

## Brian D. Eyink

Partner

Washington, D.C.

### Biography

Brian Eyink helps clients find practical solutions to regulatory problems. Brian is particularly sensitive to risk management issues as companies adapt to a regulatory and political environment increasingly focused on inspections, enforcement, and investigations.

Drawing on his experience throughout the supply chain, from animal production to food processing to distribution and retail sale, Brian helps companies navigate increasingly complex and high-stakes federal and state regulatory issues. He benefits from a deep experience with both the United States Department of Agriculture (USDA) and the Food and Drug Administration (FDA), as well as the Federal Trade Commission (FTC). His knowledge working with state, local, and self-regulatory bodies, litigation, and acquisitions will help to solve clients' regulatory and business problems.

Brian advises on the full scope of regulatory issues facing the food and agriculture sectors, ranging from USDA and FDA enforcement actions and federal investigations to regulatory compliance, import and export issues, litigation support, comment preparation, legislative drafting, policy development, trade association governance, advertising disputes, and labeling issues. He also represents food and agriculture



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### Practices

Food Law

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### Industries

Life Sciences and Health Care

Consumer

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### Areas of focus

Food and Beverages

Food Compliance and Enforcement

Food Recalls

Food Advertising and Regulation

Food Legislation and Regulatory  
Policy Development

trade associations, advising on issues such as general counseling and governance, influencing policy and public perspective, and implementation of industry initiatives.

Before joining Hogan Lovells, Brian served as a judicial law clerk to the Honorable Gerald Bard Tjoflat of the United States Court of Appeals for the Eleventh Circuit. While in law school, he served as an executive editor of the *Duke Law Journal*.

## Representative experience

Represented a dietary supplement manufacturer through an FDA GMP compliance investigation, successfully avoiding the initiation of formal enforcement.

Successfully represented a meat processor through the USDA "Present Your Views" process, avoiding referral for prosecution and closing the case.

Advises a leading industry trade association in developing policy positions, advocating for the industry, and implementing industry-wide programs.

## Latest thinking and events

- News
  - FTC issues Final Rule codifying policy on unqualified "Made in USA" claims and authorizing penalties
- News
  - FSIS proposes unified 30-day timeline for filing appeals related to inspection activities
- News
  - OMB releases Spring 2021 Unified Agenda of Regulatory Actions
- News
  - California issues proposed regulations under the Farm Animal Confinement Initiative (Prop 12)

Medical Foods and Dietary Supplements

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## Education and admissions

### Education

J.D., Duke University School of Law, 2009

B.S., Clemson University, 2006

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## Bar admissions and qualifications

District of Columbia

New York

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## Court admissions

U.S. Court of Appeals, Eleventh Circuit

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- News
  - Senate passes online country of origin labeling requirements under the USICA
- News
  - Top 10 list of food safety and compliance scenarios