



Stefanie Jill Fogel

Partner

GLOBAL CO-CHAIR, CONSUMER GOODS, FOOD AND RETAIL SECTOR
CO-CHAIR, FOOD AND BEVERAGE SUB-SECTOR

Boston

T: +1 617 406 6053

F: +1 215 606 3364

Stefanie J. Fogel is Co-Chair of DLA Piper's Global Consumer Goods, Food and Retail Sector and Co-Chair of the US Food and Beverage sub-sector, focusing her practice on multi-national food and consumer product regulation and compliance, food and consumer product recall response, corporate compliance, and commercial, class action and multi-plaintiff litigation. Stefanie works with large multinationals and start -ups in trending areas of the food and supplement space to include plant based alternatives and hemp based CBD products.

She represents national and international manufacturers of foods and dietary supplements, retail clothing, manufacturing equipment, chemical products, bio-technology detection devices and a variety of consumer products. Stefanie serves as a national and international advisor to these clients in the area of product safety, cross-border distribution and enforcement, crisis management response, and industry trends. She has extensive experience advising on FDA, USDA, TTB, and CPSC related regulations, including label compliance, claims risk assessment, import and export issues, FSMA, and supply chain management. She is also a seasoned trial lawyer and has represented clients both locally and as national coordinating counsel in toxic torts, consumer fraud, mislabeling and misuse and product liability matters, against individual, multi-district, and class action claims. She has also developed a global multidisciplinary crisis management team to quickly and effectively address issues arising out of recalls, contamination, natural disasters, equipment failure, and environmental leaks and spills.

Stefanie has lectured across the country on subjects relating to food regulatory, litigation and compliance matters, supply chain risk and management, food safety, information management, and in-house and expert witness preparation, as well as civil practice litigation issues. She is well-versed in food and dietary supplement industry trends and has experience necessary to navigate the complex and nuanced food regulatory arena.

Stefanie also concentrates on data strategy, data privacy, and data security process management, records and information management (RIM), and data privacy. She has developed protocols for the implementation of national and international document retention schedules, records management programs, e-discovery strategic plans, and ISO auditing for a variety of industries.

RELATED SERVICES

- Product Liability, Mass Torts and Product Stewardship
- Litigation, Arbitration and Investigations
- Projects, Energy and Infrastructure
- Insurance and Reinsurance Disputes
- FDA

RELATED SECTORS

- Energy and Natural Resources
- Insurance
- Food and Beverage

She also works with global companies in a variety of industries to develop data strategies integral to new product development.

She is a member of DLA Piper's governing Policy Committee and the Hiring Committee and is also proud to be the co-founder and co-chair for DLA Piper's National Leadership Alliance for Women (LAW) Program.

Stefanie is admitted to practice in Massachusetts, Pennsylvania, and New York and has been admitted in various other states pro hac vice.

EXPERIENCE

Significant Matters

- Representation of frozen vegetable and fruit manufacturer and distributor in regulatory compliance assessment and recall relating to listeria contamination
- Representation of international cinnamon roll retail food establishment involving international recall of cinnamon roll products due to peanut contamination in supplier's flour
- Representation of pretzel/ hot dog distributor in national recall relating to gluten free mislabelling
- Representation of pretzel/hot dog distributor regarding presence of foreign metal and plastic particles in pretzel dog products
- Representation of international sweetener manufacturer involving crisis management and recall considerations for potential biohazard contamination of foreign manufactured sweetener product, including coordination with multiple international governmental authorities during respective investigations
- Representation of international wine manufacturer related to recall of foreign manufactured wine bottles containing glass particles
- Regulatory advising and coordination with TTB regarding alcohol importer's permit application for foreign entity importing products through U.S. subsidiary
- Regulatory advising, classification assessment, and label review for malt beverage and beer products
- Regulatory advising and labelling claims relating to cheese and dairy related product
- Regulatory advising and risk analysis for company providing organic food kits, including a various USDA regulatory implications, organic claims, CGMPs, HACCP, and food facility requirements
- Regulatory advising regarding bottled water label requirements and label claims
- Regulatory advising regarding country of origin labelling and Tariff Act implications for imported frozen vegetable products
- Regulatory advising and risk analysis for lactation dietary supplement product, including analysis of organic claims, natural claims, gluten free claims, nutrient content claims, and labeling for pre-specified groups
- Regulatory advising and analysis for national restaurant chain regarding menu labeling laws, and compliance with USDA regulations for meat, poultry, and organic claims
- Representation of an international sugar manufacturer in addressing over 15 potential recalls, development of a food safety and compliance program, and serving as national counsel for overseeing contamination and mislabeling claims
- Representation of a peanut butter manufacturer in addressing regulatory and compliance concerns as well as legislative efforts relevant to labeling of consumer product.
- Representation of herbal supplement distributor in defending against class action claiming mislabeling and consumer fraud
- Representation of international confection and nutritional supplement manufacturer and distributor relating to information management and regulatory compliance
- Representation of international clothing retailer related to CPSC recall efforts involving lead in children's products and related import/export and product detention implications for foreign manufactured products
- Representation of Canadian clothing retailer related to importation and recall negotiations with CPSC regarding certain adult and children's clothing products with compliance concerns
- Representation of athletic apparel and consumer goods company related to recall involving lead paint in apparel bag products
- Representation of national retail distributor of apparel, consumer goods and confections relating to the development of a global compliance program, cross border distribution, labeling and consumer fraud claims

- Representation of a national pharmaceutical company in litigation arising out of the distribution of federally approved drugs alleged to have resulted in serious injury and death across the country
- Served as in-house consultant for an eight-month period to an international technology/communications company in order to establish a protocol for litigation crisis management and regulatory reporting. Instituted quality assurance policies and procedures as part of litigation prevention strategy
- Representation of a biotechnology company in assessment of potential liability and avoidance mechanisms in the development and manufacture and distribution of pathogen detection devices for governmental and civilian use
- Representation of a national oil and gas company in crisis response and subsequent litigation resulting from a toxic release
- Representation of a national chemical corporation involved in a significant toxic chemical release in crisis response and subsequent class actions as well as multimillion-dollar claims litigation
- Representation of glassware manufacturer in response to class action, proposition 65 claims, and government inquiry relating to the alleged use of chemicals in drinking glasses sold by food distribution and retailer
- Representation of international battery distributor in multiple recalls involving allegations of defect and consumer fraud
- Representation of distributors and retailers of athletic gear and apparel relating to the development of global compliance program, cross border distribution, labeling and consumer fraud claims
- National representation of a national motorcycle manufacturers in toxic tort litigation including the development of a national defense strategy, in-house witnesses identification and preparation, discovery coordination and trial
- National representation of national heavy industrial equipment manufacturers in toxic tort litigation to include the development of a national defense strategy, in-house witnesses identification and preparation, discovery coordination and trial
- Representation of international children's products manufacturers in car seat, swing and stroller litigation to include development of in-house witnesses and experts for national litigation platform
- Representation of international motorcycle manufacturers in products liability litigation across the country to include the development of a national defense strategy, in-house witness identification and preparation, discovery coordination and trial
- Representation of national health insurance provider in the defense of complex commercial class action litigation based on provider agreements and coding
- Representation of an international consumer product manufacturer in the development of a coordinated e-discovery protocol
- Representation of an international health insurance company in the development of a coordinated document management program as well as an e-discovery protocol
- Representation of major package carrier in products liability litigation to include all facets of trial preparation
- Representation of an elevator and escalator company in products liability litigation to include all facets of trial preparation

CREDENTIALS

Admissions

- Massachusetts
- New York
- Pennsylvania

Recognitions

The Legal 500 United States has repeatedly recommended Stefanie for her data protection and privacy practice. She has been "singled out for 'outstanding client service,'" and called a "[d]ata protection expert" who "is incredibly responsive and available at all hours." The well-renowned directory has also recommended her for her cyber crime practice as she is "highly responsive."

Prior Experience

- Philadelphia District Attorneys Office, Summer Intern, 1993, Philadelphia, Pennsylvania
- KS. Sweet Associations, Financial Analyst and Project Manager, Washington, DC

Education

- J.D., University of Pennsylvania Law School 1995
Lauerback/Littleton Legal Writing Instructor
- B.S., University of Pennsylvania 1990
magna cum laude
Wharton School of Finance

Memberships

- Defense Research Institute
- American Bar Association
- Philadelphia Bar Association
- New York Bar Association
- The University of Pennsylvania Law School American Inn of Court

INSIGHTS

Publications

Food and Beverage News and Trends

14 October 2019

Food and Beverage News and Trends Series

In this issue, is it time to revise food standards of identity? Plus vaping, alcohol labels, and a potential commissioner for the FDA.

Food and Beverage News and Trends

23 September 2019

Food and Beverage News and Trends Series

In this issue, USDA publishes hog slaughterhouse rule, flavored e-cigarettes in the news, plus vegetarian meat, chocolate milk, bottle sizes, sugary snacks.

The CBD problem: searching for a legal pathway for CBD in foods and supplements

20 September 2019

The current state of the laws and regulations in the US, and potential pathways to a resolution.

Food and Beverage News and Trends

6 September 2019

Food and Beverage News and Trends Series

In this issue, FDA warning letter puts papaya industry, and food sector, on notice; cell-based meat companies form trade group; Florida ponders reforming alcohol laws.

Food and Beverage News and Trends

20 August 2019

Food and Beverage News and Trends Series

In this issue, FDA issues first warning letter under the FSMA foreign supplier verification requirements, Seattle wrangles over soda tax revenue, plus school meal standards, clean water, and Hep A in the news.

Food and Beverage News and Trends

6 August 2019

Food and Beverage News and Trends Series

In this issue, Gottlieb calls on FDA to act on CBD, Arkansas meat-labeling law faces constitutional challenge, plus meatballs, leafy greens, GMOs.

Food and Beverage News and Trends

18 July 2019

Food and Beverage News and Trends Series

In this issue, lawsuits fight state meat-labeling laws, call for cancer warning on alcohol, high court strikes down Tennessee alcohol sales statute, plus bison, blood pressure, beverage taxes, best if used by.

Food and Beverage News and Trends

21 June 2019

Food and Beverage News and Trends Series

In this issue, FDA settles suit on deadlines for reporting on high-risk foods, TTB announces new "Conditional Approval" process for alcohol labels, plus PFAS, biotech, added sugars, frozen food recalls.

Food and Beverage News and Trends

10 June 2019

Food and Beverage News and Trends Series

In this issue, Sharpless pledges continuity, fruit juice linked to higher mortality, court OKs mobile vendor rule, plus kombucha, alcohol, salt, SNAP.

Food and Beverage News and Trends

10 MAY 2019

Food and Beverage News and Trends Series

In this issue, Q1 food recalls down, FDA bolsters oversight of biologically modified animals, Texas approves to-go beer sales from breweries, Louisiana bans cauliflower "rice."

Food and Beverage News and Trends

26 APR 2019

Food and Beverage News and Trends Series

In this issue, go-slow approach urged for salt reduction plan, developments in state alcohol regulation, and sweeteners in the news

Food and Beverage News and Trends

15 APR 2019

Food and Beverage News and Trends Series

In this issue: Three more states move to prohibit use of term "meat" for cell-cultured products, and when is rice not rice?

Food and Beverage News and Trends

1 APR 2019

Food and Beverage News and Trends Series

In this issue, livestock groups ask for change in regulation of genetically engineered animals, state legislatures ponder alcohol laws.

Food and Beverage News and Trends

19 MAR 2019

Food and Beverage News and Trends Series

In this issue, Dietary Guidelines panel to hold first meeting, new acting director for FDA, states look at their alcohol laws.

Food and Beverage News and Trends

21 FEB 2019

Food and Beverage News and Trends Series

In this issue, FDA moves against false claims for dietary supplements, court grants injunction against city law on sugary-drink ads.

Food and Beverage News and Trends

25 JAN 2019

Food and Beverage News and Trends Series

In this issue, FDA continues crucial food surveillance, shutdown hamstrings craft brewers, plus news about meat, whiskey, and Tennessee's alcohol retail law.

Food and Beverage News and Trends

4 JAN 2019

Food and Beverage News and Trends Series

In this issue, FDA head chides e-cigarette makers, USDA announces GMO labeling rules, grocery manufacturers implement new use-by labeling, plus: beer.

Food and Beverage News and Trends

19 DEC 2018

Food and Beverage News and Trends Series

In this issue, one source of romaine outbreak identified, guidance for California alcohol retailers in aftermath of fires

Food and Beverage News and Trends

3 DEC 2018

Food and Beverage News and Trends Series

In this issue, Senate holds confirmation hearings for top food safety post; new labeling and advertising rules aim to reduce burden on alcohol industry

Food and Beverage News and Trends

19 NOV 2018

Food and Beverage News and Trends Series

In this issue, FDA plans new restrictions on e-cigarettes, FDA and USDA announce details on joint regulation of cell-cultured meats, Chicago voters say yes to plastic straw ban, more.

Food and Beverage News and Trends

26 OCT 2018

Food and Beverage News and Trends Series

In this issue, Walmart food safety executive joins FDA, redefining "healthy," revisiting standards of identity, more.

Food and Beverage News and Trends

16 OCT 2018

Food and Beverage News and Trends Series

In this issue, were dairy cows the culprit in the largest-ever Salmonella recall of ground beef?

Food and Beverage News and Trends

1 OCT 2018

Food and Beverage News and Trends Series

In this issue, the FDA ponders releasing retailer names during food recalls and takes major steps against e-cigarettes.

Food and Beverage News and Trends

7 SEP 2018

Food and Beverage News and Trends Series

In this issue, FDA chief Gottlieb speaks out against kratom, plus kids' meals, milk, and meat in the news

Food and Beverage News and Trends

20 AUG 2018

Food and Beverage News and Trends Series

In this issue, FDA to provide more info on food packaging terms, plus raw milk, lab meat, GMOs, and a cattle feedlot becomes a suspect.

Food and Beverage News and Trends

27 JUL 2018

Food and Beverage News and Trends Series

In this issue, FDA says it will begin to take action against nondairy milk products.

Food and Beverage News and Trends

29 JUN 2018

Food and Beverage News and Trends Series

In this issue, FDA moves to assert jurisdiction over lab-grown meat, court affirms ruling on glyphosate safety

Food and Beverage News and Trends

15 JUN 2018

Food and Beverage News and Trends Series

In this issue, suit against ag-gag law revived, movement against plastic straws grows, Golden Rice nutrient claim rejected.

Food and Beverage News and Trends

1 JUN 2018

Food and Beverage News and Trends Series

In this issue, salmonella outbreak linked to eggs, a legal definition of "meat," call for new safety requirements for produce.

Food and Beverage News and Trends

18 MAY 2018

Food and Beverage News and Trends Series

This regular publication by DLA Piper lawyers focuses on helping clients navigate the ever-changing business, legal and regulatory landscape.

Food and Beverage News and Trends

26 APR 2018

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5 FEB 2018

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Food and Beverage News and Trends

23 JAN 2018

Food and Beverage News and Trends Series

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Food and Beverage News and Trends

9 JAN 2018

Food and Beverage News and Trends Series

This regular publication by DLA Piper lawyers focuses on helping clients navigate the ever-changing business, legal and regulatory landscape.

Glyphosate not likely to be carcinogenic to humans, EPA says

22 DEC 2017

The EPA's decision will likely provide strong evidence to support efforts to challenge glyphosate's listing as a carcinogen.

Food and Beverage News and Trends

19 DEC 2017

Food and Beverage News and Trends Series

This regular publication by DLA Piper lawyers focuses on helping clients navigate the ever-changing business, legal and regulatory landscape.

Food and Beverage News and Trends

1 DEC 2017

Food and Beverage News and Trends Series

This regular publication by DLA Piper lawyers focuses on helping clients navigate the ever-changing business, legal and regulatory landscape.

Food and Beverage News and Trends

17 NOV 2017

Food and Beverage News and Trends Series

WHO says: stop feeding antibiotics to livestock, plus news about kratom, soda taxes and menu labels, and a crackdown on

CBD.

Food and Beverage News and Trends

7 NOV 2017

Food and Beverage News and Trends Series

Advocates of soda taxes vow to keep fighting, plus news on cold pressing, E. coli, dietary supplements and more.

Food safety from farm to fork: FDA publishes proposed rules aiming to ensure the safety and security of the food supply

24 JAN 2013

The proposed rules lay the foundation of the prevention-based, modern food safety system envisioned in the FSMA and have wide-ranging effects on many industries, including every link in the global food supply chain.

- Co-Author, "Advising Food Company Executives at a Time of Increase Regulatory Risk," *Today's General Counsel*, Aug-Sept 2017
- Panelist "Of Handcuffs and Hamburgers: As DOJ Increases Its Focus on the Food Industry, How Your Company (and You) Can Avoid Being Criminally Prosecuted", GMA 2017 Legal Conference, February 28, 2017
- Co-Author, "2-49 Corporate Compliance Practice Guide § 49, Specific Corporate Compliance Challenges," *Industry: Food*, 2016
- *US v Bayer*: randomized clinical trials not required for dietary supplement structure function claims – key takeaways, 8 Oct 2015
- Appeals Court upholds FTC order enjoining POM Wonderful claims – with modifications, 2 Feb 2015

NEWS

DLA Piper honored by WILEF for sixth-consecutive year

17 DEC 2018

DLA Piper is pleased to announce that it has been awarded the Gold Standard Certification from the Women in Law Empowerment Forum (WILEF) for the sixth-consecutive year.
