

2<sup>nd</sup> Advanced Legal & Regulatory Summit on

# Food & Beverage Marketing & Advertising

Responding to heightened enforcement risks with effective and compliant marketing strategies

## Keynote Address:

A General Counsel's View on the Future of Food & Beverage Marketing and Advertising Regulatory Compliance

**Nancy Dowling**

General Counsel, **The Dannon Company**

## Corporate Insights:

CEC Entertainment	Dannon	Hershey	Sara Lee
Coca-Cola	Dole Food	J.M. Smucker	WhiteWave Foods
	General Mills	Mars	

## Gain firsthand government insights on:

- Enforcement red flags
- Front-of-pack labeling initiatives
- Food and beverage product claim substantiation
- "Green Guides" and environmental claims enforcement

**James Kohm**

Associate Director, Division of Enforcement  
Bureau of Consumer Protection

**FTC**

**Richard Cleland**

Assistant Director, Division of Advertising Practices, Bureau of Consumer Protection

**FTC**

**Devin Domond**

Senior Attorney, Division of Advertising Practices, Bureau of Consumer Protection

**FTC**

**Kathleen Lewis**

Team Leader, Labeling Compliance  
Division of Enforcement  
Office of Compliance, CFSAN

**U.S. FDA**

**Vincent de Jesus**

Nutritionist  
Office of Nutrition Labeling and Dietary Supplements CFSAN

**U.S. FDA**

## Gain practical strategies from senior-level marketing, advertising and regulatory counsel on:

- ✓ IWG & CFBAI proposals on **food marketing to children** featuring insights from the **FTC, FDA, USDA, CDC, CARU** and **CFBAI**
- ✓ How to **prevent health claim nightmares** when asserting "weight loss," "health conditions," "disease," and "gluten free" product claims
- ✓ What's in a **natural** or **organic** claim
- ✓ Mitigating liability in **social media and online promotions** on *Facebook, Twitter, Groupon* and other social networking sites
- ✓ How to structure **comparative and competitive advertising** claims
- ✓ Mitigating the risk of consumer fraud litigation based on **claims of false and deceptive advertising**

## New, interactive case study panels:

- ✓ **Pom and its Progeny**  
– Developing case law on FTC requirements for health-related claims
- ✓ **Science behind the claims**  
– How to ensure your claims are **supported by the right level of scientific evidence**

## Advanced Working Group Sessions – March 21, 2012

- A** Deep Dive into Food & Beverage Claim Substantiation
- B** Online Behavioral Advertising and COPPA Reform

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Recent headlines tell the story:

“...Recent consumer lawsuits claim that food companies are playing fast-and-loose with the “all natural” designation...”

— “Food Fight: ‘All Natural’ Designation Sparks Litigation,” Wall Street Journal, September 2011

“...Congress formed an Interagency Working Group...to complete a study on food marketing to children...instead of providing the study, the IWG proposed an overreaching set of “voluntary” principles.”

— Press Release, House Energy & Commerce Committee, October 2011

“Does the government have a role to play in fighting childhood obesity... I think the answer is yes.”

— “Marketing to Children: Privacy, Food and Digital Media,” Julie Brill, Commissioner, FTC, October 2011

In light of recent regulatory efforts and continuing private litigation, ACI’s annual **Food & Beverage Marketing & Advertising Summit** provides a prime opportunity for marketing and advertising attorneys who practice within the food and beverage industry to gain specific advice on how to structure, implement and maintain regulatory-compliant and litigation-proof marketing and advertising practices.

Active enforcement by the **FTC** and **FDA** coupled with looming pendency over the highly-contested **proposals on food marketing to children** and continuing uncertainty over **front-of-package labeling** are only a few of the issues currently confronting the food and beverage industry on the marketing and advertising front. In light of these issues, it is crucial that counsel remain up to speed regarding current enforcement trends and industry practices specifically within the food and beverage industry. Take advantage of this opportunity to benchmark and strategize with your peers as you **pose your most pressing questions directly to the government and key industry leaders, including:**

*James Kohm*, Division of Enforcement, Bureau of Consumer Protection, **FTC**

*Richard Cleland*, Division of Advertising Practices, Bureau of Consumer Protection, **FTC**

*Devin Domond*, Division of Advertising Practices, Bureau of Consumer Protection, **FTC**

*Phyllis Marcus*, Division of Enforcement, Bureau of Consumer Protection, **FTC**

*Kathleen Lewis*, Division of Enforcement, Office of Compliance, **CFSAN, FDA**

*Vincent de Jesus*, Office of Nutrition Labeling and Dietary Supplements, **CFSAN, FDA**

*Jennifer Seymour*, Division of Nutrition, Physical Activity, and Obesity, **CDC**

*Elaine D. Kolish*, Vice President & Director, **CFBAI**

*Wayne Keeley*, Vice President & Director, **CARU**

*Robert C. Post*, Center for Nutrition Policy and Promotion, **USDA**

*Genie Barton*, VP & Director, Online Behavioral Advertising & Mobile Marketing, **BBB**

*Kat Dunnigan*, Staff Attorney, **NAD**

*Mary Sophos*, Executive Vice President for Policy and Strategic Planning, **GMA**

A unique offering among industry events, ACI’s **Food & Beverage Marketing & Advertising Summit** provides an opportunity for attendees to engage in an un-biased and open discussion with peers, specifically within the food and beverage industry, while also interacting directly with key leaders within government agencies who are actively involved with marketing and advertising enforcement. Attendees of this conference will benefit from practical, hands-on, solution-driven discussions that will provide informative guidance on how to implement the most effective and regulatory-compliant marketing and advertising strategies.

Continue the benchmarking and networking that will be the hallmark of the main conference by attending the Advanced Interactive Working Groups on March 21<sup>st</sup>:

**A Deep Dive into Food & Beverage Claim Substantiation: How to meet FDA & FTC requirements and ensure sufficient scientific evidence for health, structure/function and nutrient/content claims**

**B Online Behavioral Advertising and COPPA Reform: Learn and benchmark how to structure legally-compliant marketing and advertising efforts when collecting and using data online**

Building on the momentum from last year’s highly successful conference, seats at this year’s installment are expected to go quickly given the great and continuing interest in this topic. Reserve a space now for a member of your marketing, advertising, regulatory and legal teams by calling **1-888-224-2480**; faxing your registration to **1-877-927-1563** or registering online at: **www.AmericanConference.com/foodmarketing**.

## A Must-Attend Event For

Food, beverage, dietary supplement and consumer health product manufacturers, retailers and restaurants:

- In-house counsel and legal support staff responsible for:
  - Advertising
  - Marketing
  - Promotions
  - Regulatory Affairs
  - Government Affairs
  - Intellectual Property
- Marketing, Advertising & Public Relations Directors
- Brand managers

Private practice attorneys specializing:

- FDA/Food and Drug Law
- Food Liability Law
- Food Advertising and Labeling
- Advertising
- Marketing

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Questions about CLE credits for your state? Visit our online CLE Help Center at [www.americanconference.com/CLE](http://www.americanconference.com/CLE)

7:45 **Registration and Continental Breakfast**

8:30 **Conference Co-Chairs' Opening Remarks**

*Brent Robbins*

Assistant General Counsel

**General Mills, Inc.** (Minneapolis, MN)

*John Luedke*

Assistant General Counsel

**Mars** (McLean, VA)

8:45 **FDA and FTC Speak on Enforcement Red Flags and Inter-Agency Cooperation**

*Devin Domond*

Senior Attorney, Division of Advertising Practices  
Bureau of Consumer Protection

**Federal Trade Commission** (Washington, DC)

*Kathleen Lewis*

Team Leader, Labeling Compliance  
Division of Enforcement, Office of Compliance, CFSAN  
**U.S. Food and Drug Administration** (College Park, MD)

- Evaluating the type of marketing and advertising activity that has led to recent enforcement actions
  - health claims
    - FDA – delineating which claims must be approved by FDA under NLEA
    - FTC – delineating which claims should be supported by clinical studies
  - structure, function and performance claims
  - product packaging and labeling
- Update on the status of joint enforcement activity specific to food and beverage marketing and advertising
- Understanding how the FDA and FTC jointly and separately assess your product advertising and decide which claims to pursue
- What recent enforcement actions reveal about points for exposure within food and beverage marketing and advertising

*Attendees will have the opportunity to pose questions at the end of the panel.*

10:00 **Facebook, Twitter, Groupon: Mitigating Liability in Social Media and Online Promotions**

*Mary Lynn Bedell*

Senior Counsel

**Sara Lee Corporation** (Downers Grove, IL)

*Lauren Lacey*

Lead Counsel, Global Marketing & Sales

**The Hershey Company** (Hershey, PA)

*Alison Fitzpatrick*

Partner

Advertising Marketing & Promotions Practice Group

**Davis & Gilbert LLP** (New York, NY)

- How to deal with disclosures in the online space – Twitter, Facebook

- Mitigating liability when engaging in online practices that might lure underage users
- Ensuring claims made and information conveyed on the internet accurately depicts product information
- How to properly engage customers through interactive fan pages and blogs
- Responding to negative consumer commentary on social networking sites
- Lessons learned from recent cases addressing the use of gift cards, discounts and coupons in product advertising – *Groupon*
- Discussing mobile marketing initiatives that can trigger liability – and how to avoid them
- Endorsements and testimonials – knowing when and how to use them
- Complying with CAN-SPAM requirements, particularly when utilizing a “tell a friend” campaign
- Working with agencies and their affiliates to ensure that your online commitments are maintained throughout the chain

10:45 **Morning Refreshment Break**

11:00 **From Weight Loss to Healthy Eating – How to Prevent Health Claim Nightmares: Practical Guidance for Structuring Claims that Will Withstand Government Scrutiny and Private Litigation**

*Brent Robbins*

Assistant General Counsel

**General Mills, Inc.** (Minneapolis, MN)

*Jeffrey Conner*

Vice President

Associate General Counsel and Assistant Secretary

**Dole Food Company, Inc.** (Westlake Village, CA)

*Linda Goldstein*

Partner and Chair

Advertising, Marketing & Media Division

**Manatt, Phelps & Phillips, LLP** (New York, NY)

- Drafting, evaluating and deciding on a proposed health claim
- How to effectively assert problematic product claims – “gluten free,” “weight loss,” “health condition” and “disease”
- How to setup an inter-departmental review process for evaluating health claims prior to release
- Knowing what the enforcement triggers are and how to avoid them
- Lessons learned from recent cases where claims have led to government investigations and/or private litigation

12:00 **Pom and Its Progeny – Examining Developing Caselaw Addressing Evolving FTC Requirements for Health-Related Claims**

*Todd A. Harrison*

Chair, FDA Group

**Venable LLP** (Washington, DC)

- Overview of recent cases – *Pom Wonderful LLC vs. The Federal Trade Commission, In the Matter of Pom Wonderful LLC, Petition For Rulemaking By The Alliance For Natural Health US*
- Addressing the constitutionality of recent FTC consent orders assessing the approach to the substantiation standard for health-related claims
- Dissecting the “FDA Prior Restraint” and the “FTC Two Clinical Trial” requirements
- Discussing the First Amendment defense – how and when it can be effective – when is a claim truthful and not misleading?

12:30 **Networking Luncheon**

### Focus on Food Marketing to Children

1:45 **“Food for Thought” on Marketing to Children: Examining IWG and CFBAI Proposals on Age Restrictions and Nutrient Content**

*Devin Domond*  
Senior Attorney, Division of Advertising Practices  
Bureau of Consumer Protection  
**Federal Trade Commission** (Washington, DC)

*Vincent de Jesus*  
Nutritionist, Office of Nutrition, Labeling and Dietary Supplements, CFSAN  
**U.S. Food and Drug Administration** (College Park, MD)

*Jennifer Seymour PhD*  
Senior Scientist for Policy Initiatives  
Division of Nutrition, Physical Activity, and Obesity  
**Centers for Disease Control and Prevention** (Atlanta, GA)

*Elaine D. Kolish*  
Vice President & Director  
**Children’s Food and Beverage Advertising Initiative** (Arlington, VA)

*Robert C. Post, Ph.D., M.Ed., M.Sc.*  
Deputy Director  
Center for Nutrition Policy and Promotion  
**U.S. Department of Agriculture** (Alexandria, VA)

#### Panel Moderator

*Nerissa Coyle McGinn*  
Senior Counsel, Advertising and Promotions Practice  
**Loeb & Loeb LLP** (Chicago, IL)

In light of the recent controversy surrounding the release of the IWG’s Principles addressing food marketing to children, this session will provide an up-to-the minute review of current proposals from both the Government and industry on this quickly developing and controversial area of the law. Topics to be discussed during this session will include:

- What age range will IWG’s suggested guidelines apply to
- Discussing the Principles outlined in the initial IWG proposal
  - Principle A – defining “meaningful contribution of a healthful diet”

- Principle B – nutrient contents that could have a negative impact on health or weight – saturated fat, trans fat, sugar and sodium
- Addressing additional recommendations for
  - foods with a small serving size, main dishes and meals
  - sodium
- Overview of CFBAI proposals addressing food marketing to children
- Discussing variations in current proposals concerning where companies can advertise food particularly when aimed at children – on product packaging, in stores, in the media

3:00

### **Ensuring a Compliant Marketing and Advertising Campaign for Children Post-Reform: Preventing Costly Product Packaging and Advertisement Mishaps**

*Sabrina Simon*  
Attorney-at-Law  
Former Director, Senior Attorney, Marketing  
**Burger King Corporation** (Miami, FL)

*Jay Young*  
SVP & General Counsel  
**CEC Entertainment** (Dallas, TX)

*Wayne J. Keeley*  
Vice President & Director  
**Children’s Advertising Review Unit** (New York, NY)

- Identifying if your product falls within a category of foods “most heavily marketed” to children
- Complying with current proposals addressing the nutritional quality of food products marketed to children
- Preventing non-compliance in various promotional platforms specifically when marketing food products to children
- Best practices for promoting the healthy qualities of your product without crossing the line into deceptive or unlawful marketing

3:45

### **Afternoon Refreshment Break**

4:00

### **What’s in a Natural or Organic Claim: Preventing Common Pitfalls that Can Lead to Private Consumer Litigation and Downstream Government Enforcement**

*Roger Theodoridis*  
Senior Vice President & Division General Counsel  
**WhiteWave Foods Company** (Broomfield, CO)

*Gonzalo E. Mon*  
Partner  
**Kelley Drye & Warren LLP** (Washington, DC)

- Overview of the regulatory landscape applicable to natural and organic claims
  - natural vs. organic vs. artificial – delineating the difference
  - addressing the use of artificial flavors, HFCS and colors in “natural” products
- GMOs and bioengineered foods – can these products be labeled as “natural”?

- How to craft a “natural” claim – knowing what level of substantiation is required
- Understanding the trend behind recent private consumer litigation and government enforcement – lessons learned from recent and pending investigations and litigation – Kashi, Wesson Oil, Bear Naked

5:00 **Examining the Intersection of IP Rights with Food & Beverage Marketing and Advertising: Character Licensing, Fair Use and Rights of Publicity**

*Adam M. Ekonomon*

Director, Marketing, Advertising and Regulatory Law and Assistant General Counsel

**The J.M. Smucker Company** (Orrville, OH)

*Brian D. Fergemann*

Partner, Intellectual Property Department

**Winston & Strawn LLP** (Chicago, IL)

- How to navigate rules governing fair use of IP in your marketing and advertising
- Understanding when and how a licensing agreement may be required when referencing IP-protected images, characters, phrases, etc.
- Rules for using music in your marketing and advertising – when and how to obtain a license to use a composition vs. a license to use the performance
- Rights of publicity – how to craft an advertisement that uses “look-a-likes”

5:45 **Conference Adjourns to Day Two**



Cocktail Reception Sponsored by:

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**Day Two – Tuesday, March 20, 2012**

8:45 **Co-Chair’s Remarks**

9:00 **Ensuring Your Claims are Supported by the Right Level of Scientific and Statistical Evidence: How to Conduct Effective Surveys, Tests and Studies**

*Daniel M. Ennis*

President of Research Operations

**The Institute for Perception** (Richmond, VA)

*Kat Dunnigan*

Staff Attorney

**National Advertising Division** (New York, NY)

- Scientific and consumer perception studies – what does a proper clinical study look like within the food and beverage industries
- How to pick study/survey participants – understanding how big the sample size needs to be in order to obtain a reliable result
- Knowing what special rules apply to testing of children
- Tips for conducting effective consumer preference testing

Scientific Case Study

- Getting the most of your results – how to effectively use and position clinical/test/survey results in practice
- Expiration on data – how long is study data good for?
- Understanding what can be disclosed in product marketing/advertising and on your product label
- Anticipating whether or not a particular study, survey or test results will draw a challenge by a competitor and how you can respond
- Ensuring that the scientific evidence obtained properly supports the claims marketing wants to make

10:00 **Food Ad Wars: Determining When and How to Challenge a Competitors’ Comparative Advertising Claims**

*Kat Dunnigan*

Staff Attorney

**National Advertising Division** (New York, NY)

*Marc C. Levy*

Partner, Trademark, Copyright, Advertising, and Media Team

**Faegre & Benson LLP** (Denver, CO)

- How to structure regulatory-compliant comparative claims that address product attributes – taste, texture, preference, improvement
- Understanding how far can you go in making comparative claims for food, beverages and dietary supplements?
- How to use public relations initiatives to fire back at competitors
- Identifying best enforcement options for a challenge
- Outlining the possible course of action when you believe a competitor’s claim cannot be substantiated
  - determining when it may make sense to ignore the competitor – weighing what may constitute puffery
  - timing your challenge to achieve the best outcome
  - knowing how the NAD help you resolve a dispute
- Addressing whether or not filing an NAD action exposes you to a declaratory judgment action
- Dissecting the advantages and disadvantages of going to federal court
- Overview of recent NAD decisions on comparative claims involving food, beverages and dietary supplement products
  - Update on recent developments in private Lanham Act actions in the food and beverage industry

10:45 **Morning Refreshment Break**

11:00 **Minimizing Downstream Risk and Exposure to Consumer Fraud Litigation Based on Claims of False and Deceptive Advertising**

*Madeleine M. McDonough*

Co-Chair, Agribusiness & Food Safety Practice

**Shook, Hardy & Bacon L.L.P.** (Washington, DC)

- Update on the development of consumer fraud caselaw involving food and beverage manufacturers – where have plaintiff’s counsel been spending their time?
  - natural, HFCS, trans fat and obesity claims

Litigation Update

- exploring allegations around essential nutrients added to food and beverages for fortification purposes – DHA, omega-3 fatty acids, probiotics
- Examining current theories most utilized by consumer advocates against food and beverage manufacturers
- Overview of most effective defenses for private consumer fraud litigation - update on preemption
- Responding to implied and express warranty claims aimed at health benefits asserted on the package label
- Understanding what types of claims/product advertising are most likely to trigger negative attention from the government
- Adulteration, contamination and misbranding – knowing what the standard is
- How to respond to government warning letters without creating a litigation roadmap – crafting your response to an FDA Form 483, warning letter or consent order

### 11:30 **How to Respond to an Actual or Threatened Joint FDA/FTC Enforcement Action**

*John Luedke*  
Assistant General Counsel  
**Mars** (McLean, VA)

*Miriam Guggenheim*  
Partner, Food & Drug Practice Group  
**Covington & Burling LLP** (Washington, DC)

- Understanding the respective jurisdiction, authority, and claim criteria for each agency
- Crafting a response to one agency in a manner that will prevent it from being used as an admission by another agency
- How to best defend your product claims when responding to access letters requesting specific evidence on product substantiation
- Steps to take to minimize downstream litigation exposure

### 12:15 **Keynote Address: A General Counsel's View on What Lies Ahead for Food & Beverage Marketing and Advertising Regulatory Compliance**

*Nancy Dowling*  
General Counsel  
**The Dannon Company Inc.** (White Plains, NY)

### 12:45 **Networking Luncheon**

### 2:00 **"Nutrition Keys" and the IOM Report: Examining Current Front-of-Pack Labeling Initiatives and the Impact on Industry**

*Cheryl Turner*  
Marketing Counsel  
**The Coca-Cola Company** (Atlanta, GA)

*Vincent de Jesus*  
Nutritionist, Office of Nutrition, Labeling and Dietary Supplements, CFSAN  
**U.S. Food and Drug Administration** (College Park, MD)

*Mary Sophos*  
Executive Vice President for Policy and Strategic Planning  
**Grocery Manufacturer's Association** (Washington, DC)

- Update on the "Nutrition Keys" initiative – how is the program working in practice
- IOM Phase 2 Report – expected findings and the potential impact on business operations for the industry
- How to avoid the use of "unauthorized" terms on your product label
- Developing an internal compliance program for pre-screening product labels to ensure truthfulness and accuracy
- Responding to allegations of misbranding based on information listed on product labels

### 3:00 **Afternoon Refreshment Break**

### 3:15 **Environmental Claims Enforcement and the "Green Guides"**

*James Kohm*  
Associate Director, Division of Enforcement  
Bureau of Consumer Protection  
**Federal Trade Commission** (Washington, DC)

During this session get updated on the current status of the FTC's proposed "Green Guides" as well as an overview of recent enforcement efforts targeting "environmentally-friendly" and sustainability claims involving food and beverage products.

### 3:45 **Addressing Food & Beverage Marketing Regulatory Changes in the EU and Canada**

*Guy Valkenburg*  
Principal  
**EAS Consulting** (Brussels, Belgium)

- Preparing for the impact of impending EU reform impacting on food information to consumers
- Understanding how the various transition periods will impact your food and beverage marketing and advertising practices overseas
- Analyzing the scientific opinions of the European Food Safety Authority (EFSA)
- Discussing what's in the pipeline for other proposed EU regulations on health claims
- Update on current proposed food regulatory reforms in Canada

### 4:30 **Conference Concludes**

**"Speakers and presentations were excellent."**

– Global Procurement Counsel, Whole Foods Market

**"ACI has great conferences. This one was no exception."**

– Division General Counsel, Yum! Brands

**Interactive Working Group A**

9:00 am – 12:30 pm (Registration begins at 8:30 am)

**A DEEP DIVE INTO FOOD AND BEVERAGE CLAIM SUBSTANTIATION: A Practical Guide to Meeting FDA and FTC Requirements and Ensuring Sufficient Scientific Evidence for Health, Structure/Function and Nutrient/Content Claims**

*Richard Cleland*

Assistant Director, Division of Advertising Practices  
Bureau of Consumer Protection  
**Federal Trade Commission** (Washington, DC)

*John Luedke*

Associate General Counsel  
**Mars** (McLean, VA)

*Claudia A. Lewis- Eng*

Co-Chair, Dietary Supplements  
Cosmetics and Functional Foods  
**Venable LLP** (Washington, DC)

By popular request, this intense working group session will provide attendees with a deep dive exploration of how to meet FDA and FTC requirements for sufficient substantiation when structuring health, structure/function and nutrient/content claims. Take note as you are guided through a step-by-step examination of these problematic claims as you are provided with best practices and practical strategies for ensuring your team is collecting sufficient evidence to substantiate advertised health claims.

This session has been designed to facilitate discussion and engage the participants in a real-life dissection of challenges commonly encountered when deciding on whether or not to use a specific health claim. Attendees will examine health claims while also gaining insights into how to develop a workable procedure for gathering sufficient evidence to substantiate a health claim. Topics of discussion will include:

- Understanding what the FTC requires and looks for as adequate substantiation for various types of product claims for food and beverage products
- Discussing substantiation standards and the scientific evidence required for various types of product claims
  - health claims – qualified, emerging evidence, statement of fact
  - structure/function claims
  - nutrient/content claims
  - special cases – disease and immunity claims, whole grains/other
- Dissecting the key components of the most commonly made claims
- Addressing implied claims
  - knowing when and how an implied claim is being made – requirements for substantiation
  - addressing net impression and reasonable interpretation – how is this defined by FTC
  - common problem areas
- How to use and reference new and emerging ingredients and flavors in product marketing and advertising without raising red flags to the Government – herbs, cocoa, honey, dairy

**Interactive Working Group B**

1:30 pm – 5:00 pm (Registration begins at 1:00 pm)

**ONLINE BEHAVIORAL ADVERTISING AND COPPA REFORM: How to Structure Legally-Compliant Marketing and Advertising Efforts When Collecting and Using Data Online**

*Genie Barton*

Vice President and Director, Online Behavioral Advertising Program and Mobile Marketing Initiatives  
**Council of Better Business Bureaus** (Arlington, VA)

*Phyllis Marcus*

Staff Attorney, Division of Enforcement  
Bureau of Consumer Protection  
**Federal Trade Commission** (Washington, DC)

*Andrew B. Serwin*

Chair, Privacy, Security & Information Management Practice  
**Foley & Lardner, LLP** (San Diego, CA/Washington, DC)

Take note during this interactive working group as you are guided through the FTC’s Proposed Revisions to the Children’s Online Privacy Protection Rule including the five key areas of rule that are being proposed for modification.

Learn what impact the proposed revisions could have on your company’s marketing and advertising practices as well as preventive steps your company can take now to ensure that your online marketing and advertising initiatives properly address online data, security and privacy concerns. Topics to be discussed during this exclusive session will include:

- Overview of the proposed revisions to the COPPA Rule
  - definitions – “personal information” and “collection”
  - parental notice and parental consent mechanisms
  - confidentiality and security of children’s personal information
  - role of self-regulatory “safe harbor” programs
- Considering the impact of proposed revisions to COPPA on food and beverage marketing and advertising involving
  - new media including mobile apps featuring animated characters
  - website content geared towards children
  - videos, photos, geo-location data
  - behavioral marketing
- Online behavioral advertising – update on industry compliance with self-regulatory principles governing online behavioral advertising as administered by the Digital Advertising Alliance
- How to address data security and retention when consumer information is collected in the course of advertising
- Knowing how children’s information collected online can be used and what measures should be taken to protect child consumer data

Media and Association Partners



2<sup>nd</sup> Advanced Legal & Regulatory Summit on

# Food & Beverage Marketing & Advertising

Responding to heightened enforcement risks with effective and compliant marketing strategies

## Gain Corporate Insights From

CEC Entertainment	Hershey
Coca-Cola	J.M. Smucker
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Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

### Cancellation and Refund Policy

You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other **ACI** conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. **ACI** reserves the right to cancel any conference it deems necessary and will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by **ACI** for changes in program date, content, speakers, or venue.

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Reservations: 202-429-1700 or 888-627-9035

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