

Agriculture and Agribusiness

Our experienced team helps clients navigate U.S. Department of Agriculture (USDA) regulations, programs, and activities while advancing and protecting their business interests. We counsel producers, food processors, retailers, and other agribusinesses on compliance with complex federal laws that are implemented by USDA and cover a wide range of issues – including food safety, food labeling requirements and related voluntary labeling claims (such as organic), agricultural markets, and nutrition programs such as the Supplemental Nutrition Assistance Program (SNAP).

USDA's laws, regulations, and programs also address crop production and other assistance and programs for producers, plant protection and animal health, natural resource conservation and climate-related issues, scientific research and statistics within USDA's mission, rural development and rural energy, biofuels and other biobased products, cell-cultivated meat, genetically engineered plants and animals, and trade and agricultural affairs. USDA also administers the Agriculture Foreign Investment Disclosure Act and participates in reviews of the Committee on Foreign Investment in the United States (CFIUS) related to agriculture. Wiley lawyers have the experience to assist clients in navigating the legal and practical issues in these varied and complex areas.

Our attorneys assist companies in working with USDA to understand the business interests and perspectives in standing up and implementing new programs, legislation, and regulations. We also assist in responding to and dealing with alleged compliance failures, such as Food Safety and Inspection Service (FSIS) noncompliance reports, notices of intended enforcement actions, or suspensions.

Our team also helps clients navigate the development and implementation of USDA-related legislation. We have extensive congressional experience in drafting and negotiating legislation that has become law, including USDA appropriations bills as well as the Farm Bill – a multi-year, comprehensive law that contains a variety of provisions affecting farming, food, and agricultural programs; nutrition; forestry; rural issues; and more.

Companies regulated by USDA may find that their businesses are also regulated by other agencies such as the U.S. Food and Drug Administration (FDA) and the U.S. Environmental Protection Agency (EPA). Even for stakeholders that are not directly regulated, FDA and EPA programs and activities can affect USDA stakeholders. Our multidisciplinary team understands the intersection of these three agencies. We bring together experience in pesticide regulations and other crop protection strategies and enhancements. We also help clients navigate FDA regulations and activities, some of which can overlap with USDA actions. Finally, we

advise on corporate transactions and supply chain issues to provide comprehensive counsel to our clients.

It is critically important that individuals or businesses working with USDA understand how its programs and activities are impacted by Congress, legislation, policy development, and interactions with other federal departments and state agencies. Our experienced team of attorneys stays on top of emerging issues within this area and stands ready to assist clients.