

LOYENS  LOEFF

clear solutions by sharp minds

Food & Beverages

Belgium



the leading Benelux law firm

Food Law

Every day, millions of people in Europe consume food and beverages imported from all over the world. Due to its impact on human life and health, it is not surprising that the food sector is one of the most heavily regulated markets in the European Union. Food Law, both nationally and internationally, is necessary to ensure food safety standards and consumer protection by establishing quality control mechanisms and providing consumers with access to accurate and unbiased information.

Continuous changes to the regulatory framework make compliance a challenging and delicate issue. Correct implementation, however, is essential to a successful business in the food industry and to building trust-based relationships with other market players.

At Loyens & Loeff, we understand that a well-informed and pragmatic approach to this complex subject is paramount for a business.

The members of the Food & Beverages team have the expertise to assist you with these challenges and to keep you abreast of the frequent changes in the legal framework, both in Belgium and at EU level. The Food & Beverages team covers all facets of Food Law, from food safety issues, labelling requirements and health & nutrition claims to distribution, thus ensuring that when you work with us, you get full service coverage of all aspects of the food chain.

Our expertise

The Food & Beverages team specialises in the Belgian and European regulatory environment relating to food- and feedstuffs broadly defined, comprising of:

- Nutrition and health claims made about foodstuffs in commercial communications (including intellectual property issues);
- Labelling and advertising (including, but not limited to, labelling nutritional information, country of origin, allergens and additives);
- The regulatory framework regarding food safety and related liability (including mandatory notifications and product recalls);
- Market Practices related to the food and feed sectors (i.e. [comparative] advertising, joint offers, price policy, and other practices prevalent in the industry);
- Establishing distribution networks and service agreements related to production and/or distribution of food- and feedstuffs.

Our services cover giving advice, drafting of contracts, negotiating with the relevant authorities (Belgian and European) and litigating questions of Food Law in its broadest sense.

The Food & Beverages team is currently composed of 4 lawyers with sector-specific experience. Both linguistic groups (Dutch-speaking and French-speaking) are equally represented. All lawyers have excellent English language skills. As context requires, we also provide our services in Spanish.

Our clients

Our clients include a large number of companies operating in the food and feed sectors involved either in production (at all stages), distribution or mass catering.

Our services are available not only to companies based in Belgium and other European countries but also to companies operating outside Europe and who are looking to place their products on the European market.



Some recently handled matters

- On a continuing basis, we advise a manufacturer of new and creative high-grade chocolate products who is located in Belgium, and who manufactures and distributes worldwide. We provide full legal support to this company, particularly regarding labelling and packaging and the implementation of their distribution network.
- Assisting a well-known Italian food manufacturer in obtaining specific authorizations from the Belgian food safety authorities.
- Advising an industrial group with respect to the acquisition of a Belgian ready-to-eat meals business with regards to the due diligence of all (supply) agreements and of the regulatory framework.
- Advising a major Colombian fish importer regarding quality control issues related to food purchased from a Belgian company in the context of a major import-export arrangement.
- Assisting a well-known U.S. feed company regarding the labelling compliance in the EU and representing them before the Belgian food safety authorities.
- Over the past two years, representing a public tap-water supplier in the first Belgian leading case (currently pending before the Brussels Court of Appeals and soon likely to come before the European Court of Justice) regarding the application of Regulation (EC) No. 1924/2006 on nutrition and health claims made on foods in advertising campaigns.

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