

Timothy G. Dietrich

Counsel

Food & Agribusiness Industry Group Chair

Office: Reading, PA

Email: tdietrich@barley.com

Tel: (610) 898-7154

OVERVIEW:

Tim Dietrich provides strategic advice for businesses, financial institutions and governments in a number of areas, including organization and governance and the structuring, negotiation, and closing of corporate and commercial financial transactions. Tim continues to advise financial institutions and businesses in situations involving financial distress and to provide a wide array of advice to governments, including utilities matters.

Tim leads Barley's Food & Agribusiness Industry Group, and he is also actively involved with the firm's Senior Living Industry Group. During the years 2008 through 2013, Tim served as Barley Snyder's managing partner and initiated Barley's process improvement program called Practice Excellence . This firm-wide program focuses on quality, knowledge and service. The program also emphasizes efficiency and standardization by applying lean principles to our practice. The program began in 2008 and is being led by Practice Excellence "Champions" of each of our practice groups.

Food & Agribusiness

Tim is utilizing his knowledge of FDA, USDA and other regulatory requirements to assist clients in the food and agriculture areas with their transactional needs and compliance with the more rigorous requirements of the Food Safety Modernization Act.

Some of Tim's representative food and agribusiness successes:

- Represented buyer in multi-state, $140 million acquisition of agricultural production and processing facilities.

- Represented food processor in development of $330 million processing facility, including resolution of sewage treatment expansion permitting and construction issues.

- Represented food processor in development of $40 million processing facility, including resolution of sewage treatment expansion permitting and construction issues

- Represented food processors in facility expansions and modernizations.

- Represented food processor in addressing USDA - Food Safety and Inspection Service concerns regarding

Salmonella and potential recall

- Counsel to food processor with respect to FDA testing, recall request and warning letter regarding Salmonella.

- Advising various food processing clients on food co-packing contracts

- Counsel to lender in $40 million secured revolving facility and $45 million unsecured revolving facility for food processors.

- Counsel to borrower in $83 million secured facilities for working capital and construction for food processor.

- Counsel to food and agribusiness client for long-term, joint venture organic animal feed supply agreement.

- Negotiation of contractual issues in food processing supply chain, including for organic and GRAS (generally recognized as safe) ingredients.

- Negotiation of agreements involving product development, licensing, and distribution.

- Counsel in FDA and USDA inspection settings and in connection with product recalls and insurance claims.

Business Law

Tim's practice involves general corporate counseling and representation in acquisitions and other transactions for both privately and publicly held businesses. In some instances, he serves clients in a "general counsel" role, providing representation on general business, corporate and financial matters, while also assisting in the coordination of litigation, regulatory compliance and other matters. He has devoted a significant portion of his practice to counseling businesses involved in the development, manufacturing and marketing of medical devices.

Some of Tim's representative transactions in his business practice:

- Representation of manufacturers in the formation and termination of product distribution relationships, both domestic and international.

- Negotiation of agreements involving various combinations of research and development, product development, purchasing and strategic sourcing, licensing and distribution for medical and other technologies and food and agribusiness firms.

- Representation of purchasers and sellers in corporate acquisitions, particularly asset purchases of early-stage technology firms.

- Assisting clients with critical regulatory and quality assurance matters including government inspections and recalls.

- As a member of the Senior Living Industry Group, he has advised senior living organizations on a number of matters, including complex organizational affiliations, as outlined in the Senior Living section below.

Senior Living

Tim has represented senior living facilities in various matters, including:

- Represented multiple parties in negotiation, due diligence and document drafting for multi-party affiliation of

senior living facilities, including addressing Hart-Scott-Rodino clearance with the Federal Trade Commission.

- Creation of holding company structure for senior living community to facilitate innovation and services expansion, as well as acquisitions.

- Representation of a large senior living community in acquisition of control of another non-profit CCRC and its long-term care facilities.

- Representation of multiple senior living organizations in development and construction projects, including land use approvals, design and construction contract negotiations (and disputes), and financing.

- Representation of charitable foundations affiliated with senior living communities in various regards, including establishment of scholarship fund for employees.

- Borrower counsel in approximately $70 million financing which refinanced existing indebtedness and also financed payment for acquisition of control for previous nonprofit controlling member.

Creditors' Rights and Bankruptcy

Tim began his career as a bankruptcy lawyer and continues to give strategic advice and representation to clients facing various aspects of distressed financial situations. His creditors' rights and bankruptcy practice is currently focused on secured and unsecured creditor representation, including in bankruptcy proceedings, loan workouts and forbearance negotiation. He has represented businesses as debtors in bankruptcy and collection proceedings, including debtor representation in workouts and distressed settings, including Chapter 11 reorganization cases resulting in plan confirmations. Outside of bankruptcy, he has represented creditors in foreclosure, confession of judgment, execution, debt sale and assignment matters. He has lectured for the Pennsylvania Bar Institute and the Eastern District of Pennsylvania Bankruptcy Conference on Chapter 11 issues.

Recent representative matters:

- Defense of pre-bankruptcy purchaser of industrial facility in a Section 548 fraudulent conveyance action brought by liquidating trustee in bankruptcy, seeking over $6 million, which was settled for litigation costs.

- Representation of secured lender in Chapter 11 case of firm engaged in publishing, including liquidation of intellectual property rights.

- Representation and defense of secured creditor in Chapter 11 proceeding and related lender liability cases regarding failed vehicle floor plan borrower.

- Representation of secured creditors in a number of workout and Chapter 12 bankruptcy cases for agricultural operations.

- Representation of secured lender /letter of credit issuer for revenue bonds in Chapter 11 case of printer.

EDUCATION:

- Dickinson School of Law, J.D.
- Muhlenberg College, A.B., cum laude

ADMISSIONS:

- Pennsylvania
- Supreme Court of Pennsylvania
- U. S. Bankruptcy Court for the Eastern District and Middle Districts of Pennsylvania
- U. S. District Court for the Eastern and Middle Districts of Pennsylvania
- U. S. Court of Appeals for the Third Circuit
- U. S. Supreme Court

PRACTICE AREAS:

- Business
- Real Estate
- Crisis Management
- Mergers & Acquisitions
- Corporate Transparency Act Response Team
- PA Annual Report Response Team
- Finance & Creditors' Rights
- International Business & Trade

INDUSTRY GROUPS:

- Food & Agribusiness
- Banking
- Senior Living
- Transportation & Logistics

COMMUNITY INVOLVEMENT:

Helping Harvest Fresh Food Bank
Board member

The National Food Lab, Inc.
Director

The Highlands at Wyomissing
Board member, Member of Finance and Audit Committee, Former Chair of the board of directors

Greater Reading Chamber and Economic Development Corp., d/b/a Greater Reading Chamber Alliance
Legal counsel

Berks County Chamber Foundation
Legal counsel

Alvernia University, Reading, Pa.
Former Trustee

United Way of Berks County
Former board member and allocations process leadership

OTHER PROFESSIONAL EXPERIENCE:

- Clerk of Court, Estate Administrator, U.S. Bankruptcy Court for the Northern District of West Virginia (1982-1984)

MEMBERSHIPS:

- Commercial Law League of America
- American, Pennsylvania and Berks Bar Association
- The Pennsylvania Society

RECOGNITIONS:

- The Best Lawyers in America, Banking and Finance Law (2021, 2022, 2023, 2024, 2025, 2026, 2027), Corporate Law (2021, 2022, 2023, 2024, 2025), Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law (2026, 2027)
- Pennsylvania Super Lawyers (2005)
- United Way of Berks County; 2004 Doran Award, 1999 June A. Roedel Legacy of Commitment Award

PRESENTATIONS:

- Inspections: What to Do if the Government Shows Up at Your Door, American Conference Institute's Virtual Food Law and Regulation Boot Camp (July 2026)
- FDA and USDA Food Safety Regulations 101: Preventing Adulteration and Contamination, American Conference Institute's Food Law and Regulation Boot Camp, Co-presented with Brandon Neuschafer of Arnold & Porter (July 2025)
- Artificial Intelligence: A Brave New World, Kairos Senior Living Conference & Exhibit, Co-presented with Christopher Churchill, Michael Crocenzi, and Yenma Herb of RKL (September 2024)
- Inspections: What to Do if the Government Shows Up at Your Door (FDA/USDA Inspections for Food & Ag Businesses), American Conference Institute, Co-presented with Ashish Talati of Talati Law Firm (July 2024)
- Gearing Up for Enhanced Traceability: Building Your Roadmap for Compliance with the FDAs New Final Food Traceability Rule, American Conference Institute, Co-presented with Elizabeth Fawell of Hogan Lovells and Brandon Neuschafer of Arnold & Porter(April 2024)
- Don't Take Our Word For It, Checklists and Audits Help Firms Avoid Malpractice Claims (Practice Excellence), American Bar Association - Co-presented with George Werner of Barley Snyder, Nina Tulloch of Hogan Lovells, and John Lecci of Markel Specialty Insurance (April 2024)
- M&A vs. Organic Growth - Governance, Financing and Other Implications, Kairos Education Conference & Exhibit (September 2023)
- Breaking Eggs, Not Businesses: A Solutions-Focused Discussion on Dealing with the Highly Pathogenic Avian Influenza Outbreak, webinar (June 2022)
- Supply Chain Management: A Study in Sustainability, Traceability, Economic, and Environmental Impact, Fifth Advanced Summit on Food Law - Regulation, Compliance and Litigation (May 2021)
- Selling Your Products: 2021 Challenges, Opportunities, Virtual Food, Ag Summit (March 2021)

- COVID-19 Vaccine: The Impact on the Food, Agribusiness Industry, webinar (December 2020)
- Allergens: The Liability Implications of Voluntary Disclosures and Recall, 4th Advanced Summit on Food Law - Regulation, Compliance and Litigation (July 2020)
- Panelist: Embracing Change, Preparing for the Future 2019 Reading Business Seminar (October 2019)
- Organic Supply Chain: Protecting Your Brand, Food; Ag Summit (February 2019)
- The Special Assets Environment, Lendicon 2018 (March 2018)
- Inspections in the Age of FSMA: What To Do If the Government Shows Up at Your Door , American Conference Institute Food Law and Regulation Boot Camp (November 2017)
- Exploring Individual Liability Through the Invocation of a Corporate Office Doctrine and Yates Memo as they Apply in the Food Industry, Food Law and Regulation Forum (May 2017)
- Current Issues in Agri-Business and Food Processing Lending, Barley Snyder LendiCon Seminar (March 2016)
- Bankruptcy Update, Barley Snyder LendiCon Seminar (March 2015)
- Consumer Preferences and Federal Responses - The Impact of Upcoming FDA and USDA Regulations on Food and Agribusiness, FEI Central Pennsylvania Chapter (May 2015)
- Protecting Yourself from the CFPB, Barley Snyder LendiCon Seminar (November 2013)

RELATED NEWS:

- California's New Non-Ultraprocessed Seal: Planning Considerations for Food Companies and Retailers
  October 28, 2026
- Food Donations Can Reduce Waste, Support Communities and Preserve Potential Tax Benefits
  September 23, 2026
- Responsible Use of AI for Food Safety
  September 17, 2026
- FDA Proposes Mandatory GRAS Notifications: What Food Businesses Should Know
  September 15, 2026
- Pennsylvania Enacts New Oversight Framework for Food Processing Residuals Used as Fertilizer
  August 6, 2026
- Navigating Date Labeling and Marketing Claim Risk in the Mid-Atlantic Food Industry
  July 14, 2026
- Recent Cold Snap Raises Risks for Crop Losses and Contract Performance
  May 27, 2026

- FDA Signals Sweeping Shift Away from PetroleumBased Synthetic Food Dyes: New Labeling Flexibility and Reformulation Timelines
  February 23, 2026
- Barley Snyder Welcomes Hyo Jin Jinnie Lee to Food & Agribusiness Industry Group
  January 5, 2026
- New State Laws Aim to Hold Producers Responsible for Recycling
  July 23, 2025
- Pennsylvania Department of Agriculture Implements Mandatory Milk Testing Program to Combat Spread of HPAI
  November 25, 2024
- USDA Issues Proposed Rule on Poultry Grower Payment Systems and Capital Improvement Systems
  June 19, 2024
- Barley Snyder Attorney Gregory Young Honored for Fifty Years of Service by the Pennsylvania Bar Association
  June 18, 2024
- Fighting Bird Flu: USDA to Provide Funding to Combat HPAI
  May 16, 2024
- Bird Flu's Current Opponent: Dairy
  April 25, 2024
- New Poultry Contract Regulations Going into Effect
  December 6, 2023
- Barley Snyder Partner Timothy G. Dietrich Elected to Serve on Helping Harvest's Board of Directors
  July 31, 2023
- Challenge to USDA Authority to Regulate Animal Welfare Label Claims
  July 19, 2022
- HPAI Update
  May 23, 2022
- Preparing for another outbreak: HPAI
  February 25, 2022
- Best Lawyers Honors 30 Barley Attorneys
  August 25, 2021
- Lease Restructurings Now (Part 2)
  October 5, 2020
- Lease Restructurings Now (Part 1)
  October 2, 2020
- Nearly Thirty Barley Snyder Attorneys Named Best Lawyers
  August 20, 2020

- Barley Snyder Attorney Boyle Named to Pennsylvania Hemp Steering Committee
  June 3, 2020
- Families First Exemption Now Expanded to CCRC/Nursing Home Workers
  March 30, 2020
- Understanding Quarantines in Pennsylvania Senior Living Facilities
  March 16, 2020
- Bankruptcy Code Changes, Part 2: Small Businesses Catch a Break
  August 30, 2019
- Bankruptcy Code Changes, Part 1: Family Farmer Relief Act
  August 29, 2019
- Can There Still be Such a Thing as a Free (School) Lunch?
  August 12, 2019
- Knick v. Township of Scott: SCOTUS Opens Pandoras Box for Developers and Municipalities
  July 17, 2019
- What We Learned: Five Ag Lending Takeaways from LendiCon
  April 4, 2019
- Harder to Hide From Creditors in Pennsylvania
  March 14, 2019
- How the Federal Government Shutdown Could Affect Your Business
  January 24, 2019
- Agribusiness Loses Supreme Court Punts on Prop 12
  January 16, 2019
- New FTC Guidance on Nonprofit Mergers and Acquisitions
  November 9, 2018
- California Voters Approve New Animal Confinement Rules
  November 8, 2018
- Poultry Processors May Qualify for Line Speed Waivers
  October 11, 2018
- Now is the Time for FDA Food Facility Registration Renewal
  October 3, 2018
- Barley Snyder Celebrates 10th Anniversary of Practice Excellence
  June 14, 2018
- Food & Agribusiness 2017 Year in Review
  January 30, 2018
- When Leaseholds and Sales Collide in Bankruptcy
  September 11, 2017
- FDA Delays Start of New Animal Food Inspections
  August 25, 2017

- Food Safety Plan Builder is Very Helpful, but Not the End of Your Plan
  August 23, 2017
- Barley Snyder's Tim Dietrich Presents at National Food Conference
  June 1, 2017
- FDA Delays Menu Compliance Date Again
  May 2, 2017
- Menu Compliance Counts Starting May 5th
  April 17, 2017
- Barley Snyder Tops JD Supra's 2017 Food & Beverage List
  March 21, 2017
- Final Rule Affecting Organic Livestock and Poultry Producers Put on Hold
  February 9, 2017
- Clearing up Standards to Earn Government's Organic Seal
  January 23, 2017
- New Container Weight Requirements Effective July 1, 2016
  June 13, 2016
- BAD BOY GUARANTYS
  March 1, 2016
- Loan Participations
  March 1, 2016
- New Final USDA Rule to Reduce Salmonella and Campylobacter in Poultry
  February 11, 2016
- Bankruptcy Trumps Collective Bargaining Agreement
  February 8, 2016
- Key Points: Financing Leasehold Interests in Real Estate
  May 4, 2015
- USDA National Organic Program Instruction on Use of Brand or Company Names Containing the Word Organic
  April 21, 2015
- Pennsylvania's New Power of Attorney Law: What it could mean to confessions of judgment in commercial loan documents
  February 20, 2015
- West Coast Ports Labor Turmoil Time to Dust Off That Overlooked Force Majeure Clause?
  February 20, 2015
- Pennsylvania Enactment of the 2010 Amendments to UCC Article 9
  July 18, 2013

RELATED RESOURCES:

- Legal Update: Supply Chain Series
  March 18, 2024
- 18. Barley Snyder Legal Update Podcast: Supply Chain Disruption
  May 3, 2023
- Breaking Eggs, Not Businesses:A Solutions-Focused Discussion on Dealing with the Highly Pathogenic Avian Influenza Outbreak Webinar Replay
  June 7, 2022
- Wake Up with Barley: A Morning on Real Estate Webinar Replays
  December 8, 2020
- 2020 Certainty in an Uncertain World Webinar Replay
  October 30, 2020
- 7. COVID-19 Legal Update Podcast
  May 22, 2020