

TOBACCO

We have longstanding experience advising companies in the tobacco industry both in Belgium and at the EU level. Our team is led by partner Thomas De Meese, who is recommended by The Legal 500 EMEA for ‘a hands-on, no-nonsense approach’ and ‘a drive for excellence.’ We understand the industry’s need for pragmatic advice in an area where awareness of social and political sensitivities is nearly as important as regulatory compliance.

REGULATORY

Our qualified team has extensive experience in the regulatory framework related to the tobacco industry, and ensure our clients’ compliance at every stage of their product’s lifecycle. We advise our clients, on a day-to-day basis, on the applicable legislation for the manufacture, packaging, pricing, sale, and advertising of tobacco products.

In addition, we are our clients’ primary point of contact in their interactions with the public authorities.

COMMERCIAL

Our lawyers also advise our clients on general commercial issues that arise when promoting and distributing their products, such as the legality of joint offers (e.g. offering gifts with the purchase of a tobacco product), sales at a loss, promotional actions and games of chance (e.g. towards retailers), etc.

We also draft and review our clients’ contractual agreements with their resellers and represent them in their disputes with, or proceedings against, competitors. Our team’s experience in competition law is a genuine added value in this respect.

LITIGATION

Although the vast majority of our lawyers are experienced litigators, their first objective is to help businesses prevent and resolve disputes quickly and successfully, preferably out of court. Of course, if this is not feasible, we assist our clients in their interactions with the regulatory authorities and defend them in court, when necessary.

REPRESENTATIVE MATTERS

- Worked with a tobacco company to devise a successful engagement strategy to secure good outcomes in the negotiations for a Framework Convention on Tobacco Control (FCTC)
- Assisting a tobacco company in setting up an online e-commerce portal for its resellers and drafting the terms and conditions thereof
- Advising on the legality of various promotional materials to be used at points of sale
- Advising on the applicable regulatory framework when offering e-vapor products
- Representing a tobacco company in legal proceedings against an event organizer for alleged breach of contract
- Advising on the ins and outs of a tobacco company’s online presence and use of social media
- Advising on the use of various ingredients in cigarettes
- Representing a tobacco company before the regulatory authorities following alleged violations of the advertising restrictions at points of sale
- Assisting a tobacco company in cooperating with the custom authorities and in implementing traceability and security systems
- Reviewing contractual agreements with festival organizers
- Advising on the legality of various statements on the packaging of tobacco products
- Advising on the communication of price modifications to resellers
- Advising on the ins and outs of performing consumer research
- Representing a tobacco company in a dispute against a competitor with respect to the latter’s comparative advertising
- Setting up the legal framework for distribution of products of a tobacco company in various types of points of sales, such as nightclubs
- Advising a tobacco company on the legality of preferential arrangements linked to the supply of promotional materials

CONTACTS



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