

ANIMAL HEALTH & PRODUCTION

With roots in the heart of the Animal Health Corridor—home to 56% of total worldwide animal health, diagnostics, and pet food sales—Husch Blackwell was the first law firm of its size to create a practice dedicated to animal health and production legal services.

Our group has the deep experience to advise clients on any business or legal matter in animal health and production throughout the industry supply chain. Our clients are involved in livestock production, livestock genetics, meat processing, feed manufacturing, product distribution, veterinary pharmaceuticals and biologics, and medical and scientific research, among other areas. We work with some of the largest companies in the industry, as well as early-stage growth companies with innovative new products and services, and we routinely serve as first point of legal counsel for companies and boards of directors, industry trade groups, and coalitions and manage all aspects of government advocacy on priority issues before the Food and Drug Administration, the U.S. Department of Agriculture, and the Office of the United States Trade Representative.

Comprised of attorneys spanning multiple legal practice areas, our animal health attorneys provide clients with a comprehensive approach to the legal and strategic business challenges. We advise on corporate transactions, including mergers, acquisitions, and joint ventures, antitrust and competition matters, animal welfare claims and legislation, labor and employment law, human trafficking, intellectual property, product and technology licensing, product liability, commercial



When we were blindsided by a patent infringement lawsuit that could have put us out of business if found meritorious, we turned to our trusted legal advisors at Husch Blackwell. The team truly delivered. Their decisive action and novel approach to our situation resulted in dismissal of the lawsuit and an order from the USPTO invalidating every claim of the asserted patents.

— Wade Shafer,
American
Simmental
Association —

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litigation, sustainability and ESG compliance and reporting, and industry-specific federal regulatory compliance, such as food safety plans and inspection regimes. Our team also includes former FDA personnel and provides advice in connection with all agency matters.

Our team also closely follows and advises on the evolving nature of state and local laws and regulations relating to animal health and production. We maintain a state-by-state guide to so-called ag-gag legislation and routinely alert clients to ballot initiatives and other legislative developments that could disrupt or limit their business operations, including those aimed at animal welfare, the use of antibiotics and/or other drugs, and the criminalization of certain animal husbandry practices.

Our team features attorneys from the federal government who previously worked for and partnered with any number of the agencies that regulate our clients, including:

U.S. Department of Justice (DOJ)

U.S. Department of Agriculture (USDA)

U.S. Department of Labor (DOL)

Occupational Safety and Health Administration (OSHA)

Federal Bureau of Investigation (FBI)

Numerous U.S. and State Attorney General Offices

Our government defense team tackles regulatory and enforcement inquiries and actions for clients across the food systems industry, including leading sensitive internal investigations at client sites necessary to defend against government agencies or report back to executive leadership or boards of directors. We also have in-house, non-attorney resources to assist in investigations,

including decorated and experienced accountants and former FBI agents.

Representative Experience

Animal Health and Drug

Served as FDA, USDA, and FTC regulatory counsel to animal health companies in their regulatory filings and compliance programs.

Served as FDA regulatory counsel for international and domestic animal health companies as they prepare for US IPOs.

Served as intellectual property and licensing counsel for domestic animal health company as it prepared for IPO.

Represented pharmaceutical companies in structuring cross-border licensing and ownership of intellectual property for tax efficiencies.

Filed New Animal Drug Applications on behalf of animal health clients.

Advised feed manufacturer on meeting FDA requirements for the manufacture of feed products.

Negotiating international license and marketing agreement for a rapid diagnostic technology applicable to human and animal health.

Represented defendants in trade secrets misappropriation, unfair competition, and breach of contract action in Illinois relating to veterinary CAT and MRI scanners and related

technologies.

Represented plaintiff in two breach of contract/noncompete lawsuits in the U.S. District Court for the District of Kansas involving a leading pioneer in probiotics for dairy and feedlot cattle.

Represented defendant in an antitrust case in the U.S. District Court in the Northern District of Texas on behalf of a cattle growth implant manufacturer.

Counseled a foreign animal health manufacturer on the FDA and USDA compliance aspects impact potential acquisition of a U.S. animal health manufacturing facility.

Guided pet food company through recall of salmonella contaminated product and follow up with state and federal regulators on closing of recall.

Consult with venture capital firm on applicable legal and regulatory framework for cell-based meat products used in human and animal food.

Develop FDA, AFFCO, state and Canadian compliant labels for international animal feed and pet food companies.

Animal Husbandry and Production

Obtained multiple judgments and permanent injunctions on behalf of Holten Meat Inc. in trademark infringement and unfair competition actions in U.S. District Courts in both Illinois and Texas for competitors' use of "Thick n Juicy" to brand meat products.

Represented defendant in patent infringement case in the U.S. District Court for the District of Colorado involving a

method of using genetic merit to determine relative value of livestock.

Advised clients on the prevention and response to agri-terrorism, including screening of applicants for employment.

Assisted cattle breed associations and genetics companies in developing DNA marker-assisted expected progeny differences.

Counseled dairy company on the voluntary recall of potentially tainted dairy product.

Represented defendant in patent infringement case in the U.S. District Court for the District of Idaho involving a teat-dipper device used in conjunction with dairy farming.

Represented defendant in trademark and trade dress infringement case in the U.S. District for the Northern District of California involving packaging and color combinations used for packaging pet care products.

Represent pork processor, farmers, and trade association in federal litigation proceedings regarding breeding sow confinement state restrictions.

Advised and defended dairy processor and food retailer in state dairy unfair trade practice investigations.

Defended animal feed production company in feed contamination and livestock death claims.

Assisted dairy processing company in evaluating Federal Milk Marketing Order petitions and develop strategy for addressing concerns with petitions.

Assist dairy company in developing contracts for sale of livestock, animal feed, and standing crops.

Advised poultry processing facility on FSIS food safety, sanitation, and packaging requirements.