



Consumer Goods, Food and Retail

DLA Piper's Consumer Goods, Food and Retail Sector team is recognized for advising many of the world's leading organizations in the consumer goods, food and beverage and retail sectors. For businesses looking to expand into new product lines or territories, protect their brand and IP, understand the consequences of changing consumer spending habits, or comply with the regulatory regimes in all the jurisdictions where they have a presence, DLA Piper can help.

Consumer Goods, Food and Retail lawyers are based in offices across the Americas, Asia Pacific, Africa, the Middle East and Europe. We leverage our vast on-the-ground experience and global platform to work seamlessly across borders, supporting you wherever you do business.

We regularly advise companies in these industries:

- Food and beverage
- Grocery
- Health, beauty and personal care
- Household care products
- Investors and funders
- Retail and fashion

As the power of the consumer continues to rise, changing shopping behaviours, never has the consumer had more to say in the battle for customer centricity. This brings with it a number of challenges of which our lawyers regularly advise on, including:

- Wellness and wellbeing
- Sustainability
- Product and supply chain integrity
- Waste and accountability
- The rise of technology
- The use and ownership of customer data
- Distress on the high street
- Direct to consumer
- New ventures and acquisitions
- Crisis management

To find out more about our Consumer Goods, Food and Retail team, please contact either of our Global Co-Chairs.

KEY CONTACTS

Stefanie Jill Fogel

Partner

Boston

T: +1 617 406 6053

stefanie.fogel@dlapiper.com

Noel Haywood

Partner

Birmingham

T: +44 (0)121 262 5953

noel.haywood@dlapiper.com

- Intellectual Property and Technology
- Real Estate
- Employment
- Corporate
- Mergers and Acquisitions
- Restructuring
- Litigation, Arbitration and Investigations

Publications

Food and Beverage News and Trends

20 May 2022

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

FDA warns about consumption of copycat products that contain THC; Canada tackles food fraud; Kansas enacts meat analog labeling law.

FDA continues CBD enforcement and ramps up delta-8 THC enforcement; agency focuses on youth-appealing products

19 May 2022

FDA has adopted a more aggressive enforcement strategy toward delta-8 THC than it has for CBD, and it is actively moving against products that carry significant risk of youth appeal.

Puerto Rico updates guidance for the management of COVID-19 cases

19 May 2022

The new guidance is applicable to all employers in the public and private sectors.

Brazil sets forth conditions for tax settlements in goodwill disputes: multinationals take note

18 May 2022

A quick discussion of Public Notice n° 9/2022.

Protecting your IP in Russia: Best practices, action steps

18 May 2022

[INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS](#)

US companies may take action in Russia to protect their IP rights, notwithstanding US economic and trade sanctions.

FDA premarket approval and the use of “FDA Approved” claims

17 May 2022

When do products, facilities, labels, and claims require Formal Premarket Approval, and when do they not?

New wave of US sanctions on Russia targets services, broadcasting, banking, and US exports

16 May 2022

[GLOBAL SANCTIONS ALERT](#)

The US government continues to announce new measures.

Nonsolicitation agreements face antitrust scrutiny

16 May 2022

Some of the court's rulings in the case may be relied on by the government as it continues to focus on non-solicitation and no-poach agreements.

Environmental justice takes a permanent place at the Department of Justice

12 May 2022

Companies with environmental interests should consider several dynamics arising from these policy developments and resource allocations.

10 considerations for companies on the path to sustainability

11 May 2022

For boards of directors and management teams as they discuss measuring, disclosing and reducing the company's climate impact.

California Attorney General subpoena – latest development in legal efforts targeting plastics

11 May 2022

The intensified regulatory focus on plastics is gaining traction across the US.

Embracing the movement towards digital and ESG

11 May 2022

As governments seek to shape the country's long-term response to COVID-19, greater focus and concern over ESG initiatives is emerging.

eSignature and ePayment News and Trends

11 May 2022

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Embracing the movement towards digital and ESG.

Food and Beverage News and Trends

6 May 2022

HHS moves against menthol in tobacco, Canada seeks to strengthen food system through digital food hub, plus caramels, Kansas, Closer to Zero.

Employment law in 5: 5 developments to read for May in less than 5 minutes

5 May 2022

5 developments to read for May in less than 5 minutes.

Global M&A Intelligence Report 2022

3 May 2022

Our annual Global M&A Intelligence Report is based on an analysis of key deal terms in almost 5,000 private M&A transactions on which we have advised since 2015.

Connecticut poised to be fifth state with comprehensive privacy law

2 May 2022

Modeled after the Colorado Privacy Act and the Virginia Consumer Data Protection Act, CT SB6 uses many of the same definitions and provisions in an effort to be interoperable with these laws.

Utah's Consumer Privacy Act heads to the governor's desk

4 March 2022

For states pondering privacy legislation, SB 227 is likely to provide a model more streamlined than the privacy laws of California and Virginia.

Food and Beverage News and Trends

21 April 2022

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

FDA announces new approach to food allergens; oyster recall in Canada and US; bird flu update; and the price of food has never been higher.

Mexican Congress rejects electricity constitutional reform and approves bill to regulate lithium

20 April 2022

An outline of the House of Representatives' decision regarding the Electricity Reform and Mining Reform, as well as its possible implications.

Blockchain and Digital Assets News and Trends

19 April 2022

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Treasury report on money laundering and terrorist finance in the art trade looks at NFT marketplaces; FDIC issues new crypto-asset guidance and notification requirements.

California considers restricting secret settlements in cases involving allegedly defective products, harmful environmental conditions

13 April 2022

If signed into law, the bill would impact defendants and defense attorneys in matters involving product liability or environmental claims.

Latest sanctions block Russia's largest banks, cyber actors and more; Biden's executive order prohibits investments in Russia by US persons

8 April 2022

GLOBAL SANCTIONS ALERT

Two of Russia's largest banks, Sberbank and Alfa-Bank, which had previously been subject to narrower restrictions, have now been blocked.

EPA moves to prohibit ongoing uses of chrysotile asbestos

11 April 2022

The proposed rule would prohibit the import, manufacture, processing, distribution and commercial use of chrysotile asbestos in connection with six current uses.

Mitigate the legal risks of influencer marketing with our updated and expanded Influencer Marketing Guide

11 April 2022

Influencer marketing continues to play an increasingly important role in marketing strategies. However, there are numerous legal challenges for influencers and the brands they cooperate with, and influencer marketing remains a focus for advertising regulators around the world.

Food and Beverage News and Trends

8 April 2022

FOOD AND BEVERAGE NEWS AND TRENDS

USDA revises organic dairy production rules; Manitoba combats food insecurity; plant-based meat, poultry, potato wart, peanut butter.

New antidumping duty petition: certain preserved mushrooms from France, the Netherlands, Poland and Spain – consequences for industry and downstream consumers

6 April 2022

The petitioner seeks the imposition of antidumping duties on imports of the preserved mushrooms from each of the four countries.

New antidumping and countervailing duty petition: white grape juice concentrate from Argentina – consequences for industry and downstream consumers

5 April 2022

Key details of the petition.

US escalates sanctions targeting Russian evasion networks, tech companies and cyber actors; signals more sanctions are on the way

5 April 2022

GLOBAL SANCTIONS ALERT

These new measures supplement the extensive measures previously announced by the US government.

Money laundering in trading works of art – US Treasury report addresses NFT marketplaces

31 March 2022

Regulators continue to grapple with how and whether to regulate various aspects of the digital asset economy.

Proposed EU corporate sustainability due diligence directive: what US companies need to know

31 March 2022

If adopted, the proposed directive could have significant implications not only for EU enterprises but also for US and other non-EU companies conducting business within the EU.

eSignature and ePayment News and Trends

31 March 2022

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

New wave of US sanctions targets Russian Duma, additional elites, defense entities; BIS extends export controls to more than 100 Russian aircraft

29 March 2022

GLOBAL SANCTIONS ALERT

The latest sanctions affect all members of the Duma, Russian elites, bank executives and board members, and Russian defense firms, and BIS has extended export controls to certain Russian aircraft.

ISDA proposes Form of Amendment for nickel market disruption fallbacks: understanding the options

28 March 2022

Those who use nickel for their commodity reference price may find the Form of Amendment useful to avoid calculation uncertainty.

US lifts Section 232 tariffs on steel and aluminum from the UK effective June 1, 2022

28 March 2022

The US-UK agreement includes novel requirements that deserve special attention.

Food and Beverage News and Trends

25 March 2022

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

[GLOBAL SANCTIONS ALERT](#)

Rising strain on global grain markets; California AG ends sales of drinkable sunscreen; Canada to support youth jobs in agri-food; FDA issues positive ruling for bioengineered cattle.

CafePress to pay \$500,000 for FTC violations

22 March 2022

The FTC's action highlights government expectations that companies maintain robust cybersecurity programs and provide appropriate disclosures and reports regarding security breaches.

Blockchain and Digital Assets News and Trends

18 March 2022

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Biden EO aims to protect digital asset consumers; UK authorities seize NFTs; Ukraine receiving crypto donations.

COVID-19 two years in: Four key trends in the state of compliance

17 March 2022

[PRACTICAL COMPLIANCE](#)

What it means to be compliant today is not what it meant in March 2020.

OECD releases commentary on the Pillar Two GloBE Rules – observations on selected topics

17 March 2022

A look at six topics found in the commentary which have particular relevance for multinational companies and other stakeholders.

US announces new trade restrictions against Russia as well as a new round of sanctions against Russian political elites

16 March 2022

[GLOBAL SANCTIONS ALERT](#)

Many of the newly announced measures will require Congressional action.

Consumer Finance Regulatory News and Trends

11 March 2022

[CONSUMER FINANCE REGULATORY NEWS AND TRENDS](#)

CFPB issues compliance bulletin on illegal auto repossessions.

Food and Beverage News and Trends

11 March 2022

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

EPA revokes tolerances for chlorpyrifos; Russia-Ukraine crisis and the global food supply; can hydroponic crops ever be organic?

President Biden's Executive Order on Ensuring Responsible Development of Digital Assets: Consumer protection implications, and 3 steps for digital asset issuers

11 March 2022

Digital assets, the Order states, have "profound implications for the protection of consumers."

US sanctions Russian energy sector while allowing various energy-related activities to continue

9 March 2022

[GLOBAL SANCTIONS ALERT](#)

Today's actions further restrict commercial activity and increase risks of sanctions violations by well-intentioned companies.

Canadian sanctions in response to Russian military actions against Ukraine

March 7, 2022

[GLOBAL SANCTIONS ALERT](#)

The Government of Canada has recently announced a series of new economic sanctions in response to Russia's invasion of and continued military actions against Ukraine.

US continues to escalate sanctions against Russia and Belarus

4 March 2022

[GLOBAL SANCTIONS ALERT](#)

White House announces new sanctions while putting in place extensive new export control measures against Russia and Belarus; DOJ announces Task Force KleptoCapture; OFAC closes some loopholes.

US escalates its sanctions regime against Russia, targeting its financial system

28 February 2022

[GLOBAL SANCTIONS ALERT](#)

And additional measures are expected to be announced by the US and its allies in the coming days

Food and Beverage News and Trends

25 February 2022

FOOD AND BEVERAGE NEWS AND TRENDS

H5N1 avian flu appears on US poultry farms; Mexican avocado ban lifted; Senate confirms Califf as new FDA chief.

US imposes further sanctions and export controls against Russia

25 February 2022

GLOBAL SANCTIONS ALERT

The White House emphasized that these newly announced sanctions and export controls will be complemented with similar measures imposed by US allies and partners.

Aiscension: an AI tool to ensure effective risk management by detecting anti-competitive practice

24 February 2022

Anti-competitive activity has been rife in companies for centuries and there are many who like to take the ostrich approach and bury their head in the sand. However, it is known that this approach to risk management is ineffective should the regulators come looking, and with fines of up to 10% of global turnover, it is a big risk to take.

New US sanctions in response to Russia's actions against Ukraine

23 February 2022

GLOBAL SANCTIONS ALERT

Additional sanctions are expected that will target Russia's financial, technology, and defense sectors.

Exploring the metaverse: What laws will apply?

22 February 2022

Like any new foundational technology, the metaverse remains confusing and unknown to many. Writing for *Chambers TMT 2022*, we explore key questions.

Blockchain and Digital Assets News and Trends

18 February 2022

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Lawsuit tackles tax treatment of staking rewards; SEC settles with crypto lending platform; emergency measures in Canada affect financial services entities.

Looking to verify your energy project to generate carbon credits? Understanding two popular verification registries

18 February 2022

A summary of VERRA and Gold Standard.

Being extorted? DOJ issues new FCPA guidance on the duress defense – but questions remain

17 February 2022

Considerations for companies operating in high-risk environments.

Mexican labor law amendments impose restrictions on personnel subcontracting

14 February 2022

The changes effectively prohibit employers in Mexico from subcontracting their personnel.

eSignature and ePayment News and Trends

31 January 2022

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Recently enacted federal and state laws, federal and state regulatory activities, fresh judicial precedent and more.

US lifts Section 232 tariffs on steel from Japan, effective April 1, 2022

10 February 2022

Beginning April 1, 2022, steel from Japan will be subject to a tariff-rate quota (TRQ), allowing a yearly set volume to enter the US tariff-free.

A whole new world: What Alibaba's record antitrust fine means for retailers

7 February 2022

Arrangements between retailers and online platforms are currently subject to enhanced scrutiny by global competition authorities. Regulators are focusing in part on the extent to which retailers use online platforms to coordinate activities with competitors. But how do you ensure your business is compliant?

California Attorney General issues non-compliance notices regarding loyalty program requirements under the CCPA

7 February 2022

The launch of the investigative sweep of businesses offering loyalty programs builds on recent enforcement efforts and signals the AG's latest CCPA enforcement priority.

California agency assesses climate impact of four major agricultural programs

7 February 2022

The findings imply a commitment to follow-up that may have ramifications for farmers and agricultural producers who use the programs.

Yet more changes in 2022 to California's laws regulating automatic renewals: do your current practices meet the new standard?

7 February 2022

Important signals of California's intent to remain the country's leader in this space and a reminder for companies doing business in one of the world's largest economies to check whether their current practices meet the new standard.

Food and Beverage News and Trends

3 February 2022

FOOD AND BEVERAGE NEWS AND TRENDS

California court postpones effective date of Proposition 12 for pork sales; FDA plans new rule for blockchain-based food tracking; 2022's food trends.

California revives COVID-19 supplemental paid sick leave requirements

31 January 2022

Answers to some common questions about this anticipated requirement.

Tortious claims and climate change: Where are we now?

31 January 2022

What should be the response of tort law to climate change? That starkly put is the key issue raised by this appeal.

Is blockchain the key to a more ESG-compliant supply chain?

26 January 2022

The retail industry will need to overcome unprecedented challenges if it wants to mitigate ESG risks and improve visibility into its supply chains. Fortunately, help may be on the way.

2021 has a lesson for 2022: Commodities sector, it's time to check your export and sanctions compliance programs

25 January 2022

Key developments in economic sanctions and export controls are materially increasing companies' compliance risk this year, particularly for the commodities sector.

Blockchain and Digital Assets News and Trends

25 January 2022

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

The first major enforcement action in the blockchain space provides important insights for developers and operators of DeFi markets; IMF calls for global crypto regulation; FTC issues consumer alert on crypto payment scams.

CFTC settles enforcement action against DeFi platform Polymarket

25 January 2022

The first major enforcement action in the blockchain space provides important insights for developers and operators of DeFi markets.

US Department of Homeland Security seeks comments on implementation of Uyghur Forced Labor Prevention Act

24 January 2022

Considerations for US importers and entities with supply chains that may involve China.

New year, new challenges – Top 10 trends for US employers

19 January 2022

Preparing for the scale and pace of change across an array of fronts.

New antidumping and countervailing duty petition: Sodium nitrite from India and Russia – consequences for industry and downstream consumers

18 January 2022

The petitioner alleges dumping margins ranging from 60.3 percent to 75.1 percent for India and from 187.8 percent to 265.5 percent for Russia.

New antidumping and countervailing duty petition: barium chloride from India – consequences for industry and downstream consumers

18 January 2022

The petitioner alleges a dumping margin of 235.88 percent along with an unspecified total level of subsidies of at least 1 percent.

Food and Beverage News and Trends

13 January 2022

FOOD AND BEVERAGE NEWS AND TRENDS

Disclosure rule on bioengineered food is now in effect; Senate conducts confirmation hearing for top FDA nominee; new plant-based food packaging fights bacteria.

2022 – a busy year for privacy legislation has already started

12 January 2022

Biometric privacy, cybersecurity standards and consumer protection are among the subjects of the bills.

New California law adds significant restrictions for recycling claims on products and packaging: action steps

6 January 2022

The law affects any product or packaging that fails to meet a California regulator's strict recyclability criteria. Compliance is crucial.

Why I Lawyer: Q&A with Scott Wilson

6 January 2022

WHY I LAWYER

I love being in the trenches with a client who is facing a crisis on multiple fronts—in litigation, with government investigators, and in the media—and charting a path through all the uncertainty.

New antidumping duty petition: lemon juice from Brazil and South Africa – consequences for industry and downstream consumers

5 January 2022

The petitioner alleges dumping margins of 555.22 percent for Brazil and 128.61 percent for South Africa.

A legal overview

4 January 2022

UNDERSTANDING THE UK NATIONAL SECURITY & INVESTMENT REGIME PODCAST

In episode 2 of our podcast series we discuss the legal context of the regime: how it will operate and the implications for businesses. In particular, the legislation - which comes into force today, 4 January - has wide reaching implications for M&A involving businesses or assets connected with the UK.

Mark it: 4 big trademark, copyright and advertising trends we are watching for 2022

4 January 2022

The significance of these trends will only grow in the coming months.

New antidumping and countervailing duty petition: Steel nails from India, Oman, Sri Lanka, Thailand and Turkey – consequences for industry and downstream consumers

4 January 2022

Key details.

Blockchain and Digital Assets News and Trends

21 December 2021

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Breaking legal news on cryptoassets and cryptocurrency, plus: Google sues to disrupt massive botnet

Food and Beverage News and Trends

17 December 2021

FOOD AND BEVERAGE NEWS AND TRENDS

USDA developing climate-friendly standards for food and beverages; nonprofits sue FDA to act against phthalates; plus news on Brazilian beef, bioengineered foods, and a beverage tax.

Law à la Mode: Fashion and retail industry trend 2022: NFTs, ESG impacts and more

17 December 2021

LAW À LA MODE

In the 33rd edition of Law à la Mode we look at the “athleisure” fashion trend and the increase in M&A activity; the opportunities and risks of using NFTs; ESG impacts in the retail sector; The rise of e-commerce of post-bankruptcy companies; Interview with Brianne West – How Ethique is revolutionizing the cosmetics industry with plastic free packaging?

California Proposition 65: OEHHA modifies its proposed changes to popular short-form warning – key points

16 December 2021

OEHHA is arguably creating just another long-form warning which will effectively be imposed on thousands of products that had been permitted to use short-form warnings.

California regulations on diverting organic waste go into effect January 1: new rules affect municipalities and food sector, bring opportunities for composting and biofuel businesses

16 December 2021

As more regulations implementing SB 1383 come into effect in the coming years, the demand for permissible ways to dispose of organic waste will only increase.

Brands and influencers in the spotlight as FTC focuses on civil penalties for deceptive advertising

13 December 2021

More than 700 warning letters sent in just one month.

Google files groundbreaking civil suit to disrupt massive botnet with blockchain backup system

10 December 2021

Civil actions to take down botnets have been around for years, but the blockchain aspect adds a new twist.

eSignature and ePayment News and Trends

7 December 2021

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Crypto broker rules become law; federal agencies release "policy sprint" on crypto-assets

Food and Beverage News and Trends

2 December 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Suspend imports of fresh beef from Brazil, US cattle group says; plant-based producers take new approach in suit over Oklahoma labeling law; plus salt, soda, and news from Hawaii

Six commodities predictions for 2022

2 December 2021

The worldwide turmoil of 2020 is, in many ways, still with us, but the good news is that alongside the struggles, the commodities realm is seeing an immense number of opportunities. Here, we take a fast look at the six areas we think the commodities sector should be watching in the year to come.

The Glasgow Climate Pact: What does it mean for Business?

23 November 2021

In this article, members of our Sustainability and ESG Steering Committee share their thoughts on eight key themes emerging from COP26 and what they mean for business.

Blockchain and Digital Assets News and Trends

22 November 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Infrastructure bill, including crypto "broker" rules, becomes law.

Exchange - International: Financial Services Regulation Newsletter

22 November 2021

Welcome to the latest edition of Exchange - International, our global newsletter designed to keep you informed of the latest regulatory developments in the financial services sector. This issue includes updates from the UK, the EU, as well as contributions from Ireland,

Germany and the US, plus international developments.

New antidumping duty petition: emulsion styrene-butadiene rubber from the Czech Republic, Italy and Russia – consequences for industry and downstream consumers

22 November 2021

Key details.

Food and Beverage News and Trends

12 November 2021

FOOD AND BEVERAGE NEWS AND TRENDS

Avoid foods with glittery garnishes, CDC says; USDA considers whether Salmonella should be declared an adulterant; soaring energy costs this year may mean widespread food shortages next year.

New York enacts requirements for monitoring employee phone, e-mail and Internet usage

12 November 2021

Employers who are found to violate this law will be subject to civil penalties.

Brands and influencers in the spotlight as FTC focuses on civil penalties for deceptive advertising

4 November 2021

The FTC again sends the message that it is closely monitoring advertising on social media and will act to stop practices it views as deceptive and unfair.

NACHA updates its rules regarding consumer ACH debits: key points

1 November 2021

The new standing authorization essentially bridges the gap between authorizing single and recurring debit entries.

With Civil Cyber-Fraud Initiative, government sharpens focus on cybersecurity obligations for government contractors

1 November 2021

Acting Assistant Attorney General Brian Boynton recently discussed how the Civil Cyber-Fraud Initiative would use the False Claims Act to pursue cybersecurity-related fraud.

eSignature and ePayment News and Trends

1 November 2021

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

NACHA creates a new type of consumer ACH debit authorization.

Takeaways from the new USPS rule prohibiting the mailing of vape products

29 October 2021

The Final Rule clarified that hemp vape products are included within the definition of ENDS, and are thus nonmailable.

Food and Beverage News and Trends

28 October 2021

FOOD AND BEVERAGE NEWS AND TRENDS

FDA announces initiative to improve children's diets; massive study finds using salt substitute is low-cost way to reduce stroke risk; onion recall expands.

The Corporate Profits Minimum Tax Proposal – key elements

28 October 2021

The proposal is likely to become part of the final reconciliation measure.

Treasury releases 2021 Sanctions Review: Its key recommendations and their implications for the private sector

28 October 2021

GLOBAL SANCTIONS ALERT

The Report puts into perspective recent Biden Administration sanctions while helping to forecast what will come.

FERC reliability standards in wake of Winter Storm Uri

27 October 2021

One recommendation included a mandatory electric reliability standard.

Compliance tips for marketing health benefits in alcohol

19 October 2021

As companies craft their marketing strategies around these alcohol products, they may wish to consider the impact of product classification on their claims.

Blockchain and Digital Assets News and Trends

18 October 2021

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Non-fungible tokens: What are the legal risks?

Aybar v. Aybar: New York Court of Appeals finds registering to do business in the state does not mean consent to general jurisdiction

12 October 2021

Consent by registration was the sole issue before the New York Court of Appeals in this case.

Five issues to watch for at COP26 in Glasgow

12 October 2021

Hopes had already been high for COP26 even before the pandemic paused it. The pent-up potential has only heightened those expectations.

An interview with Aldersgate Funding

11 October 2021

In this podcast, DLA Piper partner Henry Quinlan interviews Jim Holding and Matthew Lo at Aldersgate Funding Limited, who shed some light on the advantages of litigation and arbitration funding; the types of claims eligible for funding; the process of funding a case; and the jurisdictional constraints on this type of financing.

DLA Piper · Aldersgate Funding on how litigation funding can help your business

OECD announces global deal on international tax reform with its Two-Pillar solution

11 October 2021

In addition, the OECD sets out a detailed implementation timeline aiming to have parts of the plan ratified in 2022 and effective as early as 2023.

New California law threatens to dramatically increase pain-and-suffering damages in survival actions

7 October 2021

Considerations in approaching case valuations and risk assessments in survival actions brought in California.

US Trade Representative seeks comments on possible reinstatements of previously extended exclusions to Section 301 tariffs

6 October 2021

Interested parties should consider submitting comments in support or opposition to any possible reinstatement.

Georgia Supreme Court: Consent by registration a valid way to exercise personal jurisdiction over out-of-state corporations

5 October 2021

The court deduced that a corporation authorized to do business in Georgia must be subject to general personal jurisdiction in the state.

New antidumping and countervailing duty petition: Freight rail coupler systems and components from China – consequences for the industry and downstream transportation companies

4 October 2021

The preliminary ITC injury determination must be made by November 15, 2021.

Food and Beverage News and Trends

1 October 2021

FOOD AND BEVERAGE NEWS AND TRENDS

FDA announces winners of food traceability challenge; Pennsylvania rations sale of some popular liquors; not enough vegetables?

The global landscape of data privacy: Important points about new laws in three key jurisdictions

21 September 2021

PRACTICAL COMPLIANCE

New data privacy requirements in three important jurisdictions – the European Union, China, and Brazil – with an emphasis on action steps for compliance officers.

Blockchain and Digital Assets News and Trends

17 September 2021

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules.

Commodities News and Trends

20 September 2021

COMMODITIES NEWS AND TRENDS

Brazil and Argentina lead the way in biofuels; CFTC: we will support transition to a low-carbon economy; is the end in sight for the shale-driven pipeline building boom?

Food and Beverage News and Trends

17 September 2021

FOOD AND BEVERAGE NEWS AND TRENDS

FDA approves a new blue; senators seek COOL labels; pet food, Pop Tarts, Parnells.

Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules

17 September 2021

The move comes as part of the Ways and Means Committee's attempt to raise revenue to finance infrastructure spending.

Defending trademarks from non-use cancellations: Strategies for OEM manufacturers in China

September 2021

For many companies, China is an essential piece of their business, but they may never sell a single product to a Chinese company or consumer. Those businesses must answer the tricky question of how to protect their brand in a country where consumers never see it.

Protecting your company from supply chain cyber attacks

September 2021

Today, virtually all companies rely on third-party technical solutions to manage their business. The downside is that incorporating new third-party technology into business operations creates new vectors for cyberattacks.

Supreme Court Corner

September 2021

The Court chose to enhance the Director's power to review PTAB decisions directly.

New workplace sexual harassment laws passed – (some) Respect@Work recommendations become law

8 September 2021

After months of anticipation, the Australian Federal Government's Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021 has now passed both houses of Parliament. The amendment contains important reforms to address workplace sexual harassment.

eSignature and ePayment News and Trends

7 September 2021

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

CFPB to study electronic disclosures on mobile devices.

Food and Beverage News and Trends

26 August 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Vegan butter company prevails; California olive oil producers reach agreement on labeling; key part of Kansas ag-gag bill struck down.

Subject to the EAR: When is a non-US product free from the EAR?

25 August 2021

When does a non-US-made product incorporating US-origin components or technology escape the technical jurisdiction of the EAR? This article outlines the exemptions possible, and explains the application of the second incorporation rule.

When are non-US products incorporating US products free from US jurisdiction?

25 August 2021

[DLA PIPER TRADE TRUTHS](#)

This summary article provides key points to consider as well exemptions possible if your non-US manufactured products are subject to US reexport authorization requirements.

Top 10 trends for US employers – Mid-year update

24 August 2021

We recap key developments over the last six months and look at the potential changes ahead related to the top 2021 trends we identified at the start of the year.

Blockchain and Digital Assets News and Trends

23 August 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

New information reporting requirements for cryptocurrency transactions; CFPB involvement in cryptocurrency oversight; NCUA seeks comments on use of DLT and DeFi by credit unions.

Food and Beverage News and Trends

12 August 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

White House says order on USDA labeling rules is coming soon; appeals court rejects challenge to California's Prop 12 and its rules for housing farm animals; no vax, no service.

A shop window of opportunity: Act now to recover

6 August 2021

[LAW À LA MODE](#)

Challenges in bricks-and-mortar retail are not new. However, the impact of the COVID-19 pandemic has accelerated many key consumer trends away from the high street, forcing acute (and potentially permanent) reductions in footfall as well as widespread store closures.

Arming your legal team for the new normal

6 August 2021

[LAW À LA MODE](#)

The last 12 months have seen significant shifts in the way business is conducted within the consumer goods, food and retail sector. While some of these shifts will gradually reverse as countries ease their restrictions over the course of 2021, others will remain in varying degrees.

Belgium: Diversity in the workplace and legal compliance

6 August 2021

[LAW À LA MODE](#)

More and more companies are striving to demonstrate their commitment to inclusion and diversity through workplace diversity and inclusion (D&I) training, equal employment opportunity (EEO) programs and affirmative action in the recruitment phase. To ensure these initiatives yield positive results, companies should first consider their legal ramifications.

Defending trademarks from non-use cancellations: Strategies for OEM manufacturers in China

6 August 2021

[LAW À LA MODE](#)

For many companies, China is essential to business, but they may never sell a single product to a Chinese company or consumer. For those companies, China is the source of their manufacturing and products, even if a Chinese consumer never purchases the goods. Those businesses must answer the tricky question of how to protect their brand in a country where consumers never see it.

Law à la Mode

6 August 2021

[LAW À LA MODE](#)

The world has seen huge disruption in the last 18 months, but as we begin to see the shoots of normalcy beginning to grow we reflect on what the pandemic has taught us and the trends we are seeing.

RetailTech: How digitization in the retail industry is shaping the way we shop in Australia

6 August 2021

[LAW À LA MODE](#)

Digital marketplaces are growing significantly, taking up a larger share of e-commerce worldwide. In Australia, we expect to see continuing diversification of channel partner strategies, as well as continuing diversification of payment methods.

Sustainably fashionable and fashionably sustainable

6 August 2021

[LAW À LA MODE](#)

Sustainability is making a splash in the fashion industry, but sustainability claims are more than just feel-good messaging, and brands seeking to tout their green bona fides must do so thoughtfully to avoid liability for making deceptive or misleading marketing claims.

US: Food service delivery becomes more taxing

6 August 2021

LAW À LA MODE

The tax consequences of using an app to order a pepperoni pizza for delivery are getting more complex by the day. Not necessarily for the customer, but certainly for meal delivery service providers.

Values-driven fashion: An interview with Clare Press

6 August 2021

LAW À LA MODE

Hear from Clare Press, Founder of the Wardrobe Crisis and First Sustainability Editor for Vogue Australia on how corporate values are what every fashion brand needs.

“Olympic” marketing and what to consider when advertising major sporting events in Germany

6 August 2021

LAW À LA MODE

With the Olympic Games in Tokyo taking place this summer, we must brace ourselves for “Olympic” advertising. In a matter of weeks, grocery stores, sports brands and other businesses will be tempting consumers with “Olympic” discounts and prices. But is such marketing in line with competition law?

Remote notarization is here to stay

4 August 2021

Key developments.

eSignature and ePayment News and Trends

4 August 2021

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

Remote notarization is here to stay.

Food and Beverage News and Trends

23 July 2021

FOOD AND BEVERAGE NEWS AND TRENDS

FDA reassures public on the safety of PFAS in the food supply; trial of former Blue Bell CEO is postponed.

Blockchain and Digital Assets News and Trends

19 July 2021

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

IRS says tax-deferred like-kind exchange is not available for cryptocurrency trades; copyright issues plague NFTs; crypto venture investments continue to accelerate.

New proposed regulations aim to standardize non-preferential origin determinations for imports from Canada and Mexico

19 July 2021

Companies have the opportunity to present written comments on all aspects of the Proposed Rule by August 5, 2021.

Food and Beverage News and Trends

9 July 2021

FOOD AND BEVERAGE NEWS AND TRENDS

FDA sets 2022 deadlines for sodium reduction goals and milk alternative labeling; restaurant grant program officially closes.

New antidumping duty petition: Acrylonitrile-butadiene rubber from France, Mexico and the Republic of Korea – consequences for exporters and US importers

8 July 2021

Key details and implications.

New antidumping and countervailing duty petition: Urea ammonium nitrate solutions from Russia and Trinidad and Tobago – consequences for exporters and US importers

7 July 2021

The petitioners additionally allege that the governments of Russia and Trinidad and Tobago are providing unfair subsidies to their countries' producers and exporters of urea ammonium nitrate to the US.

Ransomware preparedness: NYDFS announces additional expectations of regulated entities' cybersecurity programs

7 July 2021

As regulatees address their vulnerabilities to ransomware, NYDFS raises its expectations.

Impact on the US solar, silicon and related industries of new US government actions aimed to address labor practices in Xinjiang

6 July 2021

Key details and implications for US companies.

EDPB's final Recommendations on Supplementary Measures confirm a subjective approach to assessing personal data transfer risks

2 July 2021

The Recommendations' detailed guidance will be useful to businesses and privacy practitioners as they conduct or update their transfer assessments, but the scope and detail of those assessments will require a sustained effort.

eSignature and ePayment News and Trends

2 July 2021

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

With Illinois's adoption of UETA, the US is near full adoption.

Understanding California's South Coast AQMD Warehouse Indirect Source Rule – key points for warehouse owners, operators and tenants

30 June 2021

Implementing the rule may prove challenging to owners, operators and tenants of warehouse facilities.

Supreme Court Corner

June 2021

The issue at hand in *Unicolors v. H&M* turns on a question of inaccuracies in the copyright registration certificate.

Food and Beverage News and Trends

28 June 2021

FOOD AND BEVERAGE NEWS AND TRENDS

FDA leader points to major changes in nation's food system; in many places, cocktails to go are going on.

Sustainable seafood in the ESG spotlight

28 June 2021

The mounting potential for severe legal, financial and reputational risks illustrates a growing trend showing how seafood sourcing implicates ESG.

FCC proposes ban on electronic products and devices made by Huawei and other Chinese companies

23 June 2021

Key details.

Global M&A Intelligence Report 2021

23 June 2021

Our annual Global M&A Intelligence Report is based on an analysis of key deal terms in over 3,200 private M&A transactions on which we advised since 2015.

Global corporate benchmarking group seeks inputs on corporate human rights standards

22 June 2021

Comments are requested by June 25, 2021.

EEOC updates guidance regarding employer COVID-19 vaccination policies; still more to come

15 June 2021

The updated guidance addresses mandatory vaccination policies, vaccination incentive programs and confidentiality requirements.

A long hot summer: Five steps for energy commodities traders in a time of heightened scrutiny

14 June 2021

Rising temperatures may exacerbate current market volatility, which in turn may lead to heightened regulatory scrutiny.

Whatever your sector, ransomware attacks are changing how to think about platform security risk: Action steps

14 June 2021

In an increasingly digitized economy, creating awareness of platform security risks is critical.

Food and Beverage News and Trends

11 June 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Supreme Court declines to act on vaping regulations, FDA proposes "common sense reform" for dietary supplements industry, USDA and CDC investigate Salmonella linked to chicken parts.

Enforcing a disputed electronic signature – recent case highlights importance of authentication, audit trails, and record management

4 June 2021

The decision reaffirms a long line of cases enforcing electronic signatures where a secure, reliable system, in compliance with the requirements of UETA and the federal E-SIGN Act, is used.

eSignature and ePayment News and Trends

4 June 2021

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

A Texas Supreme Court decision reaffirms a long line of cases enforcing electronic signatures where a secure, reliable system, in compliance with UETA and the federal E-SIGN Act, is used.

Commodities News and Trends

3 June 2021

COMMODITIES NEWS AND TRENDS

Fossil fuel industry and ESG; energy aspects of Biden infrastructure plan; floating storage can rule the seas or give you a sea of trouble.

Biden's FY 2022 budget and Treasury Green Book – additional details on international tax proposals

2 June 2021

Fleshing out revenue proposals in the White House's American Jobs Plan and American Families Plan.

FDA solicits public comment on adding list of device materials to certain medical device labels

26 May 2021

The proposed change would apply to all medical devices that may be in contact with a patient long term.

Food and Beverage News and Trends

26 May 2021

FOOD AND BEVERAGE NEWS AND TRENDS

FDA discloses post-pandemic plans for routine facility inspections, Alabama eases alcohol delivery rules, WHO issues new sodium standards.

Texas considers truth in labeling law for meat-alternative products: Potential consequences in the marketplace and the courtroom

19 May 2021

Truth in labeling acts have been met with close scrutiny in the states that have passed them.

EPA moves to phase out powerful GHG refrigerants under bipartisan mandate

7 May 2021

EPA estimates the HFC phasedown will yield cumulative climate-related economic benefits of \$283.9 billion from 2022 through 2050.

Food and Beverage News and Trends

7 May 2021

Federal court upholds FDA ruling on heme; bipartisan lawmakers introduce Truth in Buffalo Labeling Act; key senator calls for White House conference on hunger and nutrition.

FTC's \$9.8 million settlement holds firm and its principals liable for "consumer protection" violations in

transactions with small businesses

6 May 2021

The settlement is notable for two reasons.

eSignature and ePayment News and Trends

30 April 2021

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

In a key ruling on the TCPA, the Supreme Court narrows the definition of ATDS.

California mulls new standards for post-consumer plastic in thermoforms – proposed penalties may be severe

28 April 2021

Producers would be required to show they are including higher thresholds of post-consumer recycled plastic in thermoform plastic containers manufactured to contain fresh foods.

FDA warning letters: More warnings and closer scrutiny of COVID-19 and vaping products

26 April 2021

A large percentage of warning letters concern adulterated, unapproved or misbranded products related to COVID-19, and e-cigarette companies continue to be in the agency's crosshairs for selling unapproved products.

New antidumping duty petition: Raw honey from Argentina, Brazil, India, Ukraine and Vietnam – consequences for exporters and US importers

26 April 2021

Key details and considerations.

Food and Beverage News and Trends

22 April 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

USDA extends universal free school lunch program; FDA updates leafy-greens action plan; should gluten be disclosed in drugs?

US Supreme Court clarifies scope of specific personal jurisdiction over corporations: *Ford Motor Co. v. Montana Eighth Judicial District*

12 April 2021

The decision resolves confusion in the lower courts.

Food and Beverage News and Trends

9 April 2021

FOOD AND BEVERAGE NEWS AND TRENDS

Bill aims to change regulatory and tax treatment of kombucha, plus what are "processed" foods anyway?

Managing Mexican mandatory disclosure rules

8 April 2021

A review of new obligations for taxpayers and advisors under Mexico's mandatory disclosure rules.

New antidumping and countervailing duty petition: Walk-behind snow throwers and parts from China – consequences for exporters and US importers

7 April 2021

The petition alleges that certain walk-behind snow throwers and parts from China are being sold in the US at less than fair value.

Latest regulatory changes reduce burden for software and technology companies under US export controls

6 April 2021

Revisions to the US Export Administration Regulations implement changes to Export Controls for Conventional Arms and Dual-Use Goods and Technologies.

New antidumping and countervailing duty petition: Organic soybean meal from India – consequences for exporters and US importers

5 April 2021

Foreign producers, exporters and importers should have a strategy for addressing AD and CVD investigations, including possible participation.

So you want to go digital...

April 2021

This article assists businesses in identifying the core issues that must be addressed to ensure the legal sufficiency of transactions conducted on eSignature platforms.

eSignature and ePayment News and Trends

2 April 2021

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

Continuing the digital transformation into 2021.

Preliminary injunction granted in Cal Chamber lawsuit concerning acrylamide Prop 65 warning

1 April 2021

California's Eastern District federal court found that Prop 65's acrylamide warning requirement was likely unconstitutional and preliminarily enjoined new lawsuits alleging failure to warn for acrylamide exposure in food and beverages.

Financial services in the cannabis industry: A compliance guide

31 March 2021

An overview of the guidance issued by federal law enforcement agencies to financial institutions addressing the provision of services to the cannabis industry consistent with their BSA obligations.

Employee and independent contractor classification: Still the top legal issue in franchising

30 March 2021

Franchising rests on a basic premise that franchisees are independent contractors and not employees.

SEC interim final amendments signal stricter regulation on Chinese and other emerging market companies

29 March 2021

Under the new requirements, certain companies must establish that they are not owned or controlled by a foreign government entity and must disclose any foreign government influence.

Food and Beverage News and Trends

26 March 2021

FOOD AND BEVERAGE NEWS AND TRENDS

Consumer groups ask FDA to act against hard seltzers; Berkeley passes healthy checkout-aisle ordinance; plus: wear a mask, get a sandwich.

Episode 15: Comprehensive New E-Commerce Rules Introduced

23 March 2021

NAVIGATING CHINA: THE DIGITAL JOURNEY

Operators of e-commerce platforms, websites and apps in China, and those using third party e-commerce, social media or livestreaming platforms to sell their products and services in China, must update their operations, services and systems in advance of wide-ranging new rules.

United States imposes significant new export controls and sanctions on Russia and China

23 March 2021

Reflecting a further hardening of US foreign policy and national security policy positions with those two countries.

Blockchain and Digital Assets News and Trends

22 March 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Wyoming moves to clarify legal status of DAOs; court dismisses class action against a cryptocurrency exchange.

California Air Resources Board proposes cuts to VOC limits in consumer products

17 March 2021

Proposed amendments to consumer products regulations would affect retailers and manufacturers of aerosol air fresheners, hair care products, fragrances and insecticides.

Benefit plan provisions in the American Rescue Plan

16 March 2021

The practical impact on employers and participants.

Food and Beverage News and Trends

12 March 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Biden restaurant grants called a lifeline for the industry; plus sugary cereal, cell-cultured seafood and sesame in the news.

Country-specific guidance on the transfer pricing implications of the COVID-19 pandemic

4 March 2021

Businesses may wish to consider the guidance from several countries on the appropriate transfer pricing treatment for governmental subsidies related to the COVID-19 pandemic.

California Prop 65: OEHHA proposes changing popular short-form warning

3 February 2021

Businesses selling products in California that utilize short-form Proposition 65 warnings may have to be re-label yet again or risk enforcement actions.

Food and Beverage News and Trends

1 March 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Winter storm devastates Texas agriculture.

Legislators and regulators continue to support digital transformation

26 February 2021

Endorsing the movement towards digital transformation.

eSignature and ePayment News and Trends

26 February 2021

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

How legislatures and regulators endorse the movement towards digital transformation.

Blockchain and Digital Assets News and Trends

25 February 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Canada's AML regime amendments: is your interactive entertainment service or platform operating a "money service business"?

Employers in Puerto Rico must comply with new breastfeeding room requirements

25 February 2021

Requiring employers to provide a private, safe and hygienic space.

Puerto Rico: Employers must establish workplace harassment protocols – guidelines are available

23 February 2021

Employers in Puerto Rico have until August 2, 2021 to adopt protocols on workplace harassment.

Food and Beverage News and Trends

12 February 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

COVID-19 relief package includes restaurant grants; plus: tuna or not? Icelandic or not?

Corruption Perceptions Index 2020 - a regional perspective

11 February 2021

Last week Transparency International launched the 2020 edition of its Corruption Perceptions Index (CPI), which ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people, using a scale of zero to 100 (100 being very clean and zero being highly corrupt).

Announced, proposed and implemented: Developments in Digital Services Tax in key European jurisdictions

9 February 2021

While the OECD and G20 work toward a global agreement on digital services taxes, some European countries have forged ahead on their own.

Announced, proposed and implemented: Key features of France's DST

9 February 2021

The French definition of "taxable service" under the DST differs from the definition of "taxable services" as used for VAT purposes.

Announced, proposed and implemented: Key features of Italy's DST

9 February 2021

The Italian DST applies only to revenues deriving from the provision of tax-relevant digital services linked to Italian-located users.

Announced, proposed and implemented: Key features of Spain's DST

9 February 2021

The annual worldwide revenue threshold is not limited to revenues generated by the provision of digital services, meaning that non-tech businesses may also need to comply.

Announced, proposed and implemented: Key features of the United Kingdom's DST

9 February 2021

The UK's DST is intended to be an interim measure pending a long-term global solution to the tax challenges arising from digitalization.

CFPB Taskforce on Federal Consumer Financial Law proposes changes to ESIGN

5 February 2021

The CFPB looks at the consumer consent requirements triggered when information must be provided or made available to a consumer "in writing."

eSignature and ePayment News and Trends

5 February 2021

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

The CFPB looks at "in writing" consumer consent requirements; plus reports on new federal and state laws and regulatory activities and fresh judicial precedent.

Year in review and 2021 preview – Top 10 trends for US employers

2 February 2021

We identify the top 10 trends impacting US businesses as we close out 2020 and enter 2021.

Food and Beverage News and Trends

28 January 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Hahn steps down; USDA to oversee safety of gene-edited animals; plus vanilla, honey, poppy seeds.

No firing for lighting up? Cannabis in the workplace

28 January 2021

Appropriately addressing cannabis usage in the workplace while navigating anti-discrimination protections for workers.

The Qualified Maquiladora Approach Agreement has been renewed: Implications for multinationals' transfer pricing

26 January 2021

US-based multinationals using the maquiladora structure to manufacture goods in Mexico are taking note.

China's Blocking Rules: New trade-compliance dilemmas for third-country companies

25 January 2021

The Blocking Rules respond to the increased use of "secondary" economic sanctions and export controls by the US.

Consequences of producing non-compliant hemp

25 January 2021

Hemp producers may face different consequences for producing non-compliant hemp, depending on the jurisdiction where the hemp producer is licensed.

The Consolidated Appropriations Act of 2021: Temporary amendments to the Bankruptcy Code

25 January 2021

An outline of key amendments.

Blockchain and Digital Assets News and Trends

22 January 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Looking at the OCC's guidance on stablecoins.

Food and Beverage News and Trends

15 January 2021

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

New Dietary Guidelines for Americans remain much the same; USDA seeks produce industry input on new food safety survey.

Understanding the OECD's guidance on the transfer pricing implications of the COVID-19 pandemic

5 January 2021

A practical look at the new OECD guidance.

Boardroom Brexit: What the deal means for business

31 December 2020

[BOARDROOM BREXIT](#)

Welcome to this last edition of Boardroom Brexit, marking the end of the negotiations and the agreement of a new trade deal, the UK-EU Trade and Cooperation Agreement (TCA). In this edition, we summarise the impact of the deal on all aspects of business operations in one place – please use the hyperlinks below to help you navigate the report.

eSignature and ePayment News and Trends

30 December 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

CFPB finalizes additional requirements regarding debt collection – plus latest legal, regulatory and case law developments.

Blockchain and Digital Assets News and Trends

22 December 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

New Jersey seeks to regulate digital asset business activity through a mandatory licensing framework.

Franchisor consolidations after COVID-19

22 December 2020

Consolidations will continue in an opportunistic way, but will be moderated by a recognition that consolidation can be risky.

The EEOC breaks its silence on the COVID-19 vaccine

22 December 2020

Some of the most important questions answered by the EEOC's guidance.

The new economic aid to hard-hit small businesses, nonprofits, and venues...what is in it for businesses?

22 December 2020

From US\$284 billion in PPP loans to tax deductions and tax credits for sick leave; stimulus funds will help make the winter not so chilly for many businesses.

Food and Beverage News and Trends

15 December 2020

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Industry urges vaccine prioritization for food workers; FDA will publicize outbreak investigations weekly; sesame, salmon, soy milk.

Cyberfrauds and Cyberattacks: Remote Working Posing Increased Risks and How to Stay Protected

14 December 2020

Cybercriminals are becoming more sophisticated in the ways they facilitate cyberfrauds, with the increasing use of personalised messages on instant messaging platforms such as WeChat or WhatsApp and socially engineered phishing emails to deceive recipients to transfer funds, disclose sensitive information or click on malicious links.

New regional stay-at-home orders in California

9 December 2020

Employers are strongly encouraged to evaluate their compliance with current orders as of December 9, 2020, and prepare for additional restrictions.

Nasdaq proposes board diversity listing standards

8 December 2020

The proposal is the first of its kind among US exchanges and, if approved by the SEC, would mark an important step toward mandated diversity requirements for the boards of US-listed public companies.

Practical Compliance

8 December 2020

[PRACTICAL COMPLIANCE](#)

Q4 2020: Spotlight on real estate COVID-19 compliance.

eSignature and ePayment News and Trends

3 December 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

CFPB finalizes debt collection rules, addressing use of electronic communications; court finds no private right of action under ESIGN; plus latest legal, regulatory and case law developments.

California adopts emergency COVID-19 standards

1 December 2020

The emergency standards affect most companies with California-based employees.

Blockchain and Digital Assets News and Trends

23 November 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

IMF issues report on regulatory framework for CBDs and GSCs, SEC invites feedback on application of custody rule to digital assets.

Law à la Mode

20 November 2020

[LAW À LA MODE](#)

Retail has had to adapt to COVID-19 with speed, ingenuity and resilience. But even bigger disruptions may be around the corner.

Food and Beverage News and Trends

16 November 2020

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

FDA ordered to study risks of GM salmon, health experts urge strict limit on alcohol consumption, plus "lite," listeria, labels.

How COVID-19 has shifted the global grocery landscape

16 November 2020

DLA Piper partners Angela Agrusa and Stefanie Fogel are joined by Maureen Hinton and Joseph Robinson of GlobalData to discuss the impact of the pandemic on the industry, with a focus on current developments and the outlook for 2021.

Schrems II: The next chapter – EDPB issues recommendations on supplementary measures for transfers of personal data to the US, European essential guarantees for surveillance measures

13 November 2020

The measures could have significant impacts on international data transfers, particularly those between Europe and the US, which drive over a trillion dollars in trade every year.

Contracting for the climate: The Climate Contract Playbook is a trove of climate clauses

11 November 2020

Contracts have become an essential vehicle for companies seek to mitigate their environmental risks and limit their carbon footprints.

Q&A: ACORE Capital

9 November 2020

Tony Fineman of ACORE Capital discusses the loan origination market and the repositioning of the retail sector.

Q&A: Square Mile Capital Management, LLC

9 November 2020

Michael Lavipour of Square Mile Capital Management, LLC predicts the future of shopping malls and explains why now is a good time to lend on hotel assets.

As expected, California ballot initiative passes, significantly altering the California Consumer Privacy Act

5 November 2020

The California Privacy Rights Act adds new obligations on both businesses and service providers, adds some important new definitions and creates new liability risks.

The US Hemp Production Handbook

4 November 2020

A concise, high-level overview for businesses that are currently or are considering operating in this growing market.

eSignature and ePayment News and Trends

2 November 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Electronic signature hygiene – does your electronic signature process allow you to enforce a disputed signature? Plus latest legal, regulatory and case law developments.

Chile: Drafting arbitration clauses in international contracts – practical aspects

26 October 2020

International arbitration has expanded considerably in recent years in Chile.

Replacing NAFTA: What the USMCA means for the future of North American trade and investment – a Q&A

26 October 2020

Contributors from the US, Mexico and Canada discuss several key considerations.

Vaping and COVID-19: Plausibility and causality

26 October 2020

In a courtroom, assertions must be analyzed in the context of tort law.

Food and Beverage News and Trends

23 October 2020

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

USDA sued over bioengineered-food rules; as jurisdictions address the pandemic, some developments for restaurants and bars; plus plant-based burgers, cell-based meat, “natural” applesauce.

Oman introduces VAT: A law firm's perspective

22 October 2020

Prudent businesses operating in Oman are already planning for the implementation of Omani VAT and have started reviewing their legal arrangements and contracts.

Blockchain and Digital Assets News and Trends

21 October 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

SDNY finds Kin token is a security; unpacking the DOJ's cryptocurrency guidance – plus latest legal, regulatory and case law developments.

China Enforces Tax Collection on Employees Working for Chinese-invested Enterprises Overseas

16 October 2020

With the recent IIT reform in 2019, and the introduction of a number of implementation rules (particularly the tax policy on overseas income), it appears the China tax authorities are taking a harder stance on how overseas income derived by China tax residents will be taxed in China, starting with Chinese expatriates working for Chinese state-owned enterprises.

Expanded NYC Earned Safe and Sick Leave Law imposes additional obligations on employers

8 October 2020

New York City's amended Earned Safe and Sick Leave mirrors new, more generous statewide requirements.

COVID-19 – Galvanising your business against supply chain and customer insolvency risk

7 October 2020

The risk of unforeseen counterparty customer or supplier financial distress and failure amidst the on-going challenges for businesses

from COVID-19 means that pre-emptive legal and operational protections against the risk of heavy financial loss or business disruption from customer/supplier failure are more valuable than ever.

California legislation and recent stockholder derivative suits push for more board diversity

7 October 2020

California's latest diversity law follows a new wave of shareholder derivative actions attacking the lack of racial diversity in corporate leadership.

Mass layoffs and collective redundancies guide

6 October 2020

As COVID-19 continues to impact the global economy in unprecedented ways, companies that have had to scale back or shut down operations are bracing for what the next few months will bring, and what this means for their workforces. In this guide, we examine key considerations for employers looking to make permanent reductions in force across APAC.

California enacts consumer financial protection legislation and establishes the Department of Financial Protection and Innovation

5 October 2020

Along with the creation of California's financial services regulator, this new legislation will greatly expand regulation of consumer financial services providers in California.

New York Department of Financial Services issues circular on climate change and financial risks

1 October 2020

The NYDFS expects insurers to start integrating the consideration of financial risks from climate change into their governance framework, risk management processes and business strategies.

eSignature and ePayment News and Trends

30 September 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

CFPB seeks to promote innovation by giving financial firms more opportunities and compliance flexibility to try new technologies, practices and methods – plus latest legal, regulatory and case law developments.

Consumer contracts affected by COVID-19: CMA Guidance

25 September 2020

As uncertainties continue over the nature and timing of future restrictions relating to the 2019 novel coronavirus disease (COVID-19), businesses should proceed with caution when dealing with their consumer customers and contracts...

Blockchain and Digital Assets News and Trends

23 September 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

The court finds that a valid arbitration agreement exists in the ongoing WAX tokens dispute – plus latest legal, regulatory and case law developments.

California on the verge of instituting new deidentification requirements, broader research exemptions for health data

23 September 2020

AB 713 has an emergency clause that means it will go into immediate effect once the governor signs it.

Amendments to Ontario franchise law take effect

17 September 2020

[FRANCAST](#)

These are welcome changes which help align Ontario's legislation with other jurisdictions and with the expectations of franchisors.

Food and Beverage News and Trends

17 September 2020

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

First-ever consent decree under FSMA, plus new egg rules, new grape variety names, carrot cake without carrots, smoked almonds without smoking.

Changes to California's AB 5 independent contractor law create new opportunities and risks

16 September 2020

These changes create additional opportunities for individuals, especially those involved in translation/interpretation and the music industry, to remain independent contractors.

Department of Labor Opinion Letter spells death knell for driver reimbursement claims under the FLSA

9 September 2020

The Opinion Letter provides substantial latitude to employers when reimbursing employees who use their personal vehicles in connection with their jobs.

PREP Act immunity: federal courts weigh in

4 September 2020

The decisions suggest PREP Act immunity may apply broadly to manufacturers but may be more limited for hospitals, nursing homes, healthcare providers and others.

UAE overhauls Economic Substance Regulations

3 September 2020

The first ESR Report filing deadline is December 31, 2020.

SBA creates administrative process for appealing PPP loan decisions

2 September 2020

Under the process, a borrower may challenge written decisions by the SBA regarding ineligibility and loan forgiveness.

eSignature and ePayment News and Trends

2 September 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Want to receive 4506-T documents electronically? Ensure you are addressing recent changes - plus latest legal, regulatory and case law developments.

Proposed changes to US Department of Commerce antidumping and countervailing duty regulations: Consequences for exporters and US importers

31 August 2020

The proposed changes are likely to increase the risk of importers being exposed to unexpected additional duties; foreign producers and exporters could be forced to reduce or cease shipping to the US due to AD and/or CVD duties.

Food and Beverage News and Trends

27 August 2020

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

USDA to hold virtual meeting on Salmonella contamination, egg producer charged with price gouging in the pandemic, plus vegan butter, fish, jams, and the onion recall expands again.

Sale of Lion Dairy and Drinks – not in Australia’s national interest

27 August 2020

On Tuesday 25 August 2020, the Treasurer of Australia announced that the proposed sale of Lion Dairy and Drinks Pty Ltd (Lion Dairy) to China Mengniu Dairy Company Limited (China Mengniu) would not be within Australia’s “national interest”, effectively blocking the transaction. This article discusses the ramifications of the decision and how they could impact on foreign investment in Australia.

Slave-Free Business Certification Act proposes audit requirements for labor abuses in major company supply chains

27 August 2020

The legislation would require large companies to report on and root out forced labor in their supply chains.

Georgia shields businesses and other entities from COVID-19 liability claims and lawsuits

25 August 2020

The act protects businesses and other entities from certain liability claims and lawsuits related to the transmission of COVID-19 allegedly occurring on their premises.

Details of the second tranche of Hong Kong's Employment Support Scheme released

24 August 2020

On 18 August 2020 the Hong Kong government announced details surrounding the second tranche of the Employment Support Scheme. While the majority of the rules surrounding the second tranche remain largely the same as the first tranche, there are new penalties for employers who have fallen foul of a number of nebulous terms.

Blockchain and Digital Assets News and Trends

21 August 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

California appellate court affirms judgment for Coinbase in lawsuit over Bitcoin Gold – plus latest legal, regulatory and case law developments.

CCPA regulations take effect with a few minor changes

19 August 2020

The final approved CCPA regulations take effect immediately.

Food and Beverage News and Trends

10 August 2020

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

FDA announces new food safety blueprint, plus cell-cultured meat, bioengineered foods, soda, onions and a white candy bar, a court says, is white.

Release of exposure draft legislation for major reforms to Australia's Foreign Investment Framework

10 August 2020

Many governments around the world have been strengthening their laws relating to foreign investment. Australia is no exception to this development and has just released proposed sweeping reforms to its foreign investment regime. In this article, we provide a high level overview of the key proposed amendments and our thoughts on how some of those proposals are likely to affect foreign investment into Australia.

The US-Mexico-Canada Agreement: A summary of changes in Mexico's laws

6 August 2020

Mexico makes sweeping changes to an array of laws.

NLRB overturns restrictions on employee discipline for profane or abusive outbursts

31 July 2020

Another reflection of a labor law landscape undergoing dramatic change.

eSignature and ePayment News and Trends

30 July 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

OCC says national banks may provide cryptocurrency custody services – plus latest legal, regulatory and case law developments

Schrems II: Now what? New FAQs from EU data protection supervisors provide guidance on data transfers

28 July 2020

Organizations relying on Privacy Shield for transfers to the US of personal data subject to GDPR must immediately implement an alternative mechanism or cease transfers.

Amid spike in positive cases, Puerto Rico tightens restrictions for businesses and tourism

21 July 2020

The restrictions impact certain businesses, particularly in the food and beverage, entertainment and tourism industries.

Returning to work: OSHA issues guidance

21 July 2020

The latest guidance includes FAQ responses which clarify OSHA's position on a number of important COVID-19 issues.

Blockchain and Digital Assets News and Trends

20 July 2020

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Court upholds New York AG's Martin Act authority to investigate virtual currency fraud – plus latest legal, regulatory and case law developments.

Hong Kong Government increases statutory entitlement for maternity leave

16 July 2020

On 10 October 2018, the Chief Executive stated in her policy address that the government proposed to increase the statutory maternity leave entitlement from ten to 14 weeks.

Food and Beverage News and Trends

10 July 2020

[FOOD AND BEVERAGE NEWS AND TRENDS](#)

Illinois warns bars and restaurants about social distancing, Colorado mandates cage-free hen housing.

New antidumping and countervailing duty petitions filed against imports of standard steel wire mesh from Mexico: Consequences for exporters and US importers

7 July 2020

Duties can be imposed if the DOC determines that imported goods are dumped and/or subsidized and if the ITC also determines that the domestic industry is materially injured or threatened with such injury by reason of subject imports.

The legal challenges facing the vaping industry in the EU/UK and the US: An overview and a look ahead

7 July 2020

Notes as the industry matures.

All quiet on the merger front...right? US antitrust agencies issue joint 2020 Vertical Merger Guidelines

6 July 2020

The Guidelines focus heavily on two primary concerns – foreclosure or raising rivals' costs and access to competitively sensitive information.

eSignature and ePayment News and Trends

2 July 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Honoring National E-SIGN Day – plus latest legal, regulatory and case law developments

New Dutch Franchise Act poses challenges for franchisors

1 July 2020

[FRANCAST](#)

The legislation offers a number of protections to franchisees, which will be problematic for foreign franchisors who transact with well-established Dutch franchisees. The law will take effect on January 1, 2021, although it provides a two-year transition period for existing agreements.

New countervailing duty petitions filed against phosphate fertilizer imports from Morocco and Russia: Consequences for exporters and US importers

1 July 2020

US CVD investigations can result in the imposition of substantial duties, in addition to other already applicable duties and tariffs.

The new US-Mexico-Canada trade agreement goes live today

1 July 2020

USMCA is the first treaty in which complaints of noncompliance by a Mexican facility may be reported to a US government agency for the purpose of investigation and, if appropriate, remediation.

Are you ready for the USMCA? Customs-related takeaways on key changes from NAFTA

30 June 2020

Claiming USMCA duty advantages – practical considerations.

Changes to Hong Kong anti-discrimination legislation

30 June 2020

Anti-discrimination laws in Hong Kong have undergone a series of changes over the past few years.

Blockchain and Digital Assets News and Trends June 2020

18 June 2020

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design – plus latest legal, regulatory and case law developments.

Puerto Rico lockdown lifted; most businesses and tourism reopen

18 June 2020

The tourism, recreation and entertainment industries will resume operations progressively.

The CCPA is a moving target

18 June 2020

What is a Chief Privacy Officer to do about CCPA compliance amid this uncertainty?

US Department of Commerce clears Huawei to participate in international standards organizations

18 June 2020

BIS noted it is important to US technological leadership that US companies be able to work in these standards bodies to ensure US standards proposals are fully considered.

World Economic Forum announces Presidio Principles as a foundation of blockchain ecosystem design

18 June 2020

WEF's foundational values for a decentralized future.

Australia tightens rules on foreign investment

17 June 2020

In this article we summarise the tax-related developments from early June 2020, as Australia takes a more stringent approach towards compliance procedures involving foreign investments.

Boardroom Brexit - 15 June 2020

15 June 2020

[BOARDROOM BREXIT](#)

Boardroom Brexit - Britain rules out extension (15 June 2020).

Food and beverage COVID-19 regulatory updates

4 June 2020

Ongoing commentary and guidance from US regulators.

COVID-19 spurs digital transformation and electronic use and acceptance

3 June 2020

Steps to help to ensure enforceability and meet compliance obligations.

Update: NLRB proceeds with partial implementation of new election rules after adverse federal court ruling

3 June 2020

The new rules faced a bumpy road to implementation.

eSignature and ePayment News and Trends

3 June 2020

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

COVID-19 spurs digital transformation and electronic use and acceptance, plus latest legal, regulatory and case law developments.

New antidumping and countervailing duty petitions filed against lawnmowers from China and Vietnam: consequences for exporters and US importers

29 May 2020

ITC staff work begins almost immediately on such petitions.

Afghanistan's Food & Beverage Market and COVID-19

28 May 2020

Afghanistan is a frontier market and an importer of a variety of food products; and in the last two years has undergone a record number of business reforms meaning there are significant opportunities for international food and beverage companies in the Afghan market, even in the midst of COVID-19.

Lockdown in Puerto Rico modified to allow greater commercial activity

28 May 2020

Puerto Rico's lockdown order is extended, but a number of additional businesses are being allowed resume operations, with certain limitations.

Supreme Court of Wisconsin invalidates state's emergency order: Questions remain for businesses seeking to reopen

27 May 2020

This sudden development increases challenges facing Wisconsin businesses as they consider reopening their businesses.

Food delivery fee disclosures and caps in the wake of COVID-19 pandemic

26 May 2020

As a result of customers' increased reliance on third-party food delivery services precipitated by social distancing measures and compliance with local stay at home orders, cities have begun to take note of the fees charged by third-party delivery service providers, often with disparate impact on restaurant companies of varying sizes and negotiating power.

Law à la Mode: Beauty Trends: 5 Key Beauty M&A deals; Street art and fashion; Word from the industry's mouth; The rise in innovative retail services; and more

20 MAY 2019

LAW À LA MODE

The Moroccan editorial team is delighted to bring you the 28th edition of Law à la Mode, the legal magazine produced by DLA Piper's Consumer Goods & Retail Sector Group for clients and contacts of the firm worldwide.

PFAS: in California, regulators put cleanup levels on hold, but announce major data hunt

7 MAR 2019

This data hunt will affect thousands of facilities, drinking water systems and private drinking water well owners.

California Proposition 65 lists two chemicals, PFOA and PFOS, found in a number of consumer products

12 DEC 2018

Given Prop 65's active and litigious enforcers, companies doing business in California that suspect their products may cause an exposure to PFOA/PFOS should consider compliance options now.

Law à la Mode: Word of the industry's mouth; Enforcement of IP rights through Ukrainian customs register; E-commerce in Poland; The development of artificial intelligence in the fashion industry; and more

26 NOV 2018

[LAW À LA MODE](#)

The US editorial team is delighted to bring you the 27th edition of *Law à la Mode*, the legal magazine produced by DLA Piper's Retail Sector Group for clients and contacts of the firm worldwide.

Law à la Mode: Social Media Influencers & Effective Disclosures, IP and E-Commerce: Your basic checklist, Longchamp's Handbag Copyright Saga, IP Protection of Fashion Shows in Italy and more

21 MAY 2018

[LAW À LA MODE](#)

The UK editorial team is delighted to bring you this special edition of *Law à la Mode*, produced by DLA Piper's Retail Sector group for distribution to clients and contacts of the firm worldwide and marking the 140th Annual Meeting of INTA in Seattle.

Law à la Mode: Social Media Influencers & Effective Disclosures, IP and E-Commerce: Your basic checklist, Longchamp's Handbag Copyright Saga, IP Protection of Fashion Shows in Italy and more

21 MAY 2018

[LAW À LA MODE](#)

The UK editorial team is delighted to bring you this special edition of *Law à la Mode*, produced by DLA Piper's Retail Sector group for distribution to clients and contacts of the firm worldwide and marking the 140th Annual Meeting of INTA in Seattle.

California Supreme Court adopts broad "ABC" test for determining employment relationship

11 MAY 2018

[FRANCAST](#)

Franchisors are taking note of this long-awaited decision.

Law à la Mode: Virtual Reality and Augmented Reality; Insta-worthy or Insta-infringement; E-commerce in Poland; Harnessing hidden advertising; and more

20 DEC 2017

[LAW À LA MODE](#)

The Asia Pacific editorial team is delighted to bring you the 24th edition of Law à la Mode, the quarterly legal magazine published by DLA Piper's Retail Sector group for clients and contacts of the firm worldwide.

Supreme Court Corner: Q1 2017

30 MAR 2017

Key Supreme Court decisions in the copyright and patent areas.

Law à la Mode: The dangers of unused trademarks; demonstrating reputation; lowering the cost of retail rent in Hong Kong; Brexit update; and more

22 MAY 2017

LAW À LA MODE

The Belgian editorial team is delighted to bring you this special edition of Law à la Mode, marking the 139th INTA Annual Meeting in Barcelona.

Law à la Mode: The future of retail; Green fashion; E-commerce in China; Brexit update: trademarks and design; and more

3 APR 2017

LAW À LA MODE

The UK editorial team is delighted to bring you the 22nd edition of Law à la Mode, the quarterly legal magazine published by DLA Piper's Retail Sector group for clients and contacts of the firm worldwide.

Opportunity for temporary duty suspension or reduction - submit petitions for Miscellaneous Tariff Bills to ITC by 12/12/16

1 NOV 2016

Interim rules governing the petition process and a web portal – the MTB Petition System – to facilitate submission of duty suspension requests.

Law à la Mode: 10 tips when licensing a brand; a new provision for trademark parody; and more

23 May 2016

LAW À LA MODE

The French editorial team is delighted to bring you this special edition of Law à la Mode, marking the 138th INTA Annual Meeting in Orlando.

Slavery in the supply chain: new corporate reporting obligations for companies

9 DEC 2015

HEALTH, SAFETY AND ENVIRONMENTAL MATTERS SERIES

The UK's Modern Slavery Act 2015 is in force, imposing on companies new reporting requirements and new enforcement powers, including the creation of an Independent Anti-Slavery Commissioner.

FTC updates Q&A on Endorsement Guides – changes affect all types of media and endorsement: 5 takeaways

3 JUN 2015

The Endorsement Guides apply equally to all types of media and forms of endorsement

Supply chain planning in the post-BEPS era: five questions for MNEs

22 JUL 2015

After BEPS actions are incorporated into OECD documents and local legislation, tax planning opportunities will still exist, but realizing the benefits of tax planning will require a greater emphasis on economic substance. One often-overlooked area of opportunity is tax-efficient supply chain planning.

EVENTS

Upcoming

Legal and Practical Issues in Cannabis Regulation

24-25 May 2022

Webinar

Previous

A fireside chat with Holly Etlin, Managing Director at AlixPartners: The current state of the retail industry

27 April 2022

CONSUMER GOODS AND RETAIL SPEAKER SERIES

Webinar

Using AI to monitor your compliance risks

31 March 2022

Webinar

Mitigating your risk in a time of growing consumer protection enforcement and litigation

23 March 2022

CONSUMER GOODS AND RETAIL SPEAKER SERIES

Webinar

The Department of Labors New Regulations Bring Back a Strict and Confusing Regulatory Regime

22 Mar 2022

California regulations on diverting organic waste are in effect: New rules affect municipalities and food sector, bring opportunities for composting and biofuel businesses

28 January 2022 | 9:00 - 10:00 PT

Webinar

A fireside chat with Nicole Gates, Senior Corporate Counsel at Dr. Seuss Enterprises: Coming trends in consumer goods and retail

16 December 2021

CONSUMER GOODS AND RETAIL SPEAKER SERIES

Webinar

US employment laws and updates

17 November 2021

CONSUMER GOODS AND RETAIL SPEAKER SERIES

Webinar

Food and Drug Law Journal 2021 Symposium

4 November 2021

Webinar

Trade dress and unconventional trademarks

20 October 2021 | 2:00 - 3:00 ET

CONSUMER GOODS AND RETAIL SPEAKER SERIES

Webinar

False advertising 101

15 September 2021 | 2:00 - 3:00 ET

CONSUMER GOODS AND RETAIL SPEAKER SERIES

Webinar

Embracing Digital Evolution

15 September 2021

Webinar

Biden's Climate Summit - what changes can we expect and how could those impact COP26?

27 April 2021

Webinar

Employment in the consumer goods, food and retail sectors in 2021 – what to expect

16 February 2021

Webinar

VAT: Sales of goods to and from the UK post-Brexit

9 December 2020 | 12:00 - 1:00 ET

Webinar

EDPB recommendations for safeguarding data transfers after Schrems II

19 November 2020

Webinar

Sustainability and ESG: A case study on Timberland's strategic alliance in Haiti

28 September 2020

SUSTAINABILITY AND ESG: A CASE STUDY ON TIMBERLAND'S STRATEGIC ALLIANCE IN HAITI

Webinar

Sustainability and ESG: A case study on Timberland's strategic alliance in Haiti

28 September 2020

SUSTAINABILITY AND ESG: A CASE STUDY ON TIMBERLAND'S STRATEGIC ALLIANCE IN HAITI

Webinar

NEWS

Angela Agrusa named to the *Los Angeles Business Journal's* 2022 Top 100 Lawyers list

17 May 2022

DLA Piper is pleased to announce that Angela Agrusa, managing partner of the firm's Los Angeles offices, was named to the *Los Angeles Business Journal's* 2022 Top 100 Lawyers list.

DLA Piper advises Vorwerk & Co. in US\$255 million sale of JAFRA's US and Mexico operations to Betterware

13 April 2022

DLA Piper represented Vorwerk & Co. Eins GmbH, JAFRA's German parent company, in its sale of cosmetics company JAFRA's operations in Mexico and the United States to household appliance retailer Betterware for US\$255 million. The transaction closed on April 7, 2022.

DLA Piper advises Armada Acquisition Corp. in US\$2 billion combination with Rezolve

5 January 2022

DLA Piper represented Armada Acquisition Corp. I in a definitive business combination agreement with Rezolve.

DLA Piper advises Mercedes-Benz in equity investment in Factorial Energy

10 December 2021

DLA Piper represented Mercedes-Benz in its recent equity investment in Factorial Energy.

Campos Mello Advogados announces four new partners

8 December 2021

DLA Piper announced today the addition of four new partners at Campos Mello Advogados (CMA), which has a cooperation agreement with DLA Piper.

DLA Piper partners Jeff Baglio and Erin Gibson named to *San Diego Business Journal's* 2021 Leaders in Law list

15 November 2021

DLA Piper is pleased to announce that partners Jeff Baglio and Erin Gibson have been named to the *San Diego Business Journal's* 2021 Leaders in Law list.

DLA Piper partner Jeff Baglio named a 2021 BTI M&A Client Service All-Star

9 September 2021

DLA Piper is pleased to announce that BTI Consulting Group has recognized partner Jeff Baglio for providing superior service to clients

in its 2021 BTI M&A Client Service All-Star report.

DLA Piper advises Foot Locker in US\$360 million acquisition of atmos

4 August 2021

DLA Piper represented Foot Locker, Inc. in its recent agreement to acquire Text Trading Company, K.K., which owns and licenses the atmos brand.

DLA Piper shortlisted in five categories for The Deal Awards 2021

2 August 2021

DLA Piper is pleased to announce that the firm has been shortlisted in five categories by *The Deal* in its annual awards recognizing the advisers, professionals, firms and banks driving the market forward.

DLA Piper recognized as one of the "Most Recommended Law Firms" by BTI Consulting Group

26 July 2021

Due to its ability to "exceed client expectations and consistently demonstrate deep business understanding," DLA Piper is pleased to announce that it has been named one of the 11 Most Recommended Law Firms by BTI Consulting Group for 2021.

DLA Piper partner Jamila Justine Willis named to *Bloomberg Law's They've Got Next: 40 Under 40* list

15 July 2021

DLA Piper is pleased to announce that Jamila Justine Willis was named to *Bloomberg Law's* inaugural They've Got Next: 40 Under 40 list highlighting up-and-coming attorneys across various practices.

DLA Piper lawyers and practices ranked in latest edition of *The Legal 500*

17 June 2021

DLA Piper announced today that the firm received 42 individual lawyer rankings and 49 firm rankings in *The Legal 500 United States* 2021 guide.

DLA Piper advises Katapult in merger with FinServ Acquisition Corp.

15 June 2021

DLA Piper represented Katapult Holdings, Inc. in its merger with special purpose acquisition company FinServ Acquisition Corp.

Angela Agrusa named to the *Los Angeles Business Journal's* 2021 LA500 list

1 June 2021

DLA Piper is pleased to announce that Angela Agrusa was named to the *Los Angeles Business Journal's* 2021 LA500 list honoring the most influential leaders and impactful executives in Los Angeles.

DLA Piper lawyers and practices ranked in latest Chambers edition

1 June 2021

DLA Piper today announced that the firm received 216 lawyer rankings and 94 firm rankings in *Chambers USA's* 2021 guide.

DLA Piper announces new sector leadership

10 March 2021

DLA Piper is pleased to announce several recent changes to the firm's sector leadership.

DLA Piper advises Essentia CEO Scott Miller in sale of Essentia to Nestlé

9 March 2021

DLA Piper represented Scott Miller, CEO of Essentia Water, in the sale of Essentia, a premium functional water brand headquartered in Bothell, Washington, to Nestlé.

DLA Piper advises Pairwise in US\$90 million Series B financing

5 February 2021

DLA Piper represented food technology company Pairwise in its recent US\$90 million Series B financing.

DLA Piper represents Blue Diamond in dismissal of class action lawsuit

14 December 2020

DLA Piper represented Blue Diamond Growers in the dismissal of a class action lawsuit filed in the US District Court for the Southern District of New York.

Tamar Duvdevani named a *Hollywood Reporter* Top 20 New York Power Lawyer

9 December 2020

DLA Piper is pleased to announce that partner Tamar Duvdevani, the Intellectual Property and Technology chair of the New York office, has been named to *The Hollywood Reporter's* inaugural Power Lawyers list of Top 20 New York Entertainment Attorneys.

DLA Piper advises Whole Earth Brands in US\$80 million acquisition of Swerve

12 November 2020

DLA Piper represented Whole Earth Brands, Inc. in its US\$80 million acquisition of Swerve, a rapidly growing manufacturer and marketer of a portfolio of zero sugar, keto-friendly and plant-based sweeteners and baking mixes.

DLA Piper advises Twin Point Capital in its control investment in Frontpoint Security

12 October 2020

DLA Piper represented Twin Point Capital in its purchase of a controlling interest in Frontpoint.

DLA Piper advises Grupo Sports World in refinancing with HSBC, Banco Santander and Arrendadora Actinver

17 September 2020

DLA Piper represented Grupo Sports World S.A.B. de C.V. in the refinancing of its debt before HSBC, Banco Santander and Arrendadora Actinver.

Stefanie Fogel named to the *National Law Journal's* 2020 list of Cannabis Law Trailblazers

17 September 2020

DLA Piper is pleased to announce that Stefanie Fogel has been named a 2020 Cannabis Law Trailblazer by the *National Law Journal*.

DLA Piper advises Haymaker Acquisition Corp. II in business combination with ARKO Holdings and GPM Investments

9 September 2020

DLA Piper represented Haymaker Acquisition Corp. II in a definitive agreement for a business combination with GPM and ARKO Holdings Ltd.

DLA Piper advises Alsea and its subsidiaries in a multi-jurisdictional debt renegotiation and refinancing

9 July 2020

DLA Piper represented Alsea S.A.B. de C.V. and its subsidiaries in the renegotiation and refinancing of Alsea's debt before Mexican and international banks.

Sector focus

Consumer Goods

Food and Beverage

Retail

CONSUMER GOODS

DLA Piper's Consumer Goods, Food and Retail Sector team is recognized for advising many of the world's leading organizations in the consumer goods, food and beverage and retail sectors. For businesses looking to expand into new product lines or territories, protect their brand and IP, understand the consequences of changing consumer spending habits, or comply with the regulatory regimes in all the jurisdictions where they have a presence, DLA Piper can help.

FOOD AND BEVERAGE

Companies operating in today's global food and beverage sector must adapt to an increasingly competitive environment and at the same time navigate an ever more complex array of industry-specific regulatory requirements. Understanding and complying with these requirements is an integral component of strategic growth, from R&D through to manufacturing, marketing and distribution.

With a global platform, on-the-ground presence in local markets and a dedicated cross-disciplinary focus on the food and beverage industry, DLA Piper is positioned to advise and partner with companies operating in this sector. We are the instigators of thought leadership and help shape the development of policy on issues integral to the industry.

We anticipate the development of key emerging issues and promptly advise on important issues affecting the industry, such as:

- Balancing consumer choice, affordability and health and wellness
- Risk management in globalized supply chains, including sustainability, provenance, obesity and food miles
- Nutritional content and the development and use of innovative ingredients
- Environmental impact, waste management and recycling
- Global legislative and regulatory trends, such as testing, certification and labeling
- Product liability, recall and class action litigation
- International trade and antitrust and competition developments (including pricing, market segmentation and merchandising)
- Advertising and, in particular, nutritional claims

RETAIL

Retail continues to undergo constant disruption. Consumers are becoming more powerful. Experiential shopping, shifting attitudes about shopping, redevelopment opportunities, the growing dominance of e-commerce, pop-up stores, off-price retailing and the need for supply chain improvements are major trends reshaping the retail industry. To remain competitive, retailers are facing the need to significantly change.

In this competitive, swiftly evolving environment, sophisticated business clients want lawyers who understand their business, anticipate legal problems, know how others in their industry are addressing emerging issues, find out what regulators and accounting professionals think about those issues, and give efficient, business-oriented answers to a question the first time it is asked. DLA Piper believes that this ability to advise retail clients is only developed through extensive industry involvement, a sharp understanding of developing trends, and a determination to provide high-quality, seamless service.

Our firm's sector approach is critical to tackling the needs of retailers and is a key reason why retail companies seeking a strategic partner in the legal arena turn to DLA Piper.

Our Retail sector includes nearly 200 lawyers in North America with experience in diverse, highly relevant areas of practice. The sector team offers a matrix of services that retailers consider critical to their success:

- **Strategic advice:** general corporate advice and outside general counsel experience
- **Brand management and protection:** advertising, trademark, copyright licensing, anti-counterfeiting
- **Channel management:** distribution, franchise, e-commerce, privacy
- **Corporate and finance:** M&A, securities, debt finance, taxation
- **Cybersecurity, e-commerce, privacy and data protection:** Helping businesses keep up with critical, fast-changing data protection laws and create, manage and maintain a secure cyber DNA in the face of escalating threats and legal requirements, in-house turnover and a shift in the duty of care
- **Franchising and distribution:** We are the top franchise practice in the world. Many of the world's largest and most innovative retailers, restaurant chains, hotels and service providers rely on us to help them establish franchise or related distribution systems and navigate their expansion into new markets
- **Government affairs:** We have one of the top government affairs practices in the US, representing clients before governments and administrative organizations on a broad array of public policy, legislative, regulatory and administrative issues
- **Infrastructure services:** human resources, IT sourcing, outsourcing
- **Employment:** employment counseling and advice, defense and prosecution of bet-the-company litigation
- **Litigation:** consumer class actions, brand/IP litigation, product liability • **International needs:** cross-border taxation, transactions, sourcing, branding
- **Real estate:** leasing, land use and zoning, construction, warehouse and distribution facilities
- **Regulatory:** packaging and labeling, permitting/licensing, product recalls, children's products, California Prop 65, food, beverage, and alcohol retail sales, supply chain implications
- **Restructuring:** reorganizations, distressed asset sales and purchases, restructuring analysis and alternatives advice

- **Tax:** tax planning, structuring, audit defense both locally and globally

[Back to top](#)

Sustainability and ESG

Lawmakers, investors, shareholders and governments around the world are pressuring businesses to incorporate Sustainability and Environment, Social and Governance (SESG) practices into their operations and strategies, and this focus is only going to grow. Moreover, consumers are weighing in, sharing their experiences and opinions about companies via social media and then making buying decisions accordingly. Social responsibility, reputation, leadership and corporate transparency have never been so important. Consumer goods, food and retail companies must be prepared with an SESG strategy that demonstrates their values as responsible corporate citizens and ensures that these values are implemented in a transparent and auditable way across the supply chain.

SESG covers a wide spectrum of matters expanding beyond environmental issues: among them, diversity in employment, workplace practices, and transparency in accounting, as well as end-to-end supply chain accountability, including product sourcing, manufacturing and product life-cycle management, routes to market, final mile logistics, and waste management and reduction. There is a great deal to consider.

Although there may be a perceived dichotomy between SESG issues and the demands to increase profitability and improve margins, the market atmosphere and consumer buying behaviour has begun to narrow the gap between these two goals. As a result, SESG issues must be fully understood by businesses and integrated into the business model and strategy if they are going to remain profitable. Companies that fail to address these issues risk exposing themselves to litigation (particularly in global jurisdictions where class actions are on the increase), regulatory breaches, and reputational damage, as well as impacting the bottom line and investment opportunities.

CONSUMER GOODS

Many consumer goods businesses view this emerging way of thinking as an opportunity and are not waiting for regulatory forces to drive change. They appreciate the cost savings resulting from energy efficiencies and the reduction of carbon output at all stages of the supply chain. They are decreasing their dependency on fossil fuels and using renewables; they are also using LEAN operational methods to reduce waste, which can slash costs and improve long-term sustainability. Further, they are turning to new technologies, like artificial intelligence and the Internet of Things, which can drive environmental and cost benefits by supporting greater efficiency and facilitating more effective predictive demand forecasting as well as capacity sharing for warehouses and logistics. Consumer goods brands are now facing scrutiny for the ways they manage their product life cycle. Consumers want retailers to show them how items are made and what materials are used. This transparency can be achieved by implementing blockchain solutions to create a digital ledger of transactions which cannot be altered. This technology has the potential to be transformative for the consumer goods sector, by reducing barriers and increasing visibility, trust, and interoperability between different parties in the supply chain. Many businesses are also now implementing closed loop value chains to manage waste, reduce environmental hazards, and promote recycling. For example, consumer durables, such as kitchen appliances, have a high environmental impact: at the end of their useful life, they may go straight to landfill rather than being recycled; they often contain harmful chemicals which will be released when not correctly disposed of. Close loop value chains applied to such products encourage safe disposal and effective recycling. Waste management and recycling are increasingly important aspects of business strategy in this sector.

FOOD AND BEVERAGE

For the food and beverage sector, probably the most publicized aspect of SESG arises from the sharpening focus on health issues. A clear example: the worldwide problem of obesity, which the World Health Organisation has dubbed a global epidemic. More than 650 million people are now recorded as obese, and the ramifications for societies – shorter life spans, an array of related health problems such as heart disease and diabetes – are considerable. Food and beverage businesses are being called upon to demonstrate their commitment to helping address this crisis by making their ingredients healthier, addressing the pricing of healthier foods, and restricting marketing of unhealthy foods. Governments are also developing new ways to reduce obesity which include educating people on their choices, introducing taxes for products like sugary beverages, and changing labelling regulations.

There is also a growing trend towards “healthification” and being a “conscious consumer”: the pursuit of a healthier and more environmentally sensitive lifestyle, particularly among young adults, which includes reducing meat intake, drinking less alcohol (or none

at all), and consuming products that are not just organic but ethically sourced. It is these trends that are influencing the investment and development of new products like low-alcohol seltzers and meat-free alternatives. The main drivers behind conscious consumerism are:

- Health worries, on a personal and societal scale
- Ethical concerns/animal welfare
- Environmental impact of meat consumption and international shipment of foodstuffs
- Food security
- And, most recently, COVID-19 and potential future pandemics.

Because a significant part of conscious consumerism concerns ingredients, and provenance, we are likely to see blockchain embraced as a means of creating a permanent, immutable, transparent record of each link in the supply chain, including ingredient sourcing and monitoring of factory, warehouse and transport conditions. Using blockchain to track and record the life of a product will also make product recalls easier and more efficient.

Another aspect of ESG that is relevant for food and beverage businesses is food labelling and packaging. For many years, prominent members of the industry have urged legal reforms that would ensure food labels and packages are standard across the industry and are clear and understandable for consumers as they seek to make healthy decisions

Product life-cycle management is another focal topic for the food and drinks industry. For years now, the industry has relied heavily on single-use plastics, but governments and consumers alike are now decrying this, demanding that plastics be reliably recycled and even not used in packaging at all. Many retailers have been taking this into account, and mass reduction in the use of plastic has been seen across the industry.

RETAIL

Waste is a leading sustainability concern for the retail sector. Perhaps the most top-of-mind aspect of this is so-called fast fashion. Clothing brands rely on marketing seasonal products to consumers eager to stay on trend. But often, at the end of a season, these products are simply discarded, creating enormous waste and clogging landfills. Consumers are becoming more aware of their purchasing habits and the environmental consequences of throwing away entire wardrobes at the end of each season. Fashion and retail businesses will need to find a way to address this issue and balance it with the competing downward pressure on price and margin.

Waste is not just limited to cheap fast fashion brands: luxury brands too have issues with waste. For instance, the pattern cutting process can leave behind large amounts of waste. We are also seeing negative attention focused on luxury brands which are accused of burning unsold stock to maintain their perceived exclusivity.

All of this has led to a wider consumer concern about ESG issues in retail. Consumers want to know where items are from and how they are made. They also want to know how brands treat their employees, including employees of their sub-contractors and of their suppliers. Consumers expect brands to follow ethical practices, to ensure the occupational health and safety of their workers, to ensure their workers earn a living wage, and to take broad responsibility for ESG practices not just in their storefronts but throughout the supply chain. NGOs, moreover, often champion the interests of workers in factories where practices are unethical and see it as their moral duty to shine a light on these issues. Companies are expected to take responsibility for every aspect of their production, and those who fail to measure up in a transparent way may face the repercussions –social media notoriety, consumer boycotts, regulatory action, and lasting reputational and commercial impact.

The issue of how the consumer receives the product is also key. The move to online shopping has been accelerated by COVID-19. ESG issues around logistics and particularly waste generated in the delivery process and the environmental impact of inefficiencies in the final mile are more visible to the public and, as a result, are subject to greater scrutiny. This is an issue which the industry has been grappling with for several years from a cost efficiency perspective, but which now is also being examined from the ESG perspective. Use of electric vehicles in the final mile, particularly in urban areas, is becoming increasingly prevalent, and we also predict an increase in the use of technology to aid dynamic delivery scheduling and capacity sharing within vehicles. Similarly, the issue of single-use plastics for deliveries is also increasingly prevalent – brands are under increased pressure to reduce plastic packaging and to use fully recycled (and recyclable) materials.

Finally, another key aspect of ESG in the retail space arises from the use and security of consumer data. The online shopping experience makes it easier for consumers to buy a retailers' products, but also exposes companies, and consumers, to the risk of cyberattack. Furthermore, some companies have sought to monetize consumer data, raising further issues of privacy. Companies with

transparent data handling practices and transparency around how they handle security breaches are more likely to gain and keep consumer trust.

To discuss the implications of these issues for your business, please contact our ESG leaders.