

LOCAL FOOD



GLOBAL FOOD

DO WE HAVE WHAT IT TAKES

TO REINVENT THE U.S. FOOD SYSTEM?

A FOOD LAW COLLOQUIUM HOSTED BY THE MAINE LAW REVIEW
SATURDAY, FEBRUARY 23, 2013 IN PORTLAND, MAINE

The Maine Law Review is pleased to announce the 2013 Food Law Colloquium—a chance to hear scholars, policymakers, farmers, and community members discuss and debate the challenges confronting food initiatives in an era of globalized food production. Topics will include:

☞ **New Legal Institutions of Farmland Succession: Implications for Sustainable Food Systems** • *Jamie Baxter* (L.L.M., Yale L. Sch.)

An examination of farmland tenure arrangements available to new farmers using the province of Ontario, Canada as a case study, and suggestions for legal reform.

☞ **The Food-Energy-Climate Nexus: Think Globally, Act Globally** • *Bret Birdsong* (Prof. L., William S. Boyd Sch. L., UNLV)

A critique of agricultural greenhouse gas mitigation strategies, and a case for reducing the food system's contributions to climate change by preventing conversion of land to agricultural production abroad.

☞ **The Symbolic Garden: Urban Homesteading as Protected Expression** • *Jaime Bouvier* (Sr. Instr. L., Case W. Reserve U. Sch. L.)

An exploration of the feasibility of challenging local laws restricting urban agricultural practices by characterizing such practices as protected expressive speech.

☞ **The New England Food System in 2060: How Does Today's Discussion Translate to Future Action?** • *Joanne Burke* (Clinical Assoc. Prof., U. NH Sustainability Inst. & College Life Sci. & Ag.) & *Margaret Sova McCabe* (Prof. L., U. NH Sch. L.)

An interdisciplinary analysis of key policy challenges facing states' efforts to create self-sufficient regional food systems, including how federal commerce and compact clauses influence the scope of localized food policy.

☞ **Obesity Prevention Policies at the Local Level: What Tobacco Can Teach Us** • *Paul Diller* (Assoc. Prof. L., Willamette U. College L.)

A consideration of the legal challenges facing local obesity prevention measures through the historical lens of tobacco regulation.

☞ **Zoning and Land Use Controls: Beyond Agriculture** • *Lisa Feldstein* (Ph.D. candidate, U. California, Berkley; J.D., Boalt Sch. L.)

An assessment of the impacts of zoning and other land use management tools on the availability (or lack thereof) of food in urban communities.

☞ **Food Safety in the Monsanto Era: Examining the Regulatory Framework of IP Inventions in Genetically Modified Bio-Pesticides** • *Saby Ghoshray* (Founder, Inst. Interdisciplinary Studies; Ph.D., Fla. Int'l U.)

An examination of federal food safety regulation of bio-pesticides, and a proposal for a multi-dimensional framework that addresses both IP ownership and food safety concerns.

☞ **The Local Food Sovereignty Narrative** • *Jason Jones* (Asst. Prof. L., Charlotte Sch. L.)

An exploration of the narrative of food sovereignty laws, and whether communities can use such laws to construct a legal system reflecting their social and economic norms.

☞ **A National "Natural" Standard for Food Labeling** • *Nicole Negowetti* (Asst. Prof. L., Valparaiso U. Sch. L.)

A critique of the policy reasons behind federal agency decisions to not regulate "natural" claims, and a proposal for an enforceable federal "natural" food standard.

☞ **Whatever Happened to the "Frankenfish"? The FDA's Foot-Dragging on Transgenic Salmon** • *Lars Noah* (Prof. L., U. Fla. College L.)

An evaluation of the legal issues surrounding the regulation of transgenic animal food products using AquaBounty as a case study.

☞ **Fishing Outside of the Subsidy Chain: Eliminating Resource-Depleting Fishing Subsidies Through Unilateral Trade Measures** • *Anastasia Telesetsky* (Assoc. Prof. L., U. Idaho College L.)

An examination of the resource-depleting effects of global marine fishery subsidies, and a proposal for unilateral trade action by states as a means to restore fish stocks.

☞ **When Fox and Dog Legislate the Hen House: National Egg-Laying Standards, Interest-Convergence, and the Clucking Theorem** • *Lucinda Valero* (Head Tech. Svces., W. Va. U. College L.) & *William Rhee* (Assoc. Prof., W. Va. U. College L.)

An evaluation of public discourse over food law, using the *Egg Products Inspection Act Amendments of 2012* as a case study and considering interest-convergence (humans protect animal welfare only when economic interests and animal welfare converge) and the clucking theorem (humans needlessly inflate process costs of legal change).

☞ **The Humane Methods of Slaughter Act is Unconstitutional, and That's Not a Bad Thing** • *Pamela Vesilind* (Instructor, Vt. L. Sch.; Adj. Prof., U. Ark. Sch. L.)

A case for challenging the federal humane slaughter law as an unconstitutional exercise of congressional power, and a proposal that such regulations are best left with the states.

☞ **A Hungry Industry on Rolling Regulations: A Look at Food Truck Regulations in Cities Across the United States** • *Crystal Williams* (Barnes & Thornburg, LLP, Indianapolis, IN)

A survey of city rules governing mobile food trucks, highlighting various efforts at balancing new food industry markets with food and traffic safety concerns.

☞ **How Reliance on the Private Enforcement of Public Regulatory Programs Undermines Food Safety in the United States: The Case of Needled Meat** • *Diana R. H. Winters* (Assoc. Prof., I.U. Robert H. McKinney Sch. L.)

A study of the failings of the federal scheme that grants private parties a right to sue agencies to force governmental responses to food safety threats, and the need for new statutory hammers to spur action.

☞ **Broccoli, Milk, Soda, and the Future of Food Choice** • *Samuel Wiseman* (Asst. Prof. L., Fla. State U. College L.)

An exploration of whether there exists a fundamental right to choose one's own food, and the challenges of forming a legislative coalition from divergent interests of constituencies opposed to local food bans.