Alcohol Beverage

GrayRobinson's Alcohol Industry Team focuses on the manufacture, distribution, retail sale and consumption of licensed beverages. The firm's professionals have experience representing clients in all segments and at all levels of the U.S. three-tiered system. We also have international experience with licensed beverage importers and exporters.

Because the alcohol beverage industry is a unique and heavily regulated industry, we use a broad range of lawyers and other professionals to represent you. Our commitment to this area of the law is demonstrated by the fact that Richard Blau, the head of our Alcohol Industry Team, currently serves as the Chairman of the American Bar Association's Committee on Beverage Alcohol Practice.

In addition, we have on staff consultants who cumulatively have more than 100 years of regulatory experience, including the former director of Florida's Division of Alcoholic Beverages and Tobacco, former head of California's Department of Alcohol Beverage Control, former senior official with the U.S. Bureau of Alcohol Tobacco and Firearms, and former Chief of Labeling and Formulation and Marketing Compliance Branches of the U.S. Alcohol Beverage and Tobacco Tax and Trade Bureau. These professionals bring to the table wisdom, experience and relationships gained through previous regulatory careers spanning decades of public service.

In addition to knowing state and federal beverage laws and regulations throughout the U.S., GrayRobinson professionals make it their business to know the administrators and government personnel who enforce those laws. To serve you as an alcohol beverage client, we maintain strong working relationships with state alcohol regulators across the U.S.

Federal Level

Our Alcohol Industry Team regularly deals with the U.S. Treasury's Alcohol Beverage and Tobacco Tax and Trade Bureau (TTB). Other firm lawyers at GrayRobinson are available to focus their talents and relationships on alcohol issues involving executive branch agencies such as the Food and Drug Administration (FDA), the Federal Trade Commission (FTC), the U.S. Bureau of Customs & Border Protection, and the Department of Agriculture (USDA), as well as key committees of Congress.

State Level

We maintain close contacts with administrators and regulators in control states represented by the National Alcohol Beverage Control Association (NABCA), as well as in those states that are members of the National Conference of State Liquor Administrators (NCSLA). The firm is an associate member of both NABCA and NCSLA. In addition, the lawyers and legislative lobbying.
professionals of GrayRobinson are available to provide legislative advocacy and lobbying services to achieve client results at the state level. We also work with state trade associations throughout the U.S., offering strategic guidance as well as legal counsel on a host of industry issues.

Local Level

Our integrated, multi-office law practice provides you with the unique capability to identify and resolve legal and regulatory issues. The local relationships we maintain with city and municipal leaders help you address and resolve alcohol industry issues in a diverse range of communities.

Our alcohol industry clients are as diverse as the jurisdictions in which we practice. GrayRobinson counsels numerous licensed beverage manufacturers, wholesale distributors and retail vendors. Our manufacturing clients range from the world's largest brewer to small specialty vintners, as well as distillers that are national and international in scope. We also represent foreign manufacturers and importers operating from around the globe.

At the wholesale level, we represent beer and wine distributors in local and regional markets. We also have experience counseling statewide wholesaler organizations.

At the retail level, GrayRobinson's clients include restaurants, entertainment theme parks, hotel chains and a variety of other on-premise license-holders, as well as off-premise vendors such as national convenience stores. We also represent a broad range of private and public venues, including arenas, theatres, theme parks and other areas where alcohol beverages are sold and consumed.

The areas in which we counsel our clients are equally broad in scope. Our Alcohol Industry Team has the collective experience and resources to counsel you in legal issues as diverse as those relating to the marketing and commerce of alcohol products, taxation, intellectual property, regulatory compliance and (when necessary) dispute resolution.

Marketing and Commerce

From counseling an Internet grocer seeking to sell alcohol products to its online customers to facing bankruptcy and creditors’ rights concerns with a company that got its start following the repeal of Prohibition, we have helped new and existing members of the alcohol beverage industry with a variety of marketing and commerce issues. Our experience encompasses:

- e-commerce and Internet marketing
- advertising, marketing and compliance issues
- financial and transactional matters
- interstate and international trade arrangements
- shipping and transportation agreements
- protection of intellectual property rights
- bankruptcy and creditors’ rights concerns
Regulatory Compliance

Our Alcohol Industry Team works efficiently and cost-effectively to help you comply with the ever-expanding network of local, state, regional, federal and even international laws and rules governing this heavily regulated industry. Our experience encompasses:

- compliance auditing and employee training
- governmental relations and representation before regulatory agencies
- local, state and federal licensing and permitting
- trade practice regulation
- defense against administrative or enforcement actions

Dispute Resolution

Every member of the alcohol beverage industry will face potential or actual litigation at some point. GrayRobinson works with you to avoid litigation whenever it is practical and in your best interest. In those instances when litigation is inevitable, our law firm endeavors to protect your interests with seasoned trial lawyers who have years of bench and jury trial experience in both state and federal courts.

Our trial lawyers have successfully litigated precedent-setting cases for clients in areas such as supplier/distributor relations. For example, our team successfully represented the manufacturer in the case of *Geary Distributing Co. v. All Brand Importers, Inc.*, (establishing that retroactive application of a state's beer franchise law to a pre-existing distribution agreement violated constitutional protections against the impairment of contracts).

Similarly, our team of lawyers obtained the first judicial ruling on "brand extension" in Florida by successfully litigating on behalf of the beer manufacturer in the case of *Jim Taylor Corp. v. Guinness Import Co*. Most recently, in *Schieffelin & Co. v. U.S. Hospitality of Tampa Bay, et al*, our team members protected a champagne manufacturer's intellectual property rights from infringement, and in doing so obtained highly favorable federal court recognition of the client's reputation for fine quality products.

However, because a courtroom trial represents only one method of dispute resolution, our law firm works with you to resolve contested disputes in a variety of ways:

- mediation, arbitration and other alternative dispute resolution services
- litigation and trial work
- appellate representation

Governmental Affairs
Whether at the federal or state level, ongoing legislation and rulemaking continually remake the "rules of the game" for the alcohol beverage industry. All members of the industry need to monitor these constant changes. Some members require more than monitoring, finding it valuable to have a say in the direction of those changes.

The governmental affairs professionals of GrayRobinson serve both types of clients. We have drafted alcohol-related legislation, both for private industry and government. We also have testified before state legislative bodies regarding proposed laws that would impact the alcohol industry, again both for private industry and government. Our scope of experience in these areas includes:

- advocating client positions before state and federal legislatures and agencies
- educating clients on existing alcohol statutes and rules
- monitoring proposed alcohol legislation in all jurisdictions

Taxation

Regardless of the relevant jurisdiction, taxation is a critical component of any business operating in the alcohol beverage industry. Whether at the federal or state level, GrayRobinson’s lawyers and professionals have experience in these areas, including:

- lobbying before federal and state legislatures and agencies
- tax compliance
- tax planning to reduce and minimize future ongoing tax obligations
- transaction structuring to facilitate tax avoidance

Commitment to Quality Service

Our mission is to provide clients with highly valued legal services in a timely fashion and at a reasonable cost while maintaining professionalism and integrity, and to be responsive to the needs of our community. Helping our clients achieve their goals is our highest priority.