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Statement On TABC Guidance For The Temporary Modification of Licensed Premises (July 22, 2020) Related To Executive Order GA-28

AUSTIN, TX JULY 23, 2020 — The Members of the Texas Whiskey Association, along with scores of distilleries across the state, were among the first to step up in the fight against COVID-19. In March, distillers pivoted their operations to the production and local distribution of alcohol-based sanitizers — donating hundreds of thousands of gallons and protecting countless lives of first-responders and frontline health workers.

Distilleries then modified their on-site tourism and customer service operations to not only meet, but exceed the protocols outlined by the state's recommended re-opening guidelines. At the same time, the existence of pre-COVID laws have effectively prohibited distillers from having feasible contactless sales options currently afforded to distilleries in several other states as well as other types of beverage alcohol manufacturers within our state.

Now, the Office of the Governor and the TABC appear to be specifically limiting distillers' revenue options to only in-person, drive-thru sales of 2 bottles per person, per 30 days — without options for contactless sales methods like shipping and delivery. While our members would love nothing more than to be able to operate as they did prior to COVID-19, that is currently not a reality and not in the interest of public health.

Therefore we ask again, as we did in the spring, for the Governor to waive the restrictions that limit direct-sales options for distillers. This would enable distillers to sell their products in a contactless manner, without arbitrary limits, and to ship their products directly to consumers with age-verified delivery.

The future of Texans' health and economic prosperity is at risk. Failure to acknowledge this reality and implement common-sense, free-market permissions could result in the death of an entire industry that voluntarily came to the aid of our state when needed. Texas distillers are essential businesses for the health and safety of Texans. Now, they need the essential tools required to stay in business.

For Texas,

A handwritten signature in black ink, appearing to read "Spencer Whelan".

Spencer Whelan

Executive Director, TXWA