



NABCA

31ST ANNUAL SYMPOSIUM ON ALCOHOL BEVERAGE LAW & REGULATION

March 10-12, 2024

The Ritz-Carlton, Pentagon City
Arlington, VA



Thank you

**NABCA would like to thank
everyone who participated on our
2024 Legal Symposium Planning Committee**

Lindsay Tuohy
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**If you'd like to participate on our
2025 Legal Symposium Planning Committee,
please send an email to meetings@nabca.org**



NABCA's 31st Annual Symposium on Alcohol Beverage Law and Regulation will be held both in person and virtually and continues to provide a robust agenda. Attendees will have an excellent opportunity to stay abreast of the most recent legislative, regulatory, and judicial activity impacting the operation and regulation of the alcohol beverage industry. Given the increased attendance over the past several years, the Symposium.

Lawyers, state and federal regulators, representatives of the alcohol beverage industry and other affiliated entities will find the Symposium beneficial. The Symposium Planning Committee is comprised of regulators, industry analysts and experts, who have created an informative and educational agenda that focuses on timely and current issues.

Please take a moment to review the schedule and program for this year's Symposium. We hope that you can join us!

Sincerely,

J. Neal Insley
President & CEO

ABOUT THE SYMPOSIUM

Who is NABCA?

The National Alcohol Beverage Control Association (NABCA) is the national association representing the 18 political jurisdictions that directly control the distribution and sale of alcohol beverages within their borders. While the Control State Systems were founded upon a common principal of market control, the exercise of that control has come to vary from state to state. Some states now control only at wholesale; while others have retained control at retail exclusively through government-operated stores. Some control the sale of wine as well as distilled spirits. Regulation and operational procedures vary from state to state. The Control State System works for the community the way community wants it to work.

Established in 1938, NABCA serves its members as an information clearinghouse and as a liaison to federal, state, and local governments; research and advocacy groups; the alcohol beverage industry; and other organizations impacting alcohol policy. It is the mission of NABCA to support alcohol control systems by providing resources, compiling research, and fostering relationships to address policy for the responsible sale and consumption of alcohol beverages.

Why is the Symposium Unique?

The Symposium on Alcohol Beverage Law and Regulation is the only forum sponsored by a non-profit organization representing alcohol regulators focusing on legal issues from the perspective of regulators, policy makers and the alcohol beverage industry. Faculty and attendees include knowledgeable individuals who represent government and industry perspectives, as well as those who bring an impartial view of key issues impacting the participants. The scheduled program, coupled with ample time for informal networking, affords an excellent opportunity for a unique learning experience.

Who Should Attend?

The Symposium is ideal for state regulatory agency officials, corporate counsel, industry policy-makers who want to know how the current legal environment will shape their future operational decisions, and attorneys in private practice who advise industry members and work with state and federal regulatory agencies. The Symposium will examine legal issues from the perspectives of government regulators, beverage alcohol industry (suppliers, wholesalers and retailers), and policy makers. Representatives from every segment will find topics covered in the Symposium extremely timely and informative.

Continuing Legal Education

The Symposium program is designed to qualify in states that have a Continuing Legal Education (CLE) requirement. Since it is impossible to pre-register the Symposium in all states with mandatory CLE, NABCA will cooperate with attendees in completing and submitting any forms necessary to obtain CLE credit for the course. Pre-approval will be obtained from some major jurisdictions. Attendees will be provided a uniform CLE attendance form for submission to their local jurisdiction.

Look out for the Legal Symposium Meeting App!
Details will be made available after registering.



TENTATIVE AGENDA

SUNDAY, MARCH 10

4:00 PM – 7:00 PM Registration

6:00 PM – 7:00 PM Networking Reception

MONDAY, MARCH 11

7:30 AM – 8:30 AM Continental Breakfast

7:30 AM – 5:00 PM Registration

8:30 AM – 9:30 AM Trade Practice, Trade Associations, & TTB Comments

Over the past three decades, technology and consolidation have fundamentally altered the competitive landscape across all sectors. From category management to digital marketing, alcohol companies have moved to leverage these dynamics by implementing a variety of strategies--some of which may not have been contemplated by existing regulations. In this session, trade association representatives will expand upon the legal and regulatory issues they highlighted in their public comments while debating the best way to regulate new or developing trade practice risks.

9:30 AM – 9:45 AM Break

9:45 AM – 10:45 AM The Growing Frontier for Supplier Advertising: E-Commerce

State and federal laws address paid supplier ads or content in brick-and-mortar stores, but how do those laws translate into the digital space? E-commerce shopping comes in many forms, but what constitutes the equivalent of the brick-and-mortar store in the digital space? Do the same rules apply? Are new rules needed? In this session, experts will explore how the digital landscape is developing, identify new opportunities that are opening to suppliers, and discuss the regulatory responses to recent attempts to reach the digital shopper.

10:45 AM – 11:00 AM Break

11:00 AM – 12:00 PM To Speak or Not to Speak: What Marketing Needs to Know

While 2023 was a particularly active year for alcohol litigation, in many ways 2024's cases have already moved on. In this session, attorneys will address some of the rapidly evolving risk areas currently impacting the industry—explaining what 2023's cases in privacy, trademark, and false labeling will mean for manufacturers and retailers in 2024 and beyond.

12:00 PM – 1:15 PM Lunch

Tentative Program & Session Descriptions

(Session Topics and Speakers are Subject to Change)

MONDAY (continues on the next page)

TENTATIVE AGENDA MONDAY (continued)

1:15 PM – 2:15 PM CONCURRENT AFTERNOON SESSIONS (CHOOSE ONE):

Alcohol Delivery in a Post-COVID World

COVID-driven market dynamics fundamentally altered the alcohol regulatory landscape. Cocktails-to-go privileges were rapidly developed and implemented to provide liquidity to licensees. Premises expansions were automatically granted to enable compliance with emergency regulations. But as jurisdictions have emerged from COVID, debates around the permanence of some laws and the scope of certain regulations have created yet another new landscape. In this session, attorneys will discuss the current alcohol delivery environment in light of post-COVID legislative and legal trends.

Going Global: Import-Export Law & Compliance

Modern technology and globalized supply chains have made the world more interconnected than ever. But as conflicts increase and global partners realign, multinationals are increasingly caught in the middle. With the continued weaponization of fiscal and monetary policy, companies will be forced to expend more resources on issues ranging from specific sourcing prohibitions to tariff compliance. In this session, attorneys will highlight various import/export laws and other federal statutes companies should maintain awareness of should they choose to enter the global market.

2:15 PM – 2:30 PM Break

2:30 PM – 3:30 PM CONCURRENT AFTERNOON SESSIONS (CHOOSE ONE):

Compliance in the Era of College & Celebrity Sponsorships

Federal trade practice regulations and prohibitions on exclusive outlets necessitate disciplined drafting when negotiating sponsorships. With the rapid expansion of NIL deals, these dynamics are actively being compounded by the introduction of non-legal drinking age adults who might wish to profit off their own images. Further, unique antitrust questions emerge when discussing the interplay between employees who may wish to engage in sponsorship deals independent of, or in conflict to, their employers, teams, or organizations. In this session, attorneys will discuss the relevant laws and regulations that must be addressed when engaging in sponsorship deals involving alcoholic products.

Unpack(ag)ing the Various Sustainability Developments Impacting Beverage Packaging

As consumers and politicians debate the merits of ESG writ large, numerous states have re-ignited the policy debate by passing measures aimed to curb the environmental impact of packaging by accelerating the circular economy. As a result of those efforts, the alcohol beverage industry is facing an increasingly complex maze of state regulatory requirements focused on packaging: from minimum postconsumer recycled content (PCR) requirements for single-use packaging to extended producer responsibility (EPR) laws to restrictions on the use of various chemicals of concern, such as PFAS. In this session, panelists will discuss the legal contours of these recent developments, how they may impact your business and provide insights on what's ahead.

3:30 PM – 3:45 PM Break

3:45 PM – 4:45 PM Governmental Ethics & Alcohol

In this session, attorneys and regulators will discuss the unique ethical and compliance considerations inherent to governmental action as a market participant. These experts will outline strategies that assist in drawing clear lines and identify national trends in corporate ethics. They will also share lessons learned since COVID and how the "new normal" has shifted normative expectations.

4:45 PM – 5:00 PM First Day Closing Remarks and Announcements

5:30 PM – 6:30 PM Networking Reception

TENTATIVE AGENDA (continued)

TUESDAY, MARCH 12

07:30 AM – 08:30 AM **Continental Breakfast**

07:30 AM – 11:30 AM **Registration**

8:30 AM – 9:30 AM **Brand Equity: Where Marketing Meets Legal**

With the explosion of RTDs and crossover products leveraging recognizable IP, increased sales has led to increased legal risk. Channel distribution and crossover marketing strategies have resulted in various class action suits. First amendment questions ranging from parody to the scope of commercial free speech have also emerged as novel arguments make their way through the courts. And open questions around how IP ownership weighs on cross-tier ownership have re-ignited debates analogous to those historically held in the context of private labels. In this session, industry experts will discuss the broad range of legal risks inherent to protecting major brands amidst rapid innovation.

9:30 AM – 09:45 AM **Break**

9:45 AM – 10:45 AM **Inter-tier Interests: A Look Back & Ahead**

Limits on a party holding interests in multiple tiers are inherent to the three-tier system and date back to the repeal of prohibition. At the same time, certain cross-tier interests have been allowed for many decades. In this panel, attorneys and experts will discuss the origins of the concept, the current national landscape, and some of the emerging legal perspectives on when and how multi-tier interests are justified as a matter of public policy.

10:45 AM – 11:00 AM **Break**

11:00 AM – 12:00 PM **Litigation Landscape: From Retailer Delivery to SCOTUS**

Regulated markets can be litigious by their nature; and alcohol is no exception. While retailer delivery cases continue to percolate, additional dormant Commerce Clause cases have been filed in an effort to manufacture a circuit split. Plaintiffs' firms have been equally active in labelling litigation--utilizing various consumer protection laws to challenge a range of claims and practices. In this session, attorneys will highlight the most important cases currently impacting the alcohol industry.

12:00 PM - 12:15 PM **Closing Remarks and Adjournment**

Unable to attend in person? You can still participate via our LIVE WEBCAST. Sessions can be accessed online and questions submitted in real time.

Please check with your CLE provider(s) to see if online credits can be accepted.

SYMPOSIUM INFORMATION

NABCA'S 2024 LEGAL SYMPOSIUM REGISTRATION

[CLICK HERE TO REGISTER ONLINE BY Thursday, February 15th](#)



TRAVEL & TRANSPORTATION

Ronald Reagan Washington National Airport (DCA) is approximately 7 minutes (3 miles) from The Ritz Carlton, Pentagon City. Commercial air carriers serviced by DCA include AirCanada, AirTran, American, Delta, Fly Frontier, JetBlue, Southwest, and United. For more information, please visit <http://www.flyreagan.com/dca>.

TAXI SERVICE: Taxi Service is located near the Arrival (baggage claim) exits of each terminal for approximately \$21 one-way including tip.

METRO: Metrorail stations are connected to the concourse level of terminals B and C at Reagan National Airport. Metrorail fare cards may be purchased at machines located at all entrances to the Airport Metrorail station. The Blue line will stop at the Pentagon City Metro located in front of the hotel.

Washington Dulles International Airport (IAD) is approximately 35 minutes (26 miles) from The Ritz Carlton, Pentagon City. Commercial air carriers serviced by IAD include AirCanada, AirTran, American, Delta, JetBlue, Southwest, and United. For more information, please visit <https://www.flydulles.com/>.

TAXI SERVICE: Taxi Service is available at the lower level of the Main Terminal for approximately \$71 one-way.

METRO: The Metrorail station is connected to the main terminal by an indoor pedestrian tunnel with moving sidewalks. Metrorail fare cards may be purchased at machines located at all entrances to the Airport Metrorail station. Take the Silver Line to Largo and transfer to the Blue line at the Huntington Station. The Blue line will stop at the Pentagon City Metro located in front of the hotel.



HOTEL & RESERVATION

The Ritz-Carlton, Pentagon City
1250 S Hayes St, Arlington, VA 22202
Phone: (703) 415-5000
Reservations: 1 (800) 422-2410
www.ritzcarlton.com

Industry Room

\$302.00 + 14.25% tax

To Book Online, [click here](#)

State Room (State Representatives ONLY)

\$242.00 + 14.25% tax

To Book Online, [click here](#)

Attendees are responsible for making their own hotel and travel arrangements. Please be aware that NABCA may view your reservation information via NABCA group rooming list.

- NABCA's room block will be held until the cut-off date, **Friday, Thursday 15, 2024**. After the cut-off date, reservations received will be accepted on a space available basis. **Please make your reservations as early as possible, as there is no guarantee the hotel will not sell out prior to the cut-off date.**
- All reservations must be accompanied by a first night's room deposit or guaranteed by a major credit card.
- An early departure fee of one night's room and tax will apply if checking out prior to the confirmed check-out date.
- Check-in begins at 4:00 PM and check-out is at 11:00 AM.
- Hotel cancellation Policy: 3 days prior (72 hours) to arrival. 1 night room penalty if canceled within a 72 hour window of arrival.



HOTEL PARKING

Overnight valet parking, \$59 per day

Daily valet parking, flat rate of \$34 for up to 8 hours



LEGAL SYMPOSIUM DETAILS

Weather & Attire: Dress is business casual throughout the Symposium. Average Arlington, VA temperatures in March range from 56° F to 38° F with a precipitation rate of 3.5 inches.

Note: The registration fee includes attendance at the Symposium, all meal functions and program materials.

Cancellation Policy: A refund, less an administrative processing fee of \$25.00, will be remitted for all cancellations made in writing to NABCA by **FRIDAY, March 1st**. No refunds after March 1 unless due to an emergency. Contact meetings@nabca.org.

For questions regarding meeting logistics, please contact the Meetings Department at (703) 578-4200 or meetings@nabca.org.

REGISTRATION FEES (Includes attendance at the symposium, all meal functions and program materials.)

2024 Legal Symposium Registration Type

Member and Non-Member: State and Governmental Agencies

Member: Industry/Trade Association (Supplier, Broker, Association, Allied)

Non-Member: Industry/Trade Association (Supplier, Broker, Association, Allied)

In Person

Webcast

\$295

\$395

\$595

\$795

\$895

\$1095

AFTER FEBRUARY 15

In Person

Webcast

\$345

\$445

\$645

\$845

\$945

\$1145