

Brian A. Fink

Associate

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Brian provides solutions-oriented legal and regulatory services to the food, alcoholic beverage, dietary supplements and cannabis industries.

Brian's varied experience includes compliance with FDA, USDA, TTB, FTC and state beverage-alcohol and cannabis laws and regulations; alcoholic-beverage licensing and compliance among all tiers in all 50 states, Washington, D.C. and Puerto Rico; strategizing investments in highly regulated companies; commercial agreements, including for services, food and beverage management, distributorships, sponsorships, co-packing and co-manufacturing, leasing and other transactions; and corporate matters, including formation, amendments, mergers and acquisitions and dissolutions.

With deep industry knowledge and experience, Brian helps clients successfully navigate the legal and regulatory complexities involved in the manufacture, distribution and sale of food, alcoholic beverages, dietary supplements and cannabis. His keen understanding of emerging technologies empowers him to provide practical guidance on the application of relevant state and federal laws and regulations to artificial intelligence, blockchain, biotechnology, e-commerce, social media and robotics.

He also has substantial experience with consumer brands and luxury law, advising high-net-worth individuals, auction houses, manufacturers, brand owners, importers, distributors, retailers of

Services

- Commercial & IP Transactions
- Artificial Intelligence
- Beauty & Wellness
- Business & Corporate Finance
- Cannabis
- Consumer Brands
- Food & Beverage
- Hospitality, Travel & Tourism
- Luxury Law
- Sports, Arts & Entertainment

Admissions

- New York, 2019
- Washington, 2020

high-end wines and spirits and luxury hotels on a variety of legal and regulatory issues, including licensing structures and compliance with state and federal trade-practices and tied-house rules, import and export regulations, tariffs, foreign appellations of origin, trade embargos, international trade rules, marketing and advertising laws and commodity-specific regulations.

Brian speaks and writes frequently about the laws and policies affecting food and alcoholic beverage companies.

Education

J.D., University of California, Los Angeles School of Law

UCLA Law Review, Discourse Editor and Staff Editor

Food Law Society, President

B.A., University of Washington, Communications and Journalism

Clerkships

U.S. Court of Appeals for the Ninth Circuit, Hon. Kim McLane Wardlaw, Judicial Extern

Honors & Recognition

Rising Star, New York Metro Super Lawyers, Food & Drug Law, 2021-present

Professional Activities

New York State Bar Association, Member

- Food, Drug & Cosmetic Section

New York City Bar Association, Member

- Hospitality Committee

News

Six Attorneys Named to 2024 New York Metro Super Lawyers Lists

Foster Garvey Newsroom, 10.24.24

Foster Garvey Adds Accomplished Regulatory Lawyer Brian A. Fink in New York, Bolsters Food and Alcoholic Beverage Capabilities

Foster Garvey Newsroom, 3.11.24

Speaking Engagements

"Perspectives on the Rapid Growth of Non-Alcoholic and Low Alcohol Beverages," NCSLA 2024 Annual Conference

Speaking Engagement

Washington, D.C., 6.17.24

National Conference of State Liquor Administrators (NCSLA) 2024 Annual Conference Event

Washington D.C., 6.16.24-6.19.24

Legal Alerts

New Direct-to-Consumer Law Permits Shipments of Distilled Spirits, Cider and Mead to New Yorkers

9.5.24

Publications

Can the U.S. Alcohol Industry Withstand the Return of Tariffs?

SevenFifty Daily, 10.28.24

Understanding the Complex Legal Landscape of Interstate Alcohol Shipping

SevenFifty Daily, 7.2.24

Chapter 17: Codex Alimentarius at Home and Abroad: The Regulatory Costs of Developing and Implementing International and National Food-Safety Standards

Research Handbook on International Food Law, 11.9.23

FSMA on the Farm: Preventive Controls for Human Food Rule & Value-Added Products

4.12.20

Food Localization: Empowering Community Food Systems Through the Farm Bill

Journal of Food Law and Policy, 6.27.18