seated or get up temporarily.
11. Employees clean and disinfect surface areas used for dining after each group of patrons leaves, including any common areas and items they used (e.g., gaming equipment).

What TABC Auditors May Want to See

Retailers (Includes Brewpubs)

Existing business with dine-in food service facilities:

- An area on the location where food is prepared or assembled for consumption. Commercial cooking equipment is **not** required.
- A menu showing at least two entrees.
- Hours of food service match hours of alcohol service (but food service may extend beyond alcohol service).
- The sales information used to qualify as a restaurant (in many cases, this will be sales information from the last 120 days).

Business planning to begin dine-in food service:

- A diagram of the location showing the designated area where food will be prepared or assembled for consumption at the location.
- A menu showing at least two entrees.
- Hours of food service match hours of alcohol service (but food service may extend beyond alcohol service).
- Your projected sales for the next 120 days.

Business contracting with a third-party vendor for dine-in food service at the location:

- A contract with the third party (e.g., caterer, food truck, etc.) to provide food preparation and service for the licensed location and to provide food sales data to the TABC license/permit holder for sales conducted under the contract.
- Hours of food service match hours of alcohol service (but food service may extend beyond alcohol service).
- Third-party vendor food sales when added with the sales of alcohol and other items at the location comply with the requirements in Executive Order GA-28.
- Daily records maintained by the permit holder tracking food sales from the third-party vendor.

Business applying for a Food and Beverage Certificate (FB):

- Food service is maintained on the licensed premises.
- There are permanent food service facilities on the premises.
- Multiple entrees per meal period are available to customers.
- Hours of food service match hours of alcohol service (but food service may extend beyond alcohol service).

Additional requirements if working with a third-party vendor (e.g., food truck):

- Food preparation and service must be conducted at the same licensed location.
- Sales of the third-party vendor must be available to determine compliance to hold a Food and Beverage Certificate (FB).
- Gross receipts for sales of alcohol must be less than 60% of the total gross receipts of sales for the location.
- **Important note:** Businesses seeking to open as a restaurant under Executive Order GA-28 must meet the 51% standard in the order. The 60% gross receipts threshold is the requirement only to get and maintain an FB

Certificate. The certificate alone will not allow a business to qualify as a restaurant, unless it also meets the standards in the executive order.

Producers

Existing business with dine-in food service:

- An area on the location where food is prepared or assembled for consumption. Commercial cooking equipment is **not** required.
- A menu showing at least two entrees.
- Hours of food service match hours of alcohol service (but food service may extend beyond alcohol service).
- The sales information used to qualify as a restaurant (in many cases, this will be sales information from the last 120 days).

Business planning to begin dine-in food service:

- A diagram of the location showing the designated area where food will be prepared or assembled for consumption at the location.
- A menu showing at least two entrees.
- Hours of food service match hours of alcohol service (but food service may extend beyond alcohol service).
- Projected sales for the next 120 days.

Business contracting with a third-party vendor for food service at the location:

- A contract with the third party (e.g., caterer, food truck, etc.) to provide food preparation and service for the licensed location and to provide food sales data to the TABC license/permit holder for sales conducted under the contract.
- Hours of food service match hours of alcohol service (but food service may extend beyond alcohol service).
- Third-party vendor food sales are included with the sales of alcohol at the location to determine compliance with Executive Order GA-28.
- Daily records maintained by the permit holder tracking food sales from the third-party vendor.