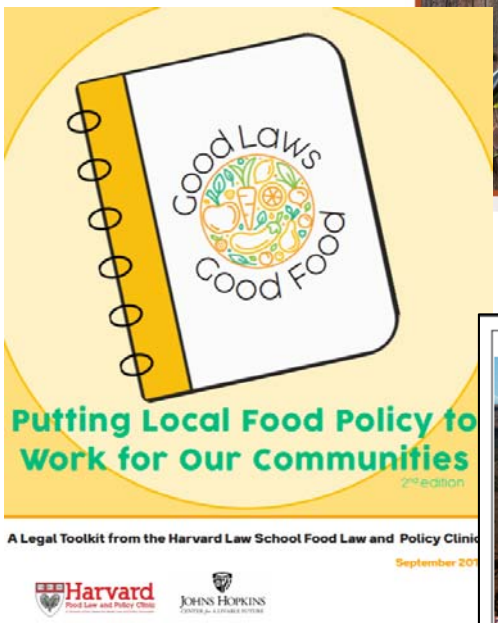
Harvard
Food Law and Policy Clinic
A Division of the Center for Health Law and Policy Innovation

BLUEPRINT FOR A NATIONAL FOOD STRATEGY

Emily Broad Leib
Assistant Clinical Professor
Director, Food Law and Policy Clinic

About the Food Law and Policy Clinic

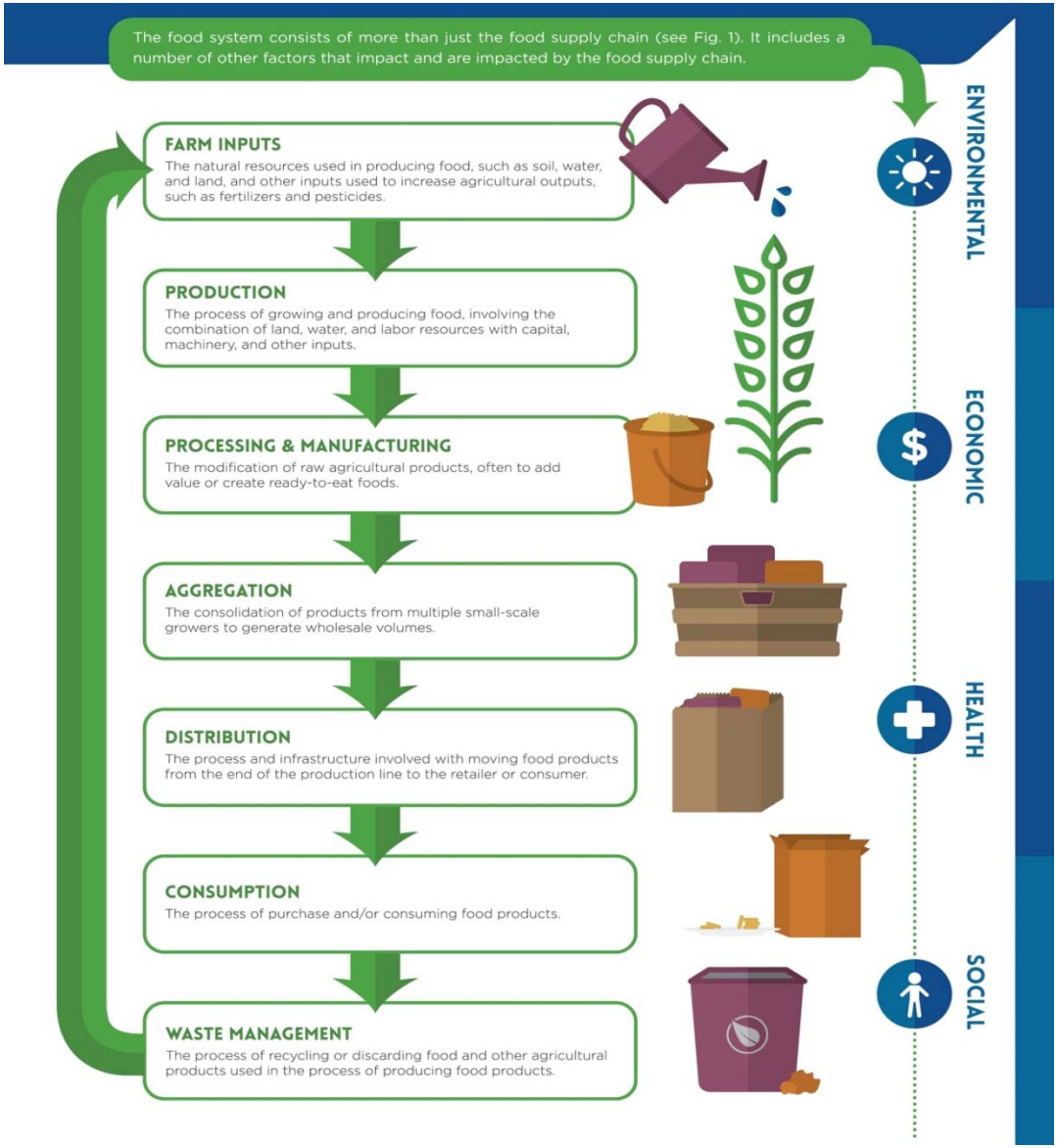


A National Food Strategy?

- 1) *Blueprint for a National Food Strategy* (with the Center for Agriculture and Food Systems at Vermont Law School, funded by W.K. Kellogg Foundation)
  - Through legal and original research, the Project considers:
    - Whether the U.S. needs a national food strategy
    - National food strategies in other countries
    - Domestic U.S. national strategies on other topics

- 2) *Making the Case for a National Food Strategy in the United States*, forthcoming in the Food and Drug Law Journal (with Laurie J. Beyranevand)

THE U.S. FOOD SYSTEM



MANY AGENCIES, LITTLE COORDINATION

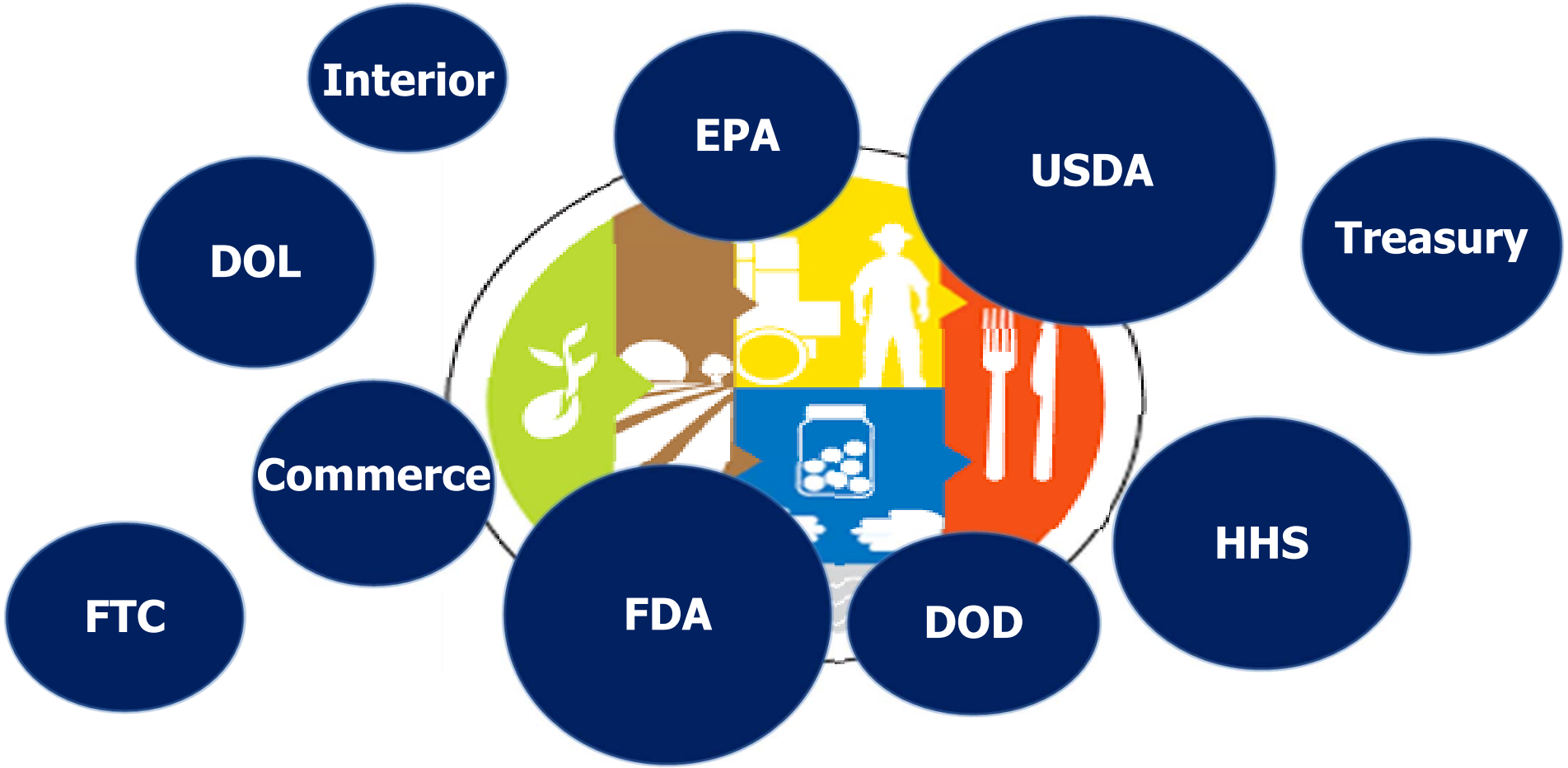
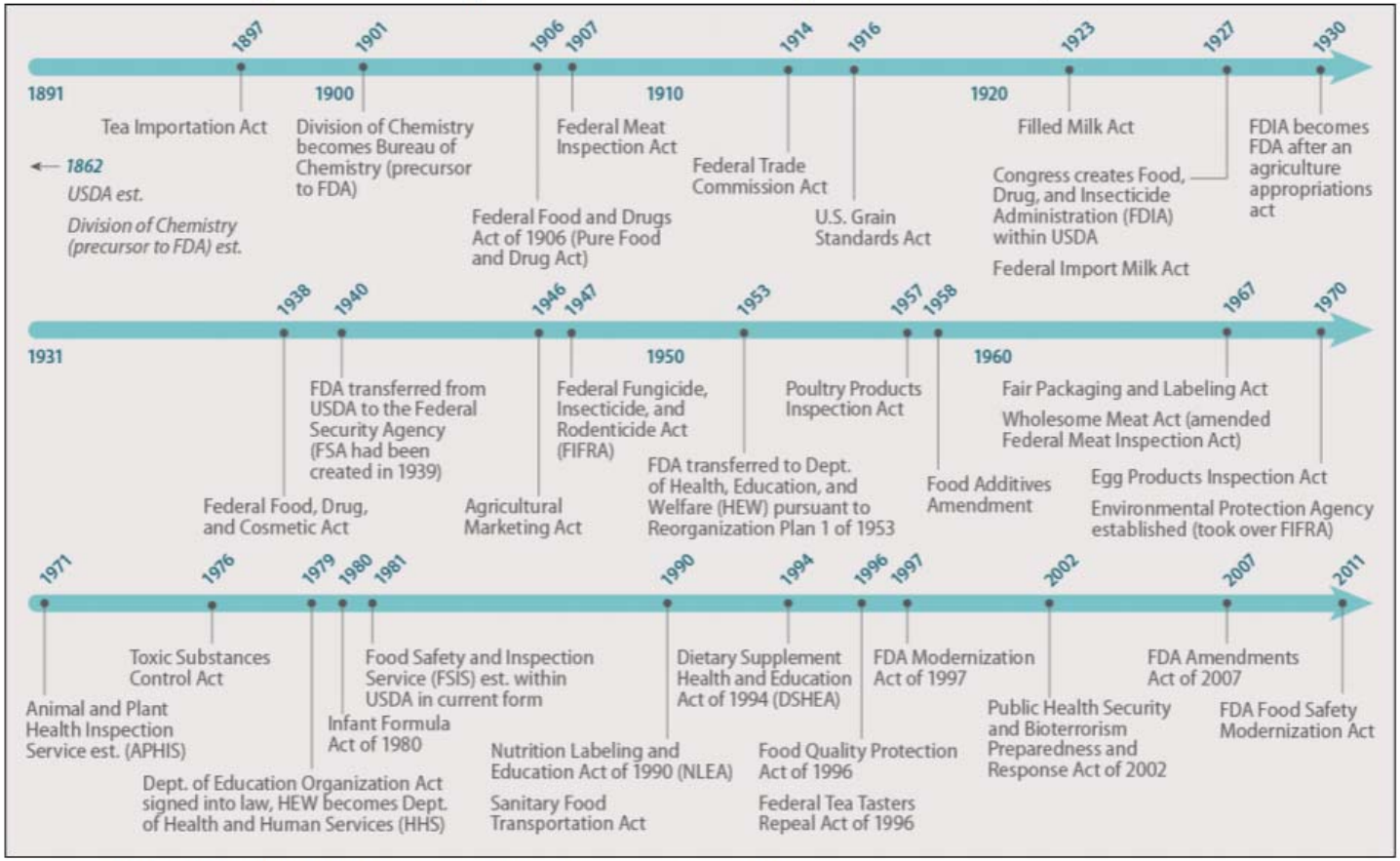


Figure 1. Selected Important Dates for Food Safety in the United States, 1862-2011



Source: Compiled by CRS from various government and industry sources (see footnote 4).

DIETARY GUIDELINES V. FARM BILL

2015 Dietary Guidelines for Americans

Photo Credit: Department of Health and Human Services

Agricultural Act of 2014 (The Farm Bill)

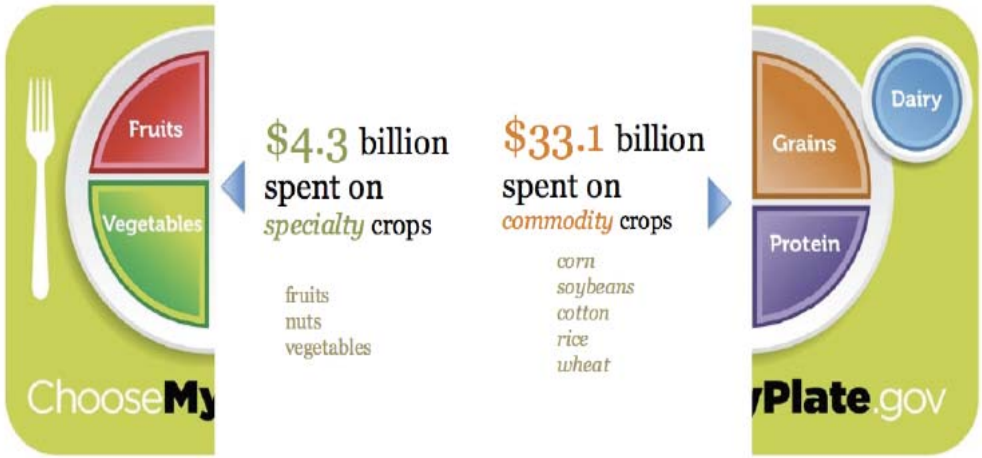
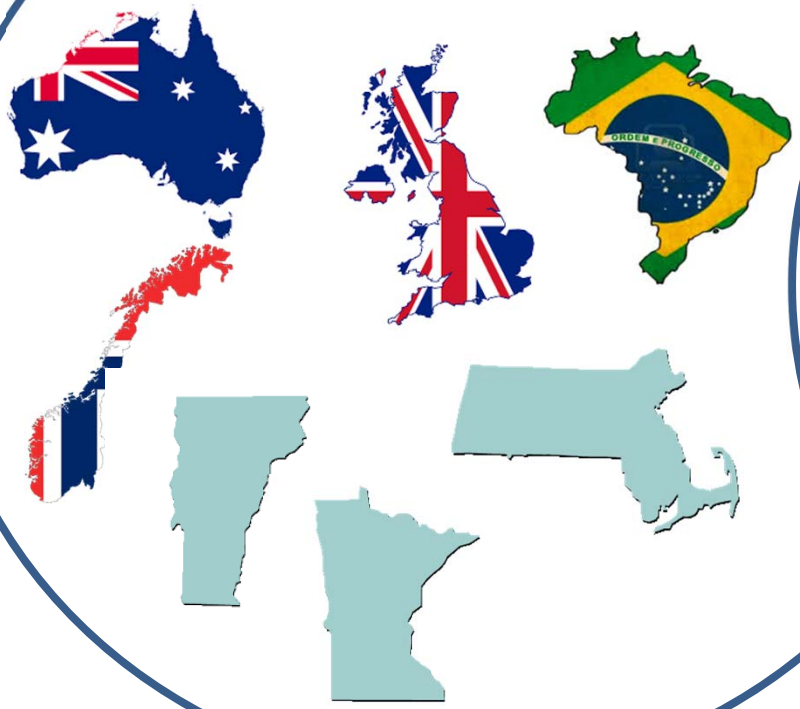


Photo Credit: Connecticut NOFA

LOCAL FOOD V. FSMA

We Have Models for Coordination

Food Strategies



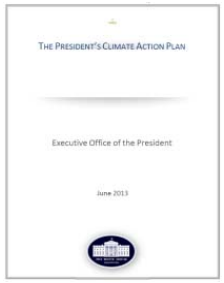
Domestic Strategies

NATIONAL HIV/AIDS STRATEGY

NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

NEPA
NATIONAL ENVIRONMENTAL POLICY ACT

ENVIRONMENTAL JUSTICE



NATIONAL QUALITY STRATEGY
Better Care.
Healthy People/Healthy Communities.
Affordable Care.

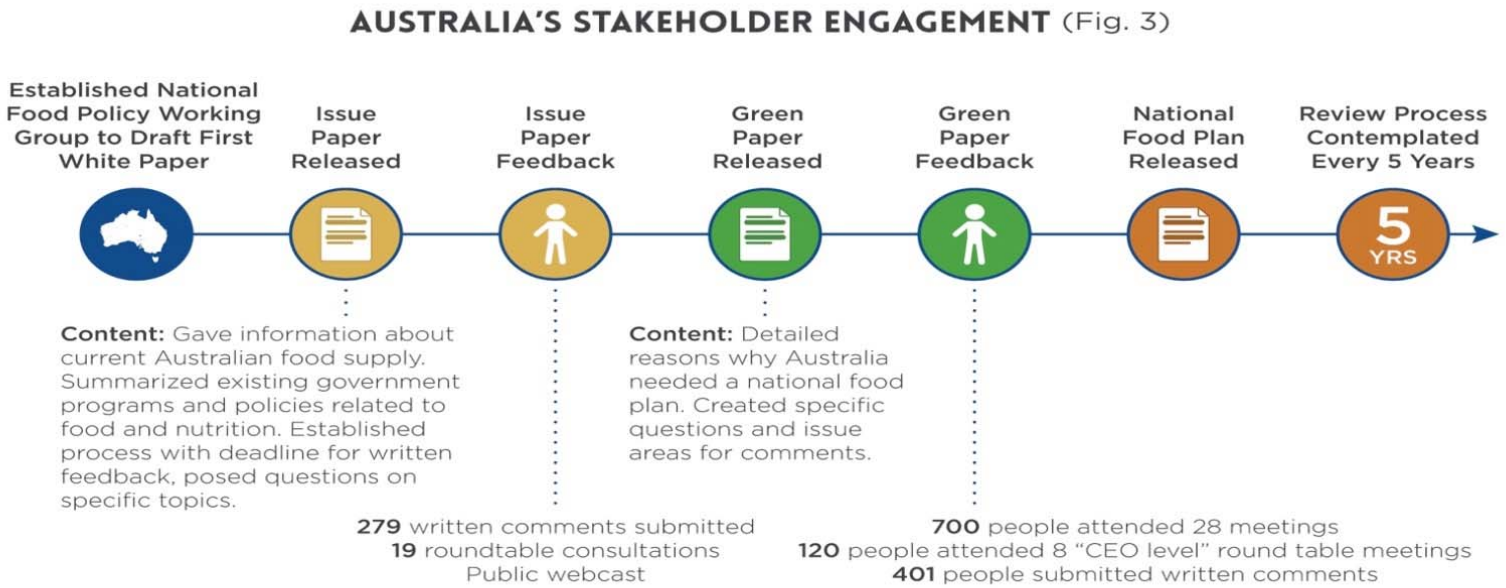
International Food Strategies

Key plans analyzed:

- **Australia**, National Food Plan
- **Brazil**, National Food and Nutrition Security Policy
- **Norway**, Norwegian Government's Nutrition and Food Policy
- **Scotland**, Recipe for Success
- **United Kingdom**, Food 2030
- **Wales**, Food for Wales, Food from Wales

WHAT CAN WE LEARN?

- What ***factors or events*** lead a country to develop a national food strategy
- What were the ***strategic objectives***?
- What methods were used to elicit ***stakeholder input*** during the creation of the strategy?



EXAMPLE: U.K.'S *FOOD 2030*

By 2030:

- Consumers are **informed**, can **choose and afford healthy, sustainable food**…
- Food is produced, processed, and distributed, to feed a growing global population in ways which:
  - use global **natural resources sustainably**….promote high standards of **animal health and welfare**, protect **food safety**, make a significant **contribution to rural communities**, and allow us to show global leadership on food sustainability.
- **Food security** is ensured through strong UK agriculture and food sectors and international trade links with EU and global partners...
- The UK has a low carbon food system….any waste is **reused, recycled or used for energy** generation

"THIS STRATEGY IS A RESPONSE BOTH TO THE BIG FOOD CHALLENGES – SUSTAINABILITY, SECURITY AND HEALTH – AND TO THE CALL FOR MORE JOINED UP FOOD POLICY."

-UK

EXAMPLE: BRAZIL'S *NATIONAL FOOD AND NUTRITION SECURITY POLICY*

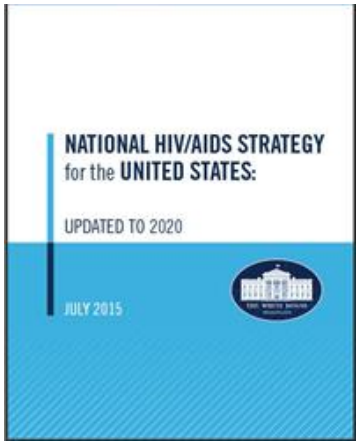
- Incorporates stakeholders as policymakers at all levels of government
- Includes measures for continued stakeholder participation in development, monitoring and reassessment

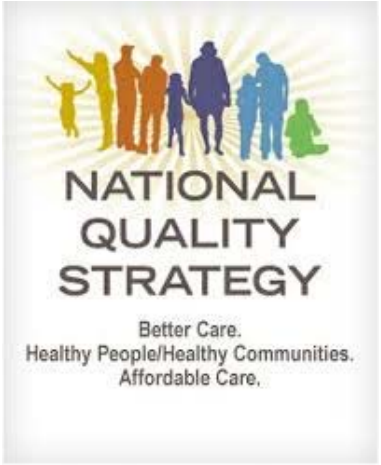
CONSEA
Conselho Nacional de Segurança Alimentar e Nutricional

U.S. STRATEGIES

30+ strategies researched; 8 analyzed in paper

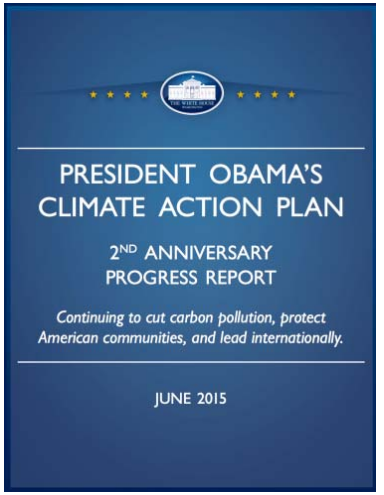
1. Nat'l Health Security Strategy
2. Nat'l Quality Strategy
3. Nat'l Strategy for Combating Antibiotic-Resistant Bacteria
4. Nat'l Strategy for HIV/AIDS
5. President's Climate Action Plan
6. Nat'l Commission on Terrorist Attacks Upon the United States ("9/11 Commission")
7. Interagency Working Group on Environmental Justice
8. Nat'l Environmental Policy Act





WHAT CAN WE LEARN?

- ***Impetus*** for the strategy
- ***Enacting document***
  - e.g. executive order, executive action, legislation
- ***Organizing authority***
  - e.g. executive office, interagency working group, advisory council
- Tools used to ***gather information*** from the public
  - e.g. listening sessions, online surveys, notice and comment
- The ***written strategy****'s goals and activities*
  - e.g. objectives, milestones, targets
- The process for ***ongoing reporting***
  - e.g. updates, annual reports, feedback



EXAMPLE: *NATIONAL HIV/AIDS STRATEGY*

Organizing Authority & Oversight

- Office of National AIDS Policy
- President's Advisory Council on HIV/AIDS
- HIV/AIDS Interagency Working Group

Public Input

- **14** Community Discussions
- **4,200+** Participants
- **1,000+** Written Submissions

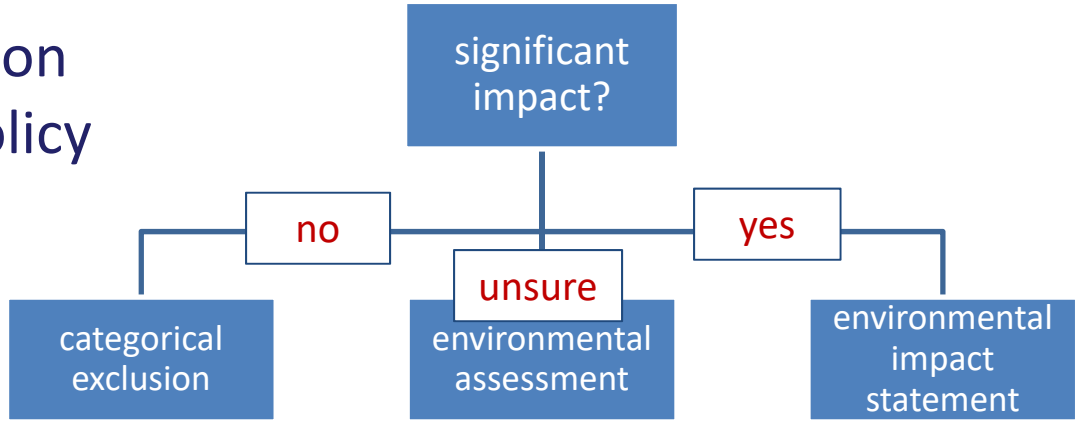
Reporting & Accountability

- Annual progress report
- 2015 update, with additional public input

EXAMPLE: *NATIONAL ENVIRONMENTAL POLICY ACT*

Impetus

- Lack of federal coordination around environmental policy



Enacting Document

- National Environmental Policy Act of 1969

Organizing Authority & Oversight

- Environmental Assessment
- Environmental Impact Statement
- Council on Environmental Quality

Credit: Earthjustice

Concerns About a National Food Strategy

I don't want the government regulating what I can eat.

Maybe the food system is too complex for a cohesive strategy.

A national strategy won't meet my needs as a consumer (or farmer, or …)

How will this impact state and local policies?

FINDINGS & RECOMMENDATIONS

U.S. National Food Strategy

FINDINGS & RECOMMENDATIONS

- **COORDINATION**
- **PARTICIPATION**
- **TRANSPARENCY & ACCOUNTABILITY**
- **DURABILILITY**

COORDINATION

- ✓ Identify a lead office or agency and provide it with resources & authority to compel engagement and action
- ✓ Create an interagency working group
- ✓ Engage state, local, and tribal actors as key partners

PARTICIPATION

✓ Create an advisory council

✓ Develop a multi-pronged approach for stakeholder and public participation; provide opportunities for feedback throughout

✓ Respond to public input

TRANSPARENCY & ACCOUNTABILITY

✓ Create a written strategy document that includes key goals, expected outcomes, implementation measures

✓ Require publication of accessible, public-facing reports

DURABILITY

✓Ensure periodic updating of the strategy

✓Implement a procedural mechanism to guide agency decision-making

How Can a Strategy Meet Current Political Goals?

A national food strategy is as relevant now as ever, with the potential to addresses leading political issues:

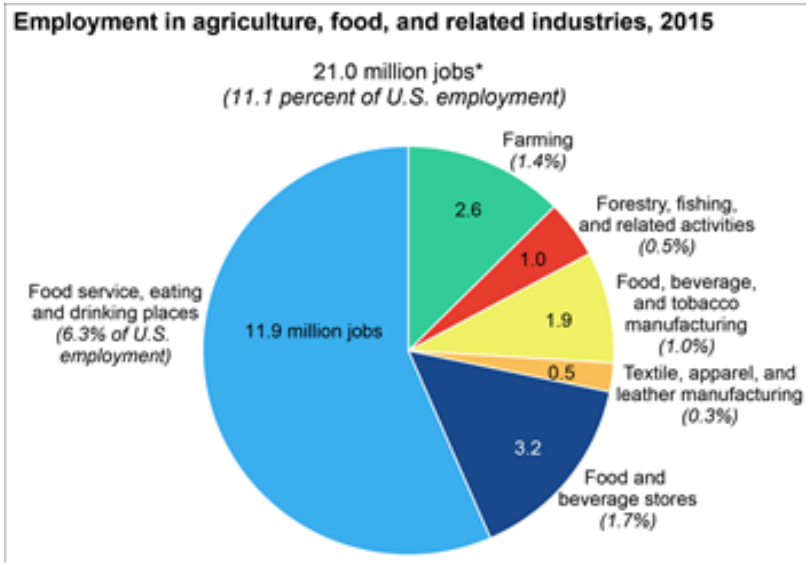
1. Reducing inefficiencies
2. Encouraging economic development
3. Connecting communities to policy-making

Reducing Inefficiencies

- Incoming administration campaigned on reducing size of govt and limiting wasteful and unnecessary regulation
- GAO's 2016 Annual Report to Congress, noting that current levels of government spending are unsustainable, **identified 544 actions spanning 200 areas, including food and agriculture,** where efficiency could be improved by addressing "fragmented, overlapping, or duplicative" programs
- Other strategies were created with the stated goal of reducing inefficiencies in the regulatory landscape

ENCOURAGING ECONOMIC DEVELOPMENT

- Voters ranked the economy as the number one issue in 2016 election
- Agriculture contributed **$835 billion** to GDP in 2014
  - ~ 5.7% of total GDP
  - ~ 10% of total employment



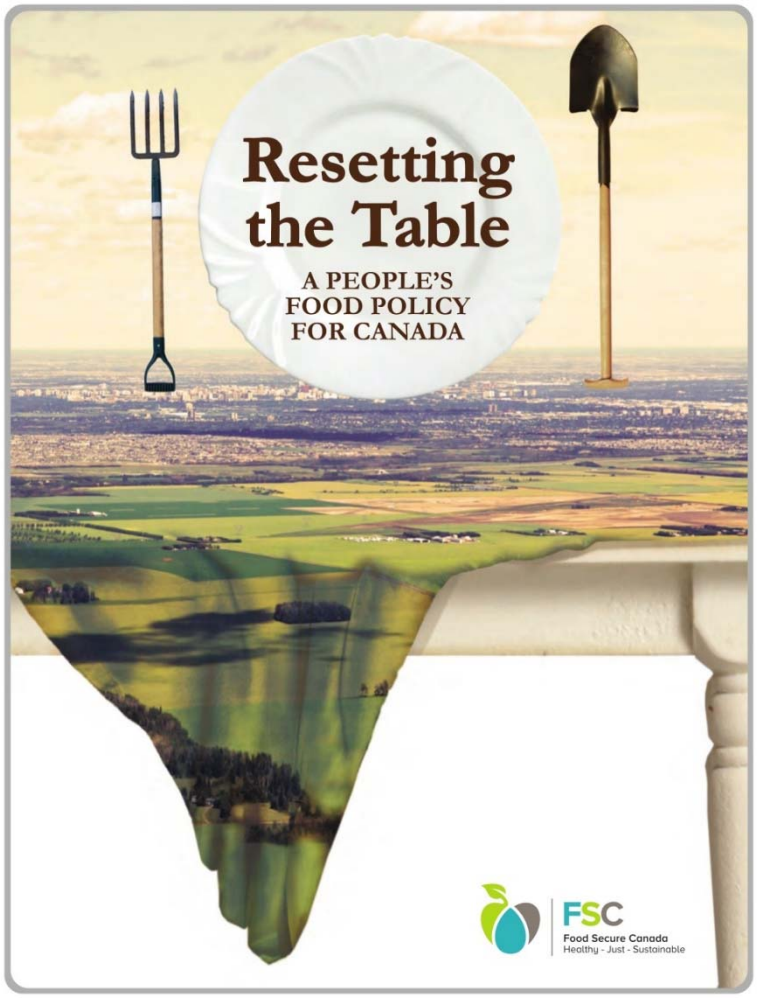
Credit: USDA ERS

- Economic development has been the driving force behind the development of comprehensive food strategies at both the state and national levels

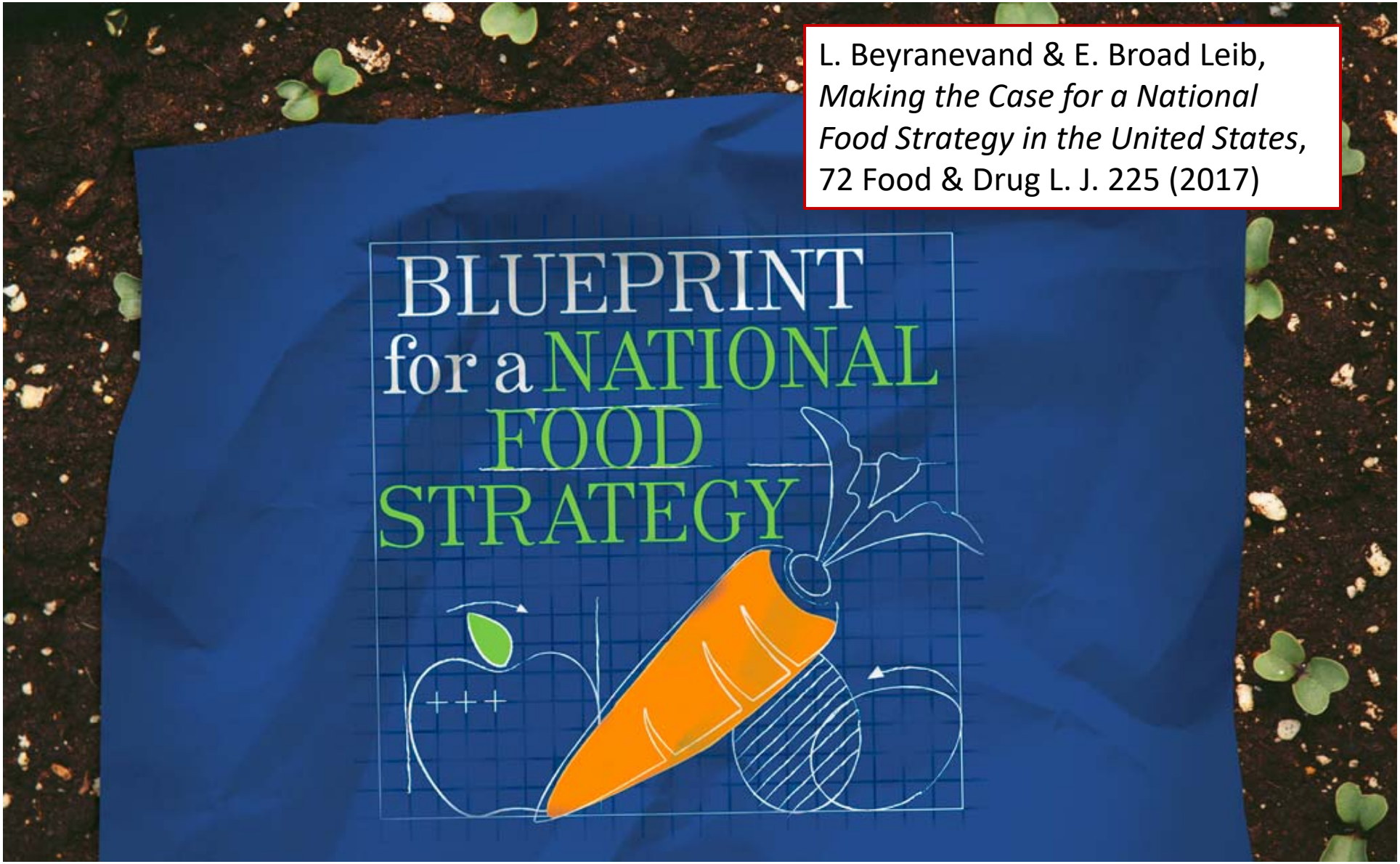
Connecting Communities to Policy-Making

- Everyone participates in the food system, but there are few opportunities for the public to engage with food policymaking, let alone know when it is happening
- Two main mechanisms are frequently used for strategies to garner public input:
  - Advisory committee made up of experts and leaders outside of government to provide ongoing input to the federal government
  - Opportunities for public comment on goals, priorities, and draft strategy

A People's Food Strategy?



www.foodstrategyblueprint.org



L. Beyranevand & E. Broad Leib, *Making the Case for a National Food Strategy in the United States*, 72 Food & Drug L. J. 225 (2017)

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Questions? Ideas?

flpc@law.harvard.edu

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