

Agribusiness

Downey Brand's Agribusiness Group helps clients thrive in one of California's most regulated industries.

As home to the largest and most dynamic agricultural industry in the United States, California occupies a central position in the global agricultural economy. Downey Brand provides a full spectrum of legal services to those in the production, processing, and distribution of food and agricultural products, to the associations and agencies that represent them, as well as the companies that supply and support them.

Our attorneys have decades of practical experience handling complex legal matters and helping our clients thrive in a byzantine and ever-changing regulatory environment. Our broad expertise, industry knowledge, and unique capabilities have prompted clients — from farmers and ranchers to input suppliers, packers, and grocers — to choose Downey Brand.

We help clients tackle a wide spectrum of industry issues, including food labeling and packaging regulations, supply contracts and lease disputes, land use and permitting regulations, and water supply and water quality compliance. The litigators at Downey Brand work extensively at the federal, state and local levels representing clients in pesticide regulation and drift litigation, crop damage litigation, and wastewater regulation and hazardous waste handling. Additionally, many of our clients are family businesses both large and small and we work with them to address the particular issues of a family-owned enterprise including estate planning and succession.

As active participants in industry trade groups and associations our attorneys have firsthand knowledge of the specific concerns of specialized agribusiness industries across the state. We are involved with the legislative committees and agencies crafting the fluid regulatory environment in which the agribusiness industry operates today, so that we are better prepared to help our clients thrive tomorrow.

Selected Experience

- Drafted production and supply contracts for many growers, packers, and processors.
- Represented large farming operations in the development of innovative conservation easements.
- Represented large dairy processor in a major wastewater discharge dispute with the Regional Water Board.
- Represented canning companies in major wastewater discharge disputes with the Regional Water Board.
- Represented farmers and processors in contract and other commercial disputes.
- Represented both farmers and applicators in pesticide spraying and drift cases.
- Represented major grocer in significant acquisition and joint venture transactions.
- Represented major agricultural lender in a lender liability dispute.
- Represent grape growers regarding a proposed conditional waiver for agricultural and storm water runoff from vineyards and roads.

- Represented major fruit processor in intellectual property licensing case.
- Represented major fruit processor in bond and debt financing.
- Represented food industry clients in food labeling, false advertising, product liability and Prop 65 cases, including class actions.
- Represented major packer in real estate acquisition and buy-out of multistate competitor.
- Served as lead trial and appellate counsel for ten major Sacramento River Settlement Contractors in their successful defense against an Endangered Species Act challenge to their Central Valley Project water supplies.
- Represented egg producers in seeking clarification and/or invalidation of Proposition 2.
- Represented livestock and egg farmers in actions filed by animal welfare advocacy groups.
- Resolved problems with small wind turbine program run by the California Energy Commission for systems designed to be used on farms to reduce water pumping and other electrical loads.
- Represented large canning company in class action defense.
- Represented fertilizer manufacturer in product liability action.
- Represented large forest products company in action by federal and state agencies to recover costs of fire suppression.
- Represent grape growers in action to collect from wineries that delay or refuse payments for crop.
- Represent industry associations in drafting, negotiating and passage of key statutes and regulations.
- Represent grocery stores in actions to evict trespassing solicitors.
- Represent grocery stores in compliance with environmental regulations.

Trade Groups

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- Bard Valley Date Growers Association
- California Agricultural Commissioners and Sealers Association
- California Association of Wine Grape Growers
- California Association of Pest Control Advisers
- California League of Food Producers
- California Grocers Association
- CGA Educational Foundation
- California Grain & Feed Association
- California Olive Association

- California Wine Education Foundation
- Frozen & Refrigerated Food Council of Northern California
- Grocer's Research and Education Foundation
- The Illuminators (an association of grocery industry suppliers)
- Illuminators Educational Foundation
- Napa Valley Grapegrowers
- National Grocers Association
- Northern California Water Association
- Pest Control Operators of California
- Stanley W. Strew Foundation
- Western Growers Association