

## FOOD AND BEVERAGE INCIDENT RESPONSE TEAM

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When contamination events and product recalls occur, Baker Donelson's Food and Beverage Incident Response Team is available 24/7/365 to provide real-time legal advice. Our experienced team of lawyers and advisors work with food manufacturers and retailers across the U.S. to prepare for and execute recalls and manage communication with regulatory agencies and the public. We work with clients on the development and implementation of robust incident preparedness plans.

Baker Donelson has a wealth of experience advising clients about food contamination events, recalls, related litigation, insurance coverage issues, commercial fallout, and dealings with regulators. Our services include:



### Product Recall and Removal

When dealing with federal agencies, including the Food and Drug Administration (FDA) and the United States Department of Agriculture (USDA), we assist clients to respond promptly and accurately to inquiries about the event to foster constructive relationships from the outset. Early discussions typically focus on the root cause, the products implicated by the contamination, and the scope of corrective action needed to protect the public.



### Public Relations

Our team works with trusted public relations firms and communications advisors to create comprehensive communication and media strategies for clients that reassure customers of their safety, maintain consumer trust, and protect the company's reputation.



### Insurance Coverage

We work with clients to review applicable policies and analyze potential coverage options to determine if the insurer has a duty to defend the incident, which the company will want to invoke immediately, in addition to claims for business interruption or other costs.



### Crisis Management Plan

We evaluate and update clients' crisis management plans, including designating the internal response team, clarifying roles and responsibilities, and establishing communication protocols.



## Litigation

Litigation risks are multifaceted – whether for personal injury, consumer fraud class actions, or commercial claims from buyers of your goods – and we have deep experience handling the regulatory, litigation, enforcement, and commercial implications.



## Enhance Contract and Supply Chain Protection

We work with clients on all manner of contracts, supply agreements, distribution agreements, and manufacturing agreements, focusing particularly on indemnity clauses, limitations of liability, and related terms. We have a dedicated team of commercial lawyers heavily focused on food and beverage clients, so we can negotiate terms that are market, but also with an eye toward limiting your risk. We would welcome the chance to work with your supply chain or commercial teams on the contracting process and, where possible, limit risk or minimize indemnity escape hatches.

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Baker Donelson has a wealth of experience advising clients about food contamination events, recalls, related litigation, insurance coverage issues, commercial fallout, and dealings with regulators. Our quick response team is available to assist and is supported by a cross-practice team of lawyers located in 11 states in the southeastern U.S. and Washington, D.C.



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