

### **IC 7.1-5-3**

#### **Chapter 3. Containers**

### **IC 7.1-5-3-1**

#### **Beer must be bottled at brewery**

Sec. 1. (a) This section does not apply to the following:

(1) An establishment where alcoholic beverages are sold that is owned, in whole or part, by an entity that holds a brewer's permit for a brewery described under IC 7.1-3-2-7(5).

(2) An establishment where alcoholic beverages are sold that is owned, in whole or part, by a statewide trade organization consisting of members, each of whom holds a brewer's permit for a brewery described under IC 7.1-3-2-7(5).

(b) It is unlawful to sell beer in this state at retail in a bottle, can, or other container, unless the bottle, can, or other container was packaged and sealed by the brewer at the brewer's bottling house contiguous or adjacent to the brewery in which the beer was produced.

*(Formerly: Acts 1973, P.L.55, SEC.1.) As amended by P.L.64-2011, SEC.2; P.L.6-2012, SEC.61.*

### **IC 7.1-5-3-2**

#### **Sale from original container only**

Sec. 2. Sale from Original Container Only. It is unlawful for a person to sell, dispense, give away, furnish, or supply or serve to a person, an alcoholic beverage, from a container other than the original container in which the liquor was contained at the time it was purchased by the seller, dispenser, giver, or person serving it.

*(Formerly: Acts 1973, P.L.55, SEC.1; Acts 1973, P.L.56, SEC.29.)*

### **IC 7.1-5-3-3**

#### **Repealed**

*(Repealed by P.L.63-1990, SEC.1.)*

### **IC 7.1-5-3-4**

#### **Refilling of bottle prohibited**

Sec. 4. (a) This section does not apply to the following:

(1) The necessary refilling of a container by a person holding a permit that authorizes the person to manufacture, rectify, or bottle liquor.

(2) An establishment where alcoholic beverages are sold that is owned, in whole or part, by an entity that holds a brewer's permit for a brewery described under IC 7.1-3-2-7(5).

(3) An establishment where alcoholic beverages are sold that is owned, in whole or part, by a statewide trade organization consisting of members, each of whom holds a brewer's permit for a brewery described under IC 7.1-3-2-7(5).

(b) It is unlawful for a person to:

(1) refill a bottle or container, in whole or in part, with an alcoholic beverage; or

(2) knowingly possess a bottle or container that has been refilled, in whole or in part, with an alcoholic beverage; after the container of liquor has been emptied in whole or in part. *(Formerly: Acts 1973, P.L.55, SEC.1.) As amended by P.L.204-2001, SEC.50; P.L.64-2011, SEC.3; P.L.6-2012, SEC.62.*

**IC 7.1-5-3-5**

**Repealed**

*(Repealed by Acts 1978, P.L.2, SEC.727.)*

**IC 7.1-5-3-6**

**Mixing of drinks permitted**

Sec. 6. Mixing of Drinks Permitted. The provisions of this chapter shall not prohibit the service of a mixed drink from the vessel in which it was prepared. However, the liquor used in the preparation of a mixed drink shall be drawn directly from the original container in which the liquor was contained and poured directly into the vessel in which the mixed drink is to be prepared.

*(Formerly: Acts 1973, P.L.55, SEC.1.)*