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**CHAPTER 565**
**LIQUOR**

- 565.05 Purchase of distilled spirits by licensed clubs; size of individual containers.
- 565.09 Brands or labels to be registered; qualification to do business; fee; revocation.
- 565.095 Licensure as primary American source of supply.

**565.05 Purchase of distilled spirits by licensed clubs; size of individual containers.**—It is unlawful for any person holding a license as a club for the sale of distilled spirits to purchase any of said distilled spirits in individual containers larger than 1.75 liters or 59.18 ounces, or smaller than 0.50 liter or 16.9 ounces.

**History.**—s. 1, ch. 19500, 1939; CGL 1940 Supp. 7648(34); s. 5, ch. 72-230; s. 3, ch. 72-272; s. 1, ch. 75-96; s. 200, ch. 77-104; s. 1, ch. 79-143; s. 9, ch. 96-419.

**Note.**—Former s. 569.03.

**565.09 Brands or labels to be registered; qualification to do business; fee; revocation.**—[Repealed by s. 12, ch. 96-419.]

**565.095 Licensure as primary American source of supply.**—

(1) **DEFINITION.**—"Primary American source of supply" means the manufacturer, rectifier, or bottler, or their legally authorized exclusive agent, who, if the product cannot be secured directly from the manufacturer by an American distributor, is the source closest to the manufacturer in the channel of commerce from whom the product can be secured by an American distributor, or who, if the product can be secured directly from the manufacturer by an American distributor, is the manufacturer. It shall also include any applicant who directly purchases spirituous liquors from a manufacturer, rectifier, or bottler who represents that there is no primary American source of supply for the brand, and such applicant must petition the division for approval of licensure.

(2) **TAX CONTROL LICENSURE REQUIRED.**—For purposes of tax revenue control, no person, firm, corporation, or other entity which is the primary American source of supply as defined herein may sell, offer for sale, accept orders for sale, ship, or cause to be shipped into this state any spirituous liquors to any distributor or importer within the state without having first obtained licensure as a primary American source of supply on forms provided by, and in such manner as prescribed by, the division. Applicants for licensure as a primary American source of supply shall be exempt from the requirements and qualification standards set forth in ss. 561.15 and 561.17.

(3) **LICENSE FEES.**—Licensure as a primary American source of supply authorizes the shipment of distilled spirits manufactured within and without the state to licensed distributors, importers, manufacturers, bonded warehouses, and registered exporters within the state. The annual license fee for a primary American source of supply is \$30 for each brand that requires a federal label approval and is scheduled for shipment to a licensed

distributor or importer within this state for the purpose of being sold within the state. The annual license fee shall be submitted with the application for initial licensure. This license shall be renewed each year, and the renewal fee shall be \$30 for each brand shipped into the state during the preceding year.

(4) **CERTAIN INTERSTATE AND FOREIGN SHIPMENTS PROHIBITED.**—No holder of a distributor's license or importer's license as classified by s. 561.14(2) may ship or cause to be shipped into this state, or accept delivery of from another state or a foreign country, any spirituous liquors except directly from a primary American source of supply.

(5) **PRIVATE LABELS.**—Nothing herein shall prohibit the ownership by vendors of brand names of distilled spirits and vinous beverages commonly known as private labels; provided, that such ownership and use thereof does not otherwise violate the Beverage Law.

(6) **RULEMAKING AUTHORITY.**—The division shall promulgate rules as necessary to carry out the purpose of this section.

**History.**—ss. 2, 3, ch. 78-135; s. 2, ch. 85-58; s. 11, ch. 96-419.

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**CHAPTER 570**
**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

- 570.02 Definitions of terms.
- 570.44 Division of Agricultural Environmental Services; powers and duties.
- 570.45 Director; duties.
- 570.48 Division of Fruit and Vegetables; powers and duties; records.
- 570.544 Division of Consumer Services; director; powers; processing of complaints; records.
- 570.903 Direct-support organization.
- 570.953 Agriculture Center and Horse Park Authority; donor identity; records; confidentiality.

**570.02 Definitions of terms.**—The following words and phrases as used in this chapter and in the agricultural laws of this state, unless the context otherwise requires, shall have the meanings respectively ascribed to them in this section:

(1) "Agriculture" means the science and art of production of plants and animals useful to man, including to a variable extent the preparation of these products for man's use and their disposal by marketing or otherwise, and includes aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production. For the purposes of marketing and promotional activities, seafood shall also be included in this definition.

(2) "Agricultural business products" means nonconsumable products used in the producing, processing, distribution, and marketing of consumable farm products, including, but not limited to, machinery, equipment, and supplies.

(3) "Agricultural marketing facilities" means state-owned wholesale and retail markets managed by the Bureau of State Farmers' Market.