

From farm to table, every stage of the agricultural production and distribution cycle involves regulations that intersect with business strategy. We assist clients in expanding agricultural production and managing the transportation and storage of food in a sustainable manner.

## The issue

The population of the world will exceed nine billion people by 2050. Those people will tend to live in urban areas, removed from the source of food production.

There are a number of risks associated with the industrial agriculture required to meet the demands of this growing global population, from deforestation to the use of pesticides. The agricultural sector also accounts for a substantial percentage of global greenhouse gas emissions. Yet the agricultural sector can also have a positive ESG impact, such as the creation of alternative plant-based fuels, pollutant-free nutrition systems, and the development of reliable and sustainable agricultural systems. This potential is the target of the second UN Sustainable Development Goal (“SDG”): “End hunger, achieve food security and improved nutrition and promote sustainable agriculture.”

## What we do

We have a dedicated global network of food law lawyers who advise on local, national and international legal requirements. Our team advises the world’s top food and beverage producers, manufacturers, and retailers, as well as start-ups, trade associations, and non-profits.

ESG regulation on agricultural practices is increasing: the EU’s Common Agricultural Policy is being reshaped with greater focus on climate action and biodiversity protection, with social aims to foster vibrant rural communities and generational renewal. The UK’s post-Brexit Environmental Land Management system also places ESG factors at the heart of its regulation. As part of a wider push for ESG regulation in the US, there are a number of proposed new bills that would drive climate-related reporting by food producers and suppliers.

Because we counsel a wide array of organizations and companies, we understand the issues and legal concerns facing this industry like no one else. We are not just food lawyers, but food industry lawyers. We assist clients in all aspects of agriculture and food transportation, storage and marketing, as well as land management and water use, including environmental permitting and land use management.

## Our impact

Representative matters we have handled include:

- Advising the Government of Liberia regarding the inclusion of provisions in its large-scale agricultural concession agreements requiring investors to construct public infrastructure and build schools and hospitals and train workers in the communities where they were granted concessions
- Representing the seed industry’s national trade association in legislation leading to an amendment of the Plant Variety Protection Act that strengthened seed companies’ intellectual property rights
- Assisting importers of meat and meat-derived ingredients in addressing USDA restrictions on imports, helping shape realistic U.S. policy and facilitating the importation of food and food ingredients into the U.S.
- Advising BASF Digital Farming on the formation of a joint venture with Bosch for the worldwide marketing and sale of digital technologies in agriculture
- Advising the International Dairy Foods Association and drafting comments on FDA’s supplemental proposed rules to implement the FDA Food Safety Modernization Act
- Advising on dealings with a Chinese quality agency on compliance with testing requirements in the context of enhanced food quality inspection by its US counterpart
- Convincing the Japanese government to conduct a science-based review of a proposed feed additive regulation and to not restrict imports of U.S. meat products treated with antibiotic feed additives
- Supporting a leading UK food retailer on warehousing and distribution arrangements at its regional distribution centres, including storage and transportation to its branches of chilled, frozen and ambient products
- Counseling a global manufacturer on distribution structures in Europe, competition law requirements, trading arrangements, disputes with distributors/ retailers and the application of the Commercial Agents Directive
- Advising the IFC on the due organization and good standing of Fugui Flour & Grain (Hong Kong) Ltd. (Fugui) in Hong Kong in connection with the client’s proposed investment in Fugui to help finance the construction of a new flour mill in Surabaya, Indonesia

## Useful links

- [Food and beverage](#)
- [Food legislation and regulatory policy development](#)

## Relevant contacts



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