

LOCAL FOOD  **GLOBAL FOOD**
DO WE HAVE
TO REINVENT THE U.S. FOOD SYSTEM?
WHAT IT TAKES
U.S. FOOD SYSTEM?



2013 Food Law Colloquium

SATURDAY, FEBRUARY 23, 2013
8:30 AM – 5:00 PM

Portland High School Auditorium
284 Cumberland Avenue
Portland, Maine

HOSTED BY THE MAINE LAW REVIEW
UNIVERSITY OF MAINE SCHOOL OF LAW



2013 FOOD LAW COLLOQUIUM

SATURDAY, FEBRUARY 23, 2013 · PORTLAND, MAINE

UNIVERSITY OF MAINE SCHOOL OF LAW
MAINE LAW REVIEW

Pre-publication drafts of these scholarly essays will be available online at www.minelawreview.org one week in advance of the Colloquium.

8:30 AM – 9:00 AM

REGISTRATION, OPENING REMARKS

9:00 AM – 10:30 AM

FLAWS IN FEDERAL APPROACHES TO FOOD REGULATIONS, AND PROPOSED FIXES

MODERATOR: RITA S. HEIMES (Associate Director for Academic Affairs, Clinical Professor & Director – Center for Law & Innovation)

- ☞ **Saby Ghoshray** (Founder, Institute of Interdisciplinary Studies; Ph.D., Florida International University) – *Food Safety in the Monsanto Era: Examining the Regulatory Framework of IP Inventions in Genetically Modified Bio-Pesticides*
- ☞ **Nicole Negowetti** (Assistant Professor of Law, Valparaiso University School of Law) – *A National “Natural” Standard for Food Labeling*
- ☞ **Lars Noah** (Professor of Law, University of Florida College of Law) – *Whatever Happened to the “Frankenfish”? The FDA’s Foot-Dragging on Transgenic Salmon*
- ☞ **William Rhee** (Associate Professor of Law, West Virginia University College of Law) & **Lucinda Valero** (Head of Law Library Technical Services, West Virginia University College of Law) – *When Fox and Hound Legislate the Hen House: A Nixon-in-China Moment for National Egg-Laying Standards?*
- ☞ **Anastasia Telesetsky** (Associate Professor of Law, University of Idaho, College of Law) – *Follow the Leader: Eliminating Perverse Global Fishing Subsidies Through Unilateral Domestic Trade Measures*
- ☞ **Diana R. H. Winters** (Associate Professor, Indiana University Robert H. McKinney School of Law) – *How Reliance on the Private Enforcement of Public Regulatory Programs Undermines Food Safety in the United States: The Case of Needled Meat*

10:30 AM – 10:45 AM

BREAK

10:45 AM – 11:30 AM

FLAWS IN FEDERAL APPROACHES TO FOOD REGULATIONS (CONTINUED)

11:30 AM – 1:00 PM

**LOCAL LUNCH PROVIDED BY
ROSEMONT MARKET & BAKERY**

1:00 PM – 2:30 PM

FOOD SOVEREIGNTY VERSUS PUBLIC HEALTH, SAFETY, & WELFARE: A FALSE CHOICE?

MODERATOR: SARAH SCHINDLER (Associate Professor of Law)

- ☞ **Jaime Bouvier** (Senior Instructor, Case Western Reserve University School of Law) – *The Symbolic Garden: The Intersection of the Food Movement and the First Amendment*
- ☞ **Paul Diller** (Associate Professor of Law, Willamette University College of Law) – *Obesity Prevention Policies at the Local Level: Tobacco's Lessons*
- ☞ **Lisa Feldstein** (Ph.D. Candidate, University of California, Berkeley; J.D., Boalt School of Law) – *Zoning and Land Use Controls: Beyond Agriculture*
- ☞ **Pamela Vesilind** (Adjunct Professor, University of Arkansas School of Law & Vermont Law school) – *The Humane Methods of Slaughter Act is Unconstitutional, and That's Not a Bad Thing*
- ☞ **Samuel Wiseman** (Assistant Professor of Law, Florida State University College of Law) – *Broccoli, Milk, Soda, and the Future of Food Choice*

2:30 PM – 2:45 PM

BREAK

2:45 PM – 3:15 PM

FOOD SOVEREIGNTY VERSUS PUBLIC HEALTH, SAFETY, & WELFARE (CONTINUED)

3:15 PM – 3:30 PM

BREAK

3:30 PM – 4:50 PM

EMERGING FOOD TOPICS: HOW SHOULD GOVERNMENTS COPE?

MODERATOR: DAVE OWEN (Associate Professor of Law)

- ☞ **Jamie Baxter** (L.L.M. Candidate, Yale Law School) – *Legal Institutions of Farmland Succession: Implications for Sustainable Food Systems*
- ☞ **Bret Birdsong** (Professor of Law, William S. Boyd School of Law, University of Nevada Las Vegas) – *From "Food Miles" to "Moneyball": How We Should be Thinking About Food and Climate*
- ☞ **Joanne Burke** (Clinical Associate Professor, UNH College of Life Science & Agriculture and UNH Sustainability Institute Food & Society Faculty Fellow) & **Margaret Sova McCabe** (Professor of Law, UNH School of Law) – *The New England Food System in 2060: Envisioning Tomorrow's Policy Through Today's Assessments*

4:50 PM – 5:00 PM

CONCLUDING REMARKS

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