
THE ACADEMY

OF FOOD LAW & POLICY

NEWSLETTER FOR MEMBERSHIP

Dear Members,

We are now in the midst of our first Academy membership renewal drive. Building on the support of our prior institutional sponsors and our many individual members, we are optimistic about the future and look forward to your ongoing support and engagement. As reported throughout this newsletter, members of the Academy continue to lead our new discipline through teaching, scholarship, and conference presentations. The Board is grateful to everyone who has joined us in founding and supporting the Academy.

This next year will be an important one for the Academy. We will be inviting three new board members to join our leadership team. We will continue to build-out our member communications, including the newsletter, [website](#) and listserv. And, plans are underway to host our first conference Fall 2018 at Harvard Law School.

The Board would like to thank those who have volunteered their time leading our committee work:

- The **Membership and Outreach Committee**: Josh Galperin (Yale) and Laurie Beyranevand (Vermont);
- The **Scholarship Committee**: Alexia Brunet Marks (Colorado - Boulder), Margot Pollans (Pace), and Timothy Lytton (Georgia State);
- The **Conference Committee**: Melissa Mortavazi (Oklahoma), Michael Fakhri (Oregon), Nicole Negowetti (Harvard) and Nathan Rosenberg (Arkansas).

Please contact us if you would like to join one of our committees in 2018.

We hope you will renew your membership. If your institution is interested in supporting our work, an institutional sponsorship is \$350 and provides a school with three individual memberships that extend for two calendar years. Individual memberships are \$50/calendar year. Visit our [Become a Member](#) webpage for all the details, and please extend the invitation to others teaching and writing in this field, encouraging them to join.

Thank you for your dedication to food law & policy and support for the Academy.

Sincerely,

The Members of the Board of Trustees

Emily Broad Leib & Susan Schneider (Co-chairs)
Neil Hamilton
Peter Barton Hutt
Baylen Linnekin
Margaret Sova McCabe
Michael Roberts

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UPCOMING CONFERENCES

Here are some of the exciting upcoming food law and policy conferences:

- Consumer Federation of America
- **National Food Policy Conference**
March 28-29, 2018

- Food and Drug Law Institute
- **Food Enforcement and Compliance Conference**
April 12, 2018

- Food and Drug Law Institute
- **Annual Conference: Exploring Advanced Topics in Food and Drug Law**
May 3-4, 2018

- Harvard Law School
- **U.S. Food Waste Summit**
June 26-27, 2018

To see more upcoming conferences, visit the Academy Conference [web page](#).

To share upcoming events, send the event name, location, and weblink (if available) to foodlawandpolicy@gmail.com

PROGRAMMATIC UPDATES

Thanks to all the scholars and Academy members who have contributed to this section.

Michael Fakhri (University of Oregon) taught a three day course entitled Indigenous Food Sovereignty for the University of Arizona's Indigenous People's Law and Policy Program.

The **University of Arkansas LLM Program in Agricultural and Food Law** reports:

- LLM Visiting Professor and Director of the Indigenous Food & Agriculture Initiative **Janie Hipp** testified at the Expert Group Meeting on Sustainable Development in the Territories of Indigenous Peoples, UN Headquarters, NY; hosted by the United Nations Permanent Forum on Indigenous Issues.
- A new course on Farm Succession Planning has been added to the LLM curriculum, designed and taught by Lauren Manning.
- Janie Hipp also presented testimony before the Senate Committee on Indian Affairs Agribusiness Development in Indian Country and at a Roundtable on Advancing Native Food Traditions for Indian Country also hosted by the Senate Committee on Indian Affairs.
- The LLM Program offered a new condensed course this semester, Legal Issues in Indigenous Food & Agriculture taught by Janie and Erin Shirl.

- The LL.M. Program's new forum, **Conversations in Agricultural & Food Law**, invites LL.M. alumni who are leaders in the Agricultural and Food Law community to speak with students about careers and opportunities, offering advice and mentorship. The Conversations are live streamed and available to all interested students.
- LL.M. faculty member **Uche Ewelukwa** was named the E.J. Ball Professor of Law at the University of Arkansas School of Law.

Duke University and **Michelle Nowlin** launched <https://solveanimalwaste.com>, a web-based resource on animal waste management and biogas production.

Director of the **Elisabeth Haub School of Law at Pace University**'s Pace-NRDC Food Law Initiative, **Margot Pollans**, became chair of the Food and Agriculture sector of the Association of American Law Schools.

The third annual **Food Law Student Leadership Summit (FLSLS 2017)** was held in Los Angeles, CA from November 17-19. This year's Summit was co-hosted by **Harvard Law School's Food Law and Policy Clinic** and **UCLA School of Law's Resnick Program for Food Law and Policy**, with support from the **Food Law Student Network Leadership Committee**. FLSLS 2017 built on the success of the past years while reflecting the Southern California setting, the clients and partners of UCLA's Resnick Program, and the region's unique role in our food system.

The **Harvard Food Law and Policy Clinic** has two additional pieces of news:

- In October 2017, California Governor Jerry Brown signed two bills into law, which were largely based on research and advocacy conducted by FLPC and Californian partners. The **California Good Samaritan Food Donation Act (AB 1219)**

expands the state's liability protections for food donations making it easier to donate safe, edible food. AB 954 "**Food Labeling: Quality and Safety Dates**" encourages food manufacturers to use standard phrases to better distinguish between date labels used for quality versus safety, to reduce consumer confusion and thus food waste.

- In October 2017, the **Consumer Goods Forum**, an international network of the largest food and consumer goods companies, adopted a new call to action asking food retailers and producers to simplify and standardize date labeling language on food products in an effort to reduce food waste. This call to action follows the recommendations that FLPC has advocated for the past several years and builds on efforts to standardize date labels in the United States and other countries.
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The **University of Hawaii's Andrea Freeman** is the Chair-elect of the Food and Agriculture sector for the Association of American Law Schools.

North Carolina State University will be offering a Food Law and Policy course in Fall 2018 taught by **Marne Coit**.

Vermont Law School selected **Andrea Freeman** as the Distinguished Sustainable Agriculture and Food Systems Scholar for Summer 2018.

Please email Laurie Beyranevand (lbeyranevand@vermontlaw.edu) and Josh Galperin (joshua.galperin@yale.edu) with updates whenever you have them.

RECENT PUBLICATIONS

Thank you to everyone who submitted their recent work. This list includes articles and reports published within the past 6 months and books within the past year. Forthcoming publications will appear in future newsletters and older works are available on the AFLP website. If you have work that you want to share, email Laurie Beyranevand (lbeyranevand@vermontlaw.edu) and Josh Galperin (joshua.galperin@yale.edu).

Emily Broad Leib & Baylen Linnekin, *Food Law & Policy: An Essential Part of Today's Legal Academy*, 13 J. Food L. & Pol'y 228 (2018).

Marne Coit, *Organic Agriculture under the Trump Administration*, 13 J. Food L. & Pol'y 125 (2017).

Uche Ewelukwa, *Food Law and Policy in Africa: Emerging Legal Framework, Key Issues, Major Gaps and Challenges*, in [International Food Law and Policy](#) (eds. Gabriela Steier & Kiran Patel).

Michael Fakhri, *Gauging U.S. and E.U. Seal Regimes in the Arctic Against Inuit Sovereignty*, in [The European Union and the Arctic](#) (Brill Nijhoff, 2017).

Joshua Galperin, *Value Hypocrisy and Policy Sincerity: A Food Law Case Study*, 42 Vt. L. Rev. 345 (2018).

Ernesto Hernandez-Lopez, *Food, Animals, and the Constitution: California Bans on Pork, Foie Gras, Shark Fins, and Eggs*, 7 UC Irvine L. Rev. 319 (2017).

Nathan Rosenberg:

- *Legal Pathways to Carbon-Neutral Agriculture*, in *Legal Pathways to Deep Decarbonization in the United States*, 47 Env'tl. L. 10845 (2017).
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- *Farmers Who Don't Farm: The Curious Rise of the Zero-Sale Farmer*, 7 J. of Agric., Food Sys., & Cmty. Dev. 1 (2017)
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Gabriela Steier, *Advancing Food Integrity: GMO Regulation, Agroecology, and Urban Agriculture* (Taylor & Francis 2017).

Susan Schneider, *Moving In Opposite Directions? Exploring Trends In Consumer Demand And Agricultural Production*, 43 Mitchell Hamline L. Rev. 400 (2017).

Harvard Law School's Food Law and Policy Clinic has published several recent reports, including:

- *Moving Food Waste Forward: Policy Recommendations for Next Steps in Pennsylvania*
 - *Food Law and Policy Career Guide: 2017 Edition*
 - *Food Recovery in the District of Columbia: A Legal Guide*
 - *Good Laws, Good Food: Putting Local Food Policy to Work for Our Communities*
 - *A Review of Food System Policies in Maryland*
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SPEAKING & PRESENTATIONS

Thank you to everyone who submitted their recent or upcoming work. This list includes speaking engagements from the last four months or scheduled for the near future. If you have work that you want to share, email Laurie Beyranevand (lbeyranevand@vermontlaw.edu) and Josh Galperin (joshua.galperin@yale.edu).

Marne Coit moderated a panel on food labeling at the recent American Agricultural Law Association (AALA) conference. The panel was called "Just Label it, Correctly: Advising Clients on Emerging Food Labeling Issues."

On January 6, **Ernesto Hernandez-Lopez** spoke on GMO corn on the roundtable "What Would a New NAFTA Look Like?," at the Association of American Law Schools annual meeting in San Diego.

On December 13, **Michael Fakhri** presented a paper entitled "How a Renewed International Trade Law May Contribute to a More Equitable Food Regime" in Buenos Aires, Argentina at the WTO Ministerial Conference.

Michael Fakhri also delivered the closing keynote address at the Food Law Workshop on January 20 for the first Transnational Legal Theory Journal Symposium hosted at Kings College in London.

Andrea Freeman will be presenting the keynote address at the Robert Wood Johnson Foundation Healthy Eating Research 12th Annual Grantee meeting in Nashville, Tennessee in April.

A forthcoming article by Emily Broad Leib & Baylen Linnekin provides updated data on the field of Food Law & Policy. Highlights include:

- In 2013, 20 of the top 100 law schools offered FL&P courses; in 2017, 34 schools offered courses.
- In 2013, there was 1 dedicated FL&P clinic and 30 clinics at 23 schools pursued FL&P projects; in 2017, 4 schools boasted dedicated FL&P clinics, and 69 clinics at 48 schools conducted FL&P projects.
- In 2013, FL&P met 7 of the 10 criteria for an academic field; today FL&P meets all 10.

Emily and Baylen thank the Academy members who contributed data for this article!

CALLS FOR PAPERS

Here are some journals requesting papers in food law topics:

- The Journal of Environmental Law and Litigation (JELL) at the University of Oregon School of Law has announced a [call for abstracts](#) for articles exploring ecological effects of contemporary global food systems. Accepted authors will be invited to present at the annual JELL Symposium next Fall. Submit by April 15 to Zoe Grant (zgrant2@uoregon.edu) or Elise Williard (ewilliard@uoregon.edu).
- The [ABA Sci-Tech Lawyer](#) – the Sci-Tech section's quarterly magazine -- will devote an entire issue to Food Law issues (the Winter 2019 edition). The publication date will be January 2019 with manuscript due date of October 2018. Articles should be directed towards the interests of practicing lawyers and length of manuscripts should be approximately 2,500 to 3,000 words inclusive of references (End Notes). You should email the co-editors of this issue, Charley Woodhouse (cfw@regulatory-food-science.com) and Larry Thorpe (larrywthorpe@comcast.net).

Please visit our website for updated calls for papers at www.academyflp.com/conferences.

STUDENT ENGAGEMENT

INTERVIEW WITH SALLY GU, PRESIDENT OF THE FOOD LAW STUDENT NETWORK



Sally Gu

Where do you go to school?

University of Michigan Law School

What area of food law and policy are you most focused on?

When I first started becoming interested in food law, I was living on the south side of Chicago, so I was really focused on food deserts and nutrition education. Now that I live in Michigan, I've become a lot more aware of and interested in sustainable and local farming issues.

What do you think are the major trends in food law and policy today?

Something I've noticed a lot among my peers is what I like to call "Whole Foods illiteracy." A lot of people know that the products in traditional grocery stores aren't good, but they don't actually know where or how else to shop, so they just go to Whole Foods and buy stuff that is just as bad.

What work have you done/do you plan to do to address these trends?

The Food Law and Policy Association at Michigan Law has been working to educate people on how to eat local and how to eat sustainably - we take trips to farmers' markets together and cook meals together afterwards, work on farms, talk to people involved in the local food community, and generally try to get people to really understand how their eating and food-purchasing habits can have a huge impact on the environment and the local economy.

Do you have any reading recommendations in the field of food law and policy?

*This is kind of an old one, but I really liked *The Third Plate* by Dan Barber.*

FOOD LAW STUDENT LEADERSHIP SUMMIT

Last November, faculty and students gathered in Los Angeles for the third annual **Food Law Student Leadership Summit**. The Summit was co-hosted by Harvard Law School's Food Law and Policy Clinic and UCLA School of Law's Resnick Program for Food Law and Policy. As always, the Food Law Student Network Leadership Committee also supported and co-organized the student-centered event.

FOOD LAW STUDENT LEADERSHIP SUMMIT, CONT.

Students from across the country participated in field trips around Los Angeles. They visited a production kitchen for wholesale food entrepreneurs, a non-profit that fights food waste and unemployment, and a community garden. Members of the Academy of Food Law and Policy, and other faculty and practitioners, hosted panels and workshops to help students prepare for future careers in food law and policy. The Summit also featured Saru Jayaraman who spoke about food workers' rights. Jayaraman is the co-founder and co-director of the Restaurant Opportunities Centers United and is director of the Food Labor Research Center at the University of California, Berkeley.

This annual Food Law Student Leadership Summit is an incredible opportunity for students to interact in a casual setting with leading faculty in the field. It is likewise a chance for these students—who often study at schools with limited food law and policy offerings—to develop networks and professional connections that will help this field continue to grow.

