



Regulatory Strategies for an Innovative Marketplace

2018 Annual Conference – Waikoloa, Hawaii

PANEL UPDATE – WEEK 14

This is the last Weekly Update you'll receive on the 2018 Annual Conference! The kickoff is nearly here and we're wrapping up with another double header on the topics of Disaster Management and Private Labels. The annual conference theme is "*Regulatory Strategies for an Innovative Marketplace*," and the agenda will cover a number of diverse and timely topics confronting the industry and marketplace of alcohol today.

PANEL #9: BUILDING REGULATORY CONTINUITY POLICY INTO THE THREE TIER SYSTEM – PLANNING FOR EMERGENCY/DISASTER MANAGEMENT

With the historic recent natural disasters, including the destructive California wine country fires and devastating hurricanes in Texas, Florida, and Puerto Rico; and cyber-terrorism a constant threat, regulatory agencies and industry need to build redundancy and alternative means to secure regulatory control and potential interim channels of distribution in times of Emergency/Disaster Crisis to avoid foreseeable market, regulatory and logistic disruptions. The Three Tier system is a transparent regulatory distribution system that implements the government's health, safety and welfare policy goals, while protecting revenue.

On Tuesday the following panel will discuss regulatory and distribution issues that arose during these past disasters, preparation for foreseeable disasters, and alternative means that could be, or have been, employed or implemented to prevent market, logistic and regulatory disruptions, divergence of product (health, safety and welfare), and the protection of revenue. All of which are the core concerns of the Three Tier system as stated by controlling U.S. Supreme Court jurisprudence.

Moderator: James Seff, Partner, Pillsbury Law Firm, San Francisco, CA

Panelists:

Donovan Borvan, Former Executive Director, Illinois Liquor Control Commission;
Erik Smoot, Captain, Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission; and
Christopher Thiemann, Distilled Spirits Program Manager, Alcohol and Tobacco Tax and Trade Bureau (TTB).

Following this informative panel is an interesting discussion you won't want to miss featuring representatives of all three industry tiers on the topic of private labels.

PANEL #10: PRIVATE LABELS – LEGITIMATE USE OF BRANDS OR UNDERMINING TIED HOUSE?

A panel of industry advocates will share perspectives and invite audience participation in the debate over retail private label alcohol beverage brands. Private label beer, wine, and spirits have been around for many years. They are becoming more prevalent in today's dynamic marketplace. Are private labels really just a way for retailers to increase their brand equity? Does the application of traditional tied house laws to private label brands make sense in light of consolidation within all three industry tiers? Do private label brands negatively affect competition or consumers? Does the use of tied house laws to prohibit private labels effectively silence truthful commercial speech?

Join this team of professionals to discuss these and related issues as we near the conclusion of the 2018 Annual Meeting. The panel will be moderated by Art DeCelle of McDermott Will & Emery and includes:

Tracy Genesen—Vice President and General Counsel, Wine Institute;
Jo Moak—Sr. Vice President and General Counsel, Wine & Spirits Wholesalers of America; and
Kyle V. Hill—Shareholder, Martin Frost & Hill, P.C.

It has been an honor to serve as President of NCSLA this year. Please join me this June as we showcase an educational business program and make lasting memories. I hope to see you there!

A. Keith Burt
NCSLA President