



UofA

DIVISION OF AGRICULTURE  
RESEARCH & EXTENSION  
University of Arkansas System

The National Agricultural Law Center

# Quarterly Newsletter

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## Fourth Quarter 2023



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The Nation's Leading Source of  
Agricultural and Food Law  
Research and Information

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[NationalAgLawCenter.org](http://NationalAgLawCenter.org)

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### Greetings,

Happy New Year!

In October, Senior Staff Attorney Elizabeth Rumley received the **American Agricultural Law Association (AALA)** Excellence in Agricultural Law Award, as part of the 44<sup>th</sup> Annual AALA Annual Symposium. This is a tremendous and well-deserved honor. Beth's dedication has been and remains integral to the NALC's growth as well as to the field of agricultural law more broadly; both the NALC and the profession are better because of her. Congratulations, Beth!



We have two excellent conferences in 2024. The **11th Annual Mid-South Agricultural & Environmental Law Conference** will be June 6-7 at the **University of Memphis Cecil C. Humphreys School of Law**. The **Second Annual Western Agricultural & Environmental Law Conference** will be June 13-14 at the **University of Nevada, Reno**. Both programs will be in person, but also available via livestream for those unable to attend in person. Additional information is set out below.

Thank you to everyone who has subscribed to "the other NALC newsletter," **The Feed**. The Feed is free-of-charge and provides a brief update on recent ag law and policy developments along with links to recent and upcoming resources and programs provided by the NALC and its partners. I hope you'll consider subscribing or sharing with others you think may be interested. By the way, if you're interested in receiving updates specifically for upcoming NALC webinars, be sure to subscribe [here](#).

In 2024, we will continue our focus on the "**NALC Bridges Initiative**." The overall goal of the Bridges Initiative is to help develop a legal-focused pipeline of student talent into the agricultural and food industries while furthering the NALC's national mission. Special thanks to Bree Vculek, who will present **From Seed to IP: Growing Your Career in Agriculture Patent Law Practice** on March 27. This specific program is part of our partnership with the American Agricultural Law Association, and is designed primarily for law students, but non-law students are encouraged to participate as well. In addition, we will be rolling out the application process for the Scott E. Fancher Agricultural Law Scholarship. Stay tuned for other

## Want the latest from the NALC? Follow us on social:



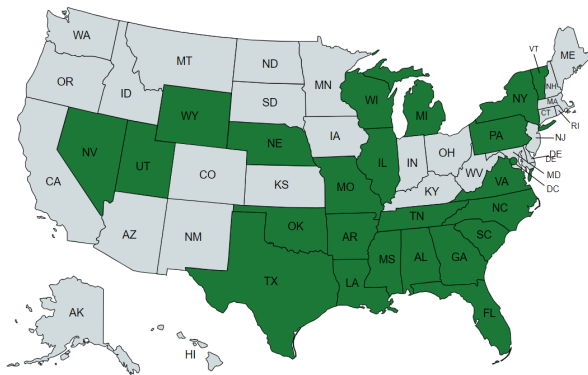
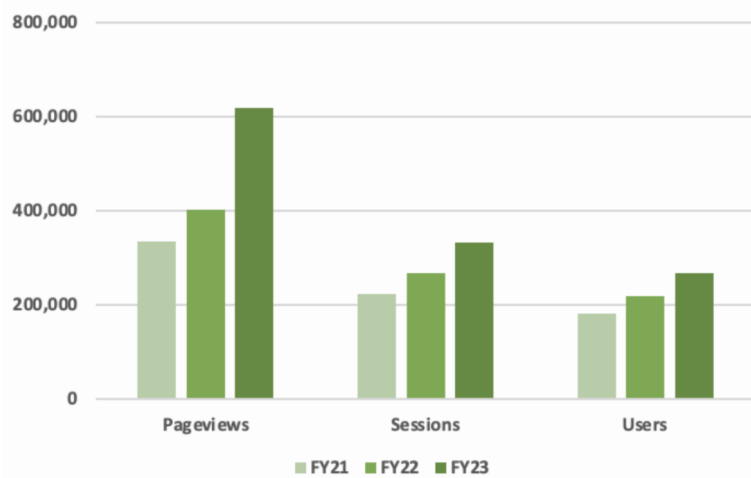
Thanks, again, for your interest in the NALC! Reach out anytime we can be of any assistance to you in any way.

Sincerely,

Harrison M. Pittman, NALC Director

## A Glance at FY 2023

In fiscal year 2023, the NALC has been continuing its mission as the nation's leading source for agricultural & food law research and information. In doing so, it has continued to develop in both scope and reach. A primary method of reaching stakeholders, the **NALC website**, is a hub for resources and information on agricultural and food law topics. Pageviews, sessions, and users continue to experience exponential growth. For example, pageviews have seen an increase of 85% in the past three years, reaching almost 618,000 views in FY23. Over that same time, both sessions and users have increased almost 50%.



Further, speaking events requested by stakeholders have also continued to grow, with attorneys speaking to at least 89 different audiences across the country. The green states reflect states with speaking events attended by NALC staff in FY23. It does not include remote conferences, podcast recordings or other speaking events without a physical presence. Whether a presentation be to a group of 10 at a county extension event or over 1,000 at a national conference, NALC staff expertise is utilized far and wide by the greater agricultural community. Digital outreach such as **NALC**

**webinars** are also an important component of its mission. In FY 23, the NALC hosted 18 webinars, with over 1000 cumulative in-person attendees. Recordings of those webinars are made available after the live event, and have since been viewed by an additional 1000+ people. We look forward to continued growth in FY24 and beyond!

## Western Agricultural & Environmental Law Conference

Our 2nd Annual Western Conference is June 13-

14 at the **University of Nevada, Reno**. The Western is designed for both attorneys and non-attorney agricultural professionals involved in varying public and private aspects of the western agricultural industry.

In addition to providing an excellent networking opportunity, the Western features an excellent lineup of speakers discussing issues especially related to the western region of the country, such as foreign ownership of agricultural land, waters of the U.S., pesticides, and more. The conference keynote, "From Regulation to Adjudication: Perspectives on Agriculture & Trade," will be presented by the Honorable Judge Stephen Vaden, U.S. Court of International Trade and former USDA General Counsel.

The Western program will also be livestreamed for those unable to attend in person.



Register for the  
Western

## Mid-South Agricultural & Environmental Law Conference



The 11th Annual Mid-South Conference is June 6-7 at the **University of Memphis Cecil C. Humphreys School of Law**. The Mid-South is a staple event of the NALC, providing valuable resources in the form of presentations and content, as well as fostering dialogue about the wide range of issues that impact the Mid-South agricultural community.

On the evening of Thursday, June 6, we will have the annual "Beer & BBQ" networking dinner at The Rendezvous in Memphis. The main conference program will be on Friday, June 7. A livestream option is also available for those unable to attend on June 7.

Session topics at this year's Mid-South include the ethical considerations regarding the use of artificial intelligence and the law, potential boundaries of the Fourth Amendment vis-à-vis warrantless searches in the agriculture industry, the latest ag estate planning tips and pointers, ag tax, pesticides, and more. We hope to see you there (or online)!

Register for the Mid-  
South

## Thanks to Some of Our 2023 Conference Sponsors!



## Welcome, Staff Attorney Emily Stone!



In October, the NALC welcomed Staff Attorney Emily Stone to our team. Emily graduated from Auburn University with a degree in Agriculture Communications in 2019. She then graduated from the University of Arkansas School of Law in 2022 and the Arkansas LLM Program in Food and Agricultural Law in 2023.

"I am thrilled to be working for the NALC as a staff attorney and join the incredible work they are doing," she said. "I am grateful for the opportunity to grow both my legal skills and agricultural knowledge under the seasoned, expert attorneys employed by the NALC."

Welcome to the team, Emily!

## Harrison Pittman Provides Update to University of Arkansas System Board of Trustees

During the University of Arkansas System Board of Trustees meeting in November, NALC Director Harrison Pittman provided an overview of the NALC to the board during the agriculture committee presentation. He also discussed and answered questions on the topic of foreign ownership of U.S. land.

A video (right) was shown at the meeting, highlighting the NALC's expansive work, research, and impact. More on the Board of Trustees presentation [here](#).



## Rusty Rumley Speaks at Armed to Farm Events



Senior Staff Attorney Rusty Rumley frequently presents at **Armed to Farm** events around the country and virtually via livestream. In October, he traveled to Hudson Valley, New York to deliver a presentation. Armed to Farm programs are designed for veteran farmers who are interested in starting a career in agricultural business.

During the presentations, Rumley discusses valuable topics such as landowner liability, business entities, insurance, and agritourism liability. For resources on these topics and more, visit our **Reading Rooms**.

## The Feed: Volume 2 is Here

THANK YOU to everyone who subscribed to The Feed in 2023! We greatly appreciate your support. Vol. 2 kicked off recently, and we're excited to continue bringing you the

latest information on agricultural law and policy developments throughout 2024 and beyond. As always, if you have any comments or suggestions for us, please reach out to NALC Director **Harrison Pittman**.



If you're new to The Feed, it is a twice-monthly newsletter (with only one issue in December) that features brief highlights of recent developments in agricultural law and policy at both the state and federal levels. Each issue contains links to free-of-charge NALC resources and other relevant resources. You can sign up using the button below to have The Feed sent directly to you, or click the other button to view past issues in our archive. Again, thank you subscribers!

Sign up for The Feed

Read Past Issues

## Elizabeth Rumley Receives Award from American Agricultural Law Association

In November, Senior Staff Attorney Elizabeth Rumley was honored at the American Agricultural Law Association's 44th Annual Educational Symposium in Charlotte, North Carolina. She received the 2023 Excellence in Agricultural Law Award for academia. The award recognizes outstanding contributions to the legal profession and agricultural community.

"It is an honor to receive this recognition of my work from the American Agricultural Law Association," Rumley said. "AALA is a wonderful organization for anyone who is interested in the intersection of agriculture and law. It connects agricultural law and policy professionals, providing great resources and insight into the field, along with excellent networking opportunities." More on the recognition [here](#).



## Webinar Series

Our webinar series offers a variety of presentations relating to agricultural law and policy. All webinars are recorded and archived on [our website](#). See below for a list of recent and upcoming webinars.

### Recent Webinars

#### Not Your Grandfather's Corn Maze — Regulatory and Legal Responses to Challenges Faced by Agriculture due to PFAS Contamination

Our October webinar provided a general framework to understand the wide-ranging implications of PFAS (aka



"forever chemicals") and focused on the aspects of regulation and risk specifically relevant to agriculture and the food industry.

[Watch the Recording](#)



### **Plan. Produce. Profit: Liability Issues with Food Processing Under the Arkansas Food Freedom Act**

NALC Senior Staff Attorney Rusty Rumley presented this webinar, the first of three installments that continue the "Plan. Produce. Profit." series for Arkansas producers.



[Watch the Recording](#)



### **What's Up with WOTUS: Post-Sackett & Beyond**

NALC Staff Attorney Brigit Rollins continued her WOTUS webinar series in November, this time discussing the subsequent events of the U.S. Supreme Court's decision in *Sackett v. EPA* and long-term effects of the ruling.

[Watch the Recording](#)

## **Upcoming Webinars**

### **Plan. Produce. Profit: Creating and Processing Value-Added Food Products in Arkansas**

Dr. Renee Threlfall, research scientist with the University of Arkansas System Division of Agriculture, will continue the "Plan. Produce. Profit" webinar series on Feb. 14, educating Arkansas residents on creating and processing value-added food products.



[Register](#)

### **What's the Harm? Examining EPA's New Approach to ESA Compliance When Making FIFRA Decisions**



On Feb. 21, NALC Staff Attorney Brigit Rollins will dive into what is known so far about the EPA's new ESA/FIFRA policy, the various legal issues at play, and what it means for agriculture.

[Register](#)

## From Seed to IP: Growing Your Career in Agriculture Patent Law Practice

Bree Vculek, law clerk at **Sterne, Kessler, Goldstein & Fox** will present this next installment in the "Growing Careers" series. Presented by the NALC and the **American Agricultural Law Association**, the presentation is crafted for law students and STEM students (undergraduate and graduate), as well as professionals keen on delving into the intricacies of agriculture patent law practice.



[Register](#)

## Publication Highlights

As part of its mission, the NALC continues to deliver webinars, articles, fact sheets, and state compilations on numerous agricultural and food law topics. These resources are free to the public and serve as a research tool for both attorneys and non-attorneys.

The NALC publishes weekly posts about current issues in agricultural and environmental law. Posts from the past quarter are outlined below.

### October 2023

- **State Proposals on Restricting Foreign Ownership of Farmland: Part Eight**
- **DOL, DHS, and USDA Launch New Proposed Rules and Initiatives Affecting H-2 Programs**
- **EPA Draft Herbicide Strategy Open to Comment**
- **Spotlighting State Restrictions on Foreign Land Investments: Alabama**
- **Members of Congress Propose Bills to Amend the Federal Crop Insurance Program**
- **Good Husbandry in Agricultural Leases**
- **Farm Animal Confinement: Legal Challenges to Mass. Question 3**
- **Doctrine of Chevron Deference Challenged at the High Court**
- **Spotlighting State Restrictions on Foreign Land Investments: Arkansas - Part One**

### November 2023

- **USDA Publishes Final Rule Amending Organic Livestock and Poultry Standards**
- **Update on Right-to-Repair**
- **Eighth Circuit Ruling Revives Foods Uses for Chlorpyrifos**

- **Spotlighting State Restrictions on Foreign Land Investments: Arkansas - Part Two**
- **Legal Challenges to State Hemp Laws and Regulations**
- **FTC Warns Trade Associations and Nutrition Influencers of Lack of Disclosures in Sponsored Social Media Posts**
- **Spotlighting State Restrictions on Foreign Land Investments: Louisiana - Part One**
- **Flood Insurance for Agricultural Producers**

## December 2023

- **How To: Find an Attorney**
- **AMS Updating the National Bioengineered Food Disclosure Standard's List of Bioengineered Foods**
- **EPA Proposes Vulnerable Species Pilot Project**
- **Spotlighting State Restrictions on Foreign Land Investments: Louisiana - Part Two**
- **Recent Federal and State Legislation to Amend Child Labor Laws**
- **Legal Issues with Land Trusts: What is a Land Trust?**
- **"Top Ten" Issues in Ag & Env Law: 2023 Edition**

## Outreach

NALC attorneys speak and present at events in order to provide agricultural and food law research and information to the public. If you are interested in having an attorney from the NALC speak to a group, either in person or virtually, please do not hesitate to contact us. Learn more about the NALC staff and find our contact information [here](#).

Below are some outreach activities from the past quarter.

### October 2023

#### **Harrison Pittman, Director**

- October 3 – spoke on the latest developments regarding foreign ownership of agricultural land at the 2023 Fall Harvest Conference on Emerging Trends and Opportunities in the Agriculture and Food Industries in Indianapolis, IN

#### **Elizabeth Rumley, Senior Staff Attorney**

- October 31 – spoke at Dr. Looper's Animal Science class in the Bumpers College at the University of Arkansas in Fayetteville, AR, on standards of identity

#### **Rusty Rumley, Senior Staff Attorney**

- October 17-18 – spoke at Armed to Farm event in Hudson Valley, NY on landowner liability
- October 27 – spoke at Kansas Farm Bureau symposium in Manhattan, KS on carbon leasing
- October 30 – spoke at University of Arkansas-Cossatot Community College in Ashdown, AR on estate planning

For the full October Monthly Roundup, click [here](#).

### November 2023

#### **Harrison Pittman, Director**



- November 6-8 – Presented to Southern Crop Production Association on pesticide litigation, regulation, foreign ownership of agricultural land, and other industry-relevant agricultural law topics, along with an agricultural law update as part of the SCPA State Issues Summit, Orlando, FL
- November 16 – Provided an update on the NALC’s mission, current and upcoming activities, and answered questions from the University of Arkansas System Board of Trustees at their meeting at the University of Arkansas – Fort Smith
- November 29-December 1 – Presented in two sessions on current issues in ag law – foreign ownership of agricultural land, Prop 12, pesticides, farm bill, to the Kentucky Farm Bureau’s 104th Annual Convention, Louisville, KY

#### **Elizabeth Rumley, Senior Staff Attorney**

- November 14 – Guest lecture via Zoom to Dr. Rielle Perttu’s Animal Welfare class at the University of Minnesota

#### **Rusty Rumley, Senior Staff Attorney**

- November 5-7 – Presented on current issues in ag law (farm bill, foreign ownership of agricultural land, environmental issues, Prop 12, solar leasing, and carbon contracts) to the American Society of Agricultural Consultants annual meeting in Fresno, CA
- November 8 – Presented a webinar titled “Plan. Produce. Profit: Liability Issues with Food Processing Under the Arkansas Food Freedom Act”
- November 8 – Presented on carbon credits via Zoom to cooperative extension directors at the Southern Region PLN ANR Quarterly Meeting
- November 8 – Interview with NPR about agritourism and zoning issues via phone call

#### **Micah Brown, Staff Attorney**

- November 17 – Interview about foreign ownership of agricultural land with Ohio State’s Farm Office Live! Webinar

#### **Brigit Rollins, Staff Attorney**

- November 7 – Presented to the National Food Law Student Network
- November 28 – Presented on EPA ESA-FIFRA policy at 2023 Winter Experiment Station Director’s Meeting in Little Rock, AR

For the full November Monthly Roundup, click [here](#).

## December 2023

#### **Harrison Pittman, Director**

- November 29-December 1 – Presented in two sessions on current issues in ag law – foreign ownership of agricultural land, Prop 12, pesticides, farm bill, to the Kentucky Farm Bureau’s 104th Annual Convention, Louisville, KY

#### **Rusty Rumley, Senior Staff Attorney**

- December 1-2 – Presented on heirs’ property to Workshop for Increasing the Participation of Underserved Landowners in the Conservation Reserve Program (Mississippi) in Greenville, MS

#### **Brigit Rollins, Staff Attorney**

- December 15 – Presented on ESA-FIFRA policy to Arkansas Ag Council in Little Rock, AR
- December 19 – Hosted a webinar for the Council for Agricultural Science and Technology (CAST) titled “**A Legal Discussion of the FIFRA/ESA Consultation Process Over Time**”

For the full December Monthly Roundup, click [here](#).

**Share This Quarterly Newsletter:**



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