

**Virginia Alcoholic Beverage Control Authority**

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The Virginia Alcoholic Beverage Control Authority (“VA ABC” or “Authority”) concurs with the majority of the Department of Planning and Budget’s (“DPB”) economic analysis; however, the agency does take exception to a statement mentioned by the analyst in the section entitled "Estimated Benefits and Costs". In that section, the analyst states, “The proposed amendments may generate some losses to entities that engage in advertising if they had already invested in advertising materials that specifically targeted 18–21-year-olds.” The analyst’s assessment assumes that there are members of the alcohol industry actively engaging in advertising to individuals over the age of 18 yet under the age of 21 who cannot lawfully purchase, possess, or consume alcohol (*see* §§ 4.1-304; 4.1-305 of the Virginia Code). The agency does not agree with taking into consideration the actions of entities that would promote violating the law in assessing the economic impact (if any) of the proposed regulations.

