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FORM L-106A (8/2009)

INFORMATION AND INSTRUCTIONS FOR OUT-OF-STATE WINERY DIRECT SHIPPER'S PERMIT

OUT-OF-STATE WINERY DIRECT SHIPPER'S PERMIT –Allows the holder to sell and deliver wine that is produced or bottled by the permittee to an ultimate consumer located in wet or dry areas in the State of Texas. Delivery of wine must be shipped by a common carrier that holds a carrier's permit issued by the Texas Alcoholic Beverage Commission. Permittee may not deliver more than nine gallons of wine within any 30-day period to the same consumer in this state; or sell to ultimate consumers more than 35,000 gallons of wine annually. The State fee is \$150 with a surcharge of \$320 and the permit will expire two years from date of issuance.

This permit may only be issued to a person who:

- does not hold a winery permit in the State of Texas;
- operates a winery located in the United States and holds all state and federal permits necessary to operate the winery, including the federal winemaker's and blender's basic permit;
- holds a Texas Sales Tax Permit;
- expressly submits to personal jurisdiction in Texas state and federal courts and expressly submits to venue in Travis County, Texas, as proper venue for any proceeding that may be initiated by or against the commission; and
- does not directly or indirectly have any financial interest in a Texas wholesaler or retailer as those terms are used in Section 102.01 of the Alcoholic Beverage Code.

Beginning January 1, 2009, the permit covered under this form will be issued for a two-year period. You **MUST** renew for the entire two-year period. Mail the original application, along with the correct permit fee, and bond, to the Texas Alcoholic Beverage Commission, P.O. Box 13127, Austin, Texas 78711. Keep duplicate for your files. The total amount of fees plus surcharges to cover the two-year period **MUST** be paid at the time of renewal. Fees may **NOT** be prorated or refunded. The fee must be paid with a Cashier's Check, Money Order, or Firm Check from a corporate permittee made payable to the Comptroller of Public Accounts. Personal checks are not accepted.

Tax security is required in an amount of \$1,000 to adequately protect the state against the anticipated tax liability and may be submitted as a: liquor tax bond from a surety company authorized to do business in Texas, or, a letter of credit, or, assignment of certificate of deposit or savings account from a Texas bank or credit union. These forms are available on the Texas Alcoholic Beverage Commission web site at www.tabc.state.tx.us.

If you have any questions regarding your Texas Sales Tax Permit, please access the Texas Comptroller's web site at www.window.state.tx.us. Should you require additional assistance contact Tax Assistance at (800) 252-5555.

If you have any questions regarding your permit application, please contact the Licensing Division of the Texas Alcoholic Beverage Commission at (512) 206-3360.

Sincerely yours,

Amy Harrison, Director