

Food Legislation and Regulatory Policy Development

In a complex global market, it's essential for companies to anticipate, assess, and respond to a host of domestic and international regulatory challenges. With significant experience in virtually every major market, our food and agriculture team can help navigate cross-border regulatory issues and achieve a competitive advantage while minimizing compliance risks.

The lawyers at Hogan Lovells have been involved in virtually every major food regulatory initiative of the past three decades, helping to develop and interpret legislation and policy, including FDA's new food safety law (FSMA) and nutrition labeling requirements.

Together, we know the decision makers and the decision procedures inside out. We effectively draft legislation, assess proposed legislation, develop amendments, draft congressional testimony, write comments for proposed regulations and guidance documents, and more.

Many of our lawyers are former government officials, including former members of the U.S. House of Representatives, the European Commission, and the Legislative Affairs Commission of the Chinese National People's Congress, as well as veterans of FDA.

Our experience in the public sector, as well as in private practice, enables us to successfully guide clients through the labyrinth of global regulatory issues. We help with regulatory compliance through representation, document drafting, and keeping tabs on developments in regulatory agencies, both

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Practices

Food Law

Government Relations and
Public Affairs

domestic and international.

We also keep clients abreast of changes in food safety laws and restrictions, such as those for labeling foods developed through biotechnology and restrictions on the use of bovine materials over concerns about “mad cow” disease.

Representative experience

Represented a coalition of food industry trade associations and companies in the enactment and implementation of the Nutrition Labeling and Education Act of 1990.

Assisted clients in developing health claim petitions that would authorize the use of various health and qualified health claims on foods and dietary supplements.

On behalf of major food manufacturers and their trade associations, we assisted in developing petitions seeking FDA authorization to make nutrient content claims related to carbohydrates in food.

Represented food industry trade associations and companies in the development and implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (the Bioterrorism Act).

Represented a coalition of food industry trade associations and individual companies before the U.S. Congress in shaping legislation governing allergen labelling.

Served as legal counsel to a coalition of food industry trade associations whose efforts led to the enactment of the Federal Anti-Tampering Act.

Represented 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.

Provided strategic guidance and counseling on comments submitted in response to a rule that would establish new manufacturing and premarket notification requirements for new infant formulas.

Assisted importers of meat and meat-derived ingredients in addressing USDA restrictions on imports, helping shape realistic U.S. policy and facilitate the importation of food and food ingredients into the U.S.

Latest thinking and events

Insights

OEHHA proposes new glyphosate warning while First Amendment appeal to 9th Circuit remains pending

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

FDA releases priority list of food guidance documents FDA intends to publish by June 2022

News

Reminder: Opportunity to comment on draft “healthy” symbols for FDA’s planned consumer research

News

Mounting pressure at both federal and state levels to expand PFAS oversight in food packaging