



Helping Food Companies Stay Compliant, Resilient, and Competitive.

The award-winning Spencer Fane Food and Beverage team provides comprehensive legal support to companies throughout the food industry. We understand the regulatory, operational, and commercial pressures that shape each stage of the food supply chain, from raw production through processing, distribution, manufacturing, and retail sale. This guidance helps companies maintain compliance, manage risk, and pursue growth in an environment shaped by food safety standards, evolving consumer expectations, and complex federal and state regulations.

Overview

Legal Insight for the Business of Food and Beverage

Working with food producers, importers, processors, distributors, manufacturers, and retailers, we help navigate labeling requirements, safety obligations, and liability exposure, as well as the employment and workforce issues that are integral to food industry operations. Our attorneys frequently advise clients on compliance with the U.S. Food and Drug Administration and U.S. Department of Agriculture requirements as well as representing food industry companies in regulatory inspections, investigations, and negotiations.

We assist clients in managing workforce-related challenges that arise in labor-intensive environments. Our experience includes representing food industry companies in nationwide labor and employment matters, including wage and hour compliance, collective and class action litigation, discrimination and retaliation claims, restrictive covenant disputes, and labor relations planning. We regularly help clients prepare for and respond to labor disruptions, regulatory scrutiny, and employment practices litigation in a way that supports business continuity and protects operational stability.

The Spencer Fane Food and Beverage team also supports clients responding to critical operational events, including product recalls, market withdrawals, and food safety incidents. We guide companies through coordination with regulators, employee communications, operational planning, and risk mitigation strategies designed to protect consumers, employees, and brand reputation.

Our clients range from emerging food brands to multi-facility processors, multinational manufacturers, regional distributors, and national retail platforms. Whether a company is responding to a regulatory inquiry, addressing labor or employment challenges, evaluating expansion opportunities, strengthening governance, or navigating a major transaction, we provide strategic counsel grounded in deep industry knowledge and practical business insight.

Areas of Focus

Processors

Food processors operate in a highly regulated environment with strict safety, labeling, manufacturing, supply chain, and workforce requirements. Our team supports processors across their full operational footprint, including compliance programs, facility development, labor and employment risk management, and corporate planning.

We assist with FDA and USDA regulatory compliance, Good Manufacturing Practices, preventive controls, and labeling reviews. Processors also rely on us for guidance during inspections, enforcement actions, recalls, and market withdrawals, as well as in negotiations with regulators aimed at resolving compliance concerns efficiently and effectively.

Given the labor-intensive nature of food processing operations, we also advise processors on wage and hour compliance, workforce classification issues, discrimination and retaliation claims, restrictive covenant enforcement, and labor relations strategy. Our team regularly represents processors in nationwide class and collective actions and other complex employment disputes, with a focus on minimizing disruption and supporting ongoing operations.

We assist our clients with:

- FDA and USDA compliance
- Labeling, claims, and marketing review
- Facility development and real estate strategy
- Tax credit and incentive evaluation
- M&A and joint venture support
- Supply chain and contractual dispute resolution

Distributors

Our team understands the logistical, regulatory, contractual, and workforce challenges that define food distribution. In addition to compliance and transactional support, we advise distributors on employment practices, wage and hour risks, and operational issues involving large, multi-state workforces.

Many distributors rely on us as ongoing corporate counsel, combining regulatory, transactional, and employment guidance to support long term stability and growth. We support governance needs, ownership transitions for family-owned and multi-generational companies, and strategic planning for expansion into new territories or market segments. Our work also includes the use of real estate development strategies and incentive programs that help fund new facilities, cold-storage space, and modernization projects.

We have extensive experience with transactions involving distributors, including acquisitions, sales, joint ventures, and integration planning. When disputes arise, we represent distributors in contract conflicts, transportation issues, safety-related enforcement matters, and business governance challenges.

Our team's distributor capabilities include:

- Licensing and multi-jurisdictional compliance
- Governance and succession planning
- Facility expansion and logistics strategy
- Tax credit and incentive assistance
- M&A and strategic transactions
- Commercial and regulatory dispute resolution

Producers and Manufacturers

Producers and manufacturers face significant regulatory, environmental, supply chain, and workforce obligations. Our team supports clients with compliance, governance, transactional planning, and employment matters that affect production capacity, operational continuity, and risk management across multiple facilities or jurisdictions.

We help clients navigate state and federal regulatory systems, including production standards, environmental compliance, labeling requirements, sustainability initiatives, and market access obligations. We also advise on long-term planning, governance structures, and collaboration agreements that shape production capacity and brand stability.

Our corporate and transactional experience includes asset acquisitions, facility purchases, strategic partnerships, and investor backed growth opportunities. We understand the operational and regulatory considerations unique to food production and provide counsel that supports both day-to-day operations and transformational opportunities.

We provide support for producers and manufacturers including:

- Regulatory compliance and safety programs
- Environmental and sustainability planning
- Real estate acquisition and facility development
- Incentive and tax credit strategies for expansion
- Acquisitions and partnership structuring
- Dispute resolution involving suppliers, contractors, or regulators

Retailers

Food retailers operate within regulatory and employment frameworks that affect sourcing, marketing, food handling, staffing, and daily store operations. We help retailers manage licensing, compliance, workforce policies, and employment disputes, while also supporting growth strategies, acquisitions, and real estate planning.

Our team advises on strategic planning, including expansion, new concept development, and omnichannel initiatives that involve e-commerce, fulfillment, and third-party delivery platforms. We also support acquisitions and dispositions of single stores and multi-unit portfolios, along with real estate matters such as leasing, site selection, and build outs.

When regulatory challenges or disputes occur, we represent retailers in investigations, administrative hearings, enforcement matters, and commercial conflicts that affect operations or brand reputation.

We assist our retail clients with:

- Compliance with food safety and handling requirements
- Marketing, advertising, pricing, and digital program reviews
- New store development and strategic growth planning
- Acquisitions, dispositions, and real estate matters
- Enforcement response and administrative hearings