

# Food & Beverage

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## RELATED SERVICES

- Agrichemicals & Agribusiness
- Product Liability
- Retail & Hospitality

## CONTACTS

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Partner

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Partner

## OVERVIEW

GRSM represents leading food, beverage, and dietary supplement manufacturers, distributors, and retailers in a wide range of litigation and regulatory matters. Our work spans cases arising from recalls, foodborne illness outbreaks, food contamination incidents, consumer fraud class actions, labeling challenges, and supply chain disputes. Our team has developed deep knowledge across the food industry, including food manufacturing and production, safety protocols such as HACCP, distribution and retail practices, supply chain management, labeling and advertising, inspections, regulatory enforcement actions, and related risk management issues. When clients hire GRSM, they gain a legal team with a profound understanding of the food and beverage industry, its practices, and the challenges it faces.

We have a long history of representing market leaders in the food, feed, and dietary supplement industries. Our clients include major producers, distributors, and retailers of meat and poultry, eggs, nuts, fresh fruits and vegetables, sprouts, cereal, dairy products, dietary supplements, pet food, animal feed, and ethanol byproducts.

## REPRESENTATIVE EXPERIENCE IN FOOD LITIGATION

- **Coli:** Cases involving spinach, alfalfa sprouts, apple juice, Brussels sprouts, and meat products
- **Hepatitis C:** Green onions
- **Eosinophila Myalgia Syndrome:** L-Tryptophan

- **Dietary Supplements**
- **Legionnaire's Disease:** Waterborne bacteria
- **Hepatitis-C and Food Contamination:** Restaurant foods
- **Salmonella:** Spices
- **Food Contamination:** Defending clients against claims related to contaminated food products that pose health risks to consumers
- **Intellectual Property Litigation:** Trademark, trade dress, unfair competition, and advertising disputes related to labels and packaging design for food products (e.g., chocolates, teas, spices) and beverages (e.g., craft beer, bourbon, whiskey, tequila/mescal, and mixed alcoholic beverages)

#### REPRESENTATIVE EXPERIENCE IN LABELING & MARKETING

- **Regulatory Counseling:** Advising on USDA, FDA, and state regulations governing labeling, statutory compliance, marketing, advertising, retail practices, and imports/exports
- **Regulatory Representation:** Representing companies before the USDA and FDA regarding compliance concerns, including responding to warning letters and Form 483s
- **Labeling and Advertising Review:** Reviewing product labeling and advertising to advise on best practices for avoiding enforcement actions and consumer fraud claims
- **Prop 65 Compliance:** Advising manufacturers on compliance and risk management concerning Prop 65 labeling
- **Intellectual Property Representation:** Representing companies before the USPTO and Trademark Trial and Appeal Board (TTAB) on matters related to food and beverage labels, packaging design, branding, trade dress, and trademarks, including design and utility patents

#### REPRESENTATIVE EXPERIENCE IN FOOD SAFETY & CONTAMINATION

- **Safety Compliance:** Advising on food safety issues, including HACCP, cGMPs, SSOPs, and FSMA compliance
- **Regulatory Defense:** Representing companies during FDA, USDA, and state inspections, enforcement actions, and governmental investigations
- **Recall and Contamination Management:** Advising manufacturers and distributors on managing recalls, addressing food contamination incidents, and interacting with FDA regulatory authorities
- **Risk Management:** Advising on regulatory and supply chain risk mitigation and management
- **Contractual Agreements:** Drafting supply agreements and other contracts that address regulatory compliance, product specifications, guarantees and warranties, inspections, recalls, and indemnity