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## Food Law & Policy: An Essential Part of Today's Legal Academy

Emily M. Broad Leib  
*Harvard University*

Baylen J. Linnekin  
*George Mason University*

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# Food Law & Policy: An Essential Part of Today's Legal Academy

Emily M. Broad Leib\*  
Baylen J. Linnekin\*\*

## INTRODUCTION

In 2014, the authors of this article published the first analysis of the development and history of the relatively new academic field of Food Law & Policy (“FL&P”).<sup>1</sup> As we defined the field in that article, FL&P “is the study of the basis and impact of those laws and regulations that govern the food and beverages we grow, raise, produce, transport, buy, sell, distribute, share, cook, eat, and drink.”<sup>2</sup> FL&P was born out of two pre-existing fields: 1) Food & Drug Law, which focuses on the authority and actions of the Food & Drug Administration (“FDA”), and 2) Agricultural Law, which examines the impacts of laws (including those administered by the U.S. Department of Agriculture (“USDA”)) on the agricultural sector. FL&P differs from its parent fields in that it explores legal and policy issues

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\* Assistant Clinical Professor of Law, Harvard Law School; Director, Harvard Law School Food Law and Policy Clinic; Deputy Director, Harvard Law School Center for Health Law and Policy Innovation. B.A., Columbia University; J.D., Harvard Law School.

\*\* Author, *Biting the Hands that Feed Us: How Fewer, Smarter Laws Would Make Our Food System More Sustainable* (Island Press, 2016); adjunct professor, George Mason University Antonin Scalia Law School. B.A., American University; M.A., Northwestern University; J.D., Washington College of Law; LL.M., Agricultural & Food Law, University of Arkansas Law School.

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1. See Baylen J. Linnekin & Emily M. Broad Leib, *Food Law & Policy: The Fertile Field's Origins and First Decade*, 2014 WIS. L. REV. 557 (2014).

2. *Id.* at 584.

beyond the scope of both of those areas of law, including the regulation of food by various agencies, at all levels of government, and across the range of agricultural, health, labor, economic, environmental, and other issues that intersect with food. This broader analysis of the food system<sup>3</sup> had not previously been part of the legal academy.

As our article described, the field of FL&P came into being roughly in 2004, making the publication of that article in 2014 a celebration of a decade of the life of the field. Even after only ten years, our research found that the state of FL&P was quite strong. For our 2014 article, we developed ten criteria to measure the breadth and depth of a legal-academic field: legal scholarship, law school courses, degree programs, academic centers, casebooks/texts, clinical legal programs, student societies and organizations, dedicated legal journals, relevant professional associations, and academic conferences. According to our detailed analysis, FL&P met seven of the ten criteria. This compared favorably with its much more seasoned parent fields, as FDA Law also met seven of ten, and Agricultural Law met all ten.

Our 2014 article found that as of 2013 (the year when we collected data for the article), twenty of the top 100 law schools had offered FL&P courses; thirty clinics at twenty-three of the top 100 schools had engaged in practice and projects in the field of FL&P; and the field boasted a dedicated legal journal as well as various student Food Law societies, academic centers, and conferences. Our data demonstrated that FL&P scholarship grew exponentially in the years leading up to 2014.

Now, four years later, the field's continued growth has solidified its place in academia. This article endeavors to assess and discuss this growth by reviewing the same ten criteria of a legal-academic field and tracking developments in the four years since we collected our initial data in 2013. As the data we present below details, FL&P's newfound strength within each of our ten criteria demonstrates the field has grown strong roots.

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3. Kameshwari Pothukuchi & Jerome L. Kaufman, *The Food System: A Stranger to the Planning Field*, 66 J. AM. PLAN. ASSN. 113, 113 (2000) (explaining that the food system includes "production, processing, distribution, consumption, and waste management").

The field of FL&P is flourishing, and appears now to be a permanent fixture within the American legal academy.

### OVERALL FINDINGS

In 2014, we reported that the field of FL&P had evidenced exceptional growth in its first decade, and we predicted continued growth. Data we collected in 2017 has borne out these predictions. In particular, academic offerings in the field have exploded. Of the same 100 law schools we studied in 2014, the number of schools offering FL&P courses increased from 20 using our 2013 data to 34 in our 2017 data. The number of dedicated FL&P clinical programs grew from one to four, and the total number of clinics engaged in FL&P projects and other work more than doubled from 30 clinics at 23 of the top 100 law schools in 2013 to 69 clinics at 48 of the same 100 schools. Student societies have also experienced strong growth. While we did not tabulate the total number of student Food Law societies precisely for our 2014 article, our research at the time suggested that fewer than ten such societies existed then. Today's data shows that number has grown to at least thirty-three nationally. Scholarship is also still increasing in terms of average numbers of articles per year across almost all search terms we used, including ten new ones we developed for this article. While the rate of growth in FL&P publications has slowed for some of those search terms, as we explain below, we believe this continued growth in the *number* of publications in the field, coupled with the slowing *rate* of growth of scholarship in the field, is evidence of the field's maturity.

Importantly, FL&P has now met each of our ten legal-academic criteria, filling out the three criteria the field had not met as of 2013. Most notably, the launch in 2016 of the Academy of Food Law & Policy fulfilled the criterion of a dedicated professional association. Within its first few months of existence, the Academy boasted nearly eighty members, including several international members.<sup>4</sup> Another previously unmet criterion, degree programs, has now been satisfied by the growth of the Agricultural and Food Law LL.M. program at

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4. See THE ACADEMY OF FOOD LAW AND POLICY, FOUNDING MEMBERS, <https://www.academyflp.org/founding-members> (last visited Oct. 18, 2017).

University of Arkansas and the subsequent launch of a similar LL.M. program at Vermont Law School. The last unmet criterion, existence of a casebook or other text, was fulfilled by the publication of the field's first treatise and its first casebook.

The table below provides a broad overview of the growth in each category between data collected in 2013 for our 2014 article and data we collected in 2017 for this article. We break out and present detailed data for each of the ten criteria, respectively, below.

<b>Academic Category</b>	<b>FL&amp;P 2013</b>	<b>FL&amp;P 2017</b>
Academic Scholarship	Explosive growth	Continued strong growth
Law School Courses	20 of top 100 schools	34 of top 100 schools
Degree Programs	0	2
Academic Centers	3	4
Casebooks & Other Texts	0	2 (and at least 2 forthcoming)
Dedicated Legal Journals	1	1
Clinical/Experiential Education	30 clinics at 23 of top 100 schools	69 clinics at 48 of top 100 schools
Student Societies	~ 9	33
Professional Associations/Bar Groups	0	1
Academic Conferences	Regular	Regular & Recurring
<b>Total Criteria Met</b>	<b>7/10</b>	<b>10/10</b>

## METHODOLOGY

We researched and obtained the data we use in this article from a variety of sources. As was the case in our 2014 article, we obtained data on FL&P scholarly publications by searching in HeinOnline, one of the leading online repositories of legal scholarship. We obtained information on relevant courses by examining online law school course listings and—in cases where information was unclear or missing from the school websites—by placing phone calls to school registrars. We developed our clinic data by utilizing law school websites to access the websites of individual clinics, with the research team reviewing respective project lists and news releases from those clinics to identify those with FL&P-related projects. We also obtained some data in the article through a survey of members of the Academy of Food Law and Policy.

In order to produce a meaningful comparison for tracking numbers of relevant courses and clinics, we chose to track the same cohort of 100 schools that we analyzed in our 2014 article for two key criteria: courses and clinical projects and offerings. This means the 100 schools we studied in this article are the top 100 schools from the 2013 *U.S. News & World Report* rankings. In addition to collecting data from those 100 schools, we also collected data from 1) eight schools that are in the 2017 top 100 schools, but which were not in the 2013 list and 2) the schools listed in *U.S. News & World Report* as the 2017 schools with the top Environmental Law and Health Law programs. We reference these schools where appropriate in the course of this article but—in order not to skew our earlier data—do not include data from them in the numbers mentioned for course and clinic offerings. Three respective appendices to this article list the top-100 law schools from 2013 (the cohort of 100 schools analyzed in both 2013 and now); the additional law schools ranked in the 2017 top 100; and the schools with the top-ranked Environmental Law and Health Law programs.

## I. Academic Scholarship

The research we conducted for the 2014 article “support[ed] the argument that there exist[ed] a ‘large and

growing literature' of FL&P scholarship.”<sup>5</sup> Our updated research demonstrates that the body of scholarly FL&P articles continues to grow. This section discusses our findings pertaining to the numbers of FL&P articles published over a series of time periods and across a range of search terms, as well as the rate of growth of articles featuring those search terms over time. As this section demonstrates, publications in this field have continued to increase almost universally. Most data indicate an increase in the average annual number of search results over the previous four-year period, even if in some cases the rate of growth slowed when compared to the rate of growth during the previous four-year period.

The methodology we used for this present article builds on that we used in our 2014 article,<sup>6</sup> which relied upon search data we obtained through HeinOnline.<sup>7</sup> As we did in 2013, we searched the database using terms and phrases scholars associate with FL&P.<sup>8</sup> As we also did in that article, we began our current research queries in 1950. For the decades prior to 2000, we looked at the total and average number of articles published each year across a given decade (e.g., 1970–79). In order to document more accurately FL&P's growth since 2000—and because we do not yet have the benefit of two complete decades of data this century—our present article looks at the total and average number of articles published each year across four or five-year periods (2000–04; 2005–09; 2010–13; and 2014–17).<sup>9</sup>

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5. Linnekin & Broad Leib, *supra* note 1, at 596 (citing Jay A. Mitchell, *Getting into the Field*, 7 J. FOOD L. & POL'Y 69, 76–78 (2011)).

6. The figures included in this section document the results of each search query and its corresponding data points: (1) total number of search results since 1950 by time period; (2) annual average of search results per time period; and (3) the percentage change in the total number of search results from the previous period.

7. While we initially ran searches on both HeinOnline and Westlaw, we relied ultimately on Hein only for two reasons: (1) to maintain a neater comparison with our earlier data; and (2) because the trends in the Westlaw data largely track those of the Hein data.

8. For searches on HeinOnline, we followed the “Core U.S. Journals” hyperlink; entered our search query; then selected “articles;” then selected “United States” as the country published; then viewed results by decade. *See* Linnekin & Broad Leib, *supra* note 1, at 596.

9. Because the searches included in the present article were conducted in early November 2017, there may be relevant articles published in 2017 that are not reflected in the 2014–17 data, including both articles published in November/December 2017 after the

We replicated the four search queries we used previously for purposes of consistency, and then broadened our research by developing new search queries, consisting of ten additional FL&P topics that we identified as emblematic of the field. We based our new search terms on a variety of factors, including FL&P course content, conference topics, mainstream media articles, and our knowledge of and familiarity with the field.<sup>10</sup> The total set of searches contains phrases we and others use to refer to the field itself—for example, “food law and policy”—as well as phrases such as “food justice” and “food waste” that represent a diverse cross-section of themes within the field.

The search terms we included in our 2014 article, which we replicated for this current research, are:

- “agricultural law” and FDA;
- FDA and USDA;
- FDA and “farm subsidies;” and
- “food policy”.

As the charts below and the data in the tables in Appendix D indicate, the rate of growth of articles that feature our original four FL&P search terms—save for “food policy”—continued to rise during the most recent four-year period. Articles featuring the terms FDA and “farm subsidies” grew by more than 115 percent between 2014–17. Articles featuring the terms “Agricultural Law” and “FDA” increased by more than forty-five percent during the same period. And articles featuring both “USDA” and “FDA” grew by more than ten percent.

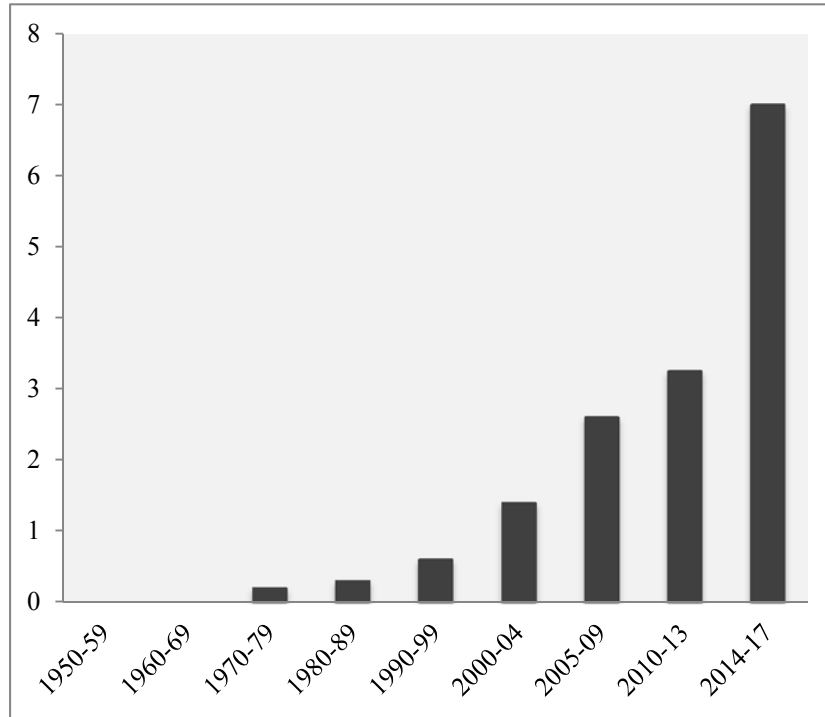
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date of our final search and articles that have been published already but were not yet catalogued by HeinOnline at the time of our searches.

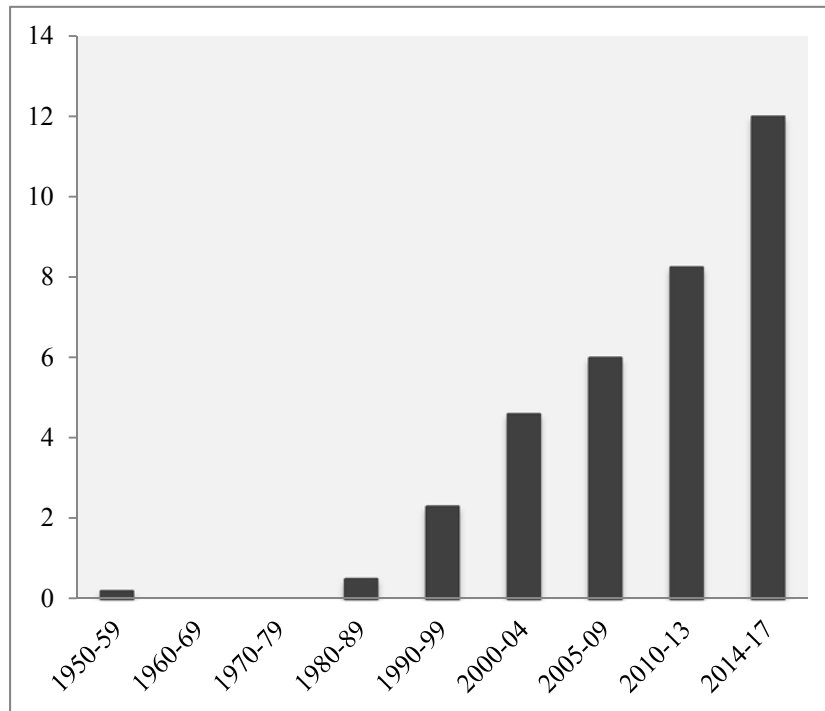
10. Notably, we do not argue that these search queries represent all that FL&P encompasses. The field is far too diverse for any one set of searches to do so, which makes it challenging to formulate a set of searches guaranteed to encompass the whole field.



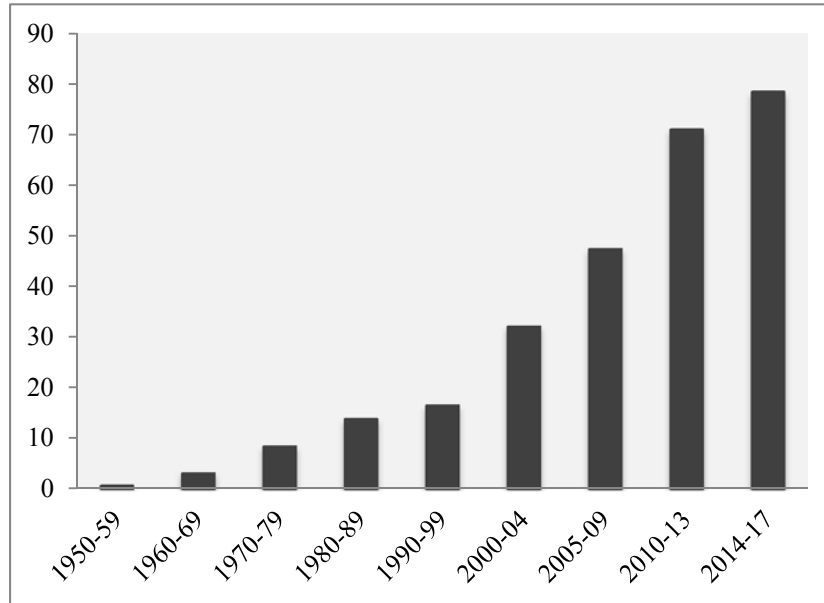
**Figure 1.** Average annual number of articles in HeinOnline containing the terms “FDA” and “farm subsidies.”



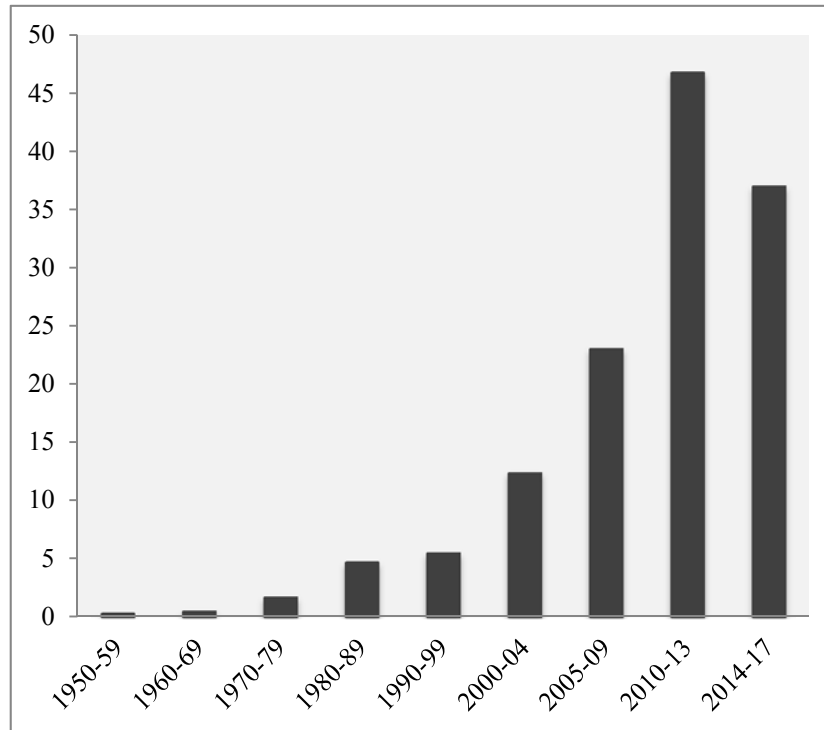
**Figure 2.** Average annual number of articles in HeinOnline containing the terms “Agricultural Law” and “FDA.”



**Figure 3.** Average annual number of articles in HeinOnline containing the terms “USDA” and “FDA.”



**Figure 4.** Average annual number of articles in HeinOnline containing the term “food policy.”



Though the rate of growth in law journal articles featuring the term “food policy” decreased greatly from 2014–17, we speculate that this is likely due to the concurrent growth in use of the term “food law and policy” by FL&P scholars, as highlighted below.

The ten new searches that we added and included in our current research are:

- “food law and policy” (or “food law & policy”);
- “food system” (or “food systems”)<sup>11</sup>
- “food justice;”
- “food access;”
- “food” within five words of “sustainable” (or “sustainability”);<sup>12</sup>
- “food sovereignty;”<sup>13</sup>
- “food security;”
- “soda tax” (or “soda taxes”);
- “food waste;” and
- “urban agriculture.”<sup>14</sup>

Comparing our search results from 2010–13 with the data we collected for this present article (2014–17), we found tremendous growth, both in terms of the number of articles published and the rate of growth of publications featuring these terms. The search phrases that yielded the greatest total number of articles published during 2014–17—notably, each a new search term—are:

- “food security” (441 articles)
- “food” within five words of “sustainable” or “sustainability” (204 articles);

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11. The search query was: “food system,\*” in which “\*” functions as a wildcard for any one or more characters in HeinOnline searches. With respect to substance, as discussed in the 2014 article, we chose to title the emerging field “Food Law & Policy,” but others have used other names, such as “Food Systems Law,” to refer to the same phenomenon. See Linnekin & Broad Leib, *supra* note 1, at 560 n. 9. The term “food system” encompasses the relationships among each of the nodes in the food chain, including “production, processing, distribution, consumption, and waste management.” *Id.* at 584 n. 252 (citing Kameshwari Pothukuchi & Jerome L. Kaufman, *The Food System: A Stranger to the Planning Field*, 66 J. AM. PLAN. ASS'N 113, 113 (2000)).

12. The search query was: (“food sustainable” ~5) OR (“food sustainability” ~5). “~5” returns results in which the two terms appear within five words of one another.

13. The search query was: (“food sovereignty” ~5). See *infra* note 12 for a description of how “~5” functions.

14. The search query was: “urban agriculture.” See *supra* note 11 for a description of how “\*” functions as a wildcard operator.

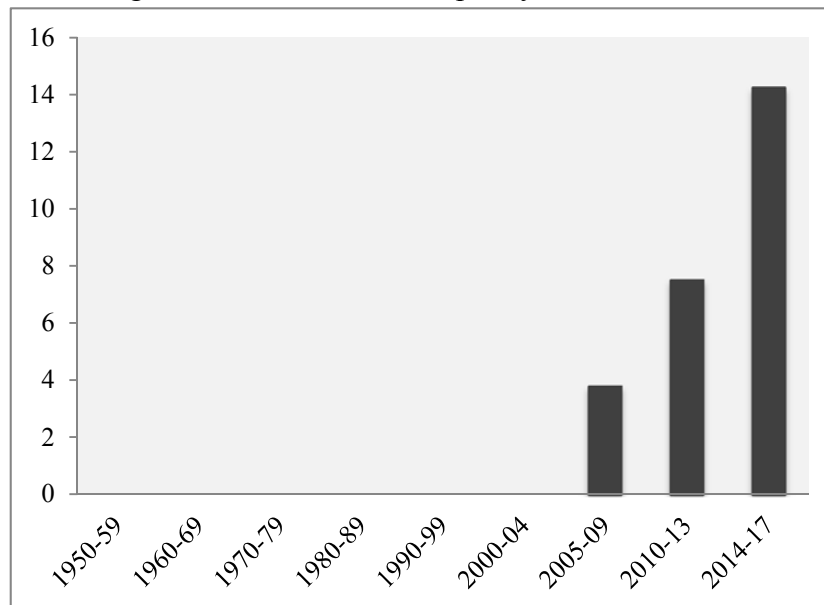
- “urban agriculture” (79 articles)
- “food system” (or “food systems”) (79 articles);
- “food justice” (68 articles); and
- “food law and policy” (or “food law & policy”) (57 articles).

In terms of rate of growth from 2010–13 to 2014–17, the search phrases with the greatest percentage increase are:

- FDA and “farm subsidies” (115.4% increase);
- “food justice” (112.5% increase); and
- “food law and policy” (or “food law & policy”) (90.0% increase).

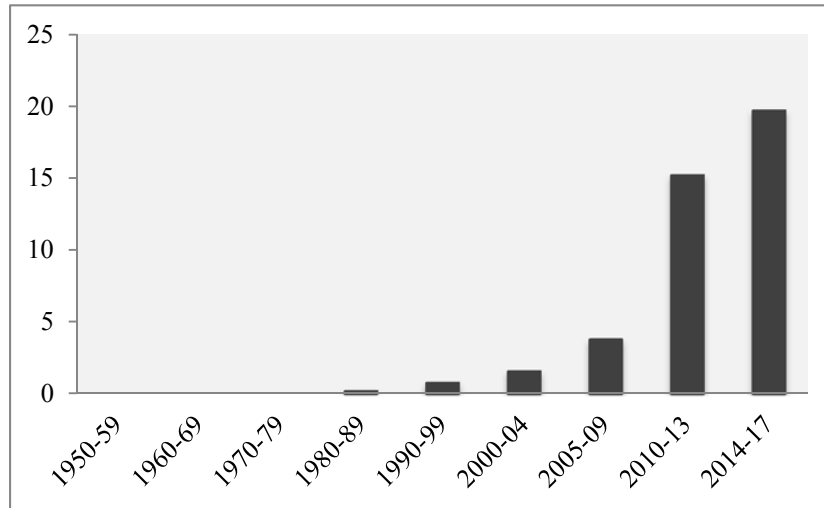
Notably, as can be seen in Figure 5, the search term “food law and policy” does not appear in even one article published prior to 2005. Since that time, use of the term has grown steadily in each subsequent period. Overall, our data indicate more articles featuring the term “food law and policy” were published between 2014–17 than were published during the previous sixty-four years combined. This fact bolsters not just the conclusion we reached in our earlier article that FL&P’s birth as a field can be traced to the mid-2000s, but also that the field has experienced rapid growth since its birth.

**Figure 5.** Average annual number of articles in HeinOnline containing the term “food law and policy.”

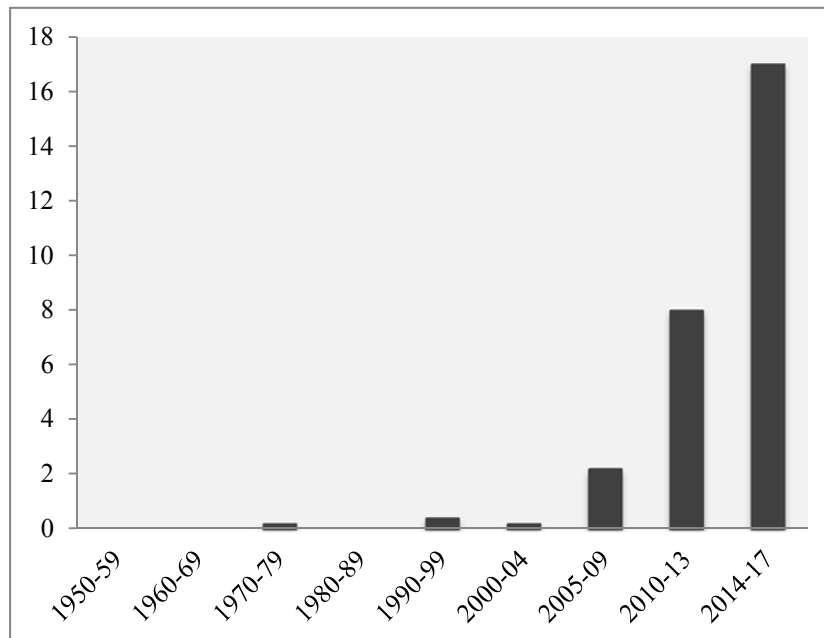


The figures below show the results for each of these respective new search terms (save for “food law and policy,” which we presented above).

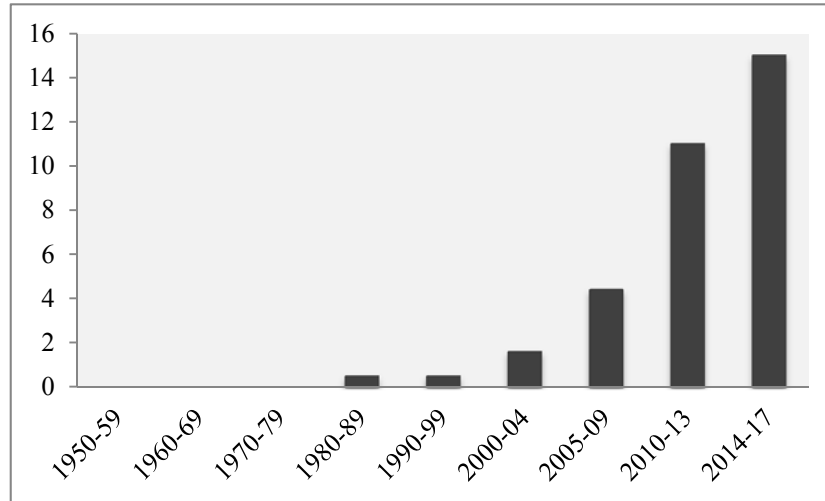
**Figure 6.** Average annual number of articles in HeinOnline containing the terms “food system” or “food systems.”



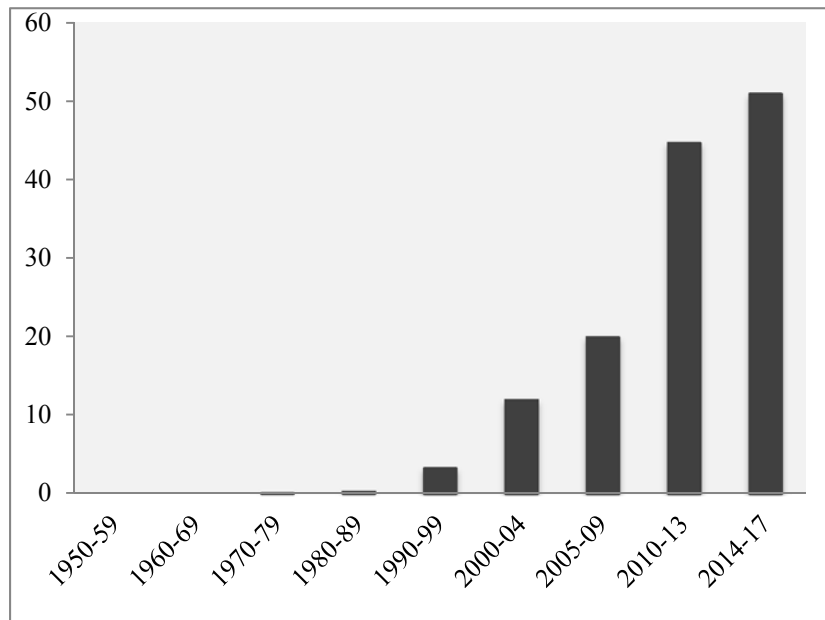
**Figure 7.** Average annual number of articles in HeinOnline containing the term “food justice.”



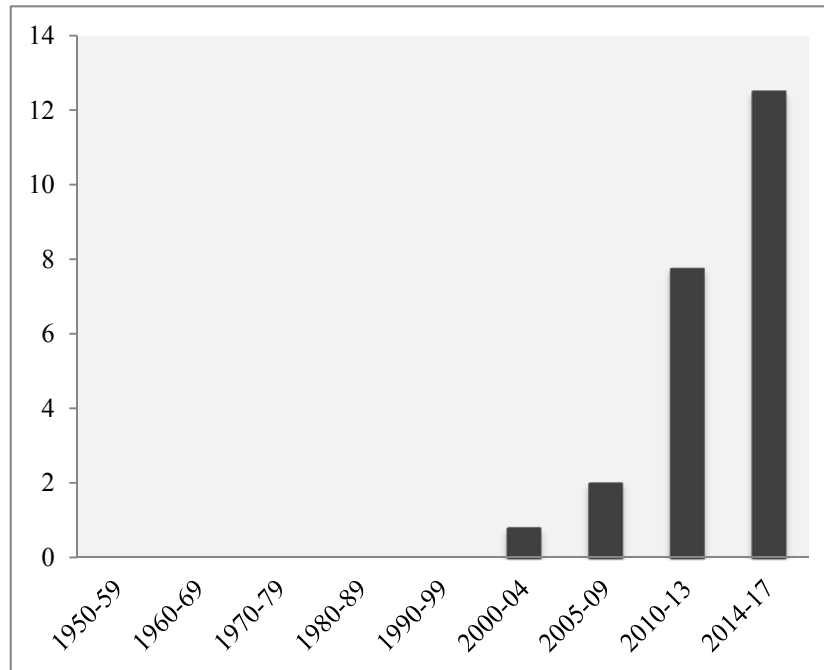
**Figure 8.** Average annual number of articles in HeinOnline containing the term “food access.”



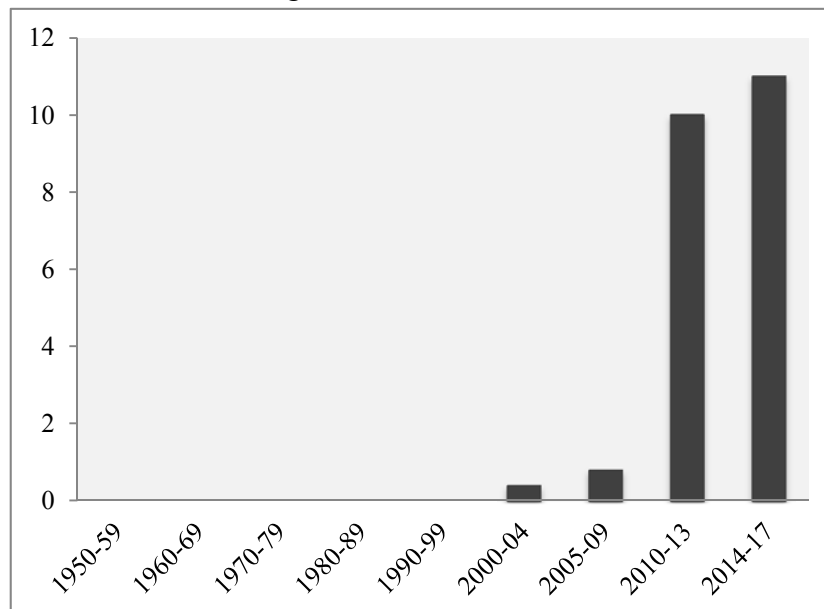
**Figure 9.** Average annual number of articles in HeinOnline containing the term “food” within five words of “sustainable” (or variations on it, such as “sustainability.”)



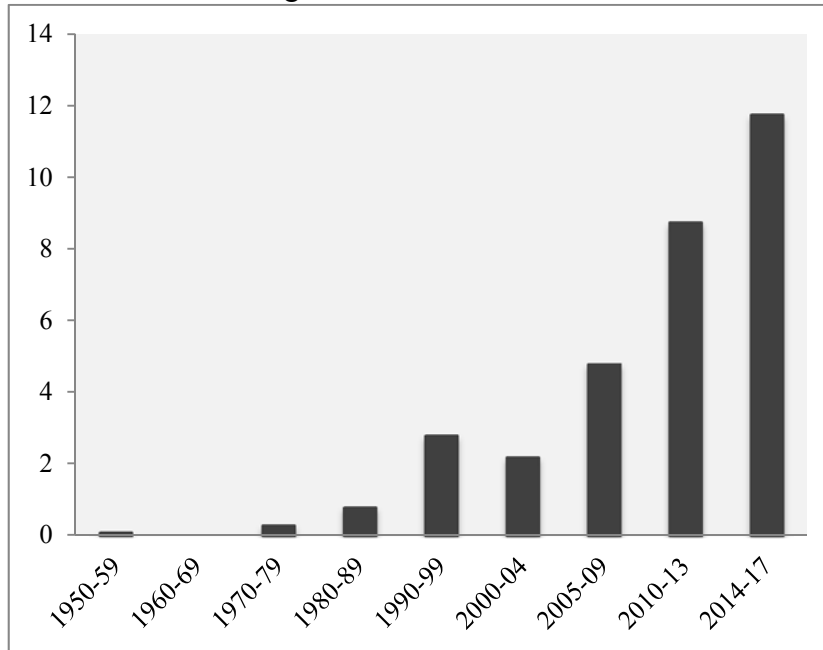
**Figure 10.** Average annual number of articles in HeinOnline containing the term “food sovereignty.”



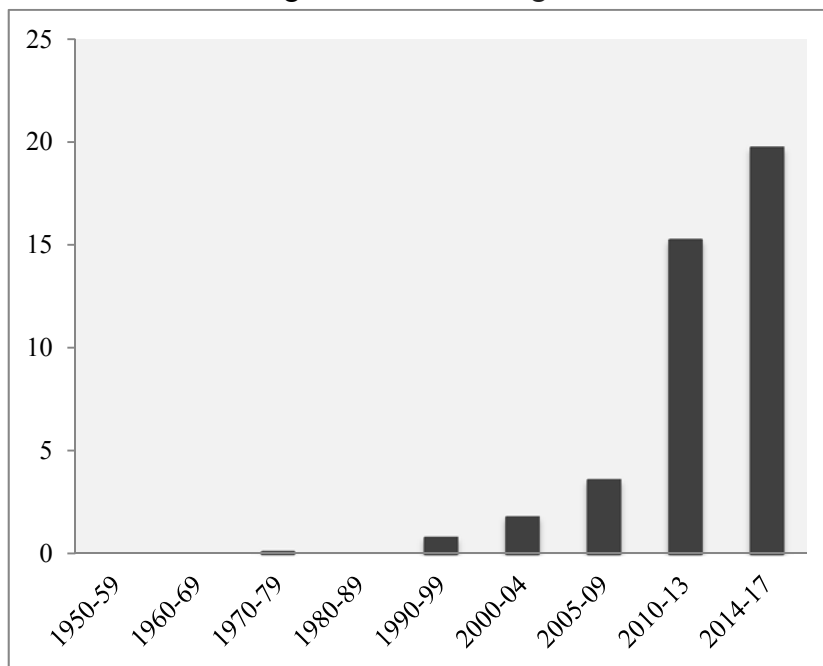
**Figure 11.** Average annual number of articles in HeinOnline containing the terms “soda tax” or “soda taxes.”



**Figure 12.** Average annual number of articles in HeinOnline containing the term “food waste.”



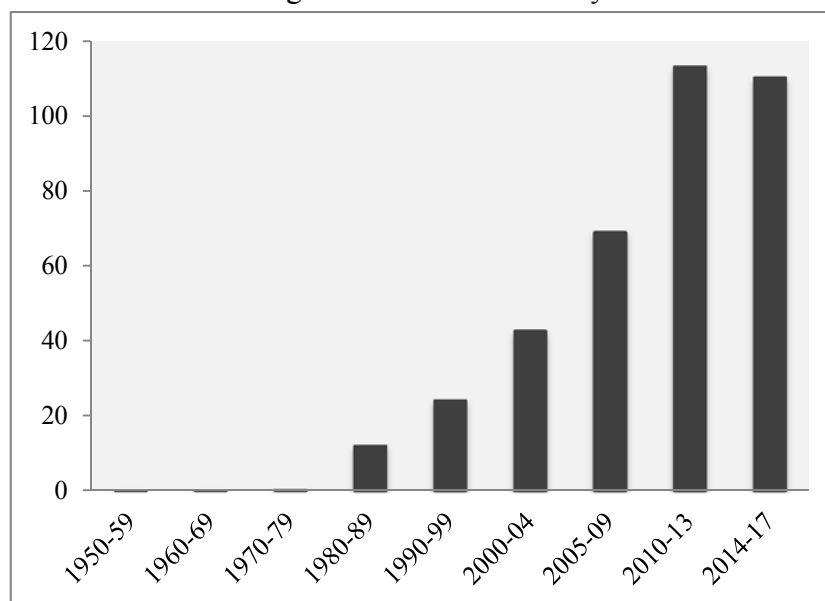
**Figure 13.** Average annual number of articles in HeinOnline containing the term “urban agriculture.”





Of our ten new search terms, only “food security,” presented in Figure 14 below, saw a decrease (-2.6%) in the total number of articles published between 2010–13 and 2014–17. We theorize this is likely due to the great number of articles on the topic. For example, our data show more than 450 articles published on food security between 2010–13, and nearly 450 articles on the topic between 2014–17. Compare that figure to the 688 total articles published across all of the other nine new FL&P search terms we employed—while also considering the fact that there were nearly 250 articles on “food security” published in the 1990s, even before the birth of the field of FL&P—and it seems apparent that “food security” is a robust area of scholarship that predates the birth of FL&P, while scholarship centering on each our other nine new search terms (e.g., “food sovereignty”) is still in its early days.

**Figure 14.** Average annual number of articles in HeinOnline containing the term “food security.”



While “food security” numbers decreased slightly—likely for the reasons we state above—a more noteworthy finding from our research is that the rate of increase in many areas of FL&P scholarship slowed between 2014–17. For example, while

articles that focused on “soda taxes” grew by more than 1,000 percent from 2010–13, they grew by only ten percent during the current four-year period. Articles that focused on “FDA” and “USDA” grew by 49.8 percent from 2010–13, but only by 10.6 percent from 2014–17. Articles featuring the term “food system” grew by more than 300 percent during the period 2010–13, but only by slightly less than thirty percent during 2014–17.

This slowing rate of growth, considered in a vacuum, could be misleading. Consider, for example, that even though the growth rate of “food system” articles slowed, there were more articles published containing the search term during 2014–17 (79) than there were during the period 2010–13 (61), even though the *rate* of growth during the former period was far greater than during the latter one. The same is true of articles containing the terms “FDA” and “USDA,” which saw more publications between 2014–17 (314) than during the 2010–13 period (284), even though the rate of growth of scholarship including both “FDA” and “USDA” slowed during the same period.

Why is there a discrepancy between numeric rates of growth and percentage rates of growth? Given the consistent increase in the *number* of FL&P publications across thirteen of our fourteen search areas—with “food security” serving as the exception—rather than evincing a slowing interest in FL&P scholarship, the slowing *rate* of growth of FL&P publications demonstrates that it is a stable and maturing field.<sup>15</sup> As more scholars continue to work and write in the field, we predict we will continue to see growth in the overall number of results within each search, and that the rate of increase in certain FL&P scholarship terms will likely spike again at some future point.

As we look toward that future, prospective FL&P research could benefit from improvements upon methodology and more refined searches, including the use of more complex computational search techniques. Since today’s law students are the FL&P scholars of tomorrow, future research might gather data on and study student FL&P-focused law-journal notes and

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15. A population grows when its numbers increase. But in most cases the *rate* of growth slows over time. For example, an increase from “1” to “2” represents a 100-percent increase, while the increase from “2” to “3” is only a fifty-percent increase. Furthermore, the increase from “100” to “101” is only a one-percent increase.

comments. Additionally, future research could assess rates and numbers of citations to FL&P articles over time to assess the strength and connectedness of the field. Finally, future scholars might seek to identify the number of unique articles included in the results of all search phrases or subsets of search phrases.<sup>16</sup> Doing so could provide scholars with greater insight into the characteristics of FL&P articles—including the overlap between articles that mention two or more sets of FL&P issues—and could help scholars, including us, to better track the overall number of articles in the field.

## II. Law School Courses

Food Law & Policy courses have proliferated among the top law schools over the past four years. In the 2014 article, we found that twenty of the 2013 top 100 law schools had offered FL&P courses at some point between Fall 2010 and Spring 2014. Since then, from Fall 2014 through Spring 2018, these same 100 schools have offered thirty-four FL&P courses, an increase of more than 150 percent, while the number of FDA Law and Ag Law courses have held approximately stable.

	<b>FL&amp;P</b>	<b>FDA Law</b>	<b>Ag Law</b>
<b>2010–2013</b>	20	41	16
<b>2014–2017</b>	34	40	13

The stability of the number of FDA Law courses masks some turnover among the schools offering those courses. Fordham University School of Law, Louisiana State University Law Center, and University of Wisconsin Law School, for instance, have not again offered the FDA Law courses in this time period. On the other hand, some schools that had ceased offering FDA Law courses prior to 2014 have begun to offer them again: the University of Kansas School of Law stopped offering FDA Law courses in 2009, for instance, but will again offer the course in the 2017–18 academic year.

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16. We obtained scholarship data we use in this article from fourteen separate searches. While we believe it is likely that some articles appear in more than one (or perhaps several) of these searches, such research is beyond the scope of this article.

Ag Law has also seen turnover among the offering schools. While NYU no longer offers a course in “Farmed Animal Law & Policy,” for instance, Harvard does. UCLA, too, no longer offers “Animals in Agriculture and the Law,” but Georgetown has added a seminar in “Farm Law and Policy.”

The table below lists the thirty-four top U.S. law schools that offered an FL&P course at least once during the 2014–18 academic years. Notably, several schools offered more than one such course during the relevant period; such schools are marked with a dagger in the table below. Schools that did not offer an FL&P course in the 2013 data but offer one now are marked with an asterisk.

Yale University*†	Harvard University†	Stanford University*
Columbia University*	New York University*†	University of California-Berkeley†
Duke University	Northwestern University*†	Cornell University*
Georgetown University†	Vanderbilt University*	University of California-Los Angeles†
Boston College*	University of Wisconsin†	Wake Forest University*†
University of California-Davis†	George Mason University*	University of Maryland*
University of Colorado–Boulder	Florida State University*	University of California-Hastings*
University of Connecticut*	University of Denver*	Illinois Institute of Technology - Chicago-Kent†
University of Arkansas–Fayetteville†	University of Miami	University of Missouri
Brooklyn Law School*	Lewis and Clark College	Michigan State University†
University of Kansas*	West Virginia University	University of Oregon
University of South Carolina*		

FL&P courses at these law schools generally focus on food laws and policies at all levels of government, looking at federal food safety regulation and agricultural subsidies, efforts by food policy councils to support local food systems, and policy approaches aiming to address diet-related disease or reduce food waste. For example, the first FL&P course at Cornell Law School, “Law and the Policy of Food Systems,” covers topics ranging from production to distribution to consumption, and helps students understand “the specialized language of farmers and food policy specialists and advocates [to better tackle] the difficult technical and policy issues facing food systems today.”<sup>17</sup> Northwestern University’s new “Food Law and Policy Seminar” examines “the local, state, and federal regulation of food, and sample policy topics from among the broad array of health, environmental, social, and cultural issues involving the contemporary food system.”<sup>18</sup>

More than a dozen of the schools now offer multiple FL&P courses, which explore more specific or more general topics within the field. Notably, the University of Arkansas–Fayetteville offers more than a dozen FL&P courses, including “Food Law & Policy;” “Federal Nutrition Law & Policy;” “Food Justice: Law & Policy;” “Urban Agriculture: Law & Policy;” and “Agricultural Cooperatives and Local Food Systems,” among many others and a full Agricultural and Food Law LL.M. program, described below. Harvard offered three courses: “Food Law and Policy;” “Law, Development and Global Food Policy;” and the “Food Law Lab” seminar. UCLA offered four courses: “Introduction to Food Law and Policy;” “City Food Policy: Legislation & Advocacy;” “Companies, Food Systems, and Public Health;” and “Rights to Food and Global Food Justice.” University of California-Davis also offered four FL&P courses: “Food and Agricultural Law;” “Food Justice;” “Law and Culture of Food;” and “Wine and the Law.”

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17. *Engaged Curriculum Grant: Law and Policy of Food Systems*, CORNELL L. SCH., <http://engaged.cornell.edu/recipient/law-and-policy-of-food-systems/> (last visited Aug. 31, 2017).

18. *Food Law and Policy Seminar*, NORTHWESTERN PRITZKER SCH. OF L., <http://www.law.northwestern.edu/academics/curricular-offerings/coursecatalog/details.cfm?CourseID=1663> (last visited Nov. 11, 2017).

Several schools not among the 2013 top 100 schools list provided notable FL&P course offerings since 2014, as well. Vermont Law School, the number one ranked Environmental Law program in 2017,<sup>19</sup> offers an array of FL&P courses along with its degree and certificate programs (described below). Its courses include “Federal Regulation of Food Safety;” “Food System Justice and Sustainability;” “The Farm Bill;” “Public Health Implications of US Agriculture and Policy;” and “Global Food Security.” Elisabeth Haub School of Law, too, offers courses in “Food & Agriculture Law;” “Food Systems Law;” and “Agriculture Law & the Environment;” and also launched a food law program and clinic. Drake University Law School has expanded its strong agricultural law program into the FL&P space, too, and offers courses including “Food and the Law;” “Current Issues in Food & Agricultural Law;” “Environmental Regulation of Agriculture;” and “Sustainability and the Law.”

### III. Degree Programs

The last four years have seen the maturing of existing degree programs into dedicated FL&P programs, alongside the launch of new FL&P degree programs. We wrote in 2014 that no such programs were in existence at that time.<sup>20</sup> Before 2014, University of Arkansas and Drake Law School were each home to degree programs historically grounded in Ag Law but which also engaged with FL&P issues.<sup>21</sup> In particular, the University of Arkansas changed the name of its Master of Laws program in 2009 from an LL.M. in Agricultural Law to an LL.M. in Agricultural *and Food* Law.<sup>22</sup> While the program began to slowly increase its FL&P course offerings prior to 2014, the years from 2014 to present have evidenced its strong commitment to FL&P, including dozens of new FL&P courses

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19. *Best Environmental Law Programs 2017*, U.S. NEWS AND WORLD REPORT, <https://www.usnews.com/best-graduate-schools/top-law-schools/environmental-law-rankings> (last visited Nov. 11, 2017).

20. See Linnekin & Broad Leib, *supra* note 1, at 601.

21. See *id.* at 602-03.

22. See *id.* at 602 (citing *History of the LL.M. Program*, U. ARK. SCH. L., <http://law.uark.edu/academics/llm/history-of-the-ll-m-program/> (last visited Dec. 17, 2013)) (emphasis added).

and new practicum placements with FL&P organizations.<sup>23</sup> Drake Law School's Agricultural Law Center has also increased FL&P course offerings available to students through its Food and Agricultural Law Certificate Program.<sup>24</sup>

In 2014, Vermont Law School's Center for Agriculture and Food Systems<sup>25</sup> established two dedicated degree programs and a certificate program in Food & Agriculture Law.<sup>26</sup> The Master of Food and Agriculture Law and Policy ("MFALP") program is offered as both a standalone degree program and a dual-degree option for law students. The program provides students with an opportunity to participate in summer courses with practicing lawyers and national experts in various areas of law and policy, in addition to academic year FL&P courses and the Food and Agriculture Clinic at Vermont Law School.<sup>27</sup> Along with the MFALP program, Vermont Law School offers an LL.M. program both on-campus and online in Food & Agriculture Law,<sup>28</sup> and enables law students to obtain a certificate in Food and Agriculture Law.<sup>29</sup>

Other degree and certificate programs are grounded in Food and Drug Law or related areas of the regulation of food, which overlap with FL&P. Georgetown University Law Center offers LL.M. students the opportunity to obtain a certificate in Food and Drug Law.<sup>30</sup> Michigan State University's Institute for Food Laws and Regulations runs an online LL.M. program in Global

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23. *Food and Agricultural Law Courses*, UNIV. OF ARKANSAS SCH. OF L., <https://law.uark.edu/academics/llm-food-ag/llm-courses.php> (last visited Nov. 11, 2017).

24. *Food and Agricultural Law Certificate Program*, DRAKE L. SCH., <http://www.drake.edu/law/students/academics/certificate/food-ag/> (last visited Nov. 11, 2017).

25. See *infra* "Academic Centers."

26. VERMONT L. SCH., THE CTR. FOR AGRIC. AND FOOD SYSTEMS: THE FIRST THREE YEARS 6 (2015), [https://www.vermontlaw.edu/sites/default/files/Assets/cafs/CAFS\\_First3Years\\_REV.pdf](https://www.vermontlaw.edu/sites/default/files/Assets/cafs/CAFS_First3Years_REV.pdf).

27. *Master of Food and Agriculture Law and Policy (MFALP)*, VT. L. SCH., [https://www.vermontlaw.edu/academics/degrees/masters/master-of-food-and-agriculture-law-and-policy-\(mfalp\)](https://www.vermontlaw.edu/academics/degrees/masters/master-of-food-and-agriculture-law-and-policy-(mfalp)) (last visited Aug. 29, 2017).

28. See *LLM Programs*, VT. L. SCH., <https://www.vermontlaw.edu/academics/degrees/llm> (last visited Aug. 29, 2017).

29. See *Certificate in Food and Agriculture Law*, VT. L. SCH., <https://www.vermontlaw.edu/academics/certificates/certificate-in-food-and-agriculture-law> (last visited Nov. 11, 2017).

30. See *Food and Drug Law*, GEORGETOWN UNIV. L. CTR., <https://www.law.georgetown.edu/academics/academic-programs/graduate-programs/certificate-programs/food-and-drug-law.cfm> (last visited Aug. 29, 2017).

Food Law, with a curriculum focused on the global context and on regulatory frameworks governing food production, marketing, labeling, and Food and Drug Law.<sup>31</sup> The Institute also offers a Certificate in International Food Law and a Certificate in United States Food Law.<sup>32</sup>

#### IV. Academic Centers

In 2014, noting the recent launches of UCLA's Resnick Program for Food Law and Policy, Vermont Law School's Center for Agriculture and Food Systems, and Harvard's Food Law Lab, we predicted "a proliferation of similar FL&P-focused centers."<sup>33</sup> Though FL&P-focused academic centers have not increased at a comparable rate to FL&P courses offered around the country, several new centers have been established. For example, the Elisabeth Haub School of Law at Pace University's Pace-NRDC Food Law Initiative was established in 2015 "to address the direct legal service needs of food justice organizations, farmers, and food entrepreneurs" through education of law students and lawyers.<sup>34</sup>

The following list highlights four FL&P-focused academic centers among the top 100 law schools. Several other schools also host relevant academic centers, including Drake Law School's Agricultural Law Center,<sup>35</sup> Michigan State University's Institute for Food Laws and Regulations,<sup>36</sup> and Howard University's World Food Law Institute.<sup>37</sup>

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31. See *The Curriculum*, MICH. ST. UNIV. SCH. L., <http://www.law.msu.edu/lm/globalfoodlaw/curriculum.html> (last visited Aug. 29, 2017).

32. *Institute for Food Laws and Regulations: Certificate Programs*, MICHIGAN STATE UNIV., <http://www.canr.msu.edu/iflr/certificate-programs/> (last visited Nov. 11, 2017).

33. Linnekin & Broad Leib, *supra* note 1, at 603.

34. See *Pace-NRDC Food Law Initiative*, ELISABETH HAUB SCH. L. AT PACE UNIV., <http://law.pace.edu/pace-nrdc-food-law-initiative> (last visited Aug. 27, 2017).

35. *Agricultural Law Center*, DRAKE UNIV., <http://www.drake.edu/law/clinics-centers/aglaw/> (last visited Aug. 27, 2017).

36. *Institute for Food Laws and Regulations*, MICHIGAN STATE UNIV., <http://www.canr.msu.edu/iflr/> (last visited Nov. 11, 2017).

37. *World Food Law Institute*, HOWARD UNIV. SCH. L., <http://law.howard.edu/content/world-food-law-institute> (last visited Aug. 27, 2017).



Law School	Academic Center
Harvard University	Food Law Lab (est. 2013)
University of California-Los Angeles	Resnick Program for Food Law & Policy (est. 2013)
Vermont Law School	Center for Agriculture and Food Systems (est. 2012)
Elisabeth Haub School of Law at Pace University	Pace-NRDC Food Law Initiative (est. 2015)

### V. Casebooks & Other Texts

As of early 2014, we noted that the first true FL&P text had yet to be written. Relevant works that had by then been published focused primarily on either FDA Law or Ag Law, though these works did touch on FL&P issues.<sup>38</sup> The authors of some of those works have been instrumental to developing the field of FL&P. Now, the field can count several dedicated casebooks and texts published or under development that engage with a broad cross-section of FL&P issues.

In 2014, Lisa Heinzerling of Georgetown University Law Center published the first dedicated FL&P casebook, *Food Law: Cases and Materials*.<sup>39</sup> In 2016, Michael T. Roberts of UCLA's Resnick Program on Food Law & Policy published the field's first treatise, *Food Law in the United States*, which "lays out the national legal framework for the regulation of food and the legal tools that fill gaps in this framework, including litigation, state law, and private standards [and addresses] topics including commerce, food safety, marketing, nutrition, and emerging food-systems issues such as local food, sustainability, security, urban agriculture, and equity[.]"<sup>40</sup> University of Arkansas

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38. See Linnekin & Broad Leib, *supra* note 1, at 603-04.

39. See *Food Law: Cases and Materials*, LULU, <http://www.lulu.com/us/en/shop/lisa-heinzerling/food-law-cases-and-materials/paperback/product-22283467.html> (last visited Oct. 14, 2017).

40. *Food Law in the United States*, UCLA LAW SCH., <https://law.ucla.edu/centers/social-policy/resnick-program-for-food-law-and-policy/publications/food-law-in-the-united>

Professor Susan Schneider's text *Food, Farming, and Sustainability: Readings in Agricultural Law*, first published in 2011, included several FL&P issues within its Agricultural Law focus, and the second edition in 2016 provided expanded integration of FL&P issues.<sup>41</sup> 2016 also saw the release of the second edition of Michigan State University Professor Neil Fortin's text *Food Regulation* (originally published in 2008). The text focuses mostly on FDA Law as it pertains to food, but the second edition appears more oriented toward a broader set of FL&P issues, as it addresses new "policy questions[] and emerging issues."<sup>42</sup>

UCLA's Roberts, along with Jacob Gersen of Harvard Law School and Margot Pollans of the Pace University Elizabeth Haub Law School, is currently developing a FL&P casebook,<sup>43</sup> as is University of Arkansas's Susan Schneider.<sup>44</sup> Finally, outside of the U.S. at least seven texts that address FL&P issues in the European and international contexts have been published since 2014.<sup>45</sup>

## VI. Dedicated Legal Journals

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-states/ (last visited Aug. 28, 2017); see also MICHAEL T. ROBERTS, *FOOD LAW IN THE UNITED STATES* i (2017).

41. See SUSAN A. SCHNEIDER, *FOOD FARMING AND SUSTAINABILITY: READINGS IN AGRIC. L.*, (California Press 2d ed. 2016).

42. See generally NEIL FORTIN, *FOOD REGULATION: LAW, SCIENCE, POLICY, AND PRACTICE* (Wiley 2d ed. 2016).

43. See *Michael T. Roberts*, UCLA LAW SCH., <https://www.law.ucla.edu/faculty/faculty-profiles/michael-t-roberts/#/> (last visited Aug. 28, 2017); see *Jacob Gersen*, HARV. L. SCH., <https://hls.harvard.edu/faculty/directory/10302/Gersen/> (last visited Aug. 30, 2017); see *Margot J. Pollans*, ELISABETH HAUB SCH. L. AT PACE UNIV., <http://www.law.pace.edu/faculty/margot-j-pollans> (last visited Oct. 18, 2017).

44. Email from Susan A. Schneider, Professor, Univ. of Arkansas School of Law, to Emily Broad Leib & Baylen Linnekin (Nov. 7, 2017) (on file with authors).

45. See *RETHINKING FOOD SYSTEMS: STRUCTURAL CHALLENGES, NEW STRATEGIES, & THE LAW* (Nadia C.S. Lambek et al. eds., 2014); see *EU FOOD LAW HANDBOOK* (Bernd van der Meulen ed., 2d ed. 2014); see *FOUNDATIONS OF EU FOOD LAW & POLICY: FOUNDATIONS OF THE EUROPEAN FOOD SAFETY AUTHORITY* (Alberto Alemanno & Simone Gabbi eds., 2014); see VICENTE RODRIGUEZ FUENTES, *FROM AGRICULTURAL TO FOOD LAW: THE NEW SCENARIO* (2014); CAOIMHÍN MACMAOLÁIN, *FOOD LAW: EUROPEAN, DOMESTIC AND INTERNATIONAL FRAMEWORKS* (2015); see *INTERNATIONAL FOOD LAW AND POLICY* (Gabriela Steier & Kiran Patel, eds., 2016); see *EUROPEAN AND GLOBAL FOOD LAW* (Luigi Costato & Ferdinando Albisinni eds., 2d ed. 2016).

As in 2014, the field of FL&P has one dedicated legal journal, the *Journal of Food Law & Policy*, hosted at the University of Arkansas School of Law.<sup>46</sup> FDA Law, too, has one dedicated journal, the *Food and Drug Law Journal*, published by the Food and Drug Law Institute and Georgetown University Law Center.<sup>47</sup> In recent years, the *Food and Drug Law Journal* has begun to publish more FL&P articles.<sup>48</sup> Agricultural Law, meanwhile, continues to have multiple legal journals focused on the field: *Drake Journal of Agricultural Law*,<sup>49</sup> *San Joaquin Agricultural Law Review*,<sup>50</sup> and *Kentucky Journal of Equine, Agriculture, & Natural Resources Law*,<sup>51</sup> all of these journals also publish FL&P articles in addition to their traditional agricultural law content.<sup>52</sup>

## VII. Clinical/Experiential Education

Clinical and experiential education in FL&P has grown tremendously over the past four years. The number of dedicated FL&P clinics has increased, and we have seen a doubling in the number of clinics in other domains that work on, or have worked on, projects implicating FL&P issues.

In early 2014, only one dedicated FL&P clinic existed: the Food Law and Policy Clinic at Harvard Law School,<sup>53</sup> which “provides legal and policy guidance to a range of clients seeking to increase access to healthy foods, assist small and sustainable

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46. *Journal of Food Law & Policy*, UNIV. ARK. SCH. L., <https://law.uark.edu/academics/journals/journal-food-law-policy.php> (last visited Aug. 27, 2017).

47. *Food and Drug Law Journal*, FOOD & DRUG L. INST., <https://www.fdi.org/resources/food-drug-law-journal/> (last visited Aug. 27, 2017).

48. See, e.g., Laurie Beyranevand & Emily Broad Leib, *Making the Case for a National Food Strategy in the United States*, 72 FOOD & DRUG L. J. 225 (2017); Melanie Pugh, *A Recipe for Justice: Support for a Federal Food Justice Interagency Working Group*, 72 FOOD & DRUG L. J. 341 (2017).

49. *Drake Journal of Agricultural Law*, DRAKE J. AGRIC. L., <https://aglawjournal.wp.drake.edu/> (last visited Aug. 27, 2017).

50. *San Joaquin Agricultural Law Review*, SAN JOAQUIN C. L., <http://www.sjcl.edu/index.php/sjalr> (last visited Aug. 27, 2017).

51. *Kentucky Journal of Equine, Agriculture, & Natural Resources Law*, KY. J. EQUINE, AGRIC., & NAT. RES. L., <http://www.kjeanrl.com/> (last visited Aug. 27, 2017).

52. See, e.g., Nicole M. Civita, *2012 Developments in Food Law & Policy*, 18 DRAKE J. AGRIC. L. & POL'Y 39 (2012); Comment, Carmen Kalashian, *Out of Sight, Out of Mind: Finding a Solution to Food Waste in America*, 23 SAN JOAQUIN AGRIC. L. REV. 103 (2014).

53. Linnekin & Broad Leib, *supra* note 1, at 605.

farmers in breaking into new commercial markets, and reduce waste of healthy, wholesome food.”<sup>54</sup> Since then, FL&P clinics have been established at the Pace University’s Elisabeth Haub School of Law, UCLA Law School, and Vermont Law School. The Food and Beverage Law Clinic at Pace University offers “transactional legal services” to various types of clients, including “small- and medium-sized farmers implementing innovative and sustainable farming practices, mission-oriented food entrepreneurs, and food justice nonprofit organizations.”<sup>55</sup> At the Food Law and Policy Clinic at UCLA Law School, students engage with multiple “policy advocacy strategies,” including working with food system stakeholders to develop policy initiatives, educating food innovators about law and policy, and promoting food equity via social change campaigns and legal needs assessments.<sup>56</sup> The Food and Agriculture Clinic at Vermont Law School similarly targets a broad range of clients in the food system, though sustainable food production and equitable access are particular areas of emphasis. The Clinic “focus[es] on creating legal resources that are meant to put the law in the hands of food system constituencies (farmers, laborers, food entrepreneurs, consumers, legislators, advocates, etc.) so that they may achieve their law, policy and business goals” on a range of issues, from launching farm-to-school initiatives to developing sustainable food and farm businesses.<sup>57</sup> In addition, beginning in the 2017–18 academic year, Yale Law School has hired a Farm and Food Legal Fellow to work at the intersection of its Environmental Protection and Community and Economic Development clinics.<sup>58</sup>

Further, the number of clinics in other areas of the law that are taking on projects that implicate FL&P issues has more than

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54. *Food Law and Policy Clinic*, CTR. FOR HEALTH L. AND POL. INNOVATION, HARV. L. SCH., <https://www.chlpi.org/food-law-and-policy/about/> (last visited Nov. 11, 2017).

55. *Food and Beverage Law Clinic*, ELISABETH HAUB SCH. L., <http://law.pace.edu/food-and-beverage-law-clinic> (last visited Aug. 31, 2017).

56. *LAW 775 - Food Law and Policy Clinic*, UCLA LAW SCH., <https://law.ucla.edu/academics/curriculum/course-list/law-775/> (last visited Aug. 31, 2017).

57. *Food and Agriculture Clinic*, VT. L. SCH., <https://www.vermontlaw.edu/academics/clinics-and-externships/food-and-agriculture-clinic> (last visited August 31, 2017).

58. Email from Joshua Galperin, Professor, Yale Law School, to Emily Broad Leib, (Oct. 17, 2017) (on file with the authors).

doubled. The research we conducted for the 2014 article found that 30 different clinics at 23 of the top 100 law schools either were working on or had worked on at least one project with a connection to FL&P issues.<sup>59</sup> As of the time of this writing, these numbers have grown to 69 clinics at 48 of those 100 schools. Some of these clinics have increased the number of projects they undertake that are pertinent to FL&P. For example, one clinic highlighted in the 2014 article was the Harrison Institute for Public Law at Georgetown Law. Prior to 2014, the Harrison Institute had engaged in a project related to improving school meals.<sup>60</sup> That project continues, and has broadened to include efforts change how both school districts, and hospital systems, conduct food procurement.<sup>61</sup> Additionally, during the last four years the Harrison Institute clinic added a food and sustainability project to its roster.<sup>62</sup>

Of the nearly seventy clinics now working on FL&P projects, many engage in projects focused on the intersection of food and Environmental Law, such as the environmental law clinics at Yale Law School, Emory Law School, Washington University in St. Louis, and University of Connecticut.<sup>63</sup> Others clinics engage in projects focused on economic opportunities for farmers and food producers in both rural and urban settings, such as community economic development clinics at University of Michigan, University of California-Berkeley, University of Chicago, Stanford University, Yale University, University of Colorado-Boulder, University of Maryland, and Penn State Law.<sup>64</sup> The Organizations and Transactions Clinic at Stanford

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59. See Linnekin & Broad Leib, *supra* note 1, at 605.

60. See *id.* at 606-07.

61. *Health and Food Policy*, GEORGETOWN L. SCH., <https://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/HIP/health-food-work.cfm> (last visited Aug. 31, 2017).

62. See *id.*

63. See *Environmental Protection Clinic*, YALE L. SCH., <https://law.yale.edu/studying-law-yale/clinical-and-experiential-learning/our-clinics/environmental-protection-clinic> (last visited Aug. 31, 2017); *Turner Environmental Law Clinic*, EMORY L. SCH., <http://law.emory.edu/academics/clinics/turner-environmental-clinic.html> (last visited Aug. 31, 2017); *Interdisciplinary Environmental Clinic News*, WASHINGTON UNIV. ST. LOUIS L. SCH., <https://law.wustl.edu/intenv/pages.aspx?id=431> (last visited Aug. 31, 2017); *Environmental Law Clinic*, <https://www.law.uconn.edu/academics/clinics-experiential-learning/environmental-law-clinic> (last visited Aug. 31, 2017).

64. *Examples of Our Work*, UNIV. MICHIGAN LAW SCH., <https://www.law.umich.edu/clinical/CEDC/Pages/caseexamples.aspx> (last visited Aug. 31, 2017); *Clinics Help Co-*

Law School, which has a longstanding history of working with food and agricultural clients, recently released a publicly-accessible library of transactional document templates for a variety of food and agriculture nonprofit enterprises, including farmers' markets, gleaning programs, community gardens, and food banks.<sup>65</sup>

## VIII. Student Societies

Student-led FL&P societies have continued to emerge since 2013, when we counted fewer than ten such societies in law schools across the country.<sup>66</sup> Today, at least thirty-three student-led FL&P societies now exist in law schools across the country,<sup>67</sup> including at Fordham,<sup>68</sup> Harvard,<sup>69</sup> Michigan State,<sup>70</sup> Northeastern,<sup>71</sup> NYU,<sup>72</sup> Pace,<sup>73</sup> UCLA,<sup>74</sup> Wisconsin,<sup>75</sup> Vermont,<sup>76</sup> and Yale.<sup>77</sup>

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*Ops Set Up Shop*, UNIV. OF CALIFORNIA: BERKLEY LAW, <https://www.law.berkeley.edu/article/clinic-helps-co-ops-set-shop/> (last visited Aug. 31, 2017); *IJ Clinic on Entrepreneurship*, INST. FOR JUSTICE, <http://ij.org/ij-clinic-on-entrepreneurship/> (last visited Aug. 31, 2017); *Sustainable Community Development Clinic*, UNIV. OF COLORADO: BOULDER SCHOOL OF LAW, <http://www.colorado.edu/law/academics/clinics/sustainable-community-development-clinic> (last visited Aug. 31, 2017); *About*, UNIV. OF MARYLAND AGRIC. LAW AND EDUCATION INITIATIVE, <http://umaglaw.org/> (last visited Aug. 31, 2017); *Rural Economic Development Clinic*, PENN STATE LAW, <https://pennstatelaw.psu.edu/practice-skills/clinics/rural-economic-development-clinic> (last visited Aug. 31, 2017).

65. *Documents*, NONPROFIT CORPORATIONS: FORM AND SAMPLE DOCUMENTS, <https://nonprofitdocuments.law.stanford.edu/documents/> (last visited Oct. 13, 2017).

66. See Linnekin & Broad Leib, *supra* note 1, at 607-08.

67. This number includes food law societies at both the 100 school cohorts, as well as the other schools examined in our 2017 research.

68. *Farm to Fordham*, FORDHAM U. SCH. L., [https://www.fordham.edu/info/24772/student\\_groups/7753/farm\\_to\\_fordham](https://www.fordham.edu/info/24772/student_groups/7753/farm_to_fordham) (last visited Aug. 23, 2017).

69. *Harvard Food Law Society*, HARV. L. SCH., <https://orgs.law.harvard.edu/foodlaw/> (last visited Aug. 23, 2017).

70. *Environmental & Agriculture Law Society*, MICH. ST. C. L., <http://www.law.msu.edu/students/student-org-profile.php?id=43> (last visited Aug. 23, 2017); *Food Law Society at MSU*, FACEBOOK, [https://www.facebook.com/pg/The-Food-Law-Society-at-MSU-Law-1681300942152620/about/?ref=page\\_internal](https://www.facebook.com/pg/The-Food-Law-Society-at-MSU-Law-1681300942152620/about/?ref=page_internal) (last visited Aug. 23, 2017).

71. *Student Organizations*, NORTHEASTERN. SCH. L., <https://www.northeastern.edu/law/student-life/organizations.html> (last visited Aug. 23, 2017).

72. *Food & Agriculture Law Society*, N.Y.U. SCH. L., <http://www.law.nyu.edu/studentorganizations/foodlaw> (last visited Aug. 23, 2017).

73. *Environmental Student Organizations*, PACE L., <http://www.law.pace.edu/environmental-student-organizations> (last visited Aug. 23, 2017).

74. *The Food Law Society at UCLA*, FOOD L. SOC'Y AT UCLA, <http://foodlawsociety.webs.com/> (last visited Aug. 23, 2017).

Law students have also begun to organize and collaborate across schools. In 2015, Harvard Law School's Food Law and Policy Clinic hosted the first annual Food Law Student Leadership Summit, which featured 100 invited law-student participants representing 50 law schools in 30 states across the country.<sup>78</sup> Shortly after that three-day event, the Summit's student participants launched the Food Law Student Network to "exchange ideas, knowledge, and practical skills, while building enduring connections among students and professionals" in the growing FL&P field.<sup>79</sup> The summit is now in its third year, with Drake Law School and UCLA Law School playing host in 2016 and 2017, respectively, and student interest and application numbers increasing each year.<sup>80</sup>

### IX. Professional Associations/Bar Groups

In 2013, unlike FDA Law and Ag Law, FL&P had no professional membership association to foster and promote the field in either academia or legal practice. Faculty and scholars in the field, including the authors of this article, established the Academy of Food Law & Policy in 2016 to fill this role.<sup>81</sup> The Academy connects FL&P faculty and scholars from schools across the United States, as well as several global members, and aims "to stimulate intellectual discourse, encourage and recognize scholarship, enhance teaching, support student interest, and promote the academic field of food law and policy."<sup>82</sup>

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75. *Wisconsin Agriculture & Food Law Society*, WISC. AGRIC. & FOOD L. SOC'Y, <https://wafslaw.wordpress.com/> (last visited Aug. 23, 2017).

76. *Student Groups*, VT. L. SCH., <http://vermontlaw.edu/community/student-groups> (last visited Aug. 23, 2017).

77. *Yale Food Law Society*, YALE L. SCH., <https://law.yale.edu/student-life/student-journals-organizations/student-organizations/yale-food-law-society> (last visited Aug. 23, 2017).

78. Student and school list on file with the authors.

79. *About, FLSN*, FOOD L. STUDENT NETWORK, <http://foodlawstudentnetwork.org/about/> (last visited Aug. 23, 2017).

80. Student applications on file with the authors.

81. *The Academy of Food Law & Policy*, ACAD. FOOD L. & POL'Y, <https://www.academyflp.org/> (last visited Aug. 23, 2017).

82. *Mission*, ACAD. FOOD L. & POL'Y, <https://www.academyflp.org/mission> (last visited Oct. 9, 2017).

Just over a year into its existence, the Academy has recruited nearly 80 members, mostly domestic but with several global members as well.<sup>83</sup> FL&P professional associations have also spread beyond the United States, with the launch of Food Lawyers of Canada, which hosted its second annual conference in November 2017.<sup>84</sup>

## X. Academic Conferences

The number of Food Law & Policy conferences and symposia around the country has continued to grow. In our 2014 article, we reported that recent FL&P conferences and symposia had been held at many law schools across the country—including Chapman, Duke, Fordham, Harvard, Northeastern, Oregon, Stanford, Wisconsin, and Yale.<sup>85</sup> The frequency of these scholarly FL&P events has grown in recent years. Notably, several conferences and symposia have become important annual gatherings that showcase a host of leading FL&P scholars and issues.

Conferences hosted in recent years by law reviews, journals, and law schools include those at Fordham University Law School,<sup>86</sup> Seattle University Law School,<sup>87</sup> University of Kentucky Law School,<sup>88</sup> Duke University Law School,<sup>89</sup> Northwestern University Law School,<sup>90</sup> Lewis & Clark

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83. *Founding Members*, ACAD. FOOD L. & POL'Y, <https://www.academyflp.org/founding-members> (last visited Oct. 18, 2017).

84. *Taking Stock: The State of Food Law and Policy in Canada*, FOOD LAWYERS OF CANADA, <http://foodlaw.ca/takingstock> (last visited Aug. 23, 2017).

85. Linnekin & Broad Leib, *supra* note 1, at 610.

86. *Cooper-Walsh Colloquium*, FORDHAM URB. L.J., (2017).

87. Symposium, *Re-Tooling Food Law: How Traditional Legal Models Can Be Re-Tooled For Food System Reform*, SEATTLE U. L. REV. (2015), [http://digitalcommons.law.seattleu.edu/sulr/su\\_2015\\_symposium\\_flyer.pdf](http://digitalcommons.law.seattleu.edu/sulr/su_2015_symposium_flyer.pdf).

88. Symposium, *Improving or Impeding? The Local & National Effects of State & Federal Regulation*, KENTUCKY J. EQUINE, AGRIC. & NAT. RES. L. (2015).

89. *Carrots and Sticks: Moving the U.S. National Food System Toward a Sustainable Future*, DUKE ENV. LAW & POL'Y FORUM (2015), [scholarship.law.duke.edu/delpf\\_symposium/2015/](http://scholarship.law.duke.edu/delpf_symposium/2015/).

90. Symposium, *Third Annual Research Roundtable on Animal Law and Regulation: Local Food Law, Animal Welfare, and Sustainability*, NORTHWESTERN U. L. SCH. (2017), [www.law.northwestern.edu/research-faculty/searlecenter/events/roundtable/index.html#animal2017](http://www.law.northwestern.edu/research-faculty/searlecenter/events/roundtable/index.html#animal2017).



University Law School,<sup>91</sup> Boston University Law School,<sup>92</sup> University of Colorado-Boulder Law School,<sup>93</sup> and Wake Forest Law School.<sup>94</sup>

Annual events include Harvard Law School's "Just Food?" conference, sponsored by Harvard Law School's Food Law Society and Food Law & Policy Clinic (which has been held three times),<sup>95</sup> along with other FL&P conferences held at Harvard Law School under different names,<sup>96</sup> the Harvard-UCLA Food Law and Policy Conference, co-sponsored by the Food Law Lab at Harvard Law School and the Resnick Program for Food Law and Policy at UCLA Law School (now in its fourth year);<sup>97</sup> the Yale Food Systems Symposium (in its fifth year);<sup>98</sup> the Southern Methodist Law School's Food Law Forum (now in its third year);<sup>99</sup> the Food Law Student Leadership Summit, which is sponsored by the Food Law and Policy Clinic at Harvard Law School in partnership with the Food Law Student Network and a rotating host school (now in its third year);<sup>100</sup> and the periodic Food-Law Faculty Scholarship

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91. Symposium, *21st Century Food Law: What's on our Plates?*, LEWIS & CLARK ENV. L.J., (2017), <https://law.lclark.edu/live/events/229834-21st-century-food-law-whats-on-our-plates>.

92. Symposium, *The Iron Triangle of Food Policy*, AM. J.L. MED. & ETHICS (2015), <https://www.bu.edu/law/2015/02/09/the-iron-triangle-of-food-policy-ajlms-2015symposium/>.

93. *Food Law Workshop Highlights Colorado's Innovations in the Field*, UNIV. OF COLORADO: BOULDER SCHOOL OF LAW (May 23, 2017), <https://www.colorado.edu/law/2017/05/23/food-law-workshop-highlights-colorados-innovations-field>.

94. Symposium, *Keeping it Fresh? Exploring the Relationship Between Food Laws & Their Impact on Public Health & Safety*, WAKE FOREST UNIV. SCH. L. (2014), [http://events.wfu.edu/event/keeping\\_it\\_fresh\\_exploring\\_the\\_relationship\\_between\\_food\\_laws\\_their\\_impact\\_on\\_public\\_health\\_safety\\_symposium#.WeN0yZPEY](http://events.wfu.edu/event/keeping_it_fresh_exploring_the_relationship_between_food_laws_their_impact_on_public_health_safety_symposium#.WeN0yZPEY).

95. See, e.g., Symposium, *Just Food? Forum on Justice in the Food System*, HARV. L. SCH. (2015), <https://green.harvard.edu/events/just-food-forum-justice-food-system>.

96. See, e.g., *Reduce and Recover: Save Food For People*, HARV. L. SCH.: CTR. FOR HEALTH LAW & POL'Y INNOVATION (2016), <https://www.chlpi.org/food-law-and-policy/reduce-and-recover-save-food-for-people/>.

97. See, e.g., *4th Annual Harvard-UCLA Food Law and Policy Conference*, HARV. L. SCH. (2017), <https://green.harvard.edu/events/4th-annual-harvard-ucla-food-law-and-policy-conference>.

98. See *Yale Food Systems Symposium*, YALE L. SCH. (2018), <https://yalefoodsymposium.org>.

99. See, e.g., *2015 Food Law Forum: The New "Normal" for the Food Industry*, SMU DEDMAN L. SCH. (2015), <http://www.strasburger.com/wp-content/uploads/2015/02/Updated-Food-Law-Forum-Overview-and-Agenda.pdf>.

100. See *Food Law Student Leadership Summit*, FOOD L. STUDENT NETWORK (2017), [foodlawstudentnetwork.org/summit/](http://foodlawstudentnetwork.org/summit/).

Workshop, hosted by University of Colorado-Boulder Law School.<sup>101</sup>

### CONCLUSION

Food Law & Policy, nearing the midpoint of its second decade, is now firmly rooted as a growing and thriving legal field. As the data demonstrates, the field continues its impressive development in nearly every one of the ten key metrics measured.

FL&P courses—and the faculty who teach them—are now the norm at many of America’s top schools, with more than a dozen schools offering two or more such courses each year. The number of dedicated FL&P clinics and centers at law schools, and clinics in other areas that address FL&P matters, has more than doubled, and continues to expand each year. Degree programs have proliferated. FL&P conferences and symposia continue to expand, with several now featured as annual events. The birth of the Academy of Food Law & Policy in 2016 has provided the field with a vital means of fostering the field’s continued growth, and offers a forum to cultivate many of the up-and-coming young faculty who will lead the field’s growth over the next decade. Student-led food-law societies have spread to law schools in every corner of the nation, and these students are now connected to one another through the Food Law Student Network. And while the frenetic pace of scholarly FL&P articles has stabilized—as befits a maturing field that experienced explosive growth in a short period of time—the overall growth in the number of publications continues in nearly every FL&P subject area (including in more than ninety percent of the search terms from which we obtained data for this article).

Whereas in 2014 we characterized FL&P as “a timely and vibrant addition to the legal academy,”<sup>102</sup> today the field might best be characterized as an essential feature of today’s legal academy. We are confident that FL&P’s continued growth during the four years since our first in-depth study of the field is a firm indicator that FL&P is flourishing, and that the future of

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101. *Food Law Workshop Highlights Colorado’s Innovations in the Field*, *supra* note 93.

102. Linnekin & Broad Leib, *supra* note 1, at 612.

FL&P is as bright as the students and faculty who have committed themselves to this important area of law.

## I. Appendices

## A. Cohort of 100 Law Schools Studied (Top 100 Law Schools From 2013 U.S. News &amp; World Report Rankings)

Yale University	University of Washington
Harvard University	Arizona State University
Stanford University	Boston University
Columbia University	Boston College
University of Chicago	University of North Carolina–Chapel Hill
New York University	College of William and Mary
University of Pennsylvania	University of Georgia
University of Virginia	University of Wisconsin–Madison
University of California–Berkeley	Ohio State University
University of Michigan–Ann Arbor	Wake Forest University
Duke University	Fordham University
Northwestern University	University of Arizona
Cornell University	University of California–Davis
Georgetown University	George Mason University
University of Texas–Austin	University of Maryland
Vanderbilt University	University of Utah
University of California–Los Angeles	Brigham Young University
University of Southern California	University of Colorado–Boulder
University of Minnesota	University of Florida
Washington University	University of Illinois–Urbana-Champaign
George Washington University	Florida State University
University of Alabama	Southern Methodist University
Emory University	Tulane University
University of Notre Dame	University of California
Indiana University–Bloomington	University of Houston
University of Iowa	University of Richmond
Washington and Lee University	Baylor University

Georgia State University	Louisiana State University–
American University	Baton Rouge
Temple University	Loyola University Chicago
University of Connecticut	University of Miami
University of Kentucky	University of Missouri
Yeshiva University	Brooklyn Law School
Pepperdine University	Catholic University
University of Nebraska–	Lewis & Clark College
Lincoln	Michigan State University
University of Tennessee–	University of Cincinnati
Knoxville	University of Hawaii
Pennsylvania State	Northeastern University
University–Carlisle	Rutgers University
Seton Hall University	University of Buffalo
University of Denver	University of Kansas
University of New Mexico	University of Tulsa
Case Western Reserve	Rutgers, Camden
University	University of Pittsburgh
Illinois Institute of	West Virginia University
Technology	Marquette University
Loyola Marymount	University of Oregon
University	Santa Clara University
University of Arkansas–	Syracuse University
Fayetteville	Indiana University–
University of Louisville	Indianapolis
University of Nevada–Las	St. John’s University
Vegas	University of South
University of Oklahoma	Carolina
University of San Diego	Villanova Universit

B. Additional Schools (Schools Currently Ranked in  
U.S. New & World Report Top 100 Rankings That  
Were not so Ranked in 2013)

University of California–Irvine

Pennsylvania State University–University Park

St. Louis University

Texas A&M University

Stetson University

Florida International University

University of New Hampshire

Wayne State University

C. Schools Ranked in the Top 11 for Environmental  
Law & Health Law

**Environmental Law:**

Vermont Law School  
Lewis & Clark College  
Pace University  
University of California–  
Berkeley  
University of California–  
Los Angeles  
Georgetown University Law  
Center  
University of Colorado–  
Boulder  
Duke University  
University of Utah  
New York University  
Harvard University

**Health Law:**

St. Louis University  
University of Maryland  
Boston University  
University of Houston  
Harvard University  
Loyola University Chicago  
Georgia State University  
Georgetown University  
Case Western Reserve  
University  
Seton Hall University  
Mitchell Hamline School of  
Law

## D. Raw Data From Scholarship Search Terms

<b>FDA &amp; “Farm Subsidies”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	2	0.2	0
1980–89	3	0.3	50.00%
1990–99	6	0.6	100.00%
2000–04	7	1.4	133.33%
2005–09	13	2.6	85.71%
2010–13	13	3.25	25.00%
2014–17	28	7	115.38%
<b>Total</b>	72		

<b>“Agricultural Law” &amp; FDA</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	2	0.2	
1960–69	0	0	-100.00%
1970–79	0	0	0
1980–89	5	0.5	0
1990–99	23	2.3	360.00%
2000–04	23	4.6	100.00%
2005–09	30	6	30.43%
2010–13	33	8.25	37.50%
2014–17	48	12	45.45%
<b>Total</b>	164		

<b>FDA &amp; USDA</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	7	0.7	



1960–69	32	3.2	357.14%
1970–79	85	8.5	165.63%
1980–89	139	13.9	63.53%
1990–99	166	16.6	19.42%
2000–04	161	32.2	93.98%
2005–09	237	47.4	47.20%
2010–13	284	71	49.79%
2014–17	314	78.5	10.56%
<b>Total</b>	1425		

<b>“Food Policy”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	3	0.3	
1960–69	5	0.5	66.67%
1970–79	17	1.7	240.00%
1980–89	47	4.7	176.47%
1990–99	55	5.5	17.02%
2000–04	62	12.4	125.45%
2005–09	115	23	85.48%
2010–13	187	46.75	103.26%
2014–17	148	37	-20.86%
<b>Total</b>	639		

<b>“Food Law and Policy”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	0	0	0
1980–89	0	0	0
1990–99	0	0	0
2000–04	0	0	0

2005–09	19	3.8	0
2010–13	30	7.5	57.89%
2014–17	57	14.25	90.00%
<b>Total</b>	106		

<b>“Food System” or “Food Systems”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	0	0	0
1980–89	2	0.2	0
1990–99	8	0.8	300.00%
2000–04	8	1.6	100.00%
2005–09	19	3.8	137.50%
2010–13	61	15.25	301.32%
2014–17	79	19.75	29.51%
<b>Total</b>	177		

<b>“Food Justice”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	2	0.2	0
1980–89	0	0	-100.00%
1990–99	4	0.4	0
2000–04	1	0.2	-50.00%
2005–09	11	2.2	1000.00%
2010–13	32	8	263.64%
2014–17	68	17	112.50%
<b>Total</b>	118		

<b>“Food Access”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	0	0	0
1980–89	5	0.5	0
1990–99	5	0.5	0.00%
2000–04	8	1.6	220.00%
2005–09	22	4.4	175.00%
2010–13	44	11	150.00%
2014–17	60	15	36.36%
<b>Total</b>	144		

<b>“Food” &amp; “Sustainable” or “Sustainability” (within 5 words)</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	1	0.1	0
1980–89	3	0.3	200.00%
1990–99	33	3.3	1000.00%
2000–04	60	12	263.64%
2005–09	100	20	66.67%
2010–13	179	44.75	123.75%
2014–17	204	51	13.97%
<b>Total</b>	580		

<b>“Food Sovereignty”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0

1970–79	0	0	0
1980–89	0	0	0
1990–99	0	0	0
2000–04	4	0.8	0
2005–09	10	2	150.00%
2010–13	31	7.75	287.50%
2014–17	50	12.5	61.29%
<b>Total</b>	95		

<b>“Soda Tax” or “Soda Taxes”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	0	0	0
1980–89	0	0	0
1990–99	0	0	0
2000–04	2	0.4	0
2005–09	4	0.8	100.00%
2010–13	40	10	1150.00%
2014–17	44	11	10.00%
<b>Total</b>	90		

<b>“Food Waste”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	1	0.1	
1960–69	0	0	-100.00%
1970–79	3	0.3	0
1980–89	8	0.8	166.67%
1990–99	28	2.8	250.00%
2000–04	11	2.2	-21.43%
2005–09	24	4.8	118.18%

2010–13	35	8.75	82.29%
2014–17	47	11.75	34.29%
<b>Total</b>	157		

<b>“Urban Agriculture”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	0	0	
1960–69	0	0	0
1970–79	1	0.1	0
1980–89	0	0	-100.00%
1990–99	8	0.8	0
2000–04	9	1.8	125.00%
2005–09	18	3.6	100.00%
2010–13	61	15.25	323.61%
2014–17	79	19.75	29.51%
<b>Total</b>	176		

<b>“Food Security”</b>			
<b>Date Range</b>	<b>Articles</b>	<b>Annual Average</b>	<b>Percent Change</b>
1950–59	2	0.2	
1960–69	2	0.2	0.00%
1970–79	3	0.3	50.00%
1980–89	121	12.1	3933.33%
1990–99	242	24.2	100.00%
2000–04	214	42.8	76.86%
2005–09	345	69	61.21%
2010–13	453	113.25	64.13%
2014–17	441	110.25	-2.65%
<b>Total</b>	1823		