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FOOD & BEVERAGE LITIGATION UPDATE

CONTENTS

LEGISLATION, REGULATIONS AND STANDARDS

FDA Action on Sodium Intake Among IOM Recommendations

At the request of Congress, the Institute of Medicine (IOM) has prepared and released a report titled "Strategies to Reduce Sodium Intake in the United States." Starting from the premise that "Americans consume unhealthy amounts of sodium in their food," which puts some 100,000 at risk of premature death from conditions related to high blood pressure, the report calls for the Food and Drug Administration (FDA) to "set mandatory national standards for the sodium content in foods—not banning outright the addition of salt to foods but beginning the process of reducing excess sodium in processed foods and menu items to a safer level." According to IOM, this reduction must be carried out gradually so consumers' tastes could adjust, a process that could take up to 10 years.

Other recommendations include an FDA modification of the generally recognized as safe (GRAS) status of sodium-containing compounds added to processed foods—"that is, change the level to which the use of such compounds is considered safe." IOM also calls on the Health and Human Services (HHS) secretary to design and implement a nationwide campaign to reduce sodium intake and to "set a timeline for achieving the sodium intake levels established by the *Dietary Guidelines for Americans*." According to IOM, consumers and a range of stakeholders have a role to play in this initiative which "will require preliminary data-gathering, dialogue among stakeholders, and careful analysis of food supply data."

IOM calls for research in three areas: learning how the taste preference for salt develops throughout the lifespan; coming up with ways to reduce sodium content while maintaining foods' palatability, physical properties and safety; and "enhancing current understanding of factors that impact consumer awareness and behavior relative to sodium reduction." The IOM report committee is clear about the inability of "the patchwork of voluntary approaches that have been implemented over the years" to reduce the sodium content of the overall food supply.

Initial press reports suggested that FDA would immediately undertake regulatory steps to reduce the sodium levels in foods, but the agency clarified that it is "not currently working on regulations." The agency is apparently evaluating the IOM report recommendations and notes that HHS "will be establishing an interagency working group on sodium" to review available options and decide on future action.

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While FDA has not decided whether to regulate sodium, a spokeswoman reportedly indicated that "no options are off the table."

Meanwhile, Senator Tom Harkin (D-Iowa) and Representative Rosa DeLauro (D-Conn.), responding to the report, reportedly urged FDA to act swiftly to address what they called a "public health crisis." According to Harkin, "I understand they want to do it in a phased kind of a deal, but I don't want it to be too long. This is crying out for change that's long overdue." Echoing these concerns, Michael Jacobson, the executive director of the Center for Science in the Public Interest (CSPI) said, "Limiting salt in packaged and restaurant foods is perhaps the single most important thing that the Food and Drug Administration could do to save hundreds of thousands of lives and save billions of dollars in health-care expenses. The FDA and U.S. Department of Agriculture should quickly implement the Institute of Medicine's recommendations, starting with mandatory limits on salt, which could be phased in gradually over time."

A spokesperson for the Grocery Manufacturers Association (GMA) reportedly indicated that industry would prefer to continue voluntary efforts to reduce the sodium levels in processed foods and restaurant meals. Calling regulation unnecessary, GMA's Scott Faber was quoted as saying, "There's certainly a role for government [regulation] in the school environment—school lunches and vending machines. But it's less clear that the government has a role with regard to products that are sold widely throughout the marketplace." The organization also apparently claimed, "Sodium is an important ingredient that plays a critical role in flavor enhancement as well as an important functional role in food safety and preservation." *See The Washington Post,* April 20 and 21, 2010; *The New York Times, CSPI Press Release* and *FDA News Release*, April 20, 2010.

Consumer & Organic Interests Challenge U.S. Draft Position on Codex Labeling for GM Products

A coalition of groups representing farmers, public health, environmental, and organic food interests has submitted a **comment** to the Food and Drug Administration (FDA) and U.S. Department of Agriculture (USDA) seeking changes to the draft position on labeling genetically modified (GM) products that the U.S. Codex delegate plans to bring to the May 3-7, 2010, meeting of the Codex Committee on Food Labeling.

The coalition calls for the U.S. delegate to support "a Codex document that simply states that countries can adopt different approaches to labeling of GM/GE foods, in line with existing Codex guidance." According to the April 20 letter, the current U.S. position opposing that document "could potentially create significant problems for food producers in the US who wish to indicate that their products contain no GE ingredients, including on organic food, where genetic engineering is a prohibited method."

The signatories, including the Consumers Union, Union of Concerned Scientists, Food & Water Watch, Center for Food Safety, Cornucopia Institute, R-CALF USA, and Sierra Club Genetic Engineering Action Team, contend that the U.S. position is a carryover from the previous administration and is inconsistent with USDA organic

rules that give organic producers the leeway to label their foods as GM free. They state, "The US should not try to solve the problem of consumer rejection of GM/GE foods in other countries by trying to force bodies like Codex to adopt the view that there are no differences between GM/GE foods and other foods, something which is contrary to scientific fact, USDA organic rules, and existing FDA policy allowing voluntary labeling."

The draft U.S. position expresses a preference that the Codex labeling committee abandon the effort to adopt an international standard on the issue, claiming that the committee "has spent nearly two decades on this subject without reaching consensus." According to the U.S. draft, the committee has discontinued work on issues in the past "where there were fundamental differences among member countries," citing as examples "vegetarian" and "natural" labeling. Barring abandonment, the United States expresses the view that GM/GE labeling would create "an erroneous impression" that "the labeled food is in some way different from or less safe than a comparable, unlabeled non-GM/GE food."

Organics Watchdog Calls on USDA, FTC to Stop Use of "Organic" in Company Names

The Cornucopia Institute has called for action by the U.S. Department of Agriculture (USDA) and the Federal Trade Commission (FTC) to stop what it alleges is the misleading practice of companies using the word "organic" in their names while selling foods not certified organic. In its April 22, 2010, **letter** to the USDA's deputy administrator, the institute contends that the agency has the authority "to take enforcement action against the misuse of the term 'Organic' in company names." It specifically cites Oskri Organics, Organic Bistro and Newman's Own Organics as companies that sell a variety of food products some of which, but not all, are certified organic. According to the institute, this practice "is not only highly misleading to consumers, but also in violation of the organic standards."

The **letter** addressed to the FTC chair calls the practice a violation of unfair competition law and calls for a formal investigation of the three named companies. According to the institute, "Companies that sell non-organic foods, or food with less than 95% organic ingredients, yet use the term 'organic' or 'organics' in their company name, are therefore profiting from the good name and reputation of organics without giving consumers the organic ingredients they expect." The institute's co-director reportedly said, "Deceptive labeling practices, like putting organic in a company or brand name, hurts the ethical competitors and the entire food industry by blurring the meaning of the word 'Organic' for consumers. Consumers should be able to trust that any food package with the word 'Organic' displayed prominently is truly certified organic, contains predominantly organic ingredients, and meets the letter and spirit of the law."

An institute press release indicates that the issue is scheduled to be discussed at the National Organic Standards Board's April 26 meeting in Davis, California. Still, the institute decided to bring legal action before the USDA and FTC, arguing that they already have the statutory authority to take action on the matter. *See Cornucopia Institute Press Release*, April 22, 2010.

FDA Seeks Information on Pathogens in Spices

The Food and Drug Administration (FDA) has issued a **request** for comments and scientific data "that would assist the agency in its plans to conduct a risk profile for pathogens and filth in spices." FDA has requested input on specific hazards, including "microbiological pathogens and filth in spices that are identified and published in literature, outbreaks, recalls, and submissions to the Reportable Food Registry." The agency seeks data related to incidences of contamination; factors that influence the survival, growth and levels of pathogens; spice consumption patterns in the United States; intended use; manufacturing practices; the effectiveness of control measures for pathogens; and supplier requirements for microbial testing and audit programs.

Designed to assist FDA in its regulatory decision making, the spice risk profile aims to describe the nature and extent of the public health risk, evaluate mitigation processes, and identify additional control options, further research needs and data gaps. It will also assess what is known about (i) the frequency and levels of spice contamination; (ii) differences in production and contamination of imported and domestic spices; and (iii) the effectiveness, cost and practicality of currently available and potential intervention strategies. FDA will accept electronic or written comments and data submissions before June 21, 2010. *See Federal Register,* April 20, 2010.

Dietary Guidelines Advisory Committee Plans Final Meeting

The U.S. Department of Agriculture (USDA) and Department of Health and Human Services (HHS) have **announced** the sixth and final meeting of the Dietary Guidelines Advisory Committee, which is soliciting public comment on its draft report titled "Dietary Guidelines for Americans."

USDA and HHS publish the report at least every five years "after a thorough review of the most current scientific and applied literature." Topics to be discussed in the May 12, 2010, meeting include (i) "Nutrient Adequacy"; (ii) "Energy Balance and Weight Management"; (iii) "Carbohydrates and Protein"; (iv) "Sodium, Potassium and Water"; (v) "Fatty Acids and Cholesterol"; (vi) "Alcohol"; and (vii) "Food Safety and Technology." Comments are requested by April 29, 2010. *See Federal Register,* April 20, 2010.

EU Agrees to Remove U.S. Rice Import Restrictions

A committee of European Union (EU) member state officials has reportedly decided to cease imposing U.S. rice import restrictions which had been in place since 2006 when genetically modified (GM) rice was found in conventional rice supplies. U.S. rice could be sold in the EU over the past four years only if certified as free from GM rice. Rice farmers in the United States have cited the EU restrictions in litigation against the company that manufactured the GM rice; the farmers have prevailed in several lawsuits, winning both compensatory and punitive damages for the precipitous drop in prices paid for their crops after the EU and Japan essentially closed their borders to all U.S. rice. According to a news source, the 2009 rice crop has been

found to be free of LL Rice 601, and the EU has been assured that U.S. rice exporters will continue to test rice exported to Europe. *See Reuters*, April 19, 2010.

EFSA Reevaluates Scientific Opinion for Three Food Colorings

The European Food Safety Authority (EFSA) has published safety reassessments of three food additives, Brilliant Black (E 151), Brown HT (E 155) and Brown FK (E 154).

For Brilliant Black, which first gained approval in 1984, EFSA has confirmed the existing acceptable daily intake (ADI) of 5 milligrams per kilogram of bodyweight (mg/kg bw). According to the scientific panel, Brilliant Black is used in soft drinks, bakery products and desserts, but "only some children who regularly consume large amounts of foods containing the color might exceed this level of intake."

EFSA, however, has recommended decreasing by one-half the ADI for Brown HT, setting the new limit at 1.5 mg/kg bw after "adverse effects, such as slightly reduced weight gain, were noted in animals following long-term exposure" to the additive. The reviewers also expressed concern that "exposure to Brown HT could be above the new ADI for adults and children who regularly consume large amounts of foods containing the color." They particularly observed that, "[f]or example, a child weighing 15 kg consuming more than 1.125 liters (around 3.4 standard-size 330ml cans) of soft drinks containing Brown HT at the maximum reported use level every day would exceed the ADI of 1.5 mg/kg bw."

The expert panel did not reach a conclusion for the third food coloring, Brown FK, "due to significant limitations in the toxicological data available." As part of its ongoing reevaluation process, EFSA is scheduled to review approximately 30 remaining food colorings "in the next few years." *See EFSA News Release,* April 21, 2010.

Danone Withdraws Requests That EFSA Approve Health Claims for Yogurt Products

Danone has reportedly decided not to pursue its applications to the European Food Safety Authority (EFSA) to approve beneficial health claims for two of its yogurt products, Actimel® and Activia®. According to a news source, the company took the action because of changes to European regulation of health claims. Previously, each member state's regulatory authority decided whether these claims could be made; the U.K.'s Advertising Standards Authority, for example, prohibited an Actimel® TV advertisement in 2009, ruling that evidence did not support company claims that the product could help protect school-age children from illness. Going forward, EFSA will approve advertising health claims, but procedures and criteria to do so are apparently under development. Danone will participate in an EFSA consultation meeting scheduled for June 1, 2010. *See BBC News*, April 15, 2010.

Canadian Government Considers Changes to "Made in Canada" Label

Agriculture and Agri-Food Canada (AAFC) officials recently solicited public and industry feedback on a proposal to loosen country-of-origin labeling guidelines by exempting specific ingredients difficult to obtain in Canada. The amendment

would reportedly exclude imported salt, sugar and other spices from provisions that require processed products labeled "Product of Canada" or "Made in Canada" to obtain 98.5 percent of their ingredients from domestic sources.

Speaking to food and beverage company representatives at an April 19, 2010, conference in Ottawa, Ontario, Minister of State (Agriculture) Jean-Pierre Blackburn apparently reaffirmed his commitment to working on the labeling issue to secure a competitive future for the Canadian food processing industry. According to Blackburn, public consultations are slated to begin this month with a consensus on the proposed changes expected by the end of June 2010. *See AAFC Press Release* and *Parliamentary Bureau,* April 19, 2010; *Farmscape,* April 20, 2010.

Draft Nanotech Policy Framework for California Scheduled for Discussion and Comment

The University of California-San Francisco Program on Reproductive Health and the Environment has developed **draft** policy recommendations to address potential health risks from nanomaterials and nanotechnology. When finalized, the document will be presented to California EPA's Office of Environmental Health Hazard Assessment (OEHHA) to better inform the agency's risk assessment recommendations. The draft will be considered during a Science Advisory Panel meeting on May 5, 2010, and all public comments are due on that date.

Among the recommendations for OEHHA in the draft report are to (i) assess whether nanomaterials are already covered under the agency's existing policy structure, (ii) determine if nanosized materials are more toxic than "their bulk material," (iii) identify the extent of nanomaterial use in products, including food contact materials and foods, and (iv) "require labeling for nanomaterials that contain known carcinogens or reproductive effects."

Louisiana Senate Committee Rejects Bill to Ban Energy Drinks to Youth Younger Than 16

The Louisiana Senate Commerce Committee has reportedly rejected a **bill** (S.B. 128) that would have prohibited the sale of certain high-caffeine beverages to youth younger than age 16.

Introduced by State Senator Robert Adley (R-Benton), the bill defined an energy drink as "any drink, except coffee, that contains at least five milligrams of caffeine per fluid ounce." Affected drinks purportedly included Red Bull, Rockstar and Full Throttle.

According to a news source, committee members were concerned the legislation would start a trend of creating restrictions on specific products and place a regulatory burden on retailers. "If we outlaw these drinks, we're going to be up here for 10 years outlawing Twinkies, Milky Ways, whatever," said State Senator Danny Martiny (R-Kenner). *See The Times-Picayune*, April 22, 2010.

LITIGATION

Froot Loops® Packaging and Name Alleged to Be Deceptive

A putative class action has been filed against Kellogg USA alleging that, by calling its cereal "Froot" Loops® and including "pictures of brightly colored cereal made to resemble fruit" and actual fruit on product packaging, the company is deceiving the reasonable consumer who is led to believe the cereal contains fruit. *Werbel v. Kellogg USA*, No. CV 10-1660 (U.S. Dist. Ct., N.D. Cal., filed April 19, 2010). The named plaintiff relies on a Strategic Alliance for Healthy Food and Activity Environments study which purportedly revealed that this cereal, like many others, contains no fruit whatsoever despite packaging and advertising suggesting its presence.

The plaintiff seeks to certify a class of California consumers who purchased the product in the four years preceding the lawsuit's filing; he alleges unlawful, unfair and deceptive advertising and promotion in violation of the state's Business & Professions Code , intentional misrepresentation, breach of implied warranties, and violations of the Consumers Legal Remedies Act. The plaintiff seeks equitable relief, including an injunction to stop the company from making misleading product claims, restitution and disgorgement; attorney's fees; costs, interest; and actual and punitive damages.

The named plaintiff is represented by Florida-licensed attorney Howard Rubinstein, who previously filed a consumer deception lawsuit in California against cereal makers for selling reduced sugar versions of their products. More details about that litigation appear in issue 120 of this Update.

LEGAL LITERATURE

Christopher Banthin, "How Many Calories in that Big Apple?: New York City's First in the Nation Calorie Disclosure Law," *PHAI Case Study*

The Public Health Advocacy Institute (PHAI) recently posted a **case study** that discusses the process which led to the adoption of a restaurant calorie disclosure law in New York City. Funded by the Robert Wood Johnson Foundation's Public Health Practice & Policy Solutions, the case study focuses on threats of litigation that arose throughout the law's development and adoption, noting that public health officials considered this possibility early in the process and ultimately prevailed by adopting a broad-based law that survived legal challenge. The article relies on media coverage, legislative materials, scholarly articles, legal filings, and judicial opinions to recommend how other local authorities can prepare to support similar initiatives. While "interviews with opponents were not conducted," the author did consult in-depth with the law's proponents in preparing the analysis.

PHAI is headed by anti-tobacco attorney and law professor Richard Daynard. It has conducted a number of conferences for lawyers, academics and public health decision makers to consider ways to address obesity, including litigation.

OTHER DEVELOPMENTS

Retired Military Leaders Say American Youth "Too Fat to Fight"

Mission: Readiness, a non-profit organization of senior retired military leaders, has issued a report claiming that "at least nine million 17- to 24-year olds in the United States are too fat to serve in the military." According to an April 20, 2010, press release, weight problems "have become the leading medical reason why recruits are rejected for service." The group describes the situation as a threat to national security, noting that similar concerns prompted the military to initiate the National School Lunch Act in 1946. "Back then young people were undernourished, and now they are poorly nourished," stated Mission: Readiness National Director Amy Taggart. "Too many kids are carrying too many pounds, and improving school nutrition is an important place to start."

The retired military leaders have urged Congress to reauthorize the Child Nutrition Act with changes that would (i) "allow the U.S. Department of Agriculture [USDA] to adopt new nutrition standards that will get high-calorie, low-nutrition foods out of schools"; (ii) "support the administration's proposal for adequate funding to improve the quality of food available in schools and increase the number of children who have access to quality meals at schools"; and (iii) "deploy proven school-based programs that enlist parents in helping children adopt life-long changes in their eating and exercise habits." Backing the efforts of Senator Richard Lugar (R-Ind.) and USDA Secretary Tom Vilsack, Mission: Readiness has echoed the call for an increase of $1 billion per year for 10 years to fund school programs designed to improve nutrition standards. "Our national security in the year 2030 is absolutely dependent on reversing the alarming rates of child obesity," one member was quoted as saying. *See The Associated Press,* April 20, 2010.

MEDIA COVERAGE

Marc Ambinder, "Beating Obesity," *The Atlantic,* May 2010

"If we are to solve the many problems that obesity is creating for American society, we must first move beyond the stale 'willpower versus the food-industrial complex' debate," contends politics editor Marc Ambinder in the May 2010 edition of *The Atlantic.* Examining the powerful interest groups arrayed against each other in this fight, Ambinder claims that the rise in obesity is not attributable to one specific cause but "is associated with a rogue's gallery of individual, social, and technological factors." He resists the temptation "to borrow insights and metaphors from the 50-year battle against smoking," maintaining that "[o]besity belongs in a different category of social illness."

In Ambinder's view, the current epidemic is a confluence of both personal and environmental risks largely mitigated by socioeconomic status. In particular, he criticizes public health campaigns aimed at individual choices when "just being an American can naturally lead you to be obese." According to Ambinder, "Putting individual free will up against the increase in portion sizes, massive technological and societal

changes, food-company taste-engineering, and the ubiquity of effective television advertisements is like asking Ecuador to conquer China."

Moreover, the breadth of these challenges has apparently made it difficult for consumer groups and lawmakers to form "a coherent political movement." "[An] insult to quilts everywhere," this patchwork approach to policy has made food marketing "the holy grail" for activists seeking a foothold in the regulatory process. In addition, local, state and federal agencies have all attempted their own strategies but risk becoming bogged down in "long-standing institutional and legal struggles." As a result, he notes, food and beverage companies have taken the lead in self-regulation by adhering to voluntary advertising guidelines and funding programs "to promote better diets and more exercise in schools and the workplace."

Despite these obstacles, Ambinder holds out hope that first lady Michelle Obama's anti-obesity campaign will bring together regulators, health officials and industry stakeholders. In a supplement to his article, he specifically urges policy makers to (i) recognize the role of an obesogenic environment, (ii) ameliorate food deserts, (iii) end the stigma against obesity, (iv) accept regulation as "a necessary evil," and (v) support Obama in her new leadership role. "I think the obesity crisis is real AND reversible," he concludes, "no one solution—not banning high-fructose corn syrup, not soda taxes, not universal health care—will be the panacea. Instead, a broad-based, metric-monitored national public health campaign, led by a strong political leader who has the authority and legitimacy to knock heads, can identify what works, what doesn't, and to persuade states, Congress, companies, and the culture at large to follow suit."

Bolivian President Blames Baldness, "Deviance" on Hormones in Poultry

Bolivian President Evo Morales (MAS) attracted international media attention when he publicly linked "deviances in being men" on hormones once used to raise chickens. Speaking at the World People's Summit on Climate Change and the Rights of Mother Earth, Morales reportedly claimed that "the chicken we eat is loaded with female hormones. So, when men eat those chickens, they experience deviances in being men." According to an April 22, 2010, blog post in *The Guardian,* Morales added that these substances have also been associated with baldness.

After the speech drew widespread criticism from both the press and human rights activists, who interpreted the remark as homophobic, the Bolivian Foreign Relations Ministry issued a statement defending the president's position. "He made no mention of sexuality," the ministry was quoted as saying. Rather, he said that eating chicken that has hormones changes our own bodies. This point of view has been confirmed by scientists and even the European Union has prohibited the use of some hormones in food." *See The New Yorker,* April 22, 2010; *Time Magazine,* April 23, 2010.

SCIENTIFIC/TECHNICAL ITEMS

Study Links Sugar to Elevated Risk of Cardiovascular Disease

A recent study has apparently found a "statistically significant association" between added dietary sugars and increased blood lipid levels in U.S. adults. Jean Welsh, et al., "Caloric Sweetener Consumption and Dyslipidemia Among US Adults," *Journal of the American Medical Association,* April 2010. Researchers analyzed blood lipid levels and other nutritional data obtained from more than 6,000 men and women enrolled in the National Health and Nutrition Examination Surveys (NHANES) between 1999 and 2006. Their results reportedly demonstrated that "increased added sugars are associated with important cardiovascular disease risk factors, including lower HDL-C [good cholesterol] levels, higher triglyceride levels, and higher ratios of triglycerides to HDL-C."

Compared with participants who received less than 5 percent of their daily caloric intake from added sugars, those who consumed the highest amount—46 teaspoons per day—were most at risk for developing heart disease. The authors contend that these findings "support the importance of dietary guidelines that encourage consumers to limit their intake of added sugars." In addition, their evidence purportedly lends weight to proposals "for specific labeling on food and beverage packaging" that would differentiate between naturally occurring and added sweeteners. "While the overall effect of these dietary trends in unclear, there is a need to review the dietary recommendations to see how they influence intake of added sugars and to develop further understanding of the role different carbohydrates and sugars play in increasing risk of chronic disease," the study concludes. *See NPR Health News,* April 20, 2010.

Health Researchers Claim Insurance Cos. Hold $1.88 Billion in Fast Food Stocks

Cambridge Health Alliance researchers studying the investments of health and life insurance companies have apparently concluded that the companies own some $1.88 billion, or 2.2 percent, of the stock issued by the five leading fast-food companies. Arun Mohan, et al., "Life and Health Insurance Industry Investments in Fast Food," *American Journal of Public Health*, April 15, 2010. The analysis relied on shareholder analysis from the Icarus database, accessed in June 2009.

The researchers, who call for the insurance companies to divest themselves of these holdings or to leverage their holdings "to force the adoption of practices consistent with widely accepted public health principles," consider the insurance companies' investments inconsistent with their missions and public health role. The authors speculate that the investments may return more than the costs of insuring people who consume fast food or the companies may be investing this way through inadvertence, that is, "insurers are unaware of the social impact of their investments because there has been little attention paid to the issue historically."

According to a news source, one of the insurance companies named in the study disputed the data, while another could not verify whether the numbers were accurate and suggested that many of the stocks could be held in index funds, which

means the insurer did not select the stocks but held them because they were index components. One of the researchers was quoted as saying that the insurers are "profiting directly off the people who eat fast food, and if that leads to obesity or cardiovascular disease, they'll charge you more for premiums if you have some of those conditions. They're making money in either case." *See WSJ Health Blog*, April 15, 2010.

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FOOD & BEVERAGE LITIGATION UPDATE

Shook, Hardy & Bacon is widely recognized as a premier litigation firm in the United States and abroad. For more than a century, the firm has defended clients in some of the most substantial national and international product liability and mass tort litigations.

SHB attorneys are experienced at assisting food industry clients develop early assessment procedures that allow for quick evaluation of potential liability and the most appropriate response in the event of suspected product contamination or an alleged food-borne safety outbreak. The firm also counsels food producers on labeling audits and other compliance issues, ranging from recalls to facility inspections, subject to FDA, USDA and FTC regulation.

SHB lawyers have served as general counsel for feed, grain, chemical, and fertilizer associations and have testified before state and federal legislative committees on agribusiness issues.