

Thursday, October 25, 2018	
1:15 pm – 4:15 pm - REX HILL / A to Z Wineworks	
Cultivating Clients and Seeking Solutions for “New” Agriculture	
<p>“New” agricultural businesses focused on wine, beer and spirit production, agritourism, specialty crops, and smaller scale food production continue to gain market traction in the U.S. In this session, we’ll examine legal issues that uniquely affect these types of businesses with three attorneys who work with such clientele. The session will incorporate case studies and hypotheticals for attendees to consider as we examine key laws and identify legal and policy needs. We’ll wrap up the session with a panel discussion focused on solving problems and cultivating clients in this “new” area of agriculture.</p>	
1:15 pm	What is the Economic Outlook for “New” Agriculture? <i>Peggy Hall, Ohio State University</i>
1:30 pm	Legal Case Studies in “New Agriculture” <i>Facilitator: Harrison Pittman, National Agricultural Law Center (Arkansas)</i>
1:45 pm – 4:15 pm	Key Legal Issues Attorneys Should Know About: <ol style="list-style-type: none"> 1. Alcohol Production <i>Jeff Giametta, Davis Wright Tremaine LLP, Portland, OR</i> 2. Agritourism and Alternative Land Uses <i>Elaine Albrich, Davis Wright Tremaine LLP, Portland, OR</i> 3. Workforce Procurement for Ag Businesses <i>Brandon E. Davis, Phelps Dunbar LLP, New Orleans, LA</i> Followed by Panel Discussion with Presenters
4:15 pm	Wine Tastings
5:00 pm	Bus Departs for Portland Marriott Downtown Waterfront
5:00 pm – 10:00 pm - Portland Marriott Downtown Waterfront	
5:00 pm – 7:30 pm Mt. Hood Foyer	Registration , Portland Marriott Downtown Waterfront 1401 SW Naito Parkway, Portland, OR 97201
6:30 pm – 7:30 pm Mt. Hood Room	Welcome Reception for all Attendees , Portland Marriott Downtown Waterfront <i>Sponsor: Dunn Carney LLP, Portland, OR</i>
7:30 pm – 10:00 pm	Hospitality Suite (<i>all attendees welcome</i>), <i>Presidential Suite Room 1619, hosted by Dunn Carney LLP</i>

Friday, October 26, 2018 – Portland Marriott Downtown Waterfront

7:00 am to 5:00 pm	Hospitality Suite (<i>all attendees welcome</i>), <i>Presidential Suite, Room 1619,</i> <i>Hosted by Dunn Carney LLP</i>
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7:15 am – 8:15 am Session #1: Ag Law Updates

Welcome – Amber Miller, AALA President-Elect

Update #1 – Tax Law Update

Speaker: *Kristine Tidgren; Director, Center for Agricultural Law & Taxation, Iowa State University*

A brief overview of recent and pending tax law changes most applicable to agriculture.

Update #2 – Ag Finance Update

Speaker: *Jeffrey Peterson; Gray Plant Mooty (Minnesota)*

This session will be a discussion of recent agricultural finance cases under Revised Article 9 (secured transactions), Article 2 (sale of goods), state fraudulent transfer, exemption and insolvency statutes and bankruptcy. The presentation will highlight trends in agricultural finance law.

Update #3 – Land Use and Resource Law

Speaker: *Jesse Richardson; West Virginia University College of Law*

An overview of the major changes in law and updates on litigation related to property law, including restrictions on ownership and transfer, easements, water law, oil and gas, and planning and zoning.

8:15 am – 8:45 am Session #2: Food and Ag Policy in the Trump Era

Speaker: *Helena Bottemiller Evich, Politico PRO (Washington, DC)*

You won't want to miss POLITICO's senior food and agriculture reporter, Helena Bottemiller Evich, provide her perspective and insight on Food and Ag Policy in the Trump Era. Before joining POLITICO, Helena spent four years reporting on food politics and policy at *Food Safety News*, where she covered Congress, the Food and Drug Administration and the U.S. Department of Agriculture.

8:45 am – 9:15 am Session #3: Issues in Oregon Agriculture

Speaker: *Alexis Taylor; Director of Agriculture*

Introduction: *Brandy Sargent; K&L Gates and Chairperson, Oregon State Bar Agricultural Law Section*

Good climate and soils make Oregon a great place to produce more than 225 agricultural commodities. Alexis Taylor, director of the Oregon Department of Agriculture will discuss that diversity, how ODA is helping growers adapt to ever changing market and consumer preferences, and offer updates on the challenges and opportunities facing the farming and ranching community today.

**9:30 am – 10:45 am Session #4: International Trade Law –
How Big is the Target on Agriculture's Back?**

Moderator: *Bill Gillon; President & CEO, Cotton Board*

Speakers: *Craig Morris; National Pork Board (Iowa)*

Jaime Castaneda; National Milk Producers Federation (Virginia)

John Gilliland; Akin Gump Strauss Hauer & Feld LLP (Washington, D.C.), Counsel, National Cotton Council

After providing a brief overview of the legal structure of international trade rules, this panel will discuss current issues in international trade that affect agriculture. We will review the issues from an economic perspective, a legal practitioners' perspective, and a policy perspective.

10:45 am – 11:45 am Session # 5: Concurrent Breakouts

Planning for the Next Generation: New Strategies for Farm and Ranch Succession Planning

5A

Speakers: *Heather A. Kmetz; Sussman Shank LLP (Oregon)*
Julie K. Kelly; Sussman Shank LLP (Oregon)

This program is designed to provide a comprehensive guide to navigating the complexities involved in transitioning a family farm business from one generation to the next. Attendees will learn strategies to help their clients grow their business, secure farm assets and structure business succession to maximize the value of the operation for future generations. Topics include: structuring the sale and / or gift of the business, leveraging income and estate tax credits and deductions, form of entity considerations, and managing family dynamics to ensure the longevity of a family-owned business. This seminar gives attorneys and other professionals a unique opportunity to enhance their knowledge of major issues related to farm and family business succession planning, including tax and legal considerations in light of the Tax Cuts and Jobs Act of 2017.

Track: Private Practice

Advising Farms and Ranches on Employment Law Issues: Harassment, Discrimination, and Retaliation

5B

Speakers: *Tim Bernasek; Dunn Carney LLP (Oregon)*
J. Larry Stine; Wimberly, Lawson, Steckel, Schneider & Stine, PC (Georgia)
Laurie Olson; Land O' Lakes, Inc. (Minnesota)

Farmers and ranchers frequently run afoul of employment laws, and errors can be expensive. This panel will provide an overview of pitfalls to avoid geared toward in-house counsel and practitioners with agribusiness clients. Topics covered include visas, wages, overtime, occupational safety and health, and EEO laws. The three speakers will supplement timely information about the pertinent laws and regulations with practical advice garnered from decades of experience representing ranches, farmers, and their trade associations in litigation. Special emphasis will be placed on avoiding, and responding to State and Federal agencies regarding harassment, discrimination, and retaliation complaints.

Track: In-House Counsel

Exploring Legalized Adult-Use Cannabis in Oregon

5C

Speakers: *Victor Roehm III; Sussman Shank LLP (Oregon)*
Cassie Peters; Cassie Peters Legal + Consulting, LLC (Oregon)

Several practicing Oregon attorneys and a policy analyst from the Oregon Liquor Control Commission (the agency responsible for overseeing Oregon's adult-use (also known as recreational) cannabis industry) will provide a basic overview of legal, business, and regulatory issues related to cannabis in states that have legalized the production and sale of cannabis for medical or adult-use purposes, with a focus on the evolution of Oregon's cannabis industry. Topics to be discussed include zoning, right to farm, civil RICO claims, rulemaking, compliance, and business considerations and issues that are unique to cannabis law from the perspective of a practicing attorney.

Track: Policy

Trends in Consumer Litigation: Exploring Claims, Defenses, and Liability Risks in Consumer Suits Against Food Companies

5D

Speakers: *Kim Bousquet; Thompson Coburn LLP (Missouri)*
Chris Hohn; Thompson Coburn LLP (Missouri)

This program will explore recent trends in consumer lawsuits against food companies with a particular emphasis on the types of claims brought, legal theories advanced, damages models, verdicts, and results of motion practice. Speakers will provide practical tips food companies can use to protect against, and determine, liability risks. Practitioner and in-house counsel will gain a deeper understanding of defenses and liability risks associated with consumer suits.

Track: Food Law

1:45 pm – 2:45 pm Session #6: Concurrent Breakouts

Environmental Due Diligence in Farmland Transactions

6A

Speakers: *Richard M. Glick; Davis Wright Tremaine LLP (Oregon)*
Tyler Buswell; Kirton McConkie (Utah)
Ame Lewis; Davis Wright Tremaine LLP (Oregon)

A discussion of environmental liability risk, including risk related to water supplies, in farmland transactions. Land values in the arid West are driven by the adequacy of stable water supplies and the water rights to support them. Water rights auditing to confirm the validity of the rights has become a standard element of due diligence in farmland acquisitions. Environmental liability risk related to undeveloped rural properties is less obvious than for industrial properties, but is always present and can negatively impact land values and use. Thus, environmental site assessments of farmlands or vineyards are also routine. Allocation and documentation of the risk falls to the deal lawyer, supported by the water and environmental specialists.

Track: Private Practice

Challenges and Considerations of Negotiating an Ag Lending Intercreditor Agreement

6B

Speakers: *Philip R. Kirkpatrick; General Counsel, Rabobank (Missouri)*
Justin Burns; Pepple Cantu Schmidt PLLC (Colorado)
Jin Liu; Carlton Fields (Florida)

The presenters will discuss various considerations for negotiating an ag lending inter-creditor agreement, including, without limitation, the following: the interplay between the operating and the real estate lender, operating lender's rights to use term lender's collateral for the purposes of growing, harvesting, storing, and removing the operating lender's collateral, access to the land and equipment during a foreclosure by either lender type, and annual crops vs permanent plantings and the impact it has on intercreditor agreements.

Track: In-House Counsel

The National Flood Insurance Program and Agriculture: Is the Flood of Regulation Coming?

6C

Speakers: *Mary Anne Cooper; Oregon Farm Bureau Federation (Oregon)*
Molly Lawrence; Van Ness Feldman (Washington)
Jack Rice; California Farm Bureau Federation (California)

Over the past few years, several states and the Federal Emergency Management Agency (FEMA) have been drastically changing the face of floodplain management in the United States. Given that the most productive agricultural lands are located in low-lying floodplain areas, this changing regulatory structure can have a significant impact on agricultural producers. This panel will provide an overview of the most significant changes and how they could impact agricultural producers and practitioners.

Track: Policy

Cautionary Tales in Product Labeling and Marketing

6D

Moderator: *Jennifer Jackson; Bryan Cave LLP (California)*
Speakers: *Merrit Jones; Bryan Cave LLP (California)*
Tom Lee; Bryan Cave LLP (California)

A broad overview of the pitfalls around labeling and marketing requirements for various agriculture and food products. In addition to the far-reaching impact of California's Prop 65 regulation (for example, the recent ruling against coffee companies) and similar laws from other states, this panel will discuss national trends in false labeling cases; packaging issues such as slack fill and laws banning PFAS in food packaging; and unintentional product representations.

Track: Food Law

3:00 pm – 4:00 pm Session # 7: Concurrent Breakouts

Student Competitions (expected to last from 3:00 – 5:00 pm)

Moderator: Shannon L. Ferrell, Oklahoma State University

Sponsored by: James Bradbury PC; Stephanie Bradley Fryer; Elizabeth Burns-Thompson; Ryan Conklin; Anne “Beth” Crocker; Drew Kershen; Donald Uchtmann; University of Arkansas Global Campus/Arkansas Agricultural and Food Law LL.M. Program; University of Maryland Agricultural Law Education Initiative; Andrew Varcoe; The Waggoner Law Firm; and Wright and Moore PC.

Cash prizes will be available for first place and honorable mention in both competitions. Students will network with agricultural law professionals and meet fellow students from across the U.S. Students may bring resumes to share with prospective employers.

The AALA Quiz Bowl Contest is an opportunity for students interested in agricultural law to demonstrate their knowledge of topics relevant to agricultural law and the law in general, as well as the agricultural industry and agricultural policy. Contestants will compete in teams of three in timed rounds through a quiz show format in a single-elimination tournament. 2018 AALA Quiz Bowl Contest guidelines are on the AALA website. Contact: Professor Shannon Ferrell at shannon.l.ferrell@okstate.edu. Individual students may compete in a “pick-up” team as well.

The AALA Law Student Poster Contest is an opportunity for students interested in agricultural law to demonstrate their understanding of an agricultural law topic and their ability to relate that understanding to an audience of professionals from private practice, governmental agencies, and academia. This year, the Contest will involve an abstract of the poster, a video presentation of the poster’s content, and an interactive display of the poster at an AALA Annual Symposium reception. Contact: Professor Shannon Ferrell at shannon.l.ferrell@okstate.edu.

Farmland Deals – Title and Survey Diligence

7A

Speakers: Doug Stanford, K&L Gates (Florida)

Kevin R. Frank, Commercial Due Diligence Services (Oklahoma)

Jen Modjeska, First American Title Insurance Company (Washington)

Eric Salter, First American Title Insurance Company (California)

This session is focusing on title and survey due diligence for farmland transactions, including technological advances to help with large tracts of land, types of special coverage available, and techniques for handling typical farming encumbrances and encroachments (including easements for irrigation systems, water district assessments, PACA liens, and landlord liens). The discussion will also touch on timber, renewable energy, water rights, and mineral rights.

Track: Private Practice

Ethical Considerations for Lawyers Concerning Multi-State Agricultural Operations (ETHICS)

7B

Speaker: Stephanie E. Kaiser; Doerner, Saunders, Daniel & Anderson LLP (Texas)

This program highlights the difficulties that a practitioner can experience when representing clients who have multi-state operations from drafting the agreements involved in certain transactions to handling collections and litigation. The program focuses on the unauthorized practice of law considerations that need to be taken into account in such circumstances and includes some best practices, checklists, and references every practitioner should consider.

Track: Ethics

A Guide to Crop Insurance by The United States Department of Agriculture—Risk Management Agency

7C

Speaker: Jennifer C. Ray; United States Department of Agriculture-Risk Management Agency (RMA)

This session is offered by the United States Department of Agriculture - Risk Management Agency (RMA) to inform attendees about RMA’s role in the Federal crop insurance program. This brief overview will include such topics as: public-private partnerships, the Standard Reinsurance Agreement, entities, claim procedures, NAD appeals, and new policies and procedures for the upcoming crop year.

Track: Policy

Seaweed, Kelp and Other Aquaculture Products- Legal Issues with Cultivation and Production as Food Sources		7D
Moderator: <i>Bradley N. Deacon; Michigan Department of Agriculture and Rural Development (Michigan)</i> Speakers: <i>Catherine Janasie; University of Mississippi School of Law (Mississippi)</i> <i>Amanda L. Nichols; University of Mississippi School of Law (Mississippi)</i>		
<p>This session will focus on recent legal issues surrounding the cultivation of aquaculture products as food sources. First, the session will cover current legal issues facing aquaculture generally, including an overview of the State of Michigan's recent review of issues related to proposed net pens in Michigan's Great Lakes waters, as well as protections for aquaculture in state right to farm bills. The session will then cover issues facing the cultivation of seaweed and kelp as a food source. Commercial seaweed production has run into several interesting legal issues recently, affecting the viability of seaweed as a commercial food source. This session would shed light on those pertinent legal issues, including regulatory hurdles as well as FDA and organic approvals.</p>		Track: Food Law
4:00 pm – 4:30 pm AALA Awards and Annual Business Meeting		
<p>Please join us as we recognize members of our profession who have demonstrated excellence in agricultural law through professional contributions, in scholarship, and in their dedication to our association. President Jennifer Zwagerman will provide an update on AALA.</p>		
4:30 pm – 5:00 pm Session # 8: Featured Speaker		
Speaker: <i>The Honorable Stephen Vaden, Principal Deputy General Counsel, U.S. Department of Agriculture</i> AALA is honored to have Principal Deputy General Counsel, Stephen Vaden, join us in Portland! This session will focus on USDA's regulatory activity in the context of the Trump Administration's priorities for regulatory reform.		
5:00 pm – 7:00 pm	Reception - Stoel Rives LLP, 30th Floor Balcony 760 SW 9th Ave #3000, Portland, OR 97205 (15-minute walk or short cab/Uber/Lyft from hotel) <i>Join us for socializing and a panoramic view of the city, the Willamette River and Mt. Hood!</i>	
7:00 pm – 10:00 pm	Hospitality Suite (all attendees welcome), Presidential Suite, Room 1619, Hosted by Dunn Carney LLP	

Saturday, October 27, 2018 – Portland Marriott Downtown Waterfront

7:00 AM – Welcome for New Members and New Attendees (Voo Doo Donuts & Coffee)

Presidential Suite, Room 1619 – Hosted by AALA Membership Committee

8:00 am – 12:00 pm	Hospitality Suite (all attendees welcome) Presidential Suite, Room 1619 – hosted by Dunn Carney LLP
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8:00 am – 9:00 am Session # 9: Ag Law Updates

Update #1 – Food Law

Speaker: Susan Schneider; University of Arkansas School of Law

The food law update will provide a brief overview of the main changes in law and updates on litigation. In addition, this session will explore new trends in food issues to identify areas that may become important to ag law practitioners.

Update #2 – Environmental Law

Speaker: Anthony Schutz; Nebraska College of Law

The environmental law update will provide a brief overview of the main changes in law and updates on litigation in the area of environmental law that will have an impact on agriculture.

Update #3 – Farm Bill

Speaker: David Grahn, Associate General Counsel, Farm Credit Administration (Virginia)

The farm bill session will explore issues in administering the current farm bill and identify pending challenges in the development of the next farm bill.

9:00 am – 10:15 am Session # 10: Concurrent Breakouts

Wetlands and Water – How to Avoid Drowning in Red Tape

10A

Moderator: Marisa Bocci, Partner; K&L Gates LLP (Washington)

Speakers: Buck Endemann, Partner; K&L Gates LLP (Washington)
Alyssa Moir, Partner; K&L Gates LLP (Washington)

When managing farmland, preserving water quality and securing water quantity can implicate ever-changing rules and policies and tie up a property in regulatory red tape. Panelists will discuss categories of water features and wetlands that can restrict agricultural operations on farmed lands, and their experiences in navigating the state and federal “jurisdictional waters” regulations that drive operations, permitting, and farm subsidy considerations, with an emphasis on case studies from the Western United States. The discussion will also highlight the varying degrees of complexities associated with acquiring, transferring and utilizing water resources and water rights in an agricultural context, including dedicating water to instream flow for water banking and species conservation purposes. **Track: Private Practice**

Can Agriculture Keep on Trucking?

10B

Speakers: Linda L. Chezem; Foley, Peden and Wisco (Indiana)

Joshua D. Trenary; Indiana Pork Producers (Indiana)

Michael C. Formica; National Pork Producers Council (Washington, DC)

A review and discussion of the Federal Motor Carrier Safety Administration (FMCSA) regulations and the mix of state statutes that impact agriculture transportation and marketing. This session will discuss the FMCSA regulatory issues for commodities, perishables and livestock. **Track: In-House Counsel**

What Farmers and Ranchers Need to Know About Navigable Waters and Agriculture

10C

Moderator: Tony Francois; Pacific Legal Foundation (California)

Speakers: Don Parrish; American Farm Bureau Federation (Washington, DC)
David Ivester; Briscoe Ivester & Bazel, LLP (California)

An update on proposed EPA regulations to reform the definition of “navigable waters” (or “waters of the United States”) under the Clean Water Act, as well as related litigation over the definition and enforcement of the Clean Water Act against farmers and ranchers. The panel will also provide resources for keeping abreast of developments in this area. **Track: Policy**

Where's the Beef? Hot Topics in the Regulation of Food Disruptors: Lab-Created Protein and Gene Editing—What You Need to Know. 10D

Speakers: Susan Burns; Susan Burns LLC (Minnesota)
Karen Carr; Arent Fox (Washington, DC)

This session will cover current issues pertaining to the regulation and commercialization of plant and animal products of biotechnology, including (i) the status of regulatory proposals for the regulation of plant and animal products of gene editing at USDA and FDA and (2) an overview of USDA's rule implementing the Bioengineered Food Disclosure Law. This session will also cover the issues related to labeling and other regulations of new plant-based and meat-based protein products on the verge of being market-ready—and whether existing regulations are adequate for these emerging technologies.

Track: Food Law

10:30 am – 11:45 am Session # 11: Concurrent Breakout

Practitioner's Environmental Law Review, Focusing on Defense Strategies 11A

Speakers: Jim Bradbury, James D. Bradbury, PLLC (Texas)
Eldon McAfee; Brick Gentry PC (Iowa)

Nationally, agricultural producers face a growing threat from interest groups, heightened governmental regulation and social media. In the last several years, litigation has resulted in findings that livestock manure is subject to regulation under RCRA, various holdings related to the applicability of the Clean Water Act, emissions reporting under EPCRA & CERCLA, and a variety of nuisance-oriented actions, including jury verdicts in states such as Minnesota, Illinois, Iowa, and Mississippi, as well as the recent well-publicized verdict in North Carolina. In addition, some states have increased the focus and requirements on CAFO permitting and siting requirements, along with nuisance defense statutes to address the threat of nuisance actions. Lastly, social media and interest groups opposed to certain agricultural production practices have presented significant threats. This session will feature two experienced practitioners from different parts of the country to discuss these current issues as well as strategies to address them.

Track: Private Practice

Agribusiness, OSHA, & Beyond: An Examination of Workplace Safety Regulations and Labor Law 11B

Moderator: Kyle Liske; Agricultural Retailers Association (Washington, DC)
Speakers: David Leath; Petrie Dorfmeier (California)
Gregory Dale; Faegre Baker Daniels (Indiana)

This panel will examine OSHA and workplace safety regulations that affect day-to-day operations of agribusinesses.

Track: In-House Counsel

Building Strong Rural Partnerships by Empowering Tribal Agriculture Self-Governance 11C

Moderator: Janie Simms Hipp, Indigenous Food and Agriculture Initiative (Arkansas)
Speakers: William Barquin, Kootenai Tribe Attorney General (Oregon)
Colby Duren, Indigenous Food and Agriculture Initiative (Arkansas)
Toni Stanger-McLaughlin, Indigenous Food and Agriculture Initiative (Arkansas)

This panel will review and discuss various legal issues facing Tribal governments regarding agricultural production, addressing rural infrastructure needs, and building strong partnerships with the communities surrounding them. Speakers will address federal laws related to cooperative land management partnerships as well as the proposed 2018 Farm Bill legislation.

Track: Policy

FSMA Implementation Update 11D

Speakers: Leigh Barcham; Hogan Lovells (Washington, DC)
Glenn Bass; U.S. Food and Drug Administration (Washington, DC) - invited

Even though most of the FSMA compliance dates have now passed, implementation continues and there is still work to be done. Participants in this informative session will learn about where things stand for implementation of each major rule, remaining challenges and opportunities, how inspections are going, and FDA's implementation and inspection priorities.

Track: Food Law

1:00 – 2:15 pm Session # 12: Concurrent Breakout

Hot Topics in Endangered Species Act Litigation

12A

Speakers: *Kirk Maag; Stoel Rives LLP (Oregon)*
Mike Freese; The Romain Group (Oregon)
Tim Bishop; Mayer Brown (Illinois)

This presentation examines hot topics in Endangered Species Act litigation through three recent cases. In the first case, the court analyzed the “irreparable harm” prong of the preliminary injunction standard in the context of a citizen suit by the Center for Biological Diversity against several irrigation districts. In the second case, the Center for Biological Diversity challenged a “4(d) rule,” which provided that a person is not liable for take of the threatened streaked horned lark, provided the take is incidental to otherwise lawful activity. This case is currently before the United States District Court for the District of Oregon. In the third case, the Supreme Court granted certiorari to resolve whether the United States Fish & Wildlife Service can designate private land as unoccupied critical habitat when the property is neither habitat nor essential to species conservation. Participants will hear the first-hand account from the attorney who argued the case before the Supreme Court in October 2018.

Track: Private Practice

How Consumer Trends are Driving Changes on Livestock Farms

12B

Moderator: *Brianna J. Schroeder; Janzen Agricultural Law LLC (Indiana)*
Speaker: *Todd Janzen; Janzen Agricultural Law LLC (Indiana)*
Ashley Ellixson; United Dairywomen of Arizona (Arizona)

The dairy supply market has seen radical changes over the past few years. Historically, producers signed simple supply contracts with local milk cooperatives. These varied little from contract to contract. But today, direct-purchase dairy processor giants like Walmart, Dannon, and Kroger are asking farmers, or cooperatives, not only to supply milk, but to agree to other terms about how that milk was produced and how farms are run. Dairy farms are just one example, but beef, pork and egg production methods are also changing due to consumer pressure on processors. This presentation will discuss what consumer trends are impacting production and how those changes end up in contracts between farmers, cooperatives and processors.

Track: In House Counsel

Perspectives on Conservation and Leased Farmland

12C

Sponsored by the Bock Ag Law & Policy Program, University of Illinois and The Nature Conservancy
Moderator: *Jonathan Coppess; University of Illinois*
Speakers: *Sarah Everhart; University of Maryland Carey School of Law*
Ed Cox; Osborn, Milani, Mitchell & Goedkin LLP (Iowa)
Bruce Sherrick, University of Illinois

Today’s conversations about farming are increasingly focused on issues of implementation of conservation practices meant to improve soil health and reduce water quality degradation that results from nutrient loss. Addressing these issues involves multi-year adjustments in practices and adaptations in farm management but more than 40 percent of farmland nationwide—and as high as 60 to 70 percent in the most intensive production regions—is leased; leases that are often on a short-term, cash basis. Speakers will discuss conservation, soil health and nutrient loss reduction on leased land with practice tips on how to structure farm leases to support good farm stewardship, compliance with environmental laws and the receipt of conservation funding assistance. Land is also increasingly owned by trusts and corporate entities, which have multiple parties with varying interests, many acting in a fiduciary capacity in regard to trust or corporate assets, including the soil. This can provide further leverage and duties regarding conservation. The panel will explore practices that build upon previous research and lessons learned from real-world experience, including practitioners, academics and institutional investor perspectives.

Track: Policy

Current Issues in Food Labeling & Trademarks Moderator: Caitlin Andersen; BrownWinick (Iowa) Speaker: Alli Condra; Davis Wright Tremaine LLP (Oregon) Sheila Fox Morrison; Davis Wright Tremaine LLP (Oregon) Tom Redick; Global Environmental Ethics Counsel LLC (Missouri) Food labeling is a dynamic area of law in which food companies must be vigilant to keep up with changing regulatory and litigation environments. In addition, building a strong brand has become a critical part of a food company's success and tracks closely with labeling efforts and issues. This session will discuss recent changes to the food labeling landscape, including the recently revised Nutrition Facts panel; updates on the rulemaking efforts for "natural," "healthy," and genetically engineered foods; and trends in labeling litigation and regulatory enforcement. This session will briefly address current issues related to pet food and animal feed labeling. Finally, this session will identify trademark issues that food companies need to watch out for and will discuss how trademark and labeling practices intertwine. Track: Food Law		12D
2:15 pm – 3:15 pm Session # 13: Sustainability in Agriculture – Legal & Policy Considerations for Economic and Community Development		
Moderator: Neil Hamilton; Drake University School of Law (Iowa) Speakers: Neil Hamilton; Drake University School of Law (Iowa) Sam Tannahill; A to Z Wineworks (Oregon) Tony Dal Ponte; Pacific Seafood (Oregon) Elise Golan; USDA (Washington, D.C.) Brett Kaysen; National Pork Board (Iowa) Join us for this general session of key leaders in agricultural sustainability. This session will focus on sustainability in agriculture, from a legal, economic, marketing and rural development and community development standpoint, and discuss what that means for agricultural attorneys.		
3:15 pm – 4:15 pm Session # 14: Legal Ethics and Marijuana		
Speakers: Drew Kershen; University of Oklahoma College of Law (Oklahoma) Jesse Richardson; West Virginia University College of Law (West Virginia) Provisions for industrial hemp in the 2014 Farm Bill, along with the legalization of medical marijuana and/or recreational marijuana in an increasing number of states raises a host of ethical issues for attorneys. Cannabis in any form, and with any THC content, remains a Schedule I drug, and therefore illegal at the federal level. This session will explore the issues raised by the personal conduct of attorneys and the representation of clients engaged in cannabis endeavors. The presenters will apply the ABA's Model Rules of Professional Conduct to hypotheticals in an interactive session. Track: Ethics		
4:15 pm – 5:15 pm	Member Discussion with the Board	

See you next year November 7 - 9, 2019
Key Bridge Marriott, Arlington VA (on the Potomac River just west of Washington, DC)
for the 40th Annual AALA Educational Symposium and Anniversary Celebration