

## Samuel D. Jockel

Senior Associate

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***Combining his previous roles at both the FDA and USDA, Sam brings an insider perspective to clients navigating complex regulatory compliance and enforcement issues.***

Sam Jockel is a senior associate in the Washington, D.C. office focusing his practice on regulatory, policy, and litigation matters involving the FDA, the USDA, and the FTC related to food, beverages, cosmetics, dietary supplements, and drugs. Sam assists clients on premarket clearance, import and export issues, supply chain management, and product labeling and advertising. He helps clients navigate product recalls and respond to regulatory enforcement actions and defends clients in consumer class actions. Sam has completed training to be a Preventive Controls Qualified Individual (PCQI) for human food.

Sam previously served as a trial attorney in the USDA's Office of the General Counsel. At the USDA, he was counsel for the implementation of the National Bioengineered (BE) Food Disclosure Standard and also represented the Agricultural Marketing Service, the Food Safety and Inspection Service, and the Animal and Plant Health Inspection Service in administrative enforcement proceedings under the Animal Welfare Act, the Packers and Stockyards Act, and the Humane Methods of Slaughter Act. Sam began his legal career as an Oak Ridge Institute for Science and Education Fellow at the FDA, where he worked on medical and food product safety and regulatory harmonization initiatives.

### ***Representative Experience***

#### ***Food and Dietary Supplements***

- Providing strategic counsel to ingredient suppliers and food companies on bioengineered food labeling requirements and development of related claims.
- Counseling clients on the regulatory and litigation landscape surrounding the development and marketing of novel products, including CBD-containing products.
- Counseled a client in engagement with the FDA in response to a foodborne illness outbreak investigation and issuance of a warning letter, including drafting a response letter that averted further enforcement action.
- Advising a restaurant chain and food processor on produce supply chain management practices, including obligations under the Perishable Agricultural Commodities Act.
- Advising food retailers, including restaurants, kitchens, and third-party delivery services on navigating local and state food regulatory requirements.
- Assisting clients in obtaining self-affirmed generally recognized as safe status for food contact substances and food ingredients.
- Advising ingredient suppliers, food processors, and food warehouses on food safety obligations under the Food Safety Modernization Act, including preparing food safety plans for compliance with Hazard Analysis and Risk-Based Preventive Controls requirements.

- Advising an e-commerce platform on all aspects of FDA regulatory compliance for dietary supplement manufacturing, including the legal status of ingredients, labeling and advertising, and enforcement and litigation risk.
- Advising clients on USDA import and export permit and certification requirements for animal-derived products.
- Assisted a food company to prepare for a NAFTA certification-of-origin verification audit.

## **Cosmetics and OTC Drugs**

- Assisting cosmetics companies on developing marketing claims to minimize regulatory and litigation risk and advising on the regulatory status of ingredients.
- Advising manufacturers on compliance with OTC monograph requirements.

## **Publications & Presentations**

### **Publications**

- “Top Regulatory Issues for Food & Beverage Companies to Watch for in 2022,” *Food Manufacturing*, December 23, 2021.
- “Recent Alcoholic Beverage Labeling Suits Offer Best Practices,” *Law360*, November 17, 2021.
- “All You Need to Know about Bioengineered Food Disclosure Compliance,” *New Food Magazine*, June 9, 2021.
- “Bioengineered Food Disclosure Compliance: Practitioners’ Perspective on What Lies Ahead,” *Drake Journal of Agricultural Law*, Vol. 26, No. 1, Spring 2021.
- “The Approaching Bioengineered Food Disclosure Deadline: Enforcement and Litigation Landscape After January 1, 2022,” *Food and Drug Law Institute*, Spring 2021.
- “Food Ingredient GRAS Conclusions: What You Should Know,” *Food Manufacturing*, February 15, 2021.
- “Pending Regulatory Developments for Food Innovators: Microorganisms, Cell Cultures and COVID’s Impact,” *Food Manufacturing*, December 10, 2020.
- “The Top 5 Regulatory Issues for US Food Launches in 2021,” *New Food Magazine*, December 8, 2020.
- “Navigating Employee Health and Food Safety for Human and Animal Food Operations: Key Considerations from OSHA and FDA,” *Occupational Health & Safety*, October 9, 2020.
- “FDA Holds Scientific Workshop on Youth E-Cigarette Cessation Treatment Strategies,” *Update Magazine*, Food and Drug Law Institute (FDLI), April/May 2019.
- “Spotlight on Tobacco – Future Developments in the Regulation of Electronic Nicotine Delivery Systems: Potential Over-the-Counter Pathway,” *Update Magazine*, Food and Drug Law Institute (FDLI), October/November 2018.
- “Fulfilling the Promise of Gideon in Massachusetts: Providing a Post-Conviction Right to Counsel for Prisoners Asserting Innocence,” *Boston University Public Interest Law Journal*, Vol. 26, No. 2, 2017.

### **Presentations**

- “Bioengineered Labeling: Updates and Enforcement Priorities,” 33rd Annual Food Label Conference, webinar, June 7-8, 2021.

- “USDA AMS National Bioengineered (BE) Food Disclosure Standard Rule,” Refrigerated Foods Association, webinar, September 18, 2019.
- “Biotechnology Disclosure Act and Labeling Requirements,” Grocery Manufacturers Association Science Forum, Washington, D.C., March 26-28, 2019.
- “USDA’s Proposed Bioengineered Food Disclosure Standard – Key Issues and Next Steps,” Food and Drug Law Institute, webinar, June 14, 2018.

### ***Professional & Community Engagement***

- American Bar Association
- Food & Drug Law Institute
- National LGBTQ+ Bar Association

### ***Education***

- Boston College (J.D., 2014)
- Johns Hopkins University (B.A., 2011)

### ***Admitted to Practice***

- Pennsylvania
- District of Columbia

### ***Related Services***

Litigation | Class Action & Multidistrict Litigation | Toxic Torts | Products Liability | FDA/Food, Drug & Device | Food, Beverage & Agribusiness | Health Care | FDA Compliance & Enforcement | Corporate Social Responsibility & Sustainability