

SCG - Food and Beverage Sector

#SCGLegal2018

7 June 2018

Craig Hodgson (Joint Head of Food and Agribusiness Sector)

Jessica Burt (Food Regulatory Lawyer)

Agenda

1. Introduction-Craig Hodgson
2. Trefor Griffiths – Partner, Corporate Finance and Head of Food Sector for Grant Thornton UK LLP
3. Craig Hodgson & Jessica Burt – Mills & Reeve LLP
Sector approach and working with SCG legal
4. ‘Opportunity Spotting’ – group brainstorming

M&R Food and Agribusiness Team

- Large English national firm, sector approach
- £105mn turnover
- Circa 500 lawyers
- Food & agribusiness sector 10% of firm turnover
- 150 specialist lawyers in food sector over 6 offices

Key sector messages

- Only large firm to have a agricultural property team across England.
- One of a small number of law firms to have a dedicated food law and regulatory team, led by specialist food lawyer Jessica Burt.
- Part of an international network that can provide a full service including cross border M&A , food law advice, employment
- We act for over a hundred clients in the sector which means that we can provide knowledgeable, effective and efficient advice.
- We have experts experienced in advising on the legal aspects of every element of the food supply chain from agriculture to production, sales and marketing and regulation.

SCG – Sector focus

Promoting our food & beverage connections

- Access to the best international lawyers with specialist knowledge and experience e.g. regulatory
- Hosting events, SCG lawfirms and their clients
- Targeting international clients to provide a joined up, one-stop-shop service
- Guest speakers at events
- Alex Kenworthy today is at La réglementation alimentaire à l'export discussing Brexit and the potential impact on food regulation.

Collaboration & Profile Raising with SCG

- Last year Craig Hodgson presented at the “Doing Business in the US” Santander, Grant Thornton and Mills & Reeve event.
- Kathleen Porter of Robinson & Cole provided materials. Follow-up meetings with Churchill’s Confectionery and R & C.
- Craig invited to speak to Food Business at a seminar in Dublin, Ireland run by Mason Hayes & Curran on Grocery Code.
- Attendees from GVW to Food Industry Dinner

International Food Regulatory Network within SCG

- Informal network of sector and regulatory specialists
- Advantages
 - “Joined up” service for clients
 - Building relationships for cross-referrals
 - More work from existing clients and targets
 - Allows M&R and SCG firm within network to compete with global transnational law firms for clients and international work.
 - Brainstorm other services that we can market

Regulatory cross border advice provided

Tate & Lyle example

- Multi-national advice on specification of names around brown sugars.
- Request for specific national legislation or guidance and the detail of the requirements for any brown sugar names contained therein (if any); sufficient to allow T&L to cross check their own specifications.
- Coordinated advice across Austria & Germany, Italy, Netherlands
- Coordination of further detailed questions raised on specifications

Accolade Wine

‘Ginger Joe’ for Ginger beer

- New product launch
- Provision of EU overall advice on product name, legal requirements surrounding labelling of alcohol and entire label ‘get up’
- Specifically differentiated country specific issues from EU
- Coordinated advice across Sweden, Finland & Germany re Northern Europe has tighter regulatory requirements re alcohol



Risk & Crisis Management – Position of trusted advisors

- Where there are international food business clients and global supply chains there is the potential for food safety liability (both criminal and civil) that crosses borders.
- We have found that clients are concerned to ensure that we can advise them on their crisis management and risk assessment requirements and have the capability to ensure that enforcement concerns and communications are adhered to. As part of this advice it is important that specialist country specific advice is available where required.
- Additionally clients are concerned that appropriate confidentiality and privilege is provided to ensure that where investigations are being undertaken and advice provided that the same standards are applied consistently across sometimes different corporate entities and that such advice is kept confidential.

Some SCG/M&R international Food deals

- Advised Refresco on sale of business following its acquisition of Cott Beverages as ordered by competition authority. Initial introduction from VBK to GC in Rotterdam to Craig and Tom last April during SCG European meeting in Utrecht, Netherlands.
- Referral from VBK to **Afriflowers**, a rose grower and distributors with HQ in Holland and operations in Ethiopia. Advising on the equity roll over investment.
- Sale of a subsidiary company of **Coca Cola Amatil** called SPC Natures Finest, a supplier of fruit pots and other fruit products to the major retailers, to World Wise Food Limited. The transaction came about as a result of Jens Henniker Heaton's secondment whilst at Hall & Wilcox, Australia. and recommendation to CF advisor from Hall & Wilcox
- Referral from M&R of Spearhead International to GVW of a corporate acquisition.

How can we help each other?

- Build on our food and drink sector profile and highlight expertise
- Focus on sector multiplier relationships
- Highlight international capabilities of network and encourage referrals
- Targeting of Global Companies by SCG Firms for cross border advice
- Promote/volunteer for guest speaker roles/attend events.
- Opportunity Spotting

'Opportunity Spotting'

- What is happening in the food & drink sector in your country? Key clients, key sector areas, key legislation/cases?
- How might it impact on the wider food and drink and agri sector?
- How might you be able to provide assistance to companies outside your country?
- Help us update clients
- **Give us 3 main issues for food & drink businesses in your respective area? Discuss**



Craig Hodgson

Corporate Partner

Joint head of food and agribusiness sector

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“straightforward to deal with.”

Chambers UK

Craig jointly leads the firm's food and agribusiness sector and is a partner specialising in mergers and acquisitions and company law. Craig is a member of the Food Law Group, and acts for a number of large international food companies on acquisitions across the sector and for agribusiness cooperatives on their agreements. Craig is a “trusted advisor” helping to devise strategy and implementing succession and M&A strategies. He acted for Refresco on the sale of a business and Coca Cola Amatil on the sale of SPC Ardmona. He has published articles on M&A activity in the food sector.



Jessica Burt

Associate (Food Law)

“very active in keeping up to date with food law.”

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Chambers UK

Jessica is a specialist in food product regulatory law, on all aspects of regulatory requirements from labelling and advertising, including health and nutrition claims to ingredients and weights and measures. She also specialises in food product liability; therefore help companies review their due diligence and supply systems, advise on crisis management and assessments under food safety requirements, as well as defending any enforcement action and prosecutions. She has published articles on legal developments in the sector in a number of journals, has been quoted in ‘The Grocer’ and is recommended individually by Chambers for Food Product Liability Band 1



Michael Aubrey

Partner

“outstanding in this area.”

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Legal 500

Michael is joint head of the food and agribusiness team with Craig and provides specialist advice on agricultural property with clients across the sector ranging from family farms to international companies. Michael comes from a farming background and belongs to the Country Land & Business Association, Agricultural Law Association and Royal Forestry Society. With over 20 years of specialist experience he has led teams dealing with matters such as the £249m purchase of the farming business of the Co-operative Group and advising a number of colleges and universities on joint ventures in relation to the development of their land holdings.

thank you



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