

AGRICULTURE

Agricultural legal issues are wide-ranging, and Hodgson Russ can assist with every legal need of the agricultural business community. We know that farming is not just a job, it's a way of life, and we can provide cost-efficient protection to the families, businesses, and communities that are the agriculture industry.

Agribusiness is a constantly evolving, increasingly hi-tech, highly regulated industry. Led by a longtime owner, breeder, and rider of national champion horses, our Agriculture Practice represents family and corporate farmers, producers, cooperatives, production facilities, equipment manufacturers, landowners, lenders, and public agencies. Find the peace of mind that comes with thorough professional advice on legal transactions and procedures with the attorneys of Hodgson Russ on these and other areas of law:

Business, Tax, and Succession Planning

From choice of entity structures to ensuring that future generations can continue the legacy, we assist at every stage of our client's business. Our clients range from cooperatives and global corporations to small family businesses. We provide solutions for family and business legal issues through intergenerational estate planning and tax efficient transfers of land and farm operations, establishing trusts, joint ventures, partnerships, and corporations, and using appropriate methods such as Buy-Sell Agreements and Partnership Agreements. In fact, Hodgson Russ was among the first law firms to implement estate planning strategies involving the use of family limited partnerships and related entities, in the agribusiness context.

Commercial and Financial Transactions

The agriculture industry has its own unique capital and contractual systems and Hodgson Russ has the experience needed to help your agribusiness maximize profit opportunities while mitigating risk exposure. You need a law firm which recognizes different business models – be it focusing on local restaurants and farm share customers, selling bulk commodities, or specialty on-site markets, and u-pick operations. All of these have different distribution channels and capital needs, just as different products have differing perishable lives. We can assist you with:

- ▣ Commercial transactions including seed contracts, feeding arrangements, agriculture production contracts, livestock purchase and lease agreements, embryo transfer contracts, marketing agreements, and other specialized agreements
- ▣ Farm business/cooperative formation and governance
- ▣ Federal crop payments
- ▣ Financing and credit, including Farm Service Agency programs
- ▣ Equipment Leases
- ▣ Debt Collection and Bankruptcy



Hodgson Russ has extensive experience providing comprehensive, sophisticated advice to those in the agriculture industry.



CONTACT

Melissa Subject

716.848.1719

msubject@hodgsonruss.com

PROFESSIONALS

ATTORNEYS

Patrick Fitzsimmons

John Godwin

Michael O'Neill

Daniel Spitzer

Melissa Subject

Urban Farming

Urban agriculture presents a unique set of challenges. From navigating zoning regulations to obtaining access to land and dealing with municipal utilities, Hodgson Russ guides urban gardeners, farmers, and food entrepreneurs on the path to success.

Equine Law

Our Equine Law Practice addresses this unique segment of the agriculture industry with practical, long-term experience and insight into the legal issues facing horse owners, breeders, trainers, and businesses. Our representation includes equine-related advice for all your legal needs, including litigation and dispute resolution, contracts, financing and corporate transactions, real estate acquisition, zoning, immigration, employment, and tax and estate planning.

Products Liability and Dispute Resolution

Public health concerns are paramount across the agriculture supply chain, where even a small outbreak of foodborne illness can have regional and national implications. Our clients have turned to Hodgson Russ to guide them through USDA and FDA recalls and food safety lawsuits. We represent businesses in disputed matters involving a full spectrum of issues, including breach of contract, products liability, animal welfare, environmental, and disputes arising under the Perishable Agricultural Commodities Act (PACA). We defend trespass and nuisance claims brought against the

industry, challenge unfair tax assessments, and right to farm provisions. Additionally, we have significant experience in farm equipment and liability suits utilizing our extensive experience in personal injury litigation, manufacturer's liability, and our understanding of the agriculture industry.

Farm and Commercial Real Estate Issues

That land is the essential element in the agriculture industry is an understatement; having a law firm stand with you that understands the complexities in real estate law in the industry is just as essential. Our attorneys represent individuals and businesses in the context of real property purchases and sales, agricultural leases involving equipment, mineral development, oil and gas, and solar and wind power. We can provide clear, cost efficient assistance on risk allocation, lien rights, and hybrid arrangements.

We also provide advice and counsel on matters involving landowner liability, water rights, utility right-of-way issues, urban encroachment, local zoning laws, and federal conservation programs (land retirement and working lands programs) administered by the Natural Resources Conservation Service (NRCS), Farm Service Agency (FSA), and U.S. Forest Service



As a full-service law firm, we serve agriculture clients in all major areas of law, providing a multi-faceted approach to the legal issues they encounter.

OFFICES

ALBANY • 677 Broadway, Suite 401 • Albany, NY 12207 • 518.465.2333

BUFFALO • The Guaranty Building • 140 Pearl Street, Suite 100 • Buffalo, NY 14202 • 716.856.4000

GREENSBORO • 7 Corporate Center Court, Suite B • Greensboro, NC 27408 • 336.271.4014

HACKENSACK • 25 Main Street, Suite 605 • Hackensack, NJ 07601 • 212.751.4300

NEW YORK • 605 Third Avenue, Suite 2300 • New York, NY 10158 • 212.751.4300

PALM BEACH • 440 Royal Palm Way, Suite 202 • Palm Beach, FL 33480 • 561.656.8608

ROCHESTER • 90 Linden Oaks, Suite 110 • Rochester, NY 14625 • 585.613.3939

• 1800 Bausch and Lomb Place • Rochester, NY 14604 • 585.454.0700

SARATOGA SPRINGS • 60 Railroad Place, Suite 300 • Saratoga Springs, NY 12866 • 518.736.2900

TORONTO • 22 Adelaide Street West, Suite 2050 • Toronto, ON M5H 4E3 Canada • 416.595.5100

Practice restricted to U.S. law



www.hodgsonruss.com

©2024 Hodgson Russ LLP