

Food and Beverage

Turkey's sizeable agricultural production sector, extensive logistics and cold chain infrastructures, as well as its large population and geographic proximity to fast-developing markets all combine to mean the country is well positioned as a food and beverage production hub. The sectors' production and distribution chains involve many complicated regulations, intersecting with commercial strategy and public health policy in a highly competitive environment.

Moroğlu Arseven assists clients at all stages of the "*farm-to-table*" pipeline, offering clear and pragmatic advice on the legal aspects of these complex industries. We have supported many international food and beverage brands to navigate the regulatory issue which arise when entering the Turkish market, launching new product lines, or overhauling production and distribution structures.

Moroğlu Arseven supports food and beverage clients of all sizes and perspectives, spanning the full spectrum of production and distribution chains, both within Turkey and across the region. The firm assists domestic and global companies in the food and beverage industries, helping to launch and maintain Turkish operations, as well as assisting domestic clients which seek to expand overseas. These include seed and agricultural producers, livestock operators, ingredient, additive and pesticide manufacturers, biotechnology and GMO developers, processors, brewers, supply chain logistics companies, distributors, packagers and bottlers, equipment manufacturers, transporters, exporters, agricultural commodity traders, as well as wholesalers and retailers.

The firm provides grounded and commercially-focused advice on a wide range of legal matters facing the food and beverage sectors. These include ensuring product safety, developing new products and novel foods, product labelling, health and nutrition claims, advertising restrictions, nutrition profiles on packaging, as well as alcohol and allergen warnings. Further, we support with distinguishing between foodstuffs and medicinal products, contamination incidents, event sponsorship rules, launching private-label or home brand product ranges, use of pesticides, biotechnology or GMO, organic production rules, regulated pricing, as well as facility registration, inspections and compliance.

Moroğlu Arseven has supported many international food and beverage brands to enter the Turkish market, launch new product lines, or overhaul production and distribution structures, including all facets or terminations and related disputes.

We have particular experience advising on issues related to entering and maintaining commercial contracts for food and beverage procurement, processing, distribution, transport, warehousing and fulfilment. Our support encompasses all aspects of commercial contracts, such as developing negotiating strategies, assisting during complex negotiations, drafting agreements, making detailed or red-flag contract reviews, as well as localising clients' international contract approaches or templates.

The firm regularly supports food and beverage clients to plan and execute regulatory compliance and licensing strategies, often balancing regulatory requirements from multiple regimes. Foodstuffs and beverages are particularly strictly regulated, with public health and safety playing a pivotal role. Prescriptive advertising

restrictions and rigid labelling rules apply to these sectors, with severe consequences for non-compliance.

Moroğlu Arseven assists with all aspects of planning and executing food or beverage product recalls, including voluntary recalls, as well as dealing with government authorities, disclosures and subsequent investigations. The firm's full-scope services range from pre-recall commercial or regulatory risk assessments, as well as dealing with insurers, through to drafting recall announcements, arranging compensation and negotiating settlements with impacted parties. These circumstances are often very time sensitive, so clients benefit from Moroğlu Arseven's breadth of crisis and reputation management experience.

The firm's trade and customs practices support clients with complicated issues arising from importing and exporting food, beverages and agricultural commodities, including tax, customs and border biosecurity matters.

Moroğlu Arseven's strong intellectual property team helps food and beverage clients to proactively protect their intellectual property in Turkey. The firm supports with a full range of issues, including litigation, enforcement, counselling, prosecution and transactions. Intellectual property advice is tightly integrated with other practice areas, assisting clients to establish, protect and commercialise their intellectual property assets from the earliest possible stage. For instance, pursuing counterfeiters, advising on brand licensing agreements, geographic indications or packaging designs, along with advertising claims and patenting products or process. Customised anti-counterfeiting and market clean-up projects are a speciality for the firm, protecting brand reputations as well as ensuring regulatory compliance.

Moroğlu Arseven regularly advises on processes and requirements for Turkey's Ministry of Agriculture and Forestry, the Department of Tobacco and Alcohol, as well as the General Directorate of Food and Control, among other relevant regulatory bodies. We strategically support and represent clients during all aspects of their interactions with these bodies, assisting clients to obtain a wide range of routine and exceptional approvals, exemptions or licenses. Our support includes dealing with day-to-day regulatory relations, as well as high-stakes regulatory investigations or enforcement proceedings.

The firm's dispute resolution team provides full-scope and integrated support to food and beverage clients, meaning conflict specialists are involved from the early stages of emerging issues. We support clients with all aspects and perspectives on disputes, along with regulatory investigations. Support includes representing clients in a full spectrum of forums and related processes, including civil and administrative litigation, arbitration and alternative dispute resolution methods, strategic negotiation and settlement processes, as well as injunctions and enforcement actions. For instance, representing clients involved in disputes about distribution agreements, labelling and nutrition claims, ingredient descriptions, or other contractual and consumer issues.

Moroğlu Arseven assists food and beverage clients with all types of major corporate transactions, including mergers, acquisitions, joint ventures, strategic partnerships, spin-offs, divestitures and group restructures. The firm has significant expertise assisting during complex, inter-jurisdictional transactions, where strategic guidance is required to deal with the legal, commercial and operational factors simultaneously. These projects often involve high values, or complicated leveraging and equity structures. We work closely with companies, shareholders, investors and financiers on both buy and sell-side, assisting through all stages of these projects. Moroğlu Arseven places a strong focus on ensuring we consider each client's business objectives and the dynamics of the food and beverage industries, then reflect these factors into the transaction's structure, risk allocation, or asset transfers.

Related Practices

- [Product Liability and Consumer Protection](#)
- [Anti-Counterfeiting](#)
- [Industrial Designs](#)
- [IP Licensing](#)
- [Distribution, Franchising and Agency Agreements](#)
- [Consulting, Services and Outsourcing Agreements](#)
- [International Trade Regulation](#)
- [Unfair Trade Practices](#)
- [Commercial Contracts](#)
- [Corporate](#)
- [Mergers and Acquisitions](#)
- [Foreign Investment and Business Set-up](#)
- [Antitrust and Competition](#)
- [Employment and Labor](#)
- [Tax, Fiscal and Public Debts](#)
- [Directors' and Officers' Liability](#)
- [Corporate and Commercial Litigation](#)
- [Investigations](#)
- [Business Crimes](#)