

By the Committee on Regulated Industries; and Senator Latvala

580-01793A-14

2014406c1

1                   A bill to be entitled  
2           An act relating to malt beverages; amending s. 563.06,  
3           F.S.; providing for container sizes; providing for  
4           labeling; providing for filling containers at the  
5           point of sale by a manufacturer or vendor; providing  
6           for sealing containers; prohibiting filling containers  
7           at the point of sale with alcoholic beverages  
8           purchased from a distributor; creating s. 563.09,  
9           F.S.; authorizing malt beverage tastings upon certain  
10          licensed premises; amending s. 561.42, F.S.; removing  
11          the prohibition on beer samplings at the premises of  
12          certain vendors; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Present subsection (7) of section 563.06,  
17           Florida Statutes, is redesignated as subsection (8), a new  
18           subsection (7) is added to that section, and present subsection  
19           (6) is amended to read:

20           563.06 Malt beverages; imprint on individual container;  
21           size of containers; exemptions.—

22           (6) All malt beverages packaged in individual containers  
23           sold or offered for sale by vendors at retail in this state  
24           shall be in individual containers containing 64 ounces, or a  
25           lesser size containing no more than 32 ounces, of such malt  
26           beverages. The containers shall include information specifying  
27           the manufacturer, the brand, and the percentage alcohol by  
28           volume of the malt beverage, and may be filled at the point of  
29           sale by either a licensed manufacturer, a vendor licensed under

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30 ss. 561.20(1) and 565.02(1)(a)-(f), or a vendor licensed for  
31 consumption on the premises, provided the license permits off-  
32 premises sales. The containers must have an unbroken seal or be  
33 incapable of being immediately consumed. The containers may not  
34 be filled at the point of sale with alcoholic beverages  
35 purchased from a licensed distributor by a licensed  
36 manufacturer.; provided, however, that nothing contained in

37 (7) This section does not shall affect malt beverages  
38 packaged in bulk, ~~or~~ in kegs, or in barrels or in an any  
39 individual container containing 1 gallon or more of such malt  
40 beverage regardless of individual container type.

41 (8) ~~(7)~~ Any person, firm, or corporation, its agents,  
42 officers or employees, violating any of the provisions of this  
43 section, shall be guilty of a misdemeanor of the first degree,  
44 punishable as provided in s. 775.082 or s. 775.083; and the  
45 license, if any, shall be subject to revocation or suspension by  
46 the division.

47 Section 2. Section 563.09, Florida Statutes, is created to  
48 read:

49 563.09 Malt beverage tastings.—A licensed distributor of  
50 malt beverages, or any vendor, may conduct malt beverage  
51 tastings upon any licensed premises authorized to sell malt  
52 beverages by package or for consumption on premises without  
53 being in violation of s. 561.42 if the conduct of the malt  
54 beverage tasting is limited to and directed toward the general  
55 public of the age of legal consumption.

56 Section 3. Paragraph (e) of subsection (14) of section  
57 561.42, Florida Statutes, is amended to read:

58 561.42 Tied house evil; financial aid and assistance to

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59 vendor by manufacturer, distributor, importer, primary American  
60 source of supply, brand owner or registrant, or any broker,  
61 sales agent, or sales person thereof, prohibited; procedure for  
62 enforcement; exception.-

63 (14) The division shall adopt reasonable rules governing  
64 promotional displays and advertising, which rules shall not  
65 conflict with or be more stringent than the federal regulations  
66 pertaining to such promotional displays and advertising  
67 furnished to vendors by distributors, manufacturers, importers,  
68 primary American sources of supply, or brand owners or  
69 registrants, or any broker, sales agent, or sales person  
70 thereof; however:

71 ~~(c) Manufacturers, distributors, importers, brand owners,~~  
72 ~~or brand registrants of beer, and any broker, sales agent, or~~  
73 ~~sales person thereof, shall not conduct any sampling activities~~  
74 ~~that include tasting of their product at a vendor's premises~~  
75 ~~licensed for off-premises sales only.~~

76 Section 4. This act shall take effect upon becoming a law.