

CONFIDENTIAL

May 2024

## Global Food Regulatory

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# COVINGTON

BEIJING BOSTON BRUSSELS DUBAI FRANKFURT  
JOHANNESBURG LONDON LOS ANGELES NEW YORK  
PALO ALTO SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

# Global Food Regulatory

Covington's Global Food Industry Group advises leading food, beverage, and dietary supplement companies and trade associations on the broad range of issues that may arise from product development, safety, labeling, and promotion, as well as overarching nutrition and public health policy considerations, in the United States, Europe, China, and elsewhere across the globe.

Our lawyers have extensive experience assisting in developing and executing "multi-branch" strategies and regulatory solutions to address legislative and regulatory risks and opportunities.

*"Covington occupies a powerful position within the food and beverage space. Provides comprehensive regulatory compliance advice thanks to the presence of lawyers with significant FDA experience."*

**Chambers and Partners**

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## Unmatched history

Involved in every major piece of food-related legislation and regulation for more than a century

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## *Band 1*

*Chambers USA, Nationwide: Food & Beverage Regulatory and Litigation*

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## Unparalleled record of involvement

In the most important legislative developments in the food arena, including the FDA Food Safety Modernization Act of 2011 (FSMA).

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### Full Spectrum of Services Devoted to Food and Beverage

- Covington provides services to assist clients in all aspects of food and beverage product development and marketing, including:
  - Regulatory compliance with FDA, FTC, USDA, and global regulatory bodies
  - Labeling, advertising, sustainability, and marketing
  - Product development, supply, distribution, import/export
  - Ingredient and sourcing considerations
  - Nutrition and public health policy
  - Food safety and Good Manufacturing Practices
  - Mergers & Acquisitions
  - Commercial and class action litigation
- We serve as outside counsel to over 20 major food and beverage trade associations, including the Consumer Brands Association and the American Bakers Association, as well as leading food and beverage companies, addressing individual company issues as well as broad industry interests and concerns.

## Covington's Israel Initiative

Drawing on the deep expertise of our regulatory, corporate, litigation, and investigations lawyers and advisors, we have the exceptional ability to help Israeli clients achieve their critical business goals and navigate their most complex legal problems, deals, and disputes.

Our experience and understanding of the Israeli business environment, coupled with the relationships we have developed on the ground in Israel, enable us to provide timely, practical, and effective advice on Israel-related matters for all of our clients.

### COMPREHENSIVE APPROACH TO MATTERS

The Covington team handles a broad range of Israel-related matters by working seamlessly across our firm's practices, initiatives, and industry groups to advance our clients' business priorities and provide substantive and comprehensive services tailored to our clients' specific needs.

Using this multidisciplinary approach, Covington's Israel Initiative provides legal, regulatory, and policy advice to Israeli individuals and companies—from multinationals to medium- and small-sized businesses, including unicorns and startup ventures—to help them achieve their business goals across the globe.

### GEOGRAPHIC REACH AND GLOBAL RESOURCES

With offices in the U.S., Europe, Middle East, Africa, and Asia, and a network of expert local partners, we use our extensive insights into the workings of governments around the world to provide practical business advice. Covington's professionals include more than 120 former government regulators, enforcers, diplomats, lawmakers, and professionals with a breadth of experience advising companies around the world. Notably, our Dubai colleagues are exceptionally well-positioned to help Israeli companies seize opportunities presented by the Abraham Accords.

Our Israel Initiative is supported by skilled advisors on the ground in Israel and by in-house, Hebrew-speaking teams that leverage the full breadth of Covington's international expertise. We also regularly collaborate with Israeli law firms and other consultancies to provide integrated and strategic approaches to time-sensitive legal and policy-driven challenges and opportunities.

# 70<sup>+</sup>

lawyers firm wide recognized  
by *Chambers Global*

Ranked among the leading  
corporate practices by  
*Corporate Board Member*,  
*Chambers*, and *Legal 500*

Recognized as a leading food,  
drug and device regulatory firm  
by *Chambers*, *Legal 500*,  
*Law360*, and *LMG Life  
Sciences*

# Representative Food and Agri-Business Clients



## Covington's Unparalleled Experience in U.S. Regulation of Food Tech

**Significant involvement in every category of food innovation in past 25+ years, from both industry and regulator perspective**

**Have advised on every step of the regulatory process for cultivated/cultured meat**

**Substantial expertise in other FDA and USDA regulated spaces, which gives comprehensive insight into agency precedent and practice**

**More former FDA lawyers with relevant experience than any other firm**

**We would bring all of this experience and expertise to bear from day one**

## Covington Team

**Miriam Guggenheim**

Partner  
FDA Regulatory

Washington  
+1 202 662 5235  
[mguggenheim@cov.com](mailto:mguggenheim@cov.com)

Miriam, co-chair of Covington's Food, Drug and Device Practice Group, the Food Industry Group and is Chair of the Firm's Israel Initiative, assists a broad range of major food and dietary supplement companies in achieving their marketing goals while minimizing regulatory and litigation risks. She also helps clients successfully navigate crises such as recalls and unwanted Congressional or regulatory attention. In addition to her work for individual clients, Miriam serves as outside counsel to a number of key trade associations, helping them accomplish broad industry objectives by engaging with the FDA, FTC, and Congress. Miriam is at the forefront of legislative and regulatory changes and food policy and litigation trends. She draws on this deep knowledge and insight to advise clients on all aspects of food development and marketing, from product ingredient sourcing and manufacturing considerations to food labeling and marketing. She also advises clients regarding the most advantageous regulatory categories for the marketing of their products. Partnering with Covington colleagues in international offices, Miriam helps clients solve regulatory problems across the globe.

**Deepti Kulkarni**

Partner  
FDA Regulatory

Washington  
+1 202 662 5376  
[dkulkarni@cov.com](mailto:dkulkarni@cov.com)

Drawing from over a decade of experience working in both FDA's Office of Chief Counsel and private practice, Deepti provides strategic advice to clients on a wide range of complex matters involving FDA and USDA regulatory oversight. She has played a key role in the development and implementation of the regulatory frameworks for alternative proteins as well as bioengineered food and agriculture products. She advises companies developing and marketing animal products, foods, dietary supplements, and cosmetics at nearly every step of the product lifecycle. She also counsels clients on potential crises, such as product recalls, import refusals, and other regulatory actions. While at the FDA, she counseled various components of FDA and HHS on a broad scope of issues related to animal products, foods, dietary supplements, and cosmetics, as well as cross-product matters involving imports and exports, advisory committees, and constitutional issues.

**Jessica O'Connell**


Partner  
FDA Regulatory

Washington  
+1 202 662 5180  
[jpoconnell@cov.com](mailto:jpoconnell@cov.com)

Drawing from more than a decade of experience both working at FDA and in private practice, Jessica provides strategic advice to a broad range of companies and trade associations in engaging with food and drug regulatory bodies and Congress. She assists clients in complying with U.S. regulatory requirements for foods, dietary supplements, cosmetics, OTC drugs, and animal products, and has specific expertise advising on FDA's import and export requirements across all product categories. She also regularly counsels clients regarding potential crises, such as recalls, regulator investigations, and other unanticipated regulatory attention. Chambers USA reports that Jessica "is enthusiastic, exceptionally smart and a talented lawyer who brings tremendous insight from being a regulator" and that she "knows how best to interact with the FDA in a productive and efficient way." Previously, she served as an Associate Chief Counsel in FDA's Office of Chief Counsel. While at FDA, Jessica counseled various components of FDA and HHS on a broad range of legal issues.

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