

Industries & Professional Activities Subcommittee

Wednesday, February 12, 2025
1:00 PM – 3:00 PM
Webster Hall (212 Knott)

Daniel Perez
Speaker

Mike Giallombardo
Chair

The Florida House of Representatives

Commerce Committee

Industries & Professional Activities Subcommittee

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Meeting Agenda

Wednesday, February 12, 2025
1:00pm – 3:00pm
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I. Call to Order

II. Roll Call

III. Welcome and Opening Remarks

IV. Is the three-tier system working: Panel Discussion on the manufacture, distribution and sale of alcoholic beverages in Florida

V. Closing Remarks

VI. Adjournment

214 House Office Building, 402 South Monroe Street, Tallahassee, Fl 32399-1300
(850) 717-4870

Presentation

Florida's Three-Tier System

Industries and Professional Activities Subcommittee

Division of Alcoholic Beverages and Tobacco (ABT)

February 12th, 2025

Division of Alcoholic Beverages and Tobacco (ABT)



Bureau of Licensing

Processes license applications and renewals.

Verifies applicants' qualifications for licensure under the Beverage Law and chapters 210 and 569, Florida Statutes.



Bureau of Auditing

Collects and audits the excise tax due to the state.

Conducts audits to ensure compliance with special licensing requirements.



Bureau of Enforcement

2nd oldest law enforcement agency in Florida celebrating its 92nd year of service in 2025.

Conducts routine compliance inspections, minimum age of purchase surveys, and administrative investigations.

Alcoholic Beverage Regulation in Florida

The 21st Amendment granted each state the right to establish laws governing the manufacture, distribution, and sale of alcoholic beverages within its borders following the repeal of Prohibition in 1933.

Control

A minority of states control the sale of distilled spirits (and in some cases, wine, and beer) through government agencies at the distribution level.

Non-Control

In most states, including Florida, private businesses apply for licenses to manufacture, distribute, and sell alcoholic beverages to consumers. Licensees must comply with state laws regulating these transactions to maintain their licensure.

Alcoholic Beverage Regulation in Florida - Definitions



Florida Beverage Law: Florida's Beverage Law is contained in Chapters 561-565 and 567-568, Florida Statutes.



Alcoholic Beverage: Section 561.01(4)(a), Florida Statutes, provides that an "alcoholic beverage" is a distilled spirit "and all beverages containing one-half of 1 percent or more alcohol by volume."



Percentage of Alcohol by Volume: Section 561.01(4)(b), Florida Statutes, explains that the percentage of alcohol by volume is "determined by measuring the volume of the standard ethyl alcohol in the beverage and comparing it with the volume of the remainder of the ingredients as though said remainder ingredients were distilled water."



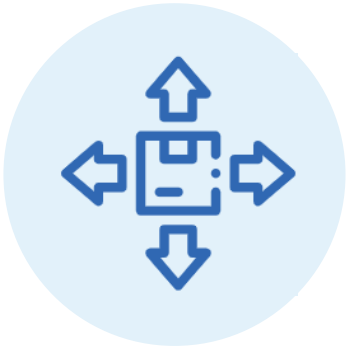
Intoxicating Beverage/Liquor: Section 561.01(5), Florida Statutes, restricts alcoholic beverages and liquors to those "containing more than 4.007 percent of alcohol by volume."

The Three-Tier Licensing System

Florida's regulations generally restrict licensees to participation in one tier of its three-tier licensing system, thereby intending to prevent the control that manufacturers and distributors historically exerted on independent vendors or retailers. The three tiers of Florida's licensing system include:



Manufacturers



Distributors



Retailers



Tier One:

Manufacturers

Manufacturers, sometimes also referred to as "producers," include:

- Breweries
- Wineries
- Distilleries

Generally, manufacturers must both:

- Produce, rectify, or blend alcoholic products; and
- Sell those products to either:
  - Other manufacturers; or
  - Licensed distributors

Tier Two:

Distributors

Distributors, sometimes also referred to as “wholesalers,” generally:

- Purchase alcohol products from manufacturers; and
- Sell those products to:
  - Licensed retailers in Florida; or
  - Other distributors, where allowed.





Tier Three:

Retailers

Retailers, more frequently referred to as “vendors,” generally sell alcoholic beverages at “retail only” locations.

Retailers are further classified into two types:

- **On-Premises Retailers**, which sell beer, wine, or spirits, or some combination thereof, for patrons to consume on their licensed premises. Examples include bars, restaurants and nightclubs.

- **Off-Premises Retailers**, which sell beer, wine, or spirits, or some combination thereof, in sealed containers for patrons to consume off-premises only. Examples include liquor stores and grocery stores.

Exceptions to the Three-Tier System



Wineries

561.221(1), F.S.

A Florida winery can be licensed as a manufacturer and distributor, and hold up to three retailer licenses if the retailer's licensed premises are situated on property contiguous to the manufacturing premises.



Breweries with Taprooms

561.221(2), F.S.

A Florida brewery currently licensed as a distributor can act as a manufacturer and retailer of their own product so long as the brewery's property is located on a single complex.



Brewpubs

561.221(3), F.S.

A Florida brewpub may annually brew up to 10,000 kegs (15.5 gallons/keg) of beer for consumption exclusively at the brewpub.



Craft Distilleries

565.03(2)(b), F.S.

A craft distillery may sell its branded products directly to consumers by the drink on premises or by the package in a factory-sealed container for consumption off the premises.

Licensing Fees

TIER	ANNUAL FEE RANGE	NUMBER OF LICENSEES
Beverage Manufacturer	$500 - 4,000	638
Beverage Distributor	$1,000 - 4,000	1,177
Beverage Vendor	$25 - 2,500	53,792

Point of Contact

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