



The National Agricultural Law Center

Quarterly Newsletter

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U of A
DIVISION OF AGRICULTURE
RESEARCH & EXTENSION
University of Arkansas System

First Quarter 2024



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

NationalAgLawCenter.org

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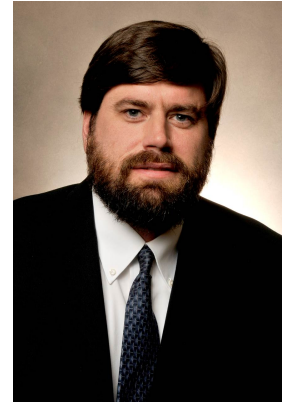
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Greetings,

Our 2024 conferences are just about 2 months away! 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. One week later, on June 13-14, we'll be at the University of Nevada, Reno for the **2nd Annual Western Agricultural & Environmental Law Conference**. Both programs will be in person, of course, but also available via livestream for those unable to attend in person. Additional conference information is set out below, and I hope you'll take a moment to learn about the incredible lineup of sessions and presenters and share with your networks (and, of course, we'd love to see or "see" you there!). Thanks to everyone who has registered so far!



In the first quarter, we hosted six webinars with a terrific turnout for each. Big-time thanks to our partner Kristine Tidgren, Director of the **Center for Agricultural Law & Taxation at Iowa State University** for presenting on the Corporate Transparency Act. I also want to thank another NALC partner, Kirstin Nelson, for presenting the latest "Growing Careers" webinar for students, which is hosted in partnership with the **American Agricultural Law Association**. Lindsay Brinton and Meghan Largent co-presented on legal issues with federal rail-to-trail conversions, while NALC Staff Attorney Brigit Rollins presented the latest on the Endangered Species Act and pesticides, and Jeff Jackson and Dr. Renee Threlfall presented as part of the "Plan. Produce. Profit." food entrepreneur series. Be sure to check out our past and upcoming webinars [here](#).

We also have the bittersweet news to share that NALC Staff Attorney Micah Brown is no longer with the National Agricultural Law Center. Micah was an invaluable contributor to the NALC and the nation's ag community. He was absolutely outstanding and a terrific colleague, leaving behind an incredible legacy at the NALC. Micah excelled at everything he took on, especially his research and outreach on foreign ownership of ag land, UCC Article 9/secured transactions, statutory ag liens, and more. We're certainly sad to see Micah go, but hope you will join us in wishing he and his family all the best in his new endeavor. At the same time, we also welcome aboard Emily

- **General Resources**

Stone as the newest Staff Attorney (Food Safety and Food Labeling). Emily has hit the ground running, both in research and writing.

Want the latest from
the NALC?

Follow us on social:



Finally, thank you to everyone who has connected with us through LinkedIn, Twitter/X, and Facebook, as well as subscribing to this quarterly newsletter, our other newsletter **The Feed**, and the webinar announcements email list.

As always, thank you very much for your interest in the NALC! Please feel free to reach out anytime we can be of any assistance to you in any way or if you have suggestions on future research and outreach topics.

Sincerely,

Harrison M. Pittman, NALC Director

Western Agricultural & Environmental Law Conference

We're just over two months away from our 2nd Annual Western Conference at the **University of Nevada, Reno** (or online via livestream). We hope you can join us June 13-14 for this program that features excellent sessions on topics especially relevant to the West, including the Klamath River Basin, waters of the U.S., foreign ownership of U.S. land, pesticides, and much more.



We have an excellent group of talented speakers lined up for the Western. The Honorable Judge Stephen Vaden, U.S. Court of International Trade and former USDA General Counsel, will kick off the conference with the keynote address, "From Regulation to Adjudication: Perspectives on Agriculture & Trade."

The Western is designed for both attorneys and non-attorney agricultural professionals involved in varying public and private aspects of the western agricultural industry. For more on the 2nd Annual Western, click [here](#). Registration, agenda, and other information can be found by clicking the button below.

Register for the
Western

Mid-South Agricultural & Environmental Law Conference

The week before we head to Reno for the Western, we'll host our 11th Annual Mid-South Conference at the **University of Memphis Cecil C. Humphreys School of Law**. Join us on the evening of June 6 for the annual "Beer & BBQ" networking dinner



at **The Rendezvous** before the main conference program on June 7. A livestream is available for those unable to attend the main program in person.

There are terrific sessions to look forward to on this year's Mid-South agenda. Rod Snyder, Senior Advisor for Agriculture to the EPA Administrator, and NALC Staff Attorney Brigit Rollins will co-present on what's next for users and makers of crop protection products in a post-dicamba, pro-Endangered Species Act environment. More info on that session is available [here](#). Other topics on the agenda include the Corporate Transparency Act, the Fourth Amendment and agriculture, artificial intelligence and the law, and more.

Like the Western, the Mid-South is designed for both attorneys and non-attorneys alike. For more information on the Mid-South and to register, click below.

Register for the Mid-South

Have you heard about the Corporate Transparency Act?

The Corporate Transparency Act (CTA) went into effect on Jan. 1 and requires millions of small business entities to file with the federal government, making known their beneficial owners. Failure to report may result in criminal penalties. The CTA is crucial for business owners in agriculture and beyond to understand. In March, the NALC hosted a webinar on the CTA, presented by Kristine Tidgren, director of the **Center for Agricultural Law and Taxation at Iowa State (CALT)**.



A recording of the presentation is available [here](#). Additionally, Kristine has an article detailing important information on CTA, available on the CALT website [here](#).

For information on the CTA as it pertains to foreign entities, click [here](#).

Pittman, Brown Speak at Land Expo Conference in Iowa

Foreign ownership of U.S. land has become one of the most active issues at the federal and state levels in recent years.

NALC Director Harrison Pittman and Staff Attorney Micah Brown traveled to Des Moines, Iowa in January to participate in a panel on foreign ownership of U.S. land at the **Land Investment Expo**. Pittman and Brown, along with fellow panelists David Bergvall and Todd Friedman, provided attendees with beneficial and up-to-date



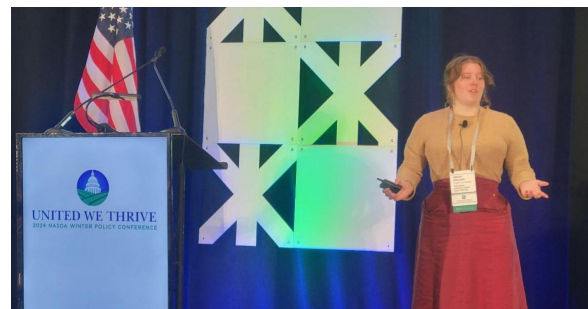
ZTS Photo- 2024 Land Expo

information on the increasingly popular topic.

For more information on foreign ownership, visit our Foreign Ownership of Agricultural Land: FAQs and Resource Library [here](#).

NALC Expertise at NASDA Winter Policy Conference

The **National Association of State Departments of Agriculture** held its annual Winter Policy Conference in Washington, D.C. in February. Director Harrison Pittman, Senior Staff Attorney Rusty Rumley, and Staff Attorney Brigit Rollins attended the conference. They presented an agricultural law update to the NASDA membership, highlighting topics such as foreign ownership of agricultural land, the Corporate Transparency Act, and the EPA's new policy for meeting its ESA responsibilities when carrying out FIFRA actions. The NALC team also spoke with **MANRRS** students about issues in agricultural law and pursuing a legal career.



Rumley Discusses Top Ag Issues on Podcast



In March, Senior Staff Attorney Rusty Rumley joined Chrissy Wozniak for an episode of the **North American Ag Spotlight** podcast, where he talked about priority issues in agriculture for 2024. He discussed waters of the U.S., pesticides, the Corporate Transparency Act, and more. Listen to the episode [here](#).

The Feed Continues to Grow Nationwide

Thank you to everyone who has subscribed to The Feed! We continue to gain subscribers from all across the country, and we greatly appreciate your support. As always, we are committed to bringing you the latest information on agricultural law and policy developments twice monthly (with only one issue in December). If you haven't subscribed, The Feed is our newsletter that features brief highlights of recent developments in agricultural law and policy at the state and federal levels. It is written by NALC attorneys but designed for attorneys and non-attorneys alike. Some topics in our recent issues include the Corporate Transparency Act, foreign ownership of



agricultural land, pesticides, the Colorado River, and much more.

If you know of someone who might be interested in The Feed, please pass it along to them. If you have any comments or suggestions for us, please reach out to NALC Director **Harrison Pittman**.

[Sign up for The Feed](#)

[Read Past Issues](#)

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.

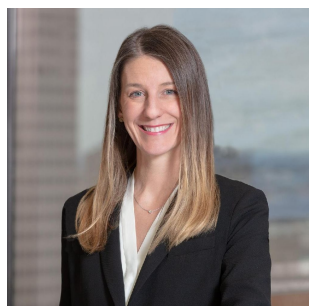
Recent Webinars

Plan. Produce. Profit: An Overview of the Arkansas Food Freedom Act

Jeff Jackson, public health section chief II with the **Arkansas Department of Health**, continued the "Plan. Produce. Profit." webinar series with an overview of the Arkansas Food Freedom Act, which provides increased opportunities for food entrepreneurs in the state.



[Watch the Recording](#)



An Overview of Landowner's Rights in Federal Rail-to-Trail Conversions

Lindsay S.C. Brinton and Meghan S. Largent, members at **Lewis Rice**, discussed the process for federal rail-to-trail conversions under the Trails Act during this webinar.

[Watch the Recording](#)

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

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



[Watch the Recording](#)



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

NALC Staff Attorney Brigit Rollins explained 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.

[Watch the Recording](#)

Corporate Transparency Act: New Reporting Requirements & Litigation Updates

In 2024, millions of small entities — including single member LLCs — must file online reports with the federal government, disclosing information about beneficial owners. Kristine Tidgren, director of the **Center for Agricultural Law and Taxation**, discussed the details of the Corporate Transparency Act in this webinar.



[Watch the Recording](#)



Growing Careers in Agricultural and Food Law for Law Students: Non-Traditional Legal Paths and Opportunities

Kirstin Nelson, law librarian for the **USDA National Agricultural Library**, discussed non-traditional legal career paths for law students who are interested in ag and food law. This webinar was co-hosted with the **American Agricultural Law Association** and is a part of the NALC's **Bridges Initiative**.

[Watch the Recording](#)

Upcoming Webinars

Demystifying PACA: Navigating Compliance and Best Practices in the Produce Industry

June Monroe, director and attorney at **Fennemore**, will present our April 17 webinar on the Perishable Agricultural Commodities Act, or PACA. June will provide a better understanding of PACA and help navigate compliance and best practices. Whether you're a distributor, grower, or just want to learn more about PACA, this webinar is for you.



[Register](#)



The Deal with Dicamba: Overview of Recent Legal Developments

NALC Staff Attorney Brigit Rollins will present an update on recent developments regarding the herbicide dicamba, reviewing the Feb. 6 Arizona federal court decision directing EPA to vacate the 2020 registrations allowing over-the-top use of three dicamba-based pesticides: XtendiMax, Engenia, and Tavium.

[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.

January 2024

- **Who Owns the Business? Corporate Transparency Act and Foreign Entity Disclosures**
- **State Tax Changes Enacted in 2023 Affecting Agriculture**
- **Legal Issues with Land Trusts: What uses are permitted on the land?**
- **EPA Weighs in On Supreme Court Decision Regarding Groundwater and the CWA**
- **USDA Proposes Updates to Foreign Held Agricultural Land Reporting**
- **Challenges to the 2023 U.S. Department of Labor H-2A AEWB Methodology Rule**
- **Legal Issues with Land Trusts: Tax Benefits and the IRS Crackdown**

February 2024

- **EPA Proposes Updates to Effluent Limitations for Meat and Poultry Processors**
- **Who Owns the Ag Land? Congress Considering Changes to the Federal Reporting Regime**
- **Supreme Court of Nevada Issues Important Decision Impacting Groundwater Rights**
- **U.S. Department of Labor Finalizes Independent Contractor Rule**
- **Fair Labels Act of 2024**
- **Agritourism: Reducing Liability Risk During Solar Eclipse Activities**
- **The Deal with Dicamba: Court Vacates Over-the-Top Registration**
- **Eleventh Circuit Narrowly Blocks Florida From Enforcing Foreign Ownership Law**
- **U.S.-Mexico Trade Dispute Over Genetically Modified Corn**
- **Update on Cottage Food Laws - 2024 Proposed Legislation**
- **Federal Court Revokes Florida's CWA Section 404 Permitting Authority**

March 2024

- **South Dakota Amends State Restriction on Foreign Acquisitions of Ag Land**
- **EPA Delays Rescinding Gasoline Volatility Waivers Until 2025**
- **France takes up plant protein labeling and cell-cultured meat**
- **Plaintiffs Claim Cranberry Bog Not Exempt from CWA Regulation**
- **Limits on Land Acquisitions: Three States Amend Their Foreign Ownership Laws**
- **The SEC Finalizes Rule on Required Climate-Related Disclosures**
- **Farm Animal Housing in 2024: Laws, Proposals and Challenges**
- **USDA Finalizes Voluntary "Product of USA" Rule**

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.

January 2024

- **Harrison Pittman, NALC Director**

- January 9 – Joined the panel “Going Deep on Foreign Land Ownership Policy and Implications on U.S. Agriculture” at People’s Company Land Investment Expo in Des Moines, IA

- **Elizabeth Rumley, Senior Staff Attorney**

- January 17 – Joined the livestock panel to discuss Prop 12 at the Minnesota Ag Expo in Mankato, MN

- **Rusty Rumley, Senior Staff Attorney**

- January 5 – Gave a presentation on solar leasing to the Tri-State Soybean Forum in Delhi, LA
- January 17 – Gave a presentation on solar leasing to Arkansas Crop Protection Association’s Crop Management Conference
- January 26 – Gave a presentation on Heirs Property and Estate Transition at Arkansas Grown conference in Hot Springs, AR

- **Brigit Rollins, Staff Attorney**

- January 10 – Gave a webinar on ESA-FIFRA for the Illinois Soybean Association
- January 16 – Gave a presentation on WOTUS and ESA-FIFRA to Arkansas Crop Protection Association’s Crop Management Conference
- January 25 – Gave a presentation on WOTUS updates at Arkansas Grown conference in Hot Springs, AR
- January 26 – Gave a presentation on ESA-FIFRA at Arkansas Turfgrass Association conference in Hot Springs, AR

- **Micah Brown, Staff Attorney**

- January 9 – Joined the panel “Going Deep on Foreign Land Ownership Policy and Implications on U.S. Agriculture” at People’s Company Land Investment Expo in Des Moines, IA
- January 19 – Gave a presentation on foreign ownership of ag land via Zoom to the Ohio

- Chapter of ASFMRA Annual Meeting
- January 31 – Gave a presentation on foreign ownership of ag land at the Georgia Cotton Commission Annual Meeting in Tifton, GA

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

February 2024

- **Harrison Pittman, NALC Director**

- February 6 – Gave a joint presentation on ag law updates at NASDA’s Winter Policy Conference in Washington, D.C.
- February 7 – Gave a presentation on ag law updates at Arkansas State University’s Agribusiness Conference in Jonesboro, AR
- February 15 – Gave a presentation called “Plowing Through Policies” at the Alabama Farm Bureau Young Farmers Conference in Gulf Shores, AL
- February 27 – Gave a joint presentation on the center and ag law updates at the Mid-South Land Conference in Memphis, TN

- **Elizabeth Rumley, Senior Staff Attorney**

- February 6 – Gave a presentation on Prop 12 and WOTUS at the Michigan Farm Bureau’s Issue and Outlook Conference for Commodity Advisory Committee members in Lansing, MI
- February 20 – Gave a presentation on Aquaculture and the Lacey Act: Implications and Consequences at Aquaculture America 2024 in San Antonio, TX
- February 27 – Participated in a Legislative Briefing panel at the Missouri Farm Bureau at their 2024 Legislative Briefing in Jefferson City, MO

- **Rusty Rumley, Senior Staff Attorney**

- February 6 – Gave a joint presentation on ag law updates at NASDA’s Winter Policy Conference in Washington, D.C.
- February 10 – Gave a presentation on estate planning at the Arkansas Young Farmer’s Conference in Little Rock, AR
- February 15 – Gave a presentation on underground carbon sequestration and carbon pipelines to Capital Ideas podcast for the Alabama Forest Owner’s Association
- February 16 – Gave an interview discussing cell cultured meat with Inside Climate
- February 22 – Gave a presentation on agritourism liability at the Ontario Fruit and Vegetable Convention in Niagra Falls, ON
- February 27 – Gave a joint presentation on the center and ag law updates at the Mid-South Land Conference in Memphis, TN
- February 29 – Gave a presentation on Landowner Liability at the Oklahoma Local Ag Summit in Edmond, OK

- **Brigit Rollins, Staff Attorney**

- February 6 – Gave a joint presentation on ag law updates at NASDA’s Winter Policy Conference in Washington, D.C.
- February 9 – Gave a webinar on the Endangered Species Act’s impact on agriculture for the American Society of Farm Managers and Rural Appraisers
- February 13 – Gave a presentation on environmental law and how it impacts agriculture to Professor Brandon Willis’ agriculture class at Utah State University via Zoom
- February 20 – Gave a presentation on WOTUS/ESA at the BASF consultant meeting in Hot Springs, AR
- February 23 – Gave a presentation on the Center and several current ag law topics at the LeadAR meeting over Zoom
- February 29 – Gave a presentation on WOTUS to the Arkansas Association of Conservation Districts in Little Rock, AR

- **Micah Brown, Staff Attorney**

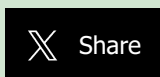
- February 5 – Gave a presentation on foreign ownership of ag land to the National Asian Pacific American Bar Association
- February 13 – Testified before North Dakota state legislature’s Agriculture and Natural Resources Committee via Zoom
- February 15 – Gave a presentation on secured transactions and its impact on agriculture to Professor Brandon Willis’ agriculture class at Utah State University via Zoom

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

- **Harrison Pittman, NALC Director**
 - March 14 – Gave a presentation on foreign ownership legislation at the Timberlands Management Conference in Portland, OR
 - March 27 – Gave a presentation on Navigating Restrictions and Transparency Requirements of Foreign Investments in U.S. Land for the Illinois Bar Association via Zoom
 - March 28 – Gave a presentation on recent and emerging issues in the ag industry, including Georgia’s foreign ownership law at Georgia Bar Association Agricultural Law session in Atlanta, GA
- **Elizabeth Rumley, Senior Staff Attorney**
 - March 6 – Gave a guest lecture on criminal law and FFDCA violations for Dr. Kristen Gibson’s Intro to Food Law class at the University of Arkansas in Fayetteville, AR.
 - March 12 – Gave a presentation on Prop 12 and animal welfare legal initiatives in the U.S. at the Animal Behavior, Health and Well-Being Symposium at the American Society of Animal Science Midwest Section Meeting in Madison, WI
 - March 22 – Participated in a roundtable discussion on Prop 12 for the House Committee on Agriculture in Washington, D.C.
 - March 25 – Gave a presentation on Prop 12 and animal welfare legal initiatives in the U.S. at the Berrien County (MI) Farm Bureau Legislative Breakfast via Zoom
- **Rusty Rumley, Senior Staff Attorney**
 - March 4 – Gave a presentation on Business Entities to the Center for Arkansas Farms and Food at the University of Arkansas in Fayetteville, AR.
 - March 6 – Gave a presentation on Ag Leasing to the Center for Arkansas Farms and Food at the University of Arkansas in Fayetteville, AR.
 - March 15 – Gave two presentations on Liability Issues with Food Processing and heir’s property at the University of Arkansas-Pine Bluff’s Rural Life Conference in Pine Bluff, AR
- **Brigit Rollins, Staff Attorney**
 - March 5 – Gave a virtual presentation on dicamba to the Arkansas Plant Board
- **Micah Brown, Staff Attorney**
 - March 7 – Discussed foreign ownership of agricultural land on Agri-Pulse Today via Zoom
 - March 12 – Gave a presentation on foreign ownership of agricultural land at the National Land Conference in Louisville, KY
- **Emily Stone, Staff Attorney**
 - March 3-5 – Gave two presentations on Top Legal Issues in Ag Law and Fundamentals of the Farm Bill at the National Young Farmer Educational Association’s Agriculture’s Promise conference in Washington, D.C.

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

Share This Quarterly Newsletter:



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