

1 A bill to be entitled
 2 An act relating to wine; amending s. 564.05, F.S.;
 3 providing an exception to the maximum allowable
 4 capacity for an individual container of wine sold in
 5 this state; providing that certain wine sold or
 6 offered for sale by specified vendors shall be in the
 7 unopened original container; providing an effective
 8 date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Section 564.05, Florida Statutes, is amended to
 13 read:

14 564.05 Limitation of size of individual wine containers;
 15 penalty.—It is unlawful for a ~~any~~ person to sell within this
 16 state ~~any~~ wine in an individual container ~~containers~~ holding
 17 more than 1 gallon of such wine, unless such wine is in a
 18 reusable container holding 5.16 gallons. However, Provided, that
 19 qualified distributors and manufacturers may sell wine to other
 20 qualified distributors or manufacturers ~~such wine~~ in any size
 21 container ~~containers~~. Except as provided in s. 564.09, wine sold
 22 or offered for sale by a licensed vendor to be consumed off the
 23 premises shall be in the unopened original container. ~~A~~ ~~Any~~
 24 person convicted of a violation of this section commits ~~shall be~~
 25 ~~guilty of~~ a misdemeanor of the second degree, punishable as
 26 provided in s. 775.082 or s. 775.083.

27 Section 2. This act shall take effect July 1, 2013.