



## Agribusiness

In nearly every part of Canada, agribusiness is a major employer, exporter and technological innovator, and Stikeman Elliott counsels some of the sector's largest companies. Our nationwide presence ensures that we are always where – and when – clients need us most, delivering creative, workable solutions to the complex issues faced by this highly regulated industry.

Clients such as food and beverage producers, processors, packagers, distributors, warehousing and logistics businesses, wholesalers and transportation and fertilizer production companies, benefit from our market-leading and full-service offering. In addition to routinely representing clients on mergers and acquisitions and complex litigation matters, Stikeman Elliott delivers expert regulatory advice on the spectrum of legislation applicable to this sector, including environmental, *Food and Drug Act* compliance, marketing, advertising and labelling, as well as competition matters.

### Our Expertise

- Clinical trials
- Copyright and trademark matters
- Cross-licensing
- DINs
- *Food and Drug Act* compliance
- GMP
- Health Canada approvals and challenges
- Investigations
- Joint ventures and strategic alliances
- Labelling and marketing
- Licensing, manufacturing, wholesale, supply, and distribution agreements
- Material transfer agreements
- Patent portfolio development
- Patented Medicine Prices Review Board matters
- Product authorizations, licensing and inspections
- Product listing agreements
- Provincial formularies
- R&D agreements and grants
- Recalls

### Accolades

- Global Communications & Telecom Tech Deal of the Year and Global Corporate Deal of the Year - *2018 M&A Atlas Awards*
- Corporate Law Firm of the Year - *Chambers Canada Awards 2017*
- *Chambers Canada 2019* for Agribusiness: Agriculture and Food Products

### Recent Work

- Restaurant Brands International Inc., as Canadian counsel, in connection with its proposed US\$1.8B acquisition of Popeyes Louisiana Kitchen, Inc.

- Bayer AG, as Canadian competition counsel, in respect of the US\$9B sale of its agricultural businesses and assets to BASF SE in one of the largest antitrust enforcement divestitures in history.
- ILTA Grain Inc. in the sale of its edible bean business to Hensall Co-Op.
- Tembec Inc. in its US\$962M friendly acquisition by Rayonier Advanced Materials Inc.
- Catalyst in its successful recapitalization, which was the first recapitalization of debt by way of a plan of arrangement under the *CBCA* to be combined with a privatization through a repurchase by the issuer of the minority shareholders and discretionary exemptive relief from securities regulators.
- Atrium Innovations Inc. in its US\$2.3B acquisition by Nestlé S.A. from a group of investors including a company backed by the Permira Funds, Caisse de dépôt et placement du Québec and Fonds de solidarité FTQ.
- Agri-Plastics Group of Companies in the sale of its material handling division to Snyder Industries Inc., a subsidiary of Tank Holding Corp.
- John Deere Financial Inc. and John Deere Canada Funding Inc. in connection with the issuance of more than C\$3B of notes guaranteed by John Deere Capital Corporation.
- Swander Pace Capital in connection with the sale of its interest in Kicking Horse Coffee Co. Ltd. to the Lavazza Group for C\$215M.
- 1117212 B.C. LTD and Country Fresh, LLC, an affiliate of Kainos Capital LP, in the acquisition of all of the issued and outstanding shares of Sun Rich Fresh Foods Inc. and its subsidiaries.
- Archer Daniels Midland in connection with a variety of matters including corporate, litigation, municipal and zoning, construction, regulatory matters and strategic advice and advocacy on land use compatibility issues.
- Richardson International Limited in its C\$900M agreement to acquire certain assets of Viterra Inc., pursuant to the C\$6.15B offer by Glencore International to acquire Viterra.
- TreeHouse Foods, Inc., as Canadian counsel, in its acquisition of ConAgra's Private Brands for US\$2.7B.
- Potash Corporation of Saskatchewan Inc. in its US\$36B merger with Agrium Inc. to form Nutrien Ltd., the largest crop nutrient company in the world.
- The Scotts Miracle-Gro Company, with the acquisition by its Canadian subsidiary, Scotts Canada Ltd., of Fafard and Brothers Ltd. and of the Acadian Peat Moss business.
- Veg Pro International Inc., as exclusive legal counsel, in relation with a variety of matters such as corporate finance, regulatory requirements, financing, corporate governance and M&A transactions.
- Sanimax SAN Inc. in its acquisition of the majority of shares in the rendering company Farima, established in Tupãssi in the state of Paraná, Brazil.
- Thomas H. Lee Partners, as Canadian counsel, in its acquisition of Give & Go Prepared Foods Corp., concurrently with the latter's acquisition of Create-a-Treat Ltd., NAFTA Foods and Packaging Inc., and related entities.
- Yara Canada Inc., the Canadian subsidiary of Yara International ASA, a global leader in fertilizer manufacturing, in a case brought against William Houde Ltée, a local agro-supply business, for

breach of contract following the delivery of ammonium nitrate used in the confection of fertilizers and payment of the sale price.