

FS 516– Food Laws (2 cr)

Summer Semester, 2014

INSTRUCTOR:

Dr. Barbara Rasco

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Prerequisites: none, graduate standing recommended

Text: Selected readings

Recommended textbook: Fortin, N.D. 2009. Food Regulation – Law, Science, Policy and Practice. This text is available on-line through the EBL Orbis Cascade Alliance via WSU Library portal. Instructions for access are provided on Angel course site.

****Key issue this semester – Will the Food Safety Modernization Act Work? Should this be the basis for globalizing food safety systems?**

COURSE DESCRIPTION:

An introduction to food law and regulations including areas of the law that would impact food science professionals.

Course objectives:

1. Become familiar with government statutes and regulations that contribute to a safe, nutritious, and wholesome food supply.
2. Understand how technological, social and political forces interact in the development of food laws and regulations and food policies domestically and globally.
3. Understand the current structure of the food regulatory system in the United States. Understand more about the law and the US legal system including: jurisdictional issues, administrative law [rulemaking, enforcement], and tort, contract, corporate, environmental, labor and criminal law issues relevant to the regulation of the manufacture and sale of food and supplements.
4. Develop basic expertise in legal research and legal analysis.

STUDENT LEARNING OUTCOMES:

1. Learn basic principles and concepts of food law and the legal system in the United States, generally.
2. Learn how to identify and analyze legal issues that may arise as a food science professional.
3. Learn basic skills in legal research and writing.

COURSE REQUIREMENTS AND EXPECTATIONS:

Attendance is essential to your success in this class. Therefore, students are expected to attend all classes. Excused absences include university-sanctioned events, illness and family emergencies. Students should become engaged in interactive learning processes, participate

in classroom discussions, and ask questions when a particular topic or point is unclear. Appropriate professional behavior demonstrating respect for fellow students and instructor is expected.

EXAMS AND ASSIGNMENTS

1. Students will complete two exams (100 points each) and a final exam.
 - The final exam, which will be partially comprehensive, will worth 140 points.
 - First part of final exam will be on material since exam II (100 points), and the second part (40 points) will be on material covered by exam I and II.
2. There will be 3 quizzes, 20 points each.
 - Each student is allowed to drop their lowest quiz score
 - Thus, you will have up to 40 points for quizzes
3. You may earn up to 20 points for attendance/participation, and each unexcused absence will result in a 2-point deduction from your overall score. An excused absence requires prior approval by the instructor.

GRADING:

1. Course assignments and points:

Exam I	100
Exam II	100
Final exam	140
Quizzes	40
Attendance/participation	20
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TOTAL POINTS	400

2. Grade scale

<u>Grade</u>	<u>% of Total Points</u>
A	≥92
A-	88- 92
B+	85 –88
B	82 – 85
B-	80 – 82
C+	77 – 80
C	72 – 77
C-	70 – 72S

3. Exams will cover material discussed in classes and lecture notes and reading assignments.

STUDENTS WITH DISABILITIES:

WSU

Reasonable accommodations are available for students with a documented temporary or permanent disability. If you have a disability and may need accommodations to fully participate in this class, please visit the Access Center (Washington Building 217) to schedule an appointment with an Access Advisor. All accommodations MUST be approved through the Access Center.

UI

Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Please notify your instructor(s) during the first week of class regarding accommodation(s) needed for the course. All accommodations must be approved through Disability Support Services located in the Idaho Commons Building, Room 306; phone 885-6307; email at dss@uidaho.edu; website at www.access.uidaho.edu or www.webs.uidaho.edu/taap.

CAMPUS SAFETY:

Washington State University is committed to maintaining a safe environment for its faculty, staff, and students. Safety is the responsibility of every member of the campus community and individuals should know the appropriate actions to take when an emergency arises. In support of our commitment to the safety of the campus community, the University has developed a Campus Safety Plan, <http://safetyplan.wsu.edu>. It is highly recommended that you visit this web site as well as the University emergency management web site at <http://oem.wsu.edu/emergencies> to become familiar with the information provided.

ACADEMIC HONESTY:

Students who violate WSU's Standards of Conduct for Students will receive an F as a final grade in this course, will not have the option to withdraw from the course and will be reported to the Office of Student Standards and Accountability. Cheating is defined in the Standards for Student Conduct WAC 504-26-010 (3). It is strongly suggested that you read and understand these standards: <http://conduct.wsu.edu/default.asp?PageID=338>.

PLAGIARISM:

Plagiarism is defined by Webster's Dictionary as, "*to steal and pass off the ideas or words of another as one's own.*" There are two general forms of plagiarism:

- (a) Unintentional: the use of other writers' words, phrases, sentences, paragraphs as though they were your own *without understanding* the need to cite the original source. Unintentional plagiarism normally occurs when the individual does not understand the conventions of scientific writing and the need to cite sources of information.
- (b) Intentional: the use of another writers' work and claiming it as your own. Intentional plagiarism includes *knowingly copying* or incorporating sections of books, articles, or other sources into your work without citation.

To evade plagiarism, you must acknowledge the source of information. In scientific writing, this can be performed in the text of your work through the use of surnames of authors and the year of publication (e.g., Smith et al., 2003) or by using numbers enclosed by parentheses which correspond to specific citations in the reference section. In addition to employing citations in the text, plagiarism can be avoided by applying special techniques when writing about information obtained from a source:

(a) Paraphrase: rewording information in which you accurately present the main ideas from the source but do so using your own organization, words, and sentence structures.

(b) Summary: a concise statement of the main idea from a section within a source.

(c) Direct quotation: use of quotes surrounding the passage written by another author.

In general, paraphrasing (a) and the use of summary statements (b) are very common techniques used in scientific writing. Use of quotations (c) in scientific writing is rare and should be avoided.

Plagiarism is dishonest and is **not** tolerated. If caught using all or portions of a current or former classmate's writing or other sources of information (e.g., purchase a paper), a grade of "zero" will be given for the exercise. Additional penalties for plagiarism are possible as outlined in the *Washington State University Student Handbook*.

Students with Disabilities: Reasonable accommodations are available for students with a documented disability. If you have a disability and may need accommodations to fully participate in this class, please visit the Disability Resource Center (DRC). All accommodations **MUST** be approved through the DRC (Admin Annex Bldg, Room 205). Please stop by or call 509-335-3417 to make an appointment with a disability specialist.

Safety on Campus: WSU/UI is committed to maintaining a safe environment for its faculty, staff, and students. Safety is a priority in which the university invests significant time and resources. We have emergency plans and procedures that are reviewed regularly and that can be implemented quickly in a crisis or emergency. Please visit <http://oem.wsu.edu/emergencies> to become familiar with the student and classroom emergency information provided.

COURSE OUTLINE

Approximate listing of dates and corresponding topics.

<u>Week</u>	<u>Date</u>	<u>Day</u>	<u>Topic(s)</u>
1	1/13/14	M	Historical basis for food laws.
	1/15/14	W	Food Regulatory Agencies. Statutes and Regulations. Administrative law
	1/17/14	F	Food Drug and Cosmetic Act – General Provisions – Foods and Supplements Project 1: What is the Trans-Pacific Partnership? How will food safety and trade be impacted? Short presentations on 1/231
2	1/20/14	M	Martin Luther King Day
	1/22/14	W	International Food Law Harmonization, Codex Alimentarius, WTO, ISO and third party audit programs
	1/24/14	F	Food Safety Modernization Act
3	1/27/14	M	Food Safety Modernization Act and International Trade

	1/29/14	W	Food Safety Modernization Act and International Trade
	1/31/14	F	Project 1- Short presentations: TransPacific Partnership – Defining issues with food safety harmonization. Define issues and work plan for development of a white paper on identified issues.
4	2/03/14	M	Civil procedure – key issues; products liability
	2/05/14	W	Civil procedure – key issues; products liability Project 2: Determine parties and issues. Plaintiffs draft complaint. Due 2/5.
	2/07/14	F	Food Recalls and Traceability, recent produce outbreaks; Environmental Laws - Genetically Modified Foods/Associated Regulations - The EPA, GAP and FSMA Compliance Issues
5	2/10/14	M	Environmental Laws - Genetically Modified Foods/Associated Regulations - The EPA, GAP and FSMA Compliance Issues Project 2: Complaint due. Defendants prepare answer. Due 2/14. Set deposition dates.
	2/12/14	W	Environmental Laws - Genetically Modified Foods/Associated Regulations - The EPA, GAP and FSMA Compliance Issues
	2/14/14	F	Nanny laws - Fat taxes, Nutritional Labeling, Trans-fat and food service liability Project 2: Answer due.
6	2/17/14	M	Nanny laws - Fat taxes, Nutritional Labeling, Trans-fat and food service liability
	2/19/14	W	Intellectual property- Patent, trademark, copyright, branding, lincensing
	2/21/14	F	Project 1: Progress to date and compilation of white paper materials
7	2/24/14	M	Project 2: Preparation for mini trial
	2/26/14	W	Project 2: Preparation for mini trial
	2/28/14	F	Project 2: Depositions
8	3/03/14	M	Project 2: Depositions
	3/05/14	W	Food advertising
	3/07/14	F	Contracts and commercial law
9	3/10/14	M	Project 1: Discussion – Intellectual property, commercial law and other issues with TPP
	3/12/14	W	Project 1: Final presentations: International Harmonization and TPP
	3/14/14	F	Project 1: Final presentations: International Harmonization and TPP
10	3/17/14	M	Spring Break No Class

	3/19/14	W	Spring Break No Class
	3/21/14	F	Spring Break No Class
14	3/24/14	M	Mock trials
	3/26/14	W	Mock trials Project 1: Final white paper due April 4.