



## **Elizabeth B. Davis**

**Partner** | Atlanta, GA

T: (404) 685-4323  
bdavis@burr.com

### **Legal Secretary**

Peggy Davis  
(404) 685-4264  
pdavis@burr.com

### **Services**

Real Estate, Environment & Land Use, Mass Torts / Hazardous Substances  
, Health Care, Consumer Product Safety, Agriculture Funding & Lending,

Beth is a Partner in the firm's Environmental Health Care Practices and a member of the firm's Diversity Committee. She is a former Assistant Regional Counsel with the U.S. Environmental Protection Agency in Region 4. She focuses her environmental practice on regulatory compliance, permitting, enforcement defense, and litigation. She also handles the environmental aspects of corporate and real estate transactions, as well as occupational safety and health compliance and zoning and land use issues. Beth has extensive experience with counseling and litigation in all aspects of federal and state laws related to hazardous substances and hazardous waste, underground storage tanks, water, air, pesticides, endangered species, and occupational safety and health.

Beth focuses her product liability practice on counseling clients regarding compliance with consumer product safety and food, drug and medical device regulatory requirements, including designing and managing recalls and defending related product liability claims. She has counseled numerous manufacturers, importers and retailers regarding compliance with consumer product and food, drug and medical device safety requirements.

Beth has published numerous articles and spoken frequently on issues associated with water, hazardous waste and air compliance and consumer product safety issues.

Beth received her B.A. from Agnes Scott College and her J.D. from the University of Georgia School of Law. Outside her practice, Beth is involved in the American Bar Association Section of Environment, Energy, and Resources. She is also on the Board of the National LGBT Bar Association.

## **Publications, Presentations, & Speaking Engagements**

### **Publications**

- *Renewable Energy World*: Solar Power Plant Operators: Are You Prepared for a Reliability Audit?

- *Product Liability Update*: Suit Urges EPA to Regulate Nanosilver, Remove Products from Shelves
- *American Bar Association, Section of Environment, Energy and Resources, Special Committee on Science and Technology newsletter*: Science Issues In Mold Litigation
- *Georgia Industry Association Newsletter*: Environmental Issues Affecting Georgia Businesses
- *Journal of Golf Course Management*: The ABCs of USTs

## Education

J.D., University of Georgia School of Law, (1989)

B.A., *cum laude*, Agnes Scott College, (1985)

## Licensed In

Georgia

## Honors & Awards

- Martindale-Hubbell AV Preeminent© Peer Review Rating
- *Corporate Counsel* and *The American Lawyer Magazine*, Top-rated lawyer in energy, environmental and natural resources law
- *Georgia Trend Magazine's* Legal Elite

## Professional Associations

American Bar Association; Environment, Energy and Resources (SEER) and Litigation Sections, SEER Special Committee on Science and Technology

International Association of Defense Counsel

State Bar of Georgia, Environmental Law Section

Diversity Law Institute

Trial Law Institute

Stonewall Bar Association of Georgia

National LGBT Bar Association

Lambda Legal's National Leadership Council

Litigation Counsel of America, Fellow

Suzi Bass Awards, Chair of the Board of Directors

## Experience

- **Environmental**
- Representing purchasers, lenders and developers with all aspects of brownfield developments in various jurisdictions, including Georgia, Florida, Maryland and Tennessee.
- Obtaining construction, operating, Prevention of Significant Deterioration (PSD) and Title V air permits for operations across the country.
- Defending against alleged violations of the Clean Air Act and Clean Water Act.
- Defending federal and state enforcement actions under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Resource Conservation and Recovery Act (RCRA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Emergency Planning and Community

Right-to-Know Act (EPCRA); the Clean Air Act; and Clean Water Act<sup>5</sup>.

- Defending citizens' suits filed under the Clean Water Act and RCRA.
- Registering products under FIFRA.
- Obtaining permits under RCRA, the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) and wetlands programs.
- Assisting clients in establishing or restoring working relationships with federal, state and local regulators.
- Obtaining federal and state authorizations under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to manufacture and nationally distribute pesticides and related devices.
- Advising companies regarding compliance with FIFRA, including authorizations to distribute and appropriate labeling and marketing information.
- Assisting various companies in complying with the Toxic Substances Control Act TSCA, including pre-manufacture notifications, significant new use rules, recordkeeping and reporting requirements associated with manufacturing, importing, exporting, processing or distributing chemicals.
- **FDA/CPSC**
- Representing manufacturers and distributors in getting their drugs, medical devices, cosmetics and consumer products to market in compliance with requirements enforced by the FDA, CPSC, and U.S. Environmental Protection Agency.
- Counseling numerous manufacturers, importers and retailers regarding compliance with consumer product safety requirements, including the Consumer Product Safety Improvement Act, the Federal Hazardous Substances Act, the Poison Prevention Packaging Act and the Flammable Fabrics Act.
- Designing and managing investigations of alleged safety issues associated with a broad spectrum of medical devices and consumer products, including drug packaging, drug applicators, consumer electronics, batteries, furniture, furniture finishes and various personal care products.
- Designing and managing national voluntary fast-track recalls for consumer products manufacturers and importers.
- Counseling manufacturers and importers regarding regulatory requirements triggered when product safety issues arise in jurisdictions outside the U.S.
- Counseling various manufacturers regarding compliance with numerous FDA requirements, including pharmaceutical and medical device approval processes, off-label drug use and related issues, food safety issues and recalls, issues associated with food additives.
- Successfully defending allegations against international manufacturers and distributors of consumer electronics involving product liability and product safety.
- Assisting national building products manufacturer with assessing potential nationwide product liability issues and developing strategy to avoid or minimize potential product liability claims.
- Advising clients on premarket issues and approval strategies, including marketing submissions, product classification, establishment registration, product listing, and medical device reporting.
- Advising marketers of conventional foods and dietary supplements regarding compliance with FDA regulatory requirements and reviewing labeling for issues such as health and "natural" claims and nutrient content claims. Also advising on current good manufacturing processes (CGMP) and Hazard Analysis and Critical Control Points (HACCP) issues in food manufacturing agreements.

- Advising electronic cigarette manufacturers on marketing and labeling requirements, quality control manufacturing and new product filings.
- Successfully defending product liability cases for international heavy equipment manufacturer, building products manufacturer and consumer products manufacturers.
- Assisting clients in establishing or restoring working relationships with regulators.

**Office Address**

Atlanta, GA

171 17th Street, NW

Suite 1100

Atlanta, GA 30363

P: (404) 815-3000 / F: (404) 817-3244