

HUSCH BLACKWELL

Food Safety & Regulation

Husch Blackwell positions clients out in front of local, state, federal and international laws and regulations that govern all facets of food production, packaging and distribution, including labeling, recalls, safety, organic certification and dietary supplements. Our attorneys also develop tailored compliance strategies aimed at helping businesses of all sizes avoid and manage FDA and USDA investigations and enforcement proceedings, as well as potential consumer and competitor litigation. When federal or state agency actions or private litigation matters do arise, we advise on efficient and effective responses.

- Product recall strategy and response
- Import and export requirements
- Food Safety Modernization Act (FSMA) implementation & compliance
- Implementation of Hazard Analysis and Critical Control Points (HACCP), Hazard Analysis and Risk-Based Preventive Controls (HARPC), and Current Good Manufacturing Practice (CGMP) regulations & sanitation procedures
- Pasteurized Milk Ordinance (PMO) compliance
- Product labeling & claim substantiation
- GRAS self-certification and notices, food additive petitions, New Dietary Ingredient (NDI) notices, Food facility registrations, Low Acid Canned Food (LACF) registration and process filings, and other FDA submissions
- USDA organic certification and other USDA regulatory requirements
- Proposition 65 compliance and response to 60-day notices
- Federal and state inspections

\$15.6B

Annual costs to combat foodborne illnesses

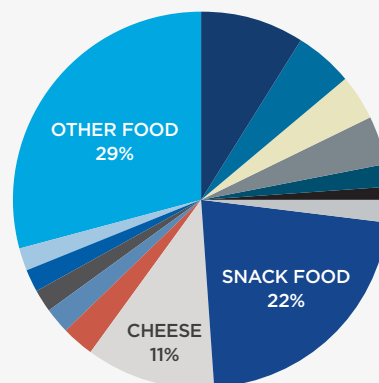
~400

Active food marketing class action lawsuits in U.S. federal courts

80%

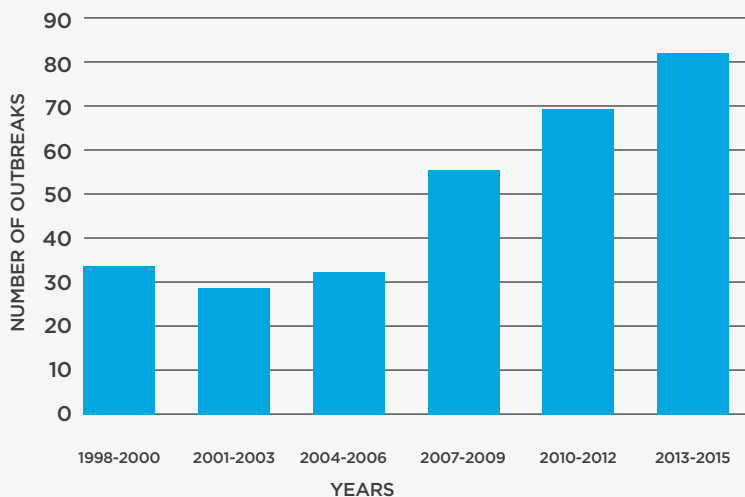
Percentage of U.S. food supply regulated directly by FDA

Frequently Targeted Products in Class Action Litigation



Source: U.S. Chamber of Commerce Institute for Legal Reform

Multistate Foodborne Disease Outbreaks by Year, 1998-2015



Source: Centers for Disease Control and Prevention.

Experience Matters

Our team includes a former FDA regulator and a food industry trade association counsel, who rely on their scientific and technical backgrounds to aid clients. Combined with other experienced litigators and corporate attorneys, our team provides a broad, business-focused approach to food regulatory issues. Together, we are regularly called on by clients to provide experienced legal counsel and practical, hands-on advice on complex food regulatory matters.

Practice Highlights

- Assisted with the implementation of a food recall to limit publicity, efficiently recover product from distributors, and coordinate with state and federal officials.
- Developed labeling compliance program for a manufacturer's product line and advised staff on preparing new labels.
- Guided companies with the development of product claims and promotional campaigns.
- Assisted national trade association in obtaining exemption for certain produce from FSMA requirements.
- Advised meat-processing facility on FSIS records retention requirements.
- Counseled cheese and dairy ingredients manufacturers on federal and state GMO labeling law compliance.

Aligned by industry. Built on relationships.

Our goal is to provide the food and supplement industry with the tools and counsel to help safeguard the world's food supply through business-focused regulatory practices that are flexible and compliant with sometimes divergent regulatory requirements.

ATTORNEY CONTACTS

Marnie Jensen, Partner

Omaha | 402.694.5034
marnie.jensen@huschblackwell.com

Seth Mailhot, Partner

Washington, DC | 202.378.2306
seth.mailhot@huschblackwell.com

Emily Lyons, Associate

Washington, DC | 202.378.2315
emily.lyons@huschblackwell.com