

**UNIVERSITY FOOD SERVICES, INC.  
POLICIES AND PROCEDURES REGARDING  
THE SALE AND SERVICE OF ALCOHOLIC BEVERAGES**

**SERVER POLICIES AND PROCEDURES**

The following policies are the alcoholic beverage server policies in force at this establishment. This policy statement and list of procedures are adopted from the Texas Alcoholic Beverage Code and the Rules and Regulations (the “**Liquor Laws**”) of the Texas Alcoholic Beverage Commission (“**TABC**”). The specific provisions address the sale, service and consumption of alcoholic beverages by or to minors and/or intoxicated person.

This list and the Liquor Laws recite certain provisions of the law and define the type of offensive conduct that is NOT allowed on the premises of this establishment. You are required to notify a representative from University Food Services, Inc. at any time you feel that a violation of the Law may occur.

It is this company’s policy to comply with the intent of the Liquor Laws and each individual selling, serving, dispensing or delivering alcoholic beverages must attend and receive certification of successful attendance at a TABC approved seller-training program. No one may sell or serve alcoholic beverages until their certification is verified by a representative of University Food Services, Inc. and received their credentials. Credentials should be worn and visible any time you are serving alcohol during Frontier Fiesta.

Each and every server is required to understand that it is this company’s policy to prevent violations of the law and potential injury to the general public, which can be attributed to alcoholic beverage service. Violations may result in your required re-certification, or even being barred from re-certification for a period of time.

**A. MINORS.**

A Minor is a person who is under the age of twenty-one (21) years.

1. All persons are reminded that serving anyone alcoholic beverages if they are under the age of twenty-one (21) years is a violation by the server of the Texas Penal Code, as well as a violation of the Liquor Laws. The minor commits a misdemeanor offense by drinking, but it is also an offense even if there is only an attempt by a minor to make a purchase. These actions are criminal offenses on the part of the minor. **(You are warned that a minor, under the supervision of a police officer does not commit an offense (THIS IS A STING OPERATION THAT IS CONDUCTED).**

2. A minor may consume alcoholic beverages if he or she is in the visible presence of an adult parent, guardian or spouse. But the mere purchase of alcohol for a minor by some other party is a criminal offense. This means that if the minor is not physically standing or sitting with his or her parent, the minor may not be served alcoholic beverages. DO NOT TAKE ANY

CHANCES AND CHECK BOTH PARTIES IDENTIFICATION – WE DO NOT NEED THE SALE.

3. REMEMBER, you, the server, are guilty of a misdemeanor offense if, with criminal negligence, you serve an alcoholic beverage to a person under the age of twenty-one (21), or if you permit the minor to possess alcoholic beverages. **THE BEST WAY TO AVOID ANY PROBLEMS IS TO ALWAYS ASK FOR IDENTIFICATION. THE ONLY FORMS OF IDENTIFICATION, WHICH CAN BE USED AS A DEFENSE TO CRIMINAL PROSECUTION, ARE APPARENTLY VALID PROOF OF IDENTIFICATION THAT 1) CONTAINS A PHYSICAL DESCRIPTION AND PHOTOGRAPH CONSISTENT WITH THE APPEARANCE OF THE CUSTOMER; 2) PURPORTS THAT THE CUSTOMER IS 21 YEARS OF AGE OR OLDER; AND 3) WAS ISSUED BY A GOVERNMENTAL AGENCY.**

8. A violation of the Liquor Laws, regarding sales to a minor may result in this business losing its permits. If this occurs as a result of your negligence, you may be held personally liable for any losses sustained by this company.

## **B. SALES TO INTOXICATED PERSONS**

### 1. TEXAS LIQUOR LAWS:

Texas Laws regarding selling, serving, delivering, or providing alcoholic beverages to intoxicated persons in a licensed establishment are as follows:

#### a. CIVIL LIABILITY:

You subject University Food Services, Inc. to civil liability if you provide alcoholic beverages to a person if, at the time of service, it would be apparent to a prudent server that the individual served is obviously intoxicated to the extent he is a clear danger to himself or others, and this intoxication subsequently causes damage to himself or others.

#### b. ADMINISTRATIVE LIABILITY:

You subject University Food Services, Inc. to administrative action by the Texas Alcoholic Beverage Commission if you serve alcoholic beverages to a person if, at the time of service, it would be apparent to a prudent server that the individual served does not have the full use of his mental or physical faculties.

#### c. CRIMINAL LIABILITY:

You subject yourself to criminal charges and possible arrest that may result in jail time or a fine, if you, acting with criminal negligence, serve a person who, at the time of service, does

not have the full use of his mental or physical faculties. Criminal negligence is defined as grossly deviating from the actions that a prudent server would take under similar circumstances.

d. PATRON LIABILITY:

A customer may be criminally charged with public intoxication if he is intoxicated to the extent he may be a danger to himself or others while in a public place. Bars and restaurants are included in the definition of a public place.

2. POLICIES:

In order to avoid violation of any of the above laws, the following policies have been adopted:

The single most important factor to prevent violating the liquor laws relating to serving intoxicated persons is to monitor your customers for possible intoxication during all phases of service. Observe your customers carefully for signs of intoxication upon their entry to the premises, throughout the course of their stay, and upon departure.

**IT IS YOUR RESPONSIBILITY TO THOROUGHLY OBSERVE  
YOUR CUSTOMERS FOR SIGNS OF INTOXICATION!**

You should count the number of drinks each patron is served and gauge that amount against the Blood Alcohol Percentage Table (“BAC Table”), attached below. Take into account the customer’s height, weight, and physical build when using the BAC Table. Be aware that a customer may have consumed alcoholic beverages prior to entering the premises. Know that some patrons may be experienced drinkers. Experienced drinkers may not display the same signs of intoxication that social drinkers do. **That does not mean they are not intoxicated as the law defines it.** If you know a regular customer is an experienced drinker, act accordingly. You should evaluate each customer upon his initial purchase of an alcoholic beverage and re-evaluate prior to each additional sale.

Signs of intoxication can be ascertained by observing a patron’s reaction during conversations with you or third parties. Make note of a customer’s mental state and mood upon entry on the premises, then gauge changes in that mood or conduct. Be aware of the more common indicators of intoxication such as slurred speech, bloodshot or unfocused eyes, mental

confusion, impaired motor skills or balance, signs of nausea or dishevelment. Also be alert for more subtle signs of intoxication, such as an increase in the volume of conversation and a flushed complexion. Be especially aware of rapid changes in mood, behavior, and emotional state. Do not wait until you smell alcoholic beverages on a customer's breath or until a patron becomes verbally or physically confrontational to cut him off from further service of alcoholic beverages.

If you have any concerns that a customer may be intoxicated, do not serve him an alcoholic beverage. Politely offer him complimentary non-alcoholic beverages and food. Confer with management regarding asking the patron to relinquish his car keys. Management will offer to provide a taxi or make other arrangements to ensure the customer is safely transported home. If this does not work, consider the need for police intervention.

### 3. PROCEDURES:

(a) To ensure that intoxicated persons are not served alcoholic beverages at this establishment, the following procedures should be followed:

1. Greet and engage customers in friendly conversation upon entry. Make sure they are not intoxicated when they arrive.
2. Make a mental note of each customer's size and weight. Serve alcoholic beverages in amounts consistent with his or her build.
3. Ensure the customer's proper order is received. Monitor the amount and rate at which a patron consumes alcoholic beverages and compare it with the BAC Table.
4. DO NOT SERVE MORE THAN TWO DRINKS AT A TIME TO AN INDIVIDUAL. Doing so is a violation of TABC code and subject to administrative action by the Texas Alcoholic Beverage Commission.
5. Decrease the rate of service as appropriate. This may entail servicing a table less frequently.

6. Do not wait until a drink is empty to serve a customer, but be aware of your customer's activity when it is full. Be aware of sudden or slow changes in behavior and demeanor.
7. If you suspect an intoxicated patron may be driving, attempt to obtain his car keys and offer him a free taxi home, or make other arrangements.
8. If all else fails, contact the appropriate law enforcement authorities.

# Approximate Blood Alcohol Percentage In One Hour

Drinks	Body Weight in Pounds								Influenced
	100	120	140	160	180	200	220	240	
1	.04	.03	.03	.02	.02	.02	.02	.02	Possibly
2	.06	.06	.05	.05	.04	.04	.03	.03	
3	.11	.09	.08	.07	.06	.06	.05	.05	Impaired
4	.15	.12	.11	.09	.08	.08	.07	.06	
5	.19	.16	.13	.12	.11	.09	.09	.08	Legally Intoxicated
6	.23	.19	.16	.14	.13	.11	.10	.09	
7	.26	.22	.19	.16	.15	.13	.12	.11	
8	.30	.25	.21	.19	.17	.15	.14	.13	
9	.34	.28	.24	.21	.19	.17	.15	.14	
10	.38	.31	.27	.23	.21	.19	.17	.16	

Subtract .015% for each hour of drinking. One drink is 1oz. of 80 proof liquor at 40%, 12oz. of beer at 4.5%, or 4oz. of wine at 12%.

## KNOW THE LEGAL LIMIT

In Texas that means .08% of Blood Alcohol Content or *any* amount which results in loss of normal use of mental or physical faculties. **This is only a guide and NOT sufficiently accurate to be considered legal evidence.** The figures you calculate are averages. Individuals may vary somewhat in their personal alcohol tolerance. Food in the stomach affects the rate of absorption. Medications, health, and psychological condition are also influential factors

**BY SIGNING BELOW YOU ACKNOWLEDGE YOU HAVE READ AND UNDERSTAND THE POLICIES AND PROCEDURES OF THIS ESTABLISHMENT.**

**DO NOT SIGN BELOW IF YOU DO NOT UNDERSTAND THEM. YOU ARE ADVISED THAT THERE MAY BE EXCEPTIONS TO THE FOREGOING AND IF YOU HAVE ANY QUESTIONS WHATSOEVER, YOU SHOULD CONTACT A REPRESENTATIVE FROM THE UNIVERSITY OF HOUSTON OR UNIVERSITY FOOD SERVICES, INC.**

SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name