

Gary Jay Kushner

Partner

Washington, D.C.

Biography

Gary Jay Kushner knows the food industry inside and out as he has been a part of it for more than 40 years. His clients are some of the largest food corporations in the world as well as their trade associations. Because of his extensive exposure to the industry at all levels, Gary approaches his clients' challenges from the perspective of a food industry executive.

Gary helps address regulatory compliance issues, advising on product development, labeling, advertising, inspection, and representing clients in enforcement proceedings before government agencies and the courts.

Gary has participated in the development of virtually every law and regulation affecting the food industry in the last four decades. He analyzes legislation considered by the U.S. Congress and state legislatures and regulations proposed by the U.S. Department of Agriculture, Food and Drug Administration, and other federal and state government agencies. He evaluates the legislative and regulatory impact on the food industry from farm to table. Gary's insight allows him to anticipate how these initiatives might change the way his clients do business so they can plan most effectively.

Previously, Gary served as vice president and general



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Practices

Administrative and Public Law

Food Law

Government Relations and Public Affairs

Investigations, White Collar, and Fraud

Marketing and Advertising

Industries

Consumer

Areas of focus

Consumer Protection and Privacy

counsel for the American Meat Institute where he directed the organization's legal, regulatory, and legislative activities. He began his food industry career as staff counsel for Scientific Affairs for the Grocery Manufacturers of America and began his legal career as law clerk to the Honorable John R. Hess in the Superior Court for the District of Columbia.

Representative experience

Helped several food manufacturers manage product recalls and related regulatory actions.

Advised an international organization on agriculture sustainability in West Africa.

Led a food industry alliance in advocating realistic government policy for regulation of pathogens.

Awards and rankings

- Member of the Year, *American Frozen Food Institute*, 2019
- Acritas Star, *Acritas Stars Independently Rated Lawyers*, 2017-2020
- Food & Beverages: Regulatory & Litigation (Nationwide), *Chambers USA*, 2008-2020
- FDA Law, *The Best Lawyers in America*, 2014, 2017-2020
- Food and Drugs, Administrative Law, Legislative & Governmental Affairs, *Washington, D.C. Super Lawyers*, 2014-2015
- FDA, Administrative Law, Political Law, *Washington, DC Super Lawyers*, 2013
- Distinguished Service Award, *American Seed Trade Association*, 2006
- Distinguished Order of Zerocrats
- International Who's Who of Lawyers
- Who's Who in America

Product Compliance

Food Advertising and Regulation

Food Recalls

International Regulatory Compliance

Food Legislation and Regulatory Policy Development

Product Development and Approval

Food Compliance and Enforcement

Trade Association Governance

Legislation

Food and Beverages

Retail and Consumer Goods

Medical Foods and Dietary Supplements

Education and admissions

Education

J.D., Georgetown University Law Center, 1975

A.B., University of Michigan, with distinction, 1972

Memberships

Adjunct Fellow, University of Maryland Center for Food, Nutrition, and Agriculture Policy

Member, Advisory Board, USDA Graduate School

Member, American Agricultural Law Association

- Who's Who in American Law
- Who's Who in the East
- Who's Who in the World
- Top Attorneys in Washington, DC, *Washington Post Magazine*, 2013

Latest thinking and events

- News
 - FSIS issues Proposed Rule to expand generic labeling approval
- Webinar
 - Regulating your way into the American market
- Insights
 - USDA Publishes Final Rule on Review and Issuance of Agency Guidance Documents
- Hogan Lovells Publications
 - COVID-19 update: CDC and OSHA release interim guidance for meat and poultry processing workers and employers
- Hogan Lovells Publications
 - USDA to initiate rulemaking for "Made in USA" claims on meat and poultry products *Food Law Alert*
- Hogan Lovells Publications
 - FSIS announces temporary allowances for foodservice labels going to retail *Food Law Alert*

Member, American Bar Association

Member, American Society of Association Executives (Past Chairman, Legal Section Council)

Member, Association of Food and Drug Officials (AFDO)

Member, Board of Directors, Advocates for Better Children's Diets

Member, Board of Directors, Seed Programs, Inc.

Member, Board of Governors, Aleh Negev

Member, Board of Governors, City Club of Washington

Member, Federal Bar Association (Past Chairman, Council on Health and Human Services; Past Chairman, Food and Drug Committee)

Member, Governing Board, Executive Committee and National Commission, Anti-Defamation League

Member, Governing Board, Jewish National Fund

Member, Institute of Food Technologists (Member, Laws and Regulations Committee)

Member, National Strategic Initiative Steering Committee, Partnership for Food Safety Education

Member, Review Committee, National Academy of Sciences/National Research Council Report, Assessing the Nation's Framework for Addressing Animal Diseases

Bar admissions and qualifications

District of Columbia

Maryland

Court admissions

District of Columbia Court of Appeals

Maryland Court of Appeals

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Eleventh Circuit

U.S. Court of Appeals, Federal Circuit

U.S. Court of Appeals, Fifth Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Tenth Circuit

U.S. Court of International Trade

U.S. District Court, District of Columbia

U.S. Supreme Court

Accolades

"Brings an extraordinary institutional knowledge to the table."

Chambers USA

"Impressed interviewees with his knowledge of food regulatory issues,

and is also highlighted for his extremely client service-oriented approach."

Chambers USA

"Recognized by market sources for his strong USDA regulatory practice."

Chambers USA
