

FOOD & BEVERAGE

OVERVIEW

BCLP's lawyers have significant cross-functional experience in all types of "farm-to-fork" matters affecting the food and beverage industry, be they regulatory, litigation or commercial. Significantly, our experience is with companies at all stages of the "farm-to-fork" spectrum, including production agriculture, ingredient manufacturing, food processing, packaging, distribution, preparation and retail.

Food and beverage regulations impact all of us. Legal issues arise throughout every level of production, including: the regulation of agriculture; what ingredients are allowed in food and beverage products; where and how food and beverages are processed; how food and beverages are packaged, labeled, distributed and advertised; and how to deal with regulatory and litigation issues impacting food and beverage quality and safety. Importantly, we work hard to incorporate business considerations into our legal analysis so our advice is immediately useful to our clients.

Our experience covers a wide range of statutes, including the Federal Food, Drug and Cosmetic Act (and the many laws that modify it, including the Food Safety Modernization Act), the Federal Seed Act, the Federal Insecticide, Fungicide and Rodenticide Act, the Bioterrorism Act and the Lanham Act. We have experience working with federal agencies such as FDA, USDA, EPA, and the FTC and their state counterparts regarding these laws and the obligations they impose.

TYPES OF ISSUES WE HAVE ADDRESSED

- Regulation of food ingredients and additives
- Labeling and advertising claims, compliance and support (including "all natural," "hormone-free" and "non-GMO")
- Adulteration and recall management, including regulatory agency interaction and litigation between private parties
- Use and presence of pesticides and biotechnology (also known as genetically modified organisms)
- Organic production

- Import and export of food and grain products
- Food facility registration and compliance
- Advice on government inspections or investigations
- Assessing the impacts of and assisting with implementation of the Food Safety Modernization Act
- Packaging, transportation and distribution of food ingredients and products
- Regulation of food preparation and retail facilities
- Compliance with environmental and occupational safety (OSHA) laws

In addition to these areas of regulatory and litigation experience, we have a very sophisticated commercial transactions practice, with lawyers well-versed in the food and beverage industry advising clients on and preparing stock and asset purchase agreements and agreements relating to sales, distribution, wholesaling, licensing, franchising, finance (lender and borrower), equity offerings and more.

Although we work within a specialized area, group members have the full resources of the firm behind them. BCLP's more than 1,275 attorneys across the United States, Europe and Asia are linked by technology and our "One Firm" approach to get the job done right.

MEET THE TEAM



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