



## Katie Rogers

Special Counsel

[krogers@kelleydrye.com](mailto:krogers@kelleydrye.com)

Washington, DC  
(202) 342-8455

### About

Katie brings broad experience in advertising and marketing law, advising clients across industries on legal risks associated with consumer messaging, brand campaigns, and regulatory compliance. Her work spans traditional and digital media, with a particular focus on environmental, social, and governance (ESG) claims and health-related product advertising.

Katie is a trusted advisor to companies developing and marketing ESG initiatives. She provides legal guidance on sustainability goals—such as reducing carbon emissions, minimizing waste, and phasing out chemicals of concern—and helps clients craft compliant public-facing messages. Katie has significant experience counseling clients on extended producer responsibility (EPR) laws for packaging and related materials, advising businesses on their evolving obligations as producers under state laws. She helps companies assess applicability, manage compliance strategies, and prepare for reporting and fee requirements. More broadly, Katie works closely with businesses to evaluate legal risks, align ESG practices with current and emerging laws and regulations, and build strategic frameworks for long-term compliance and impact.

In the health and wellness space, Katie advises food, supplement, and cosmetic companies on Federal Food, Drug, and Cosmetic Act (FDCA) compliance, product labeling and advertising, and regulatory due diligence in connection with business transactions. Her experience includes evaluating Generally Recognized as Safe (GRAS) status for food ingredients and packaging, managing product recalls, and negotiating commercial agreements to address regulatory obligations.

Katie also counsels clients on a wide range of consumer protection issues, including sweepstakes and promotions, influencer marketing, endorsements and testimonials, and privacy considerations in advertising. She has successfully defended clients against pre-litigation claims and challenges before the National Advertising Division (NAD) and the National Advertising Review Board (NARB), delivering pragmatic, business-oriented solutions.

In addition to her law firm experience, Katie has supported clients as an embedded legal advisor through long-term secondments with companies across industries—including a Fortune 500 software provider, a global athletic apparel brand, a large food manufacturer, and a national fitness franchisor—giving her unique insight into in-house legal and business priorities.

## Experience

Managed major food recall, including guidance on all aspects of communication with regulators, stakeholders, and end customers. Provided guidance on mitigating risk of post-recall litigation.

Assisted companies on preparing applications and testing for environmental certifications, such as home and industrial compostable, organic, and bio-based.

Represented brands in the review and development of sustainability and general ESG claims and substantiation for those claims.

Negotiated sustainability provisions in framework agreement for sourcing cocoa.

Advised companies on PFAS safety considerations and other chemical safety claims and testing.

Prepared risk assessment related to the rollout of carbon reduction efforts in supply chain and messaging related to same.

Advised cosmetic brands on adequacy of substantiation for product benefit claims.

Negotiated supply, licensing, and partnership agreements for clients.

Successfully defended pre-litigation demands, NAD challenges, and NARB appeals.

Advised a number of clients on extended producer responsibility laws and requirements for packaging.

Managed ongoing review of large retailer's product labels to ensure compliance with CPSC requirements.

Represented a consumer products company in a due diligence review to identify legal risks associated with potential acquisition of a multi-level marketing company manufacturing and distributing nutritional supplements.

Assisted major retailers with interpreting and complying with the FTC's Textile Act, Wool Act, and Fur Products Labeling Act.

Assisted industry trade groups and clients in preparing comments on the proposed revisions to the FTC's Green Guides for 2012 updates and updates requested in 2022.

Successfully represented insulation company in an investigation by the FTC regarding safety and environmental benefit claims.

Advised major food and beverage company on safety and suitability of products and components under FDA laws and regulations. This included regulatory review of chemical components, advice related to test protocols, work with outside scientific advisor, and preparation of legal opinion letters.

Long-term secondment to a Fortune 500 software provider company assisting the legal team with privacy compliance, negotiating agreements with technology partners, and reviewing promotions.

Long-term secondment to a major shoe and apparel brand advising on product performance and environmental benefit claims and support.

Seconded to a large nutritional food manufacturing company, assisting the legal team with endorsements and testimonial claims, subscription marketing, and providing guidance on survey

methodology.

Seconded to franchisor and operator of fitness centers, negotiating a variety of agreements.

## **Related Services**

Advertising and Marketing

Advertising Technology

Dietary Supplements and Functional Foods

Environmental, Social and Governance (ESG)

Federal Trade Commission

Food and Drug

Make America Healthy Again (MAHA) and Ultra-Processed Foods (UPFs)

Marketing and Promotions

Privacy and Information Security

State Attorneys General

PFAS and Emerging Contaminants

## **Education**

Boston College Law School, J.D., 2004

Boston College, B.A., 2001

## **Admissions**

Massachusetts, 2021

District of Columbia, 2005

## **Courts**

U.S. District Court–District of Massachusetts