

Webinar
Risks, Recalls and Relief, Oh My!
Food Safety and Mitigation Strategies in the Land of FSMA
Presenter: John T. Shapiro, Partner,
Freeborn & Peters LLP, Litigation Practice Group
November 5, 2013
11:00 a.m. (Central time)

Presented by the Food, Drug and Cosmetic Division of ASQ.

Registration:

Cost: FREE to active ASQ-FDC members

This WebEx requires prior registration. Please register at:

<https://asq.webex.com/asq/k2/j.php?ED=108652357&UID=0&HMAC=be23eaceef66c5c351121bc4bcfab61bde07c3ff&RT=MiM3>

A confirmation e-mail will be sent to the registered e-mail address and will include instructions to access the live presentation on November 5, 2013.

Contact:

Jim Loseke

jim.loseke@sargento.com

Presentation:

The Food Safety Modernization Act (FSMA) represents a fundamental shift in the food safety paradigm. Prior to FSMA, the U.S. Food and Drug Administration (FDA) policed the food industry in a reactive manner. When the FDA learned of contaminated food or a foodborne illness outbreak, the FDA sprang into action. As a result, some food companies largely could avoid substantial government scrutiny provided their products did not harm consumers.

Now, FSMA requires the FDA to be proactive in policing food safety and to develop preventative controls that ensure that food companies employ safe manufacturing processes and produce. In other words, the FDA will call on your facilities. Among other important changes, FSMA:

- Grants the FDA enhanced regulatory and enforcement powers;
- Increases the frequency of inspections at food companies;
- Tightens food company record-keeping requirements;
- Allows FDA greater access to company records;
- Requires food companies to conduct an analysis of likely safety hazards and to design and implement risk-based controls to prevent them; and
- Mandates product recalls where a company fails to remove voluntarily from the marketplace food the FDA deems unsafe.

What does this mean for food companies and related businesses? They no longer can operate under the radar of continuous government scrutiny or forgo proper preparation should a food safety issue arise. For the hesitant, unaware or out-of-touch food company or a related company in the supply chain, the failure to meaningfully take heed of, assess and account for the new regulatory regime FSMA has imposed, or will impose, may have a substantial, and potentially devastating, effect on the company's business and brand.

This webinar is important for persons who are responsible for designing, implementing and overseeing food safety and recall initiatives, as well as for persons who oversee overall food company operations and brands and manage food company risks. This workshop will cover the following topics:

- Overview of FSMA
- FSMA update, with a focus on the preventative control rule
- Risk management and mitigation strategies, including preparation and implementation of a recall response plan.

Participants will leave the webinar with an understanding of the framework in which FSMA operates, potential risks FSMA presents and best practices for a quick and proactive response should a recall arise.

General Information on the Webinar:

- This webinar is a benefit of your paid ASQ-FDC membership and there is no charge.
- This live webinar is limited to the first 120 ASQ-FDC members that sign up.
- This presentation will be posted on the FDC website for future viewing at your convenience.
- There will be a Q&A session immediately after the presentation, as well as an opportunity to ask questions which will be responded to and posted on the Webinar link.
- Please use the link above to sign up.

Presenter Biography:

John Shapiro is a Partner in Freeborn's Litigation Practice Group and Food Industry Team. John focuses his practice on solving clients' complex business disputes, counseling clients on litigation, employment and business issues, and providing general corporate advice and nonprofit corporation management. His litigation experience includes handling numerous cases involving a wide array of disputes and proceedings in federal and state courts, in arbitration and mediation and before administrative agencies, many on an emergency basis. Among other subjects, John's litigation matters have involved international and domestic supply chains, breach of contract, fraud, torts, corporate governance, non-compete and non-disclosure agreements, theft of trade secrets, ownership and protection of intellectual property, real estate deals, wages and hour discrimination and other employment-related laws.

As a member of Freeborn's Food Industry Team, John provides ongoing business and legal counseling to a variety of food clients. Among other areas, John focuses on food safety, regulatory compliance and supply chain management and litigation. John also serves as General Counsel of Inspiration Corporation, a Chicago-based non-profit that assists people affected by poverty. Among other programs and services, Inspiration Corporation offers Inspiration Kitchens, a 13-week culinary and restaurant skills training program, conducted in two for-public restaurants, designed to provide participants with the tools they need to secure and retain jobs in the food service and hospitality industries.

From 1991 through 1993, John served as a Law Clerk to the Hon. David S. Doty, United States District Court Judge for the District of Minnesota. From 1985 through 1988, he served as a Congressional Investigator and Professional Staff Member on the Subcommittees on Investigations and Human Resources for the U.S. House of Representatives Committee on Post Office and the Civil Service. There, he focused his efforts on uncovering and resolving violations of the Ethics in Government Act.

John received his J.D. from the University of Minnesota Law School and a B.A. from Carleton College.