Agribusiness

From food production to international trade obligations, the agribusiness sector faces unique and constant challenges.

This sector is deeply woven into Canada's economic, technological and social fabric, and continues to expand. An increase in investment and a focus on innovations including, smart farming, increased automation, hydroponic and aquaponics growing systems, and better product tracking have made the Agribusiness sector one of Canada's fastest growing tech areas. BLG is well positioned to respond to the growing demands of the sector.

BLG's agribusiness lawyers have an unparalleled understanding of the sector's needs and regularly advise clients in all segments of the industry – from farming and production, to processing and manufacturing, and on to the end consumer.

Our group comprises lawyers from all practice areas, including corporate law, mergers and acquisitions, intellectual property, corporate finance and tax to address your business needs.

Our diverse list of clients includes multinational, small and mid-sized companies from across the sector, including:

- development and commercialization of agricultural technologies
- seed and chemical manufacturers
- food producers, including food processing
- processers of agricultural commodities
- manufacturers of farming/industrial equipment
- bio-fuel producers
- soft commodities traders
- financial institutions
- the service sector
- wholesale and retail operations

We advise government and private sector clients on trade negotiations under international, domestic and regional trade agreements, including NAFTA and WTO agreements. We regularly appear before WTO panels, arbitrators and the Appellate Body. We also advise governments on the design and implementation of agricultural policies in accordance with international trade obligations.

Experience

- **Corporate and Securities Transactions**

- **K+S Aktiengesellschaft** in the US$1.47 billion sale of its Canadian salt business, including Windsor Salt, to Stone Canyon Industries Holdings LLC and affiliates.
- **Ingersoll Rand Inc**. (NYSE:IR) in its $135 million acquisition of Maximus Solutions, a provider of digital controls and Industrial Internet of Things (IIoT) production management systems for the agritech market.
- **Lewis & Clark Ventures**, a St. Louis based food and agriculture focused investment firm, and BDC as the lead investors in BinSentry's US$7.7 million series A investment round, a provider of digital sensor technology to help feed mills and farmers operate more efficiently.
- **Parrish & Heimbecker, Ltd.** on : The acquisition of 10 Louis Dreyfus Company locations to significantly expand its grain and crop input footprint across Western Canada The international joint venture with GrainsConnect Canada Inc. and Zen-Noh Grain, to develop, construct and operate new port terminal grain transportation and storage facility. The acquisition of assets of P&H Foods, a division of Parrish & Heimbecker, Limited by Exceldor Coopérative. The $95 million acquisition of Weyburn Inland Terminal Ltd. by 101249284 Saskatchewan Ltd. (a wholly owned subsidiary).
- **Finning International Inc.** (TSX: FTT), a global industrial equipment dealer, including the sale and servicing of agricultural products, in its $260 million acquisition of 4Refuel from New York private equity investment firm Kelso and Company.
- **VCA, Inc.** (NASDAQ: WOOF), one of the largest pet healthcare companies, on their US$9.1 billion acquisition by Mars, Incorporated, a global manufacturer of confectionery, pet food and other food products, and a provider of animal care services.
- Sumitomo Corporation, one of the largest worldwide Sogo shosha general trading companies, in their EUR751 million acquisition of Fyffes plc, a Japanese-owned fruit and fresh produce company headquartered in Dublin, Ireland.
- **K+S Aktiengesellschaft**, a German-based agricultural chemical company, in connection with its $434 million acquisition of Potash One Inc., by way of take-over bid.
- **Agrifoods International Cooperative Ltd.** and its affiliate **Earth's Own Food Company Inc.** in numerous transactions, including the disposition of Agrifoods' interest in Ultima Foods Inc. and the acquisition of the Organic Meadow and Rolling Meadow businesses.
- Tender Choice Foods Inc. and its affiliate, a processor specializing in the processing, packing and distribution of meat products, in its sale of substantially all of the assets and food processing business to Blue Goose Pure Foods Ltd., a privately held Canadian-based protein and organic food company.
- **Symrise AG** (ETR: SY1), a flavour and fragrance company based in Germany, and **Diana Group** of France in connection with their acquisition of Nutra Canada Inc., a supplier of plant extracts in the food, pharmaceutical, cosmetic and natural health product industries.
- **Phoenix Imports Inc.** in the sale of its business and operations relating to pet food and treats.
- **Club Coffee** in the sale of a minority position to Massimo Zanetti Beverage USA.
- **Stag's Hollow** in the sale of its winery business.
- **Sunrise Poultry Processors Ltd.** in its acquisition of Grand River Foods Ltd., an Ontario-based manufacturer of over 200 private label food products for Canada's leading grocery, restaurant and food service companies.
- **Middleby Corporation** (NASDAQ: MIDD) in its acquisition of Crown Food Service Equipment, Ltd., a designer and manufacturer of steam cooking equipment for the commercial foodservice industry.

- **Unifiller Systems Inc.**, a leading designer and manufacturer of processing and portioning equipment for bakeries and food plants, in connection with the sale of the business to a US private equity firm.
- **Deltapac Packaging**, a leading manufacturer of plastic bottles servicing the specialty chemical, cosmetic, food and pharmaceutical industries, in connection with their acquisition by Reid Canada.
- **PMC Capital Group** in connection with its acquisition of StyroChem Canada, a leading manufacturer of expandable polystyrene grades used in food service, packaging, construction, casting and speciality applications.
- **Bloemhof Inc.** in the acquisition of the assets and designs of the Bloemhof product line by Oliver Packaging & Equipment Company.

- **Ongoing Advisory**
  - The lenders to **AGT Food and Ingredients** in connection with its senior secured credit facilities in the aggregate amount of $400 million.
  - **Harmony Beef Company LTD.** as primary counsel on a wide range of legal matters.
  - **Earth's Own Food Company Inc.** in regards to managing trademark portfolio, providing advice and conducting clearance searches for a re-branding project.
  - **Coca-Cola Ltd./Minute Maid Canada** in providing customs tariff classification advice for the distribution and licensing of new Fairlife milk products across Canada.
  - **George Weston Limited, Loblaw Companies Limited, Loblaws Inc., Joe Fresh Apparel Canada Inc.** Canada's largest retailers in successfully denying the plaintiffs' application for leave to appeal in relation to the plaintiff's proposed Rana Plaza class action.
  - Leasing support and general estate advice to **a multinational heavy equipment manufacturer** specializing in agricultural and forestry machinery for retail, office and industrial locations in Ontario.
  - **K+S Aktiengesellschaft** in the US$1.47 billion sale of its Canadian salt business, including Windsor Salt, to Stone Canyon Industries Holdings LLC and affiliates.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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