

Food & Beverage

Food and beverage companies operate in challenging times. Growing compliance and regulatory burdens, mounting emphasis on supply chain transparency, public interest in diet, health, and sustainability, and complex rules on nutrition and functional food claims all form part of a challenging landscape that companies must navigate in order to run their businesses successfully.

Our specialists not only advise on everything from commercial contracts to employment, M&A, brand protection and IP, but they also advise on the key issues impacting the sector, from regulatory and compliance (including nutrition, health and food information) to GSCOP, product liability issues, contamination and recall, new product launches, labelling, marketing and promotions, commercial contracts, food safety, food integrity, and health and safety issues to name a few.

Some of the areas we are most known for include:



Brand protection & IP: our top ranked IP practice advises on IP strategy, design protection, and litigation as well as handling international trade mark portfolios.



Regulation: we help companies navigate the challenging FMCG regulatory environment including packaging, labelling, marketing, food safety, claims, hygiene and integrity, and novel foods.



Commercial contracts: we advise on all aspects of commercial contracts, from supply agreements through to marketing, advertising, distribution, and licensing.



Legal risks of the supply chain: we advise on the risks associated with long and often international supply chains e.g. food safety, traceability, Modern Slavery Act.



Corporate & M&A: we advise FMCG companies on investment, growth and exit through transformational M&A and joint ventures. We are consistently ranked as the leading firm for European M&A.



Competition & GSCOP: we provide advice and training to suppliers, manufacturers and retailers, on the the CMA and GSCOP code and advise on disputes arising out of breaches.



Some highlights of our experience

Nestlé

On its application to register the shape of a Kit Kat as a UK and EU-TM and its opposition by Cadbury/Mondelez, as well as on various advertising, claims, pricing and promotion issues.

Heineken

On various transactions including its joint venture with Namibia Breweries in South Africa, the restructuring of Heineken Belarus with Oasis Drinks, the IPO of Bralirwa in Rwanda, and a joint venture with Solico Holdings in the Middle East.

Unilever

On various consumer, IP and commercial issues over the years including advice on advertising and claims, food regulations, packaging, labelling, a 'first of its kind' global cloud project, and on data protection.

Finsbury Foods

The AIM listed supplier of premium cakes on a variety of M&A and transactions including the acquisition of Fletchers and gluten-free bakery Ultrapharm, as well as the licence, manufacturing and packaging agreement with another leading food brand.

Innate Essence

A start-up organics drink company, on food safety, labelling, health claims and corporate and commercial matters, including drafting T&Cs for social influencers to market the drinks.

United Biscuits

On the UK grocery inquiry and on day-to-day competition advice over many years, pricing, distribution, and management of their real estate portfolio around the UK, including factories, offices and distribution centres.

Nagatanien

The Tokyo-listed Japanese food manufacturer on its US\$130 million acquisition of the Chaucer Food Group.

Kettle Foods

On registering and enforcing its brands globally, encompassing over 200 trade marks in 90 countries.

Diageo

On the sale of its US and UK wine business to Treasury Wine Estates, for US\$552 million.

An online food retailer

On a wide range of food liability issues, in the context of the distribution and storage service the retailer provides to its third party sellers of food products. The client is one of the world's largest online retailers.

A global food manufacturer

In relation to its strategic decision to begin selling personalized food products through a 3rd party online retailer. This included advising on competition, liability, packaging and labelling, and regulatory issues.

A global food manufacturer

On UK and EU legislation in relation to a range of product claims including 'pure', 'natural', 'artisan' and 'traditional'.

A manufacturer of food coatings

In a patent infringement matter spanning a number of jurisdictions. This involved coordinating patent litigation and patent prosecution, as well as advising the client on general commercial strategy.

A food and beverage company

On the application of Food Information Regulations to existing packaging and advising on the transition to the new rules.

A beverage retailer

In relation to an urgent product recall on 1st discovery that contaminated wine had passed into its downstream supply chain.