

1
2 An act relating to the Uniform Commercial Code;
3 amending s. 672.316, F.S.; revising provisions
4 relating to implied warranties of
5 merchantability and fitness in the procurement,
6 processing, storage, distribution, or use of
7 blood, plasma, blood products, and blood
8 derivatives; providing an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:
11

12 Section 1. Subsection (5) of section 672.316, Florida
13 Statutes, is amended to read:

14 672.316 Exclusion or modification of warranties.--

15 (5) The procurement, processing, storage,
16 distribution, or use of whole blood, plasma, blood products,
17 and blood derivatives for the purpose of injecting or
18 transfusing the same, or any of them, into the human body for
19 any purpose whatsoever is declared to be the rendering of a
20 service by any person participating therein and does not
21 constitute a sale, whether or not any consideration is given
22 therefor; and the implied warranties of merchantability and
23 fitness for a particular purpose are not applicable ~~as to a~~
24 ~~defect that cannot be detected or removed by a reasonable use~~
25 ~~of scientific procedures or techniques.~~

26 Section 2. This act shall take effect upon becoming a
27 law.
28
29
30
31