

**ACI**

American Conference Institute

SPECIAL FOCUS ON:

**FOOD ADVERTISING  
& MARKETING LAW****JULY 17, 2020**

See page 8–9 for details.

4<sup>th</sup> Annual Advanced Summit on

# FOOD LAW

Regulation, Compliance, and Litigation

**VIRTUAL CONFERENCE & WORKSHOPS**  
July 15-16, 2020 CDT | July 14, 2020: Workshops**EARN CLE  
CREDITS****Special Townhalls with:**

USDA | FTC | NAD

**Featured In-House Counsel From:**

Barilla America, Inc.    HP Hood LLC

Danone  
North America    Jelly Belly Candy  
Company

## Session Highlights for 2020:

- Focus Group on **Plant-Based “Meats” and “Milks”**: Anticipating the FDA’s/USDA’s New Regulatory Platform
- Status check on the use of **CBD and Cannabis**
- Analysis of the impact of **Current Trade and Tariff Environment** on the Food Industry
- Social Media Think Tanks on the **Role of Influencers/ Virtual Influencers** and **User-Generated Content** for Food
- **Recalls and Crisis Management Integration War Room**

**Featured Workshops\*:**

Tuesday, July 14, 2020

**A** Food Law and Regulation 101**B** CBD and Cannabis Working Group for the Food Industry

\* Your conference registration includes both workshops.

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Business Information in a Global Context

# Attend the Food Industry's Most Comprehensive Event from the Comfort of Your Home Office

## Why This Event Stands Apart:

### » Special Focus Sessions on:

- The proliferation of plant-based foods
- The role of social media, including influencers and user generated content on the food industry
- The impact of trade and tariffs on the food industry
- Recall obligations and crisis management integration
- Class actions

### » Spotlight session on the use of CBD hemp oil in food products

### » Townhall sessions with USDA, FTC, and NAD

### » Two half-day sessions to offer intimate benchmarking opportunities with your peers and chaired by expert practitioners in order to maximize your conference experience:

**A** Food Law and Regulation 101: A Primer on Applicable Laws, Regulations and Key Agencies Having Authority over Food

**B** CBD and Cannabis Working Group for the Food Industry: Making Sense of the Confusing Regulatory State of Affairs



## Who You Will Meet?

### » Food and Beverage Industry:

- In-House Counsel, with responsibilities for corporate law, litigation, regulation, advertising, and promotion
- Compliance and Government Affairs Officers and Executives
- Safety and Quality Officers and Managers
- Nutrition and Labeling Directors and Executives
- Regulatory Affairs Officers and Executives

### » Law Firm Attorneys for Food and Beverage Industry whose practices focus on:

- FDA/Food law
- Advertising and Promotion
- Litigation

## C5 GROUP'S VIRTUAL EVENTS

# Meeting Your Needs in Challenging Times

As the current global situation continues to unfold, we understand that it may not be possible to attend our events in person.

At the same time, we also understand that collaboration is more vital than ever and for that, you can still rely on ACI to bring the industry together *but* in a different way. We are transforming quickly to ensure you can now connect virtually and continue to gain unparalleled access to market leading intelligence and to the facilitation of a global exchange of expertise. Our new virtual events continue to be guided by our unifying philosophy: we believe that growth and success occurs when the power of people and the power of information come together. We may not be able to gather in person, but nothing stops connection and innovation.



## Virtual Conference

Our virtual conferences are the same conferences you have come to expect in person but transformed to a virtual format. The new virtual conference delivers the same access to a community of industry leaders we have spent decades building and nurturing. We invite you to be part of this community.



Ask your questions directly to our expert faculty



Participate and contribute to sessions in real-time



Speak with solutions providers as you would at an onsite event

For more information and answers to many of your questions, please visit: [AmericanConference.com/FoodLaw/Virtual](https://AmericanConference.com/FoodLaw/Virtual)

**2** Join the Conversation  @ACIFood #ACIFoodLaw |  ACI: Food & Beverage



## Distinguished Faculty List:

### CO-CHAIRS:

**Heili Kim**

*Partner*

**Faegre Drinker Biddle & Reath LLP**  
(Washington, DC)

**Danielle Lemack**

*Assistant General Counsel*

**HP Hood LLC** (Lynnfield, MA)

### SPEAKERS:

**Sarah Abramson**

**Kellogg Company**

**Rend Al-Mondhiry**

*Partner*

**Amin Talati Wasserman LLP** (Chicago, IL)

**Megan K. Bannigan**

*Partner*

**Debevoise & Plimpton LLP**  
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**David Biderman**

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**Perkins Coie LLP** (San Francisco, CA)

**Steve P. Blonder**

*Principal and Management*

*Committee Member*

**Much Shelist, P.C.** (Chicago, IL)

**Jeffrey Brams**

*GC, & VP R&D and Regulatory*

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**Barley Snyder LLP** (Reading, PA)

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*Partner*

**Kleinfeld Kaplan & Becker LLP**  
(Washington, D.C.)

**Dr. Denise Eblen**

*Assistant Administrator Dr.*

**Office of Public Health Science, USDA**  
(Washington, D.C.)

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*Senior Legal Counsel – Americas*

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**David G. Mallen**

*Partner*

**Loeb & Loeb LLP** (New York, NY)

**Gonzalo E. Mon**

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**Kelley Drye** (Washington, DC)

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*Chief Counsel*

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*Senior Staff Attorney*

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*Partner*

**Arnold & Porter Kaye Scholer LLP**  
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*General Counsel*

**JBS USA** (Greenly, CO)

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*Partner*

**Baker & Hostetler LLP** (Washington, D.C.)

**Michael Roll**

*Partner*

**Roll & Harris LLP** (Los Angeles, CA)

**Isha S. Saini**

*Director, Regulatory Affairs*

**Danone North America** (New York, NY)

**Charles C. Sipos**

*Partner*

**Perkins Coie LLP** (Seattle, WA)

**D. Michael Stroud Jr.**

*Partner*

**Nossaman LLP** (Washington, DC)

**Brian P. Sylvester**

*Special Counsel*

**Foley & Lardner LLP** (Washington, D.C.)

**Trent Taylor**

*Partner*

**McGuireWoods LLP** (Richmond, VA)

**Suzanne Trigg**

*Partner*

**Haynes and Boone, LLP** (Dallas, TX)

**Andrew Tulumello**

*Partner*

**Gibson Dunn LLP** (Washington, D.C.)

**Riëtte van Laack**

*Director*

**Hyman, Phelps, & McNamara, P.C.**  
(Washington, D.C.)

**Benjamin Witte**

*Founder and CEO*

**Recess** (New York, NY)

# Complimentary Pre-Conference Workshops

Tuesday, July 14, 2020 | \*All sessions listed in CDT



## A 9:00 AM–12:30 PM (Break 10:30 AM–11:00 AM)

### Food Law and Regulation 101: A Primer on Applicable Laws, Regulations and Key Agencies Having Authority over Food

Riëtte van Laack

Director

Hyman, Phelps, & McNamara, P.C. (Washington, D.C.)

This primer will provide attendees with an essential and in-depth working knowledge of the cornerstone laws and regulations applicable to food as well as the administrative bodies responsible for the regulation of food. The discussions during this workshop will set the stage for the main conference by helping you thoroughly comprehend the complexities and challenges associated with the laws, regulation and governance of food.

- Defining the terms “food” and “beverage” as per the Food, Drug and Cosmetic Act
- Overview of governing agencies having jurisdiction and authority over food regulation
- Understanding the role of the Department of Health and Human Services in food regulation
  - » U.S. Food and Drug Administration (FDA)
  - » National Institutes of Health (NIH)
  - » Center for Disease Control (CDC)
- Review of applicable laws from which FDA derives its authority over food regulation
  - » Food, Drug, and Cosmetics Act (FDCA)
  - » Fair Packaging and Labeling Act
  - » Food Safety Modernization Act (FSMA)
- Comprehending the U.S. Department of Agriculture’s (USDA’s) authority in food regulation and how it compares to that of FDA’s authority
  - » Food Safety and Inspection Service
- Review of applicable laws from which USDA derives its authority over food regulation
  - » Meat, Poultry, and Egg Products Inspection Acts
  - » Egg Products Inspection Act
  - » Federal Meat Inspection Act
  - » Poultry Products Inspection Act
- Appreciating the FTC’s unique role in food regulation
  - » Federal Trade Commission Act
  - » The Lanham Act
- Identifying other applicable agencies responsible for food regulation
  - » Department of Commerce
  - » Department of Transportation
  - » Department of Justice
- Overview of other laws governing or otherwise impacting the regulation of food products
  - » Public Health Service Act
  - » Poultry Products Inspection Act
  - » Bioterrorism Act
  - » Sanitary Food Transportation Act

## B 1:30 PM – 5:00 PM (Break 3:00 PM – 3:30 PM)

### CBD and Cannabis Working Group for the Food Industry: Making Sense of the Confusing State of Regulatory Affairs

Rend Al-Mondhiry

Partner

Amin Talati Wasserman LLP  
(Washington, DC)

Justin J. Prochnow

Shareholder

Greenberg Traurig

Benjamin Witte

Founder and CEO

Recess (New York, NY)

CBD-hemp oil is becoming increasingly popular, and perhaps even becoming mainstream – however, its use is highly controversial – especially in food products. The FDA has yet to offer any true definitive guidance and the states are piecing together a hodge podge of laws. This interactive workshop will offer insights on the latest aspects of this controversy.

- What are the differences between seed which is considered safe, and CBD oils and variants of CBD which are generally not recognized as safe?
  - » CBD vs. THC
- What is FDA’s current stance on the uses of CBD in food products?
- What does state-level regulation look like?
- In the absence of FDA regulation and various state activity, what is a suggested strategy for food companies to employ at this time?
- What can companies who are currently launching products containing CBD expect to see from FDA?
  - » Marketing and labeling: Addressing the effect of making claims that can’t be substantiated
- What are the anticipated claims involving CBD products?
- Should food companies which are not currently using CBD products anticipate litigation risks if CBD products accidentally enter their supply chain through cross-contamination?



# Main Conference Day One

Wednesday, July 15, 2020 | \*All sessions listed in CDT



8:00 AM Virtual Conference Login

8:15 AM

## Co-Chairs' Opening Remarks

**Heili Kim**

*Partner*

**Faegre Drinker Biddle & Reath LLP (Washington, DC)**

**Danielle Lemack**

*Assistant General Counsel*

**HP Hood LLC (Lynnfield, MA)**

8:35 AM **IN-HOUSE COUNSEL FUTURE FORECASTS ROUNDTABLE**

## Analyzing the Latest Trends, Deciphering Recent Regulatory Developments, and Anticipating Potential Liabilities for Food Companies

**Mark Leonard**

*General Counsel*

**Jelly Belly Candy Company (Fairfield, CA)**

**Charles C. Sipos**

*Partner*

**Perkins Coie LLP (Seattle, WA)**

Join this panel of esteemed in-house counsel for an in-depth discussion of day-to-day legal challenges associated with new industry trends, regulatory developments and anticipated risk.

- Examining the greatest challenges in-house counsel face now with respect to the current state of the food industry
- Balancing the need to be innovative and in step with consumer preferences with legal and regulatory requirements
- Developing strategies to employ when your company faces a claim
- Devising tactics for legal and sales and marketing teams to collaborate better
- From where do in-house counsel expect to see potential liabilities arising?
- Developing best practices for responding to pre-suit notice letters

9:35 AM Morning Break

10:00 AM **PLANT-BASED FOODS UPDATE**

## Plant-Based "Meats" and "Milks": Examining the Standards of Identity and the FDA's/USDA's Anticipated Regulatory Platform

**Heili Kim**

*Partner*

**Faegre Drinker Biddle & Reath LLP (Washington, DC)**

**Kimberly Pryor**

*General Counsel*

**JBS USA (Greenly, CO)**

This session will focus on the most recent developments involving protein-alternative foods as well as the actual and anticipated regulatory framework governing these products.

- Exploring the latest developments with respect to the standards of identity for:
  - » Plant-based "meat" products
  - » Plant-based dairy alternatives
- Plant-based vs. lab-grown meat: What are the different regulatory requirements?
- Examining the anticipated FDA/USDA regulatory framework
- Analyzing the various states' approaches to plant-based "meats" and "milks": Will the current approaches by some states result in a state-by-state patchwork?
- What can a company interested in advertising a product that doesn't fit a particular standard of identity do at this time?
- Suggested ways for mitigating risk posed by plaintiffs' attorneys and various state laws
- What are the anticipated class action theories?
- Process for developing and labeling of protein-alternative foods
- When developing these products, what are the premarket requirements?
- What needs to be submitted to the FDA/USDA?
- How can safety be established?
- How long is it expected this process to take?

11:00 AM **SPOTLIGHT SESSION**

## Using CBD Hemp Oil in Food Products

**D. Michael Stroud Jr.**

*Partner*

**Nossaman LLP  
(Washington, DC)**

**Jeffrey Brams**

*GC, & VP R&D and Regulatory*

**Garden of Life, LLC  
(Palm Beach Gardens, FL)**

12:00 PM Lunch Break

1:00 PM

## Class Action Strategies: Evolving Theories, Defense Tactics, and Resolutions

**Hannah Y. Chanoine**

*Partner*

**O'Melveny & Myers LLP  
(New York, NY)**

**Andrew Tulumello**

*Partner*

**Gibson Dunn LLP  
(Washington, D.C.)**

- Analyzing recent successful theories from the plaintiffs' bar
  - » What kinds of claims are yielding results?
- Assessing the latest developments with the slack fill claims
- Surveying the latest developments with "natural" "all natural" and "healthy" claims
  - » Has FDA's formal guidance on healthy brought desired clarification?
- Examining the status of the geographic origin claims: What have been the recent developments?
- Devising actionable strategies for avoiding these claims
- Forecasting the next wave of class actions: Flavor claims – vanilla, chocolate, etc.

2:00 PM Afternoon Break

2:20 PM

## KEYNOTE with the USDA

Dr. Denise Eblen

*Assistant Administrator Dr.*

**Office of Public Health Science, USDA (Washington, D.C.)**

3:30 PM

## FDA and USDA Rule Roundup

Daniel Dwyer

*Partner*

**Kleinfeld Kaplan & Becker LLP (Washington, D.C.)**

Maile Gradison Hermida

*Partner*

**Hogan Lovells LLP (Washington, D.C.)**

Isha S. Saini

*Director, Regulatory Affairs*

**Danone North America (New York, NY)**

### Nutrition Facts Label 2020 Implementation Analysis

- Anticipating the timing and extent of the FDA's enforcement of the new nutrition facts label
- Understanding clean labeling
- Identifying high-risk claims and developing strategies to mitigate this risk based on the label

### Examining the Status of the Implementation of Bioengineered Foods Disclosure Requirement

- Examining the developments with the implementation of the bioengineered food disclosure requirement
  - » Have food companies experienced any practical obstacles to the implementation
- Addressing the challenges involving testing by the USDA, consumers, and competitors
- Developments with respect to agency enforcement
- Analyzing the developments with the gene-edited foods and the industry's push for gene-edited foods to not get the same reception as the GMO foods

### FSMA State of the Union

- Examining the FDA's latest FSMA enforcement through inspections
  - » Is FSMA changing the way FDA inspects plants?
  - » Do food companies see this as a continuing challenge or not really?
- Analyzing the impact of the new executive order limiting FDA's guidance applicability
- Examining the impact of FSMA's regulation prohibiting food processors and suppliers to contract away and shift food safety responsibility onto the other party
- Exploring the role of AI and its potential impact on food safety enforcement

5:00 PM Conference Adjourns to Day Two

## Main Conference Day Two

Thursday, July 16 2020

*\*All sessions listed in CDT*

8:30 AM Virtual Conference Login

8:45 AM

## Co-Chairs' Opening Remarks and Recap of Day One

9:00 AM

## Understanding the Impact of the Current Trade and Tariff Environment on the Food Industry

Michael Roll

*Partner*

**Roll & Harris LLP (Los Angeles, CA)**

- Identifying what foods/ingredients are being targeted right now?
- How to start reducing the cost of overhead as a food company relative to the trade environment?
- Devising practical strategies for companies to insulate themselves from the current negative effects of tariffs
- Exploring industry efforts to seek exclusion opportunities or sourcing their ingredients from areas not affected by tariffs
- Understanding the long-term effect of the current trade and tariff environment

10:00 AM

## Examining the Latest Prop 65 Developments

Jennifer Elmer

*Senior Legal Counsel – Americas*

**Barilla America, Inc.**

**(Northbrook, IL)**

Stanley Landfair

*Partner*

**Dentons LLP**

**(San Francisco, CA)**

Carol J. Monahan Cummings

*Chief Counsel*

**Office of Environmental Health Hazard Assessment**

**(Sacramento, CA)**

- Addressing plaintiffs' attorneys successful arguments with respect to glyphosate
- Assessing California Chamber of Commerce's suit against OEHHA over acrylamide
- Analyzing the latest enforcement actions involving Prop 65
- Examining developments with synthetic colors and Perfluoroalkyl Substances (PFAS)
- Keeping the successful coffee example in mind, are there ways to keep ingredients off the Prop 65 list?

11:20 AM **FOCUS ON RECALLS AND CRISIS MANAGEMENT****Examining Incidents that Give Rise to Reporting Obligation and Recalls****Brian P. Sylvester***Special Counsel***Foley & Lardner LLP (Washington, D.C.)**

- When does the Reportable Food Registry reporting obligation arise?
- What events would prompt a food company to issue a recall?
  - » What sort of interactions should a recalling company have with regulators?
  - » How should parties within the supply chain address recall exposure among themselves? What contractual clauses are food companies using to transfer that risk?
- Addressing concerns around environmental positives and "Zone 1"
- Best practices for handling customer reports of positive tests
- Understanding the importance of and effectively handling CDC or public health agency investigations
- Exploring the use of block chain as a potential protection against recalls

## 12:00 PM Lunch Break

## 1:00 PM

**Developing Effective Crisis Management Strategies that Work in Tandem with a Recall Plan****Danielle Lemack***Assistant General Counsel***HP Hood LLC (Lynnfield, MA)****Suzanne Trigg***Partner***Haynes and Boone, LLP (Dallas, TX)**

- Devising effective crisis management and communication plans
- Exploring cost-efficient ways for developing a message and addressing customers' expectations
- Managing various regulatory and legal considerations during a crisis
- Working with outside experts and PR firms while maintaining attorney-client privilege

2:00 PM **SUPPLY CHAIN MANAGEMENT****Maintaining the Integrity of the Supply Chain by Working Effectively with Your Suppliers****Jonathan Cohen***Partner***K&L Gates LLP (Washington, D.C.)****Stuart M. Pape***Shareholder***Polsinelli PC (Washington, D.C.)**

- What do ingredients suppliers need to focus on to make sure their customers are comfortable with various suppliers' assurances and certifications?
- What third-party certifications are among the most useful for ingredients suppliers to obtain in order to help their customers' compliance efforts?
- How can food companies protect themselves against supplier fraud?

## 3:20 PM

**Addressing the Transparency Challenges within the Global Supply Chain****David Biderman***Partner***Perkins Coie LLP (San Francisco, CA)****Brandon W. Neuschafer***Partner***Bryan Cave Leighton Paisner LLP (St. Louis, MO)**

This session will explore challenges that food processors face given the global nature of the supply chains and the call for transparency and sustainability.

- Examining the role of 3rd-party certifications as it relates to supply chain transparency
- Exploring legal challenges surrounding 1st party certification programs
- Developing best practices for assuring consumers regarding corporate responsibility associated with supply chains
  - » Sustainable sourcing and production
  - » Child labor/forced labor
  - » Animal welfare
  - » Packaging and plastic reuse
- Examining the latest developments with respect to FDA's enforcement of the Foreign Supplier Verification Program

4:20 PM **ALLERGENS ROUNDUP****Allergens: The Liability Implications of Voluntary Disclosures and Recalls****Timothy Dietrich***Partner***Barley Snyder LLP (Reading, PA)****Trent Taylor***Partner***McGuireWoods LLP (Richmond, VA)**

- Addressing regulatory and liability implications of voluntary allergen disclosures
- Incorporating allergen controls into CGMPs
- When does an undisclosed allergen trigger a recall?
- Exploring emerging regulatory and liability developments concerning allergens

## 5:05 PM Conference Ends

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# FOOD ADVERTISING & MARKETING LAW

## MASTER SYMPOSIUM

FRIDAY, JULY 17, 2020 | \*ALL SESSIONS LISTED IN CDT

9:10 AM Virtual Conference Login

9:25 AM

### Co-Chairs' Opening Remarks

Matt Griffin

Deputy General Counsel

Ferrara Candy Company (Oakbrook Terrace, IL)

9:40 AM

### Fostering Greater Collaboration Between Legal and Marketing Teams for the Food Industry: Encouraging Inter-Departmental Cooperations to Work Together Effectively

Matt Griffin

Deputy General Counsel

Ferrara Candy Company (Oakbrook Terrace, IL)

- Understanding how marketing professionals within the food industry think through the claim development process
  - » Comprehending the importance of including legal departments during the research and development stage of a food product
  - » What do they need from a legal department in order to effectively perform their jobs?
- Developing an early cross-communication strategy between R&D, Marketing, and Legal departments in the food industry
- Communicating effectively with claims substantiation team members so that they understand the risks of pursuing a particular claim
- Suggesting adjustments to food claims language to reach the joint goal of developing a creative and a compliant claim

About us:



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American Conference Institute

The C5 Group, comprising American Conference Institute, The Canadian Institute and C5 in Europe, is a leading global events and business intelligence company.

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Our conferences and related products connect the power of people with the power of information, a powerful combination for business growth and success.

10:10 AM Morning Break

10:30 AM

### Examining the Latest Claims Substantiation Trends Impacting the Food Industry

Alexander Goldman

Attorney

National Advertising Division, BBB National Programs, Inc.  
(New York, NY)

- Understanding how to properly substantiate claims such as "non-GMO," and organic, sourcing records on farms, seeds used in crops in order to trace them back to the food products, etc.
- How does a marketing department's risk tolerance impact how food claims are handled?
- How far back in the food supply chain does substantiation need to take place
- Health claims: Competent and reliable scientific evidence – what kind of evidence is considered enough?
- Exploring the slippery slope of implied health claims (e.g., picture/impression of an advertisement, using language that suggests that a product is better/more nutritious)
- Determining the level of substantiation needed for broader food claims
- When making a specific food claim, when is it a claim and when is it puffery?
- Dietary Supplements: Lessons learned from FTC's latest warning letters and enforcement actions
  - » Examining related FDA activity

11:15 AM

### NAD and FTC Townhall

David O'Toole

Senior Staff Attorney

Federal Trade Commission (Wilmette, IL)

Eric Unis

Attorney

National Advertising Division, BBB National Programs  
(New York, NY)

Hear directly from the FTC and NAD on how they evaluate various claims in food advertisements and the criteria they use to make these assessments.

12:00 PM Lunch Break

1:00 PM

## Examining How to Successfully Manage Social Media Campaigns Related to Food Products

**Megan K. Bannigan**

*Partner*

**Debevoise & Plimpton LLP (Washington, D.C.)**

- Developing techniques for a successful social media campaign involving food products
- Implementing an actionable social media policy
  - » Best strategies for training non-lawyers to review tweets
  - » Right of publicity
  - » Use of 3rd party content
  - » Copyright and trademark concerns
- Exploring effective ways for advertising on new social media platforms such as Twitch and TikTok as compared to Facebook, Instagram, or Twitter
- Addressing the challenges of complying with various platforms' rules in addition to complying with legal requirements

1:45 PM

## Mitigating Risks Associated with User-Generated Content for Food

**Steve P. Blonder**

*Principal and Management  
Committee Member*

**Much Shelist, P.C. (Chicago, IL)**

**David G. Mallen**

*Partner*

**Loeb & Loeb LLP  
(New York, NY)**

- How can food companies and advertisers use customer reviews in their advertising?
- Establishing protocols for food companies to safely adopt a customer review
  - » Developing guidelines for testimonials
- Assigning the responsibility of the advertiser and the manufacturer for claims made in customer reviews
  - » When and how to disclose whether reviewers are compensated?
- Analyzing recent FTC enforcement actions

2:30 PM

## Clarifying the Role of Influencers/Virtual Influencers in the Food Industry

**Andrew B. Lustigman**

*Partner*

**Olshan Frome Wolosky LLP**

- Implementing best practices for engaging with influencers
  - » Can they say what a food company isn't allowed to say about its product?
  - » How to most effectively audit what influencers say
- Contracting with influencers: What are a food company's obligations toward influencers and vice versa?
  - » When having a contract is not enough: Making sure on an ongoing basis that influencers disclose their engagement by a food company
- What legal challenges should the food industry be cognizant of with respect to virtual influencers?
- Understanding why what a virtual influencer says is not considered a testimonial

3:15 PM **Afternoon Break**

3:35 PM

## Understanding the Role of Sweepstakes, Contests and Loyalty Programs in Food Advertising

**Gonzalo E. Mon**

*Partner*

**Kelley Drye (Washington, DC)**

**Raqiyyah Pippins**

*Partner*

**Arnold & Porter Kaye Scholer  
LLP (Washington, D.C.)**

- Identifying the rules of the road with respect to the use of loyalty programs, sweepstakes, and contests by food companies
- Addressing ways for implementing these programs effectively
  - » Pepsi's example of integrating an entirely new loyalty program

4:35 PM

## Addressing the Unique Challenges of Children's Advertising in the Food Industry

**Amy Ralph Mudge**

*Partner*

**Baker & Hostetler LLP  
(Washington, D.C.)**

**Dona Fraser**

*Vice President, Children's  
Advertising Review Unit  
BBB National Programs  
(New York, NY)*

**Sarah Abramson  
Kellogg Company**

- Exploring CARU's recent agenda and priorities relative to the substantiation of food claims in children's advertisements
- Utilizing necessary disclosures when communicating with a child audience
- Understanding that a parent is the focus of the food ad and related claims as opposed to a child
- Ensuring endorsers meet the necessary substantiation requirements for advertising to children
- Discussing potential penalties for misrepresenting a food product to a child

5:15 PM **Symposium Ends**

Add the one-day Master Symposium on **Food Advertising & Marketing** to your conference registration or attend as a stand alone.

### Pricing

Virtual Conference

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