

## Dairy

The dairy industry has created the most efficient production system the world has ever seen — but at the same time, a wave of seismic shifts driven by consumers, scientists, and regulators has swept the industry into an era of market volatility and uncertainty. Farmers and food companies alike must now anticipate dietary trends and consumer confidence, understand technology, and move quickly, without running afoul of evolving regulatory requirements or exposing themselves to potentially devastating litigation.

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## Service Areas

Michael Best's Dairy industry team draws on our deep Midwestern roots and national presence to counsel companies that produce, process, package, and distribute dairy products. We advise dairy clients on all aspects of their operations, including:

**Regulatory Compliance**

Advising on compliance with Food and Drug Administration (FDA), U.S. Department of Agriculture (USDA), and other applicable federal and state laws and regulations, including assistance with preparation for site inspections and follow-up actions with FDA as well as state regulatory agencies.

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**Food Safety**

Helping clients prevent and react to food safety issues including product recalls and counseling on implementation of the Food Safety Modernization Act.

**Food Product Label Review**

Providing clients a multi-disciplinary review of product labels to help manufacturers, distributors, and importers of food products stay in compliance and avoid liability, including experienced counsel regarding the USDA's proposed National Bioengineered Food Disclosure Standard.

### **Business & Financial Counseling**

Meeting clients' needs for industry-focused guidance in matters such as corporate governance, land acquisitions, leasing, plant and facility expansion, franchising, dealer termination, environmental compliance, labor and employment, tax, and financing.

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### **Production, Processing, & Distribution**

Counseling clients at every step of the production chain, from the source to the consumer.

### **Government Permitting**

Securing local, state, and federal permits for current and proposed facilities including land use and zoning, livestock siting, air, water intake, and wastewater discharge.

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### **Intellectual Property**

Marketing and brand management for new and existing trademarks, patent prosecution and counseling, licensing, and defending IP rights in litigation.

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### **Litigation & Dispute Resolution**

Representation in the courtroom, as well as in arbitrations, mediations, and all forms of alternative dispute resolution.

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### **Alternative Energy & Sustainability**

Helping clients find creative solutions to produce more with less, reduce waste, and create new alternative energy products.

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### **Public Policy Advocacy**

Working with our dedicated business consulting, government relations, and public affairs affiliate, Michael Best Strategies LLC, to help clients shape the laws and regulations that impact their organizations.

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## **Experience**

Michael Best understands the opportunities and obstacles faced by the industry because we have worked with dairy farmers, food and beverage companies, regulators, and trade groups for decades. Our

attorneys also have deep dairy industry ties and experience beyond their legal work, as well as technical knowledge of the science behind food production.

We represent and participate in top trade associations supporting the dairy, agribusiness, and food and beverage industries. Our cross-practice Dairy team includes a former in-house counsel and director of regulatory affairs at the International Dairy Foods Association, for example, and we are active in industry organizations that have members from coast to coast.

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## Clients

Our clients represent the full spectrum of companies involved in dairy food production, processing, and distribution, as well as various organizations that support the operation and growth of the dairy industry. They include:

- Trade associations that work on behalf of their members to improve dairy industry competitiveness and set policies for the industry.
- Dairy farms and cooperatives.
- Processors and distributors of dairy products and related agricultural commodities, ranging from one of the nation's largest wholesale grocery distributors to producers of nutritional beverages and other specialty dairy products.
- Restaurant and food service management companies.
- Manufacturers of equipment for the collection, processing, transportation, and preservation of dairy products.
- Providers of specialized industry services and products such as animal care, reproduction, genetic engineering, feed products, and general business services.
- Ingredient manufacturers.
- Chemical manufacturers and distributors.
- Ethanol and biodiesel production plants.