



# YEAR IN REVIEW

PROGRAM HIGHLIGHTS | JULY 1, 2020—JUNE 30, 2021

FY21

## CAFS REPORT EXPOSES LACK OF LEGAL PROTECTIONS FOR FARMWORKERS

A May 2021 CAFS report reveals dangerous gaps in labor protections that put the health of agricultural workers at risk. Titled “Essentially Unprotected,” the report draws from a comprehensive overview of state and federal laws, offering policy recommendations to prevent and treat two of farmworkers’ most critical workplace hazards: pesticide exposure and heat-related illness.

“Farmworkers are largely invisible to most Americans, as are their sacrifices and burdens,” said Laurie Beyranevand, lead author of the report. “But the way that COVID-19 has wreaked disproportionate havoc among these ‘essential’ workers must force lawmakers to finally reckon with the inhumane realities of food production—not only the challenges these communities face, but how our labor laws and policies exacerbate them.”

The project is a collaboration between CAFS and the Center for a Livable Future (CLF) at Johns Hopkins University. To view the report and policy database, visit [vermontlaw.edu/essentially-unprotected](https://vermontlaw.edu/essentially-unprotected).



COVER ART BY ELIAS VARGAS

### IN THE NEWS...

“IT’S IMPORTANT THAT PEOPLE UNDERSTAND THAT THIS IS THE FOUNDATION OF OUR FOOD SYSTEM, AND IT’S HORRIFYING ... IT’S TIME TO CONSIDER HOW TO RECTIFY IT.”

Laurie Beyranevand spoke with [Civil Eats](#) about what her report, “Essentially Unprotected,” reveals about injustices in the food system and the hazards farmworkers face.





## A U.S. National Food Strategy to Address Long-Standing Food System Challenges

In October, CAFS and Harvard Law School's Food Law and Policy Clinic released *The Urgent Call for a U.S. National Food Strategy: An Update to the Blueprint*. Given the worsening challenges facing the food system—current threats like the COVID-19 pandemic and long-term threats like climate change—the report advocated for a coordinated approach to policymaking to identify national food system priorities and provide opportunities for stakeholders and the public to give feedback on how to navigate the tradeoffs inherent in food policymaking.

» Read the full report at [foodstrategyblueprint.org](https://foodstrategyblueprint.org).

### IN THE NEWS...

**“THE TOOLS ARE IN PLACE FOR A NEW ADMINISTRATION TO BRING TOGETHER THE RELEVANT AGENCIES AND STAKEHOLDERS TO CREATE A NATIONAL FOOD STRATEGY.”**

— Laurie Beyranevand and Emily Broad Leib of Harvard Law School penned an opinion piece in [The Hill](https://www.thehill.com/policy/food-agriculture/2020/10/28/food-strategy-blueprint/).

## New “Labels Unwrapped” Website Breaks Down CONFUSING LAWS BEHIND FOOD LABELS



In June, CAFS launched a newly revamped website that explains the law of food labels. The site, [labelsunwrapped.org](https://labelsunwrapped.org), provides an accessible resource for the public to explore the facts behind the many claims, stamps, and certifications commonly found on packaging.

Food labels are meant to inform, protect, and empower consumers, but more often they are incredibly confusing. The website explains common terms and claims found on labels through a series of interactive illustrated labels spanning different product categories: protein, dairy, grains, produce, fats and oils,

sweets, and supplements.

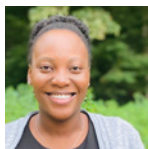
Users can hover over the various claims on each to learn more about common marketing terms like “gluten free,” “all natural,” “USDA organic,” “grass-fed,” and dozens more. Straightforward explanations outline what each claim means, as well as how (and if) it is regulated, and by whom. A “Labels 101” section provides a breakdown of the general law of food labels and frequently asked questions. The site also includes a section of issue briefs related to more pressing and controversial topics that will be continuously updated.

### IN THE NEWS...

**“IF YOU’RE SPENDING 30 SECONDS TRYING TO DECIDE BETWEEN TWO BOXES OF PASTA, IF ONE SAYS ‘NATURAL’ AND ONE SAYS ‘ORGANIC’ YOU MIGHT NOT KNOW WHAT THE DIFFERENCE IS, BUT THERE’S ACTUALLY A HUGE DIFFERENCE.”**

— CAFS Fellow **Cydnee Bence** spoke with [The Herald](https://www.theherald.com/news/2020/10/28/labels-unwrapped-website/) about the new Labels Unwrapped website.

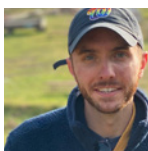
# CAFS People



## ESTHER AKWII LLM'20 HEADS TO HARVARD:

As an LLM Fellow at CAFS, Esther Akwii spent two years helping to pilot a range of projects in partnership with

organizations across the United States. She joined Harvard Law School's Food Law and Policy Clinic as a Clinical Fellow last fall after finishing her VLS fellowship. [Learn more here.](#)



## MATTHEW GIGUERE JOINS CAFS:

CAFS welcomed a new LLM Fellow this summer. Matthew earned his JD from the University of Wisconsin Law School and looks forward to

focusing on agricultural labor and right to food issues. He will also support supervisory capacity for the Food and Agriculture Clinic. Before law school, Matthew instructed courses in hospitality management and gastronomy, and consulted for small-scale hospitality organizations.



**SUMMER INTERNS:** From June to August 2021, five summer Honors Interns contributed to various projects while learning through seminars on research, ethics, and legal design, and participating in roundtables with practitioners in the field of food and agriculture law, policy, and advocacy. [Meet our interns here.](#)

▲ Clockwise from top left: Amanda di Dio, Katie Moreland, Sierra Tillery, Rebecca Bermudez, and Jackie Cuellar.



**“THE VERMONT LEGAL FOOD HUB IS A VALUABLE RESOURCE TO SUPPORT THE LOCAL FOOD MOVEMENT.”**

— **Greg Cox**, President, Vermont Farmers Food Center (a client of the hub)

## Legal Services Boost Vermont's Local Food System

In January 2021, the Vermont Legal Food Hub—a joint project of CAFS and the Conservation Law Foundation—celebrated a successful first year of connecting income-eligible farmers, food entrepreneurs, and related organizations with attorneys willing to provide free legal assistance. The results so far are impressive: Participants have saved more than \$57,000 in legal fees, leveraging more than 210 hours of pro bono legal services. Seven cases have been resolved, while more than a dozen are in the works. [Visit the Vermont Law School blog](#) to learn more and hear from some of the clients.

# PUBLICATIONS & REPORTS

## ■ **Sustainable Development Code:** **Food Security and Sovereignty chapter**

The new chapter is a collaborative effort by an interdisciplinary team of planners, lawyers, architects, city staff, and professors and students from throughout the country. It includes nearly 40 recommendations to enhance access to nutritious food, supported by dozens of case studies that focus exclusively on zoning code challenges. The SDC is led by Vermont Law School professor Jonathan Rosenbloom.

## ■ **Extension Legal Resources Initiative:** **Food Safety Modernization Act Legal Resources website and 7 factsheets**

ELSI helps provide information on the Food Safety Modernization Act for farmers and producers. In the fall of 2020, the project published several educational factsheets along with an interactive map that can filter and display information in varying colors.

## ■ **Farmers Market Legal Toolkit:** **Mask Mandates and the ADA**

This factsheet outlines how markets can create a mask policy in the context of state and local mask mandates, as well as the Americans with Disabilities Act.

## ■ **Farmers Market Legal Toolkit:** **Free Speech at Farmers Markets**

This factsheet provides information on what restrictions may be available to markets and distinguishes between public and private spaces.

## ■ **Farmland Access Legal Toolkit:** **Guide to Creating an Agrarian Commons**

A legal guide for anyone interested in creating an agrarian commons, a new model of land stewardship and access that allows for community ownership of farmland.

## ■ **Farmland Access Legal Toolkit:** **Heirs' Property**

This resource, available through CAFS' Farmland Access Legal Toolkit, provides historical context, an overview of how heirs' property works, and an explanation of why it is problematic.

## ■ **Farmland Access Legal Toolkit:** **Spanish-language resources**

The Farmland Access Legal Toolkit has translated several pages into Spanish in order to increase the resource's accessibility, especially for traditionally underrepresented demographics.

## ■ **Healthy Food Policy Project:** **Authentic Resident Engagement**

A definition and working principles provide a template for authentic resident engagement in food access policy change.

## ■ **Healthy Food Policy Project:** **Municipal Policies to Support Food Access During Emergencies**

A companion to the [COVID-19 Food Access Municipal Policy Index](#), this resource summarizes some of the types of laws we found through our research through the fall of 2020.



## ■ **Legal Food Hub: Trends Report**

The Trends Report draws from our experience providing pro bono legal services to food system stakeholders in New England to identify legal trends, for example around the most common legal issues and what types of entities are seeking assistance.

## ■ **Agritourism Report**

This report compares state agritourism laws across the nation and identifies legislative trends. The goal is to assist policymakers in drafting effective agritourism legislation that addresses key areas including liability, zoning, fundings, taxation, and licensing.



# ON THE VLS BLOG



Read about how **Fran Miller** of CAFS is expanding a farmland access resource to serve more communities.

# CONFERENCES & PRESENTATIONS

## JULY 2020

**Laurie Beyranevand** and **Francine Miller**, 2020 Virtual Conference: Smart Agriculture in the Era of Climate Change, "Innovative Digital Resources on Food and Agriculture Law and Policy through the Agricultural Law Information Partnership," Speakers, United States Agricultural Information Network.

**Emily Spiegel** and **Lihlani Nelson**, 2020 Virtual Conference: Smart Agriculture in the Era of Climate Change, "Food Systems Resilience: Concepts and Policy Approaches," Speakers, United States Agricultural Information Network.

**Laurie Beyranevand**, Agriculture, Food, and Human Values Society Conference, "Law and Policy Approaches to Improve the Food System," Association for the Study of Food and Society.

## AUGUST 2020

**Laurie Beyranevand**, Food and Drug Law Institute, Virtual Webinar, "Reviewing FDA's Recently Released New Era of Smarter Food Safety Blueprint," Invited Panel Speaker.

## SEPTEMBER 2020

**Laurie Beyranevand** and **Jonathan Rosenbloom**, "Increasing Equity, Inclusion, and Access in Food and Agriculture," Land Use Planning & Zoning Committee of the American Bar Association.

## OCTOBER 2020

**Laurie Beyranevand**, ThinkFood: Eating to Save the Planet, "Using Law and Policy to Effect Change in the Food System," Invited Speaker, Bard College.

**Laurie Beyranevand** and **Jonathan Rosenbloom**, "Building Food Security and Sovereignty Through Local Zoning Codes," Presenters (with moderator **Lihlani Nelson**), Vermont Law School.



## NOVEMBER 2020

**Laurie Beyranevand**, Food and Drug Law Journal, Annual Symposium, "This Teachable Moment: How COVID-19 Provides Lessons from FDA's Past and Present That Will Benefit Its Future Preparedness," Invited Moderator.

**Sophia Kruszewski**, "The Bankruptcy Code's Best-Kept Secret: How Chapter 12 Can Protect and Transform the Farm," Organizer (with moderator Colleen A. Brown, U.S. Bankruptcy Judge; and panelists Jan M. Sensenich, Chapter 12 Trustee; Peter Fitzgerald, Vermont Economic Development Authority; and Rebecca Rice, a chapter 12 debtor's attorney), Vermont Legal Food Hub.

**Emily Spiegel**, Listening Session on seed intellectual property rights, Co-organizer with Organic Seed Alliance and NCAT.

## IN THE NEWS...

**“ SMALL SEED COMPANIES RELY ON A DIVERSE GENETIC RESOURCE BASE TO CREATE LOCALLY ADAPTED VARIETIES AS CLIMATE CHANGE AFFECTS THEIR GROWING REGIONS. THAT'S ABSOLUTELY THE GROUP WE THINK WILL SEE THE MOST BENEFIT FROM THIS.”**

— **Emily Spiegel** explained the potential benefits of an online repository for "defensive publication" to [The Counter](#).

## JANUARY 2021

**Laurie Beyranevand**, American Agricultural Law Society Annual Conference, "Law and Policy Measures to Achieve Equality in the Agricultural and Food System," Moderator, AALS.

**Francine Miller**, EcoFarm Conference, "Meet the Experts" sessions, Host with David Mancera, EcoFarm.

**Lihlani Nelson**, Local Food Systems Response to COVID webinar series, "Innovations in State Policy and Implications for Local and Regional Food Sectors," Panelist, USDA Agricultural Marketing Service (AMS).

# CONFERENCES & PRESENTATIONS

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## FEBRUARY 2021

**Sophia Kruszewski**, "Recognizing Nature's Value: The Environment Does Not Work for Free," Panelist, Vermont Law Chapter of JURIST.

## MARCH 2021

**Laurie Beyranevand**, "Setting the Table: Digging into Federal Food Laws in Application," Moderator, VLS Food and Agriculture Law Society.

**Laurie Beyranevand** and **Jonathan Rosenbloom**, Bouncing Forward: Building Thriving, Healthy & Equitable Communities, "Beyond the Pandemic: Addressing the Silent Crises in Public Health and Food Security Through Planning," Rocky Mountain Land Use Institute.

## MAY 2021

**Laurie Beyranevand**, Panelist, "Ten Years of FSMA: Looking at the Past, Present, and What We Can Expect for the Future," Food and Drug Law Institute.

**Sophia Kruszewski**, Panelist, "Key Legal Questions Associated with FSMA Produce Safety Rule Compliance," Produce Safety Alliance Educator's Group

## JUNE 2021

**Laurie Beyranevand**, Panelist, "Essentially Unprotected: How Laws Addressing Farmworker Pesticide Exposure and Heat-Related Illness Fail to Protect Them," 44th Annual Health Law Professor's Conference, American Society of Law, Medicine, and Ethics.

**Laurie Beyranevand**, "Why the U.S. Needs a National Food Strategy," Hot Topics in Environmental Law Lecture Series, Vermont Law School.

**Laurie Beyranevand**, Invited Presenter, "Food, Agriculture, and Environmental Justice," USDA Environmental Justice Team Meeting, United States Department of Agriculture.



## Rooting Out Structural Racism in American Agriculture

CAFS hosted two virtual panels this year as part of Vermont Law School's "Embedded Racism in the Law" panel series. The first, moderated by professor **Emily Spiegel**, addressed Black land loss and environmental justice. Panelists included Monica Armster Rainge, Esq., Deputy Assistant Secretary for Civil Rights at the U.S. Department of Agriculture; Stephen Carpenter, Deputy Director and Senior Staff Attorney at Farmers' Legal Action Group; and Sherri White-Williamson, Environmental Justice Policy Director, North Carolina Conservation Network. It was the most well-attended virtual event in Vermont Law School history; [a recording is available on YouTube](#).



The second event focused on labor law, immigration, and the fight for farmworkers' rights. Moderated by **Laurie Beyranevand**, the panel explored how the legacy of discriminatory Jim Crow-era policies persists in farmworkers' intentional exclusion from labor protections, and discussed how farmworkers and their advocates are fighting to improve working conditions, immigration status, and access to justice. Panelists included Iris Figueora, Director of Economic and Environmental Justice, Farmworker Justice; Abel Luna, Activist, Migrant Justice; and Juan Perea, Curt and Linda Rodin Professor of Law and Social Justice, Loyola University Chicago School of Law.

Watch a recording of "Embedded Racism on the Farm" [here](#).