

Food, Farming, and Sustainability



Food, Farming, and Sustainability

Readings in Agricultural Law

SECOND EDITION

Susan A. Schneider

PROFESSOR OF LAW
UNIVERSITY OF ARKANSAS SCHOOL OF LAW



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Dedicated to my grandparents and my parents, for affording me the opportunity to be raised on a family farm; to my sister and her family for the care that they provide in preserving that farm; to my husband and colleague, Christopher Kelley, for his advice, inspiration and dedication to excellence; and to our students in the LL.M. Program in Agricultural & Food Law, past, present, and future.



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Preface

Agricultural law and policy, once of concern only to agricultural economists, farm commodity group lobbyists, and a handful of congressional aides, is now a topic of everyday discussion. And, to be certain, it is a controversial topic.

After years of claiming responsibility for “feeding the world,” farmers are caught between advice that their operations must be bigger, more efficient, and produce a more uniform product and criticism that they are too big and their practices unsustainable.

Some farm groups vigorously oppose any type of regulation; others clamor for additional regulatory protection.

Everyday news stories contrast the iconic image of the family farm with pictures of sheds that house tens of thousands of animals, manure lagoons, and watersheds threatened with runoff. Animal welfare advocates with secret video cameras film scenes that horrify the public. Food safety recalls seem common.

Our food system — with perhaps the cheapest and most abundant supply of a wide variety of food products in the world — is now linked to obesity and related diseases.

How can U.S. farm policy assure an adequate and healthy food supply in a manner that can be sustained for generations to come?

Food, Farming, and Sustainability: Readings in Agricultural Law attempts to make sense of these controversies by providing an issues-based study of some of the complex topics that make up the body of agricultural law. Each is presented in the context of one or more current policy issues. The readings raise difficult questions, provide contrasting information, and leave readers with the task of developing solutions for the future.

Because of the extent and variety of the legal issues involved in agricultural law today, many important issues are not included. These readings provide only a first step in an analysis that affects us all.

From its initial discussion of “agricultural exceptionalism” to its concluding remarks on food and agriculture, the book is written to spark thoughtful dialogue.

Some citations and footnotes have been eliminated from the original source in the editing process. Full source citation is generally provided in the text or note, and links to the sources are provided at the companion website, www.foodfarmingustainability.com. This website also provides periodic updates and additional resources. The issues discussed are evolving, and new developments are often available.