



harman claytor corrigan wellman  
THE CIVIL LITIGATION FIRM

## Benjamin P. Abel

Of Counsel | DC Metro

Direct Dial | 571.290.6118  
babel@hccw.com

Ben Abel is a trial attorney seasoned in federal and state courtrooms. He focuses his practice on representing clients in product liability and class action cases, with a particular emphasis on food and beverage labeling claims. Ben's litigation experience also includes premises liability, transportation, higher education, CERCLA, and personal injury cases. Much of Ben's practice is devoted to advising and defending food and beverage clients in food-related litigation, especially labeling claims. He advises manufacturers, distributors and retailers on matters related to Food and Drug Administration, U.S. Department of Agriculture, and Tax and Trade Bureau compliance. In this capacity, Ben has defended manufacturers and retailers in a series of lawsuits involving labeling and other marketing claims.



Assistant: Courtney Howard  
571.317.2609, choward@hccw.com

Paralegal: Lauren Sisson  
571.317.2607, lsisson@hccw.com

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### Professional Activities & Honors

- Defense Research Institute
- Virginia Association of Defense Attorneys
- Best Lawyers in America: Ones to Watch (2022-2024)
  - Products Liability Litigation – Defendants
- Great North Innocent Project, Pro Bono Champion of the Year (2023)

### Publications

- Co-author, "Chapter 4: Food Safety," "Chapter 5: Food Recalls" in Food Law: A Practical Guide, American Bar Association (2021)
- <https://www.qsrmagazine.com/operations/legal/restaurant-industry-may-be-next-battleground-fight-over-pfas/>
- <https://www.qsrmagazine.com/operations/legal/why-lawsuits-are-taking-aim-quick-service-meal-pricing/>
- <https://www.fooddive.com/news/crisco-decision-adds-to-conflicting-case-law-over-lab-testing-results/559151/>
- <https://www.manufacturing.net/operations/article/13185013/the-fda-gets-pulled-into-the-natural-labeling-fray-surprise-move-may-change-the-food-fight>
- ??Author, Reviewing the Magic Pipes: Angelex Ltd. v. United States, Oily Water Separators, and Constitutional Review of Coast Guard Action, 23 WM. & MARY BILL RTS. J. 857 (Mar. 2015)

### Reported Cases

- Wynn v. Topco Assocs., LLC, 2021 WL 168541 (S.D.N.Y. Jan. 19, 2021)
- Edwards v. Johnsonville LLC
- Gould v. Guida-Seibert Dairy
- Stinnie v. Holcomb, 355 F. Supp. 3d 514 (W.D. Va. 2018)

## Presentations

- <https://www.fdpi.org/2021/06/food-and-dietary-supplement-class-action-litigation-roundtable-discussion-on-recent-filings-and-current-trends/>
- <https://www.fdpi.org/2024/04/2024-food-advertising-labeling-and-litigation-conference-agenda/#eb3d293b68a3d5190>
- <https://www.fdpi.org/2023/08/2023-food-advertising-labeling-and-litigation-conference-agenda/#e93db545196f3c404>
- Trends in the F&B and Hospitality Industries: Where Are We Going Next?, Perrin Food & Beverage Litigation Conference (2021)

## Education

- University of Virginia, B.A. with Distinction (2010)
- William & Mary Law School, J.D. (2015)
  - Order of the Coif
  - Senior Notes Editor, *William & Mary Bill of Rights Journal*

## Bar & Court Admissions

- District of Columbia Bar
- Virginia State Bar
- United States District Court for the Eastern District of Virginia
- United States District Court for the Western District of Virginia
- United States District Court for the District of Columbia
- Supreme Court of Virginia