

ANNUAL REPORT 2019-20



**CANADIAN
ASSOCIATION FOR
FOOD LAW AND POLICY**

MESSAGE FROM THE PRESIDENT



Dear Members,

As I sit down to write this letter, my phone is reminding me that four years ago I was travelling to Halifax to attend Canada's first conference dedicated to the field of food law and policy. What an incredible four years it has been since many of us gathered at Dalhousie University and discovered an impressive community of food law and policy scholars, practitioners, students and enthusiasts. I am grateful to Jamie Baxter and Glenford Jameson for bringing us together in 2016 and planting the seeds of what would become the Canadian Association of Food Law and Policy a few years later.

The conversations about creating a national association began in earnest during the 2017 conference at the University of Ottawa. In the year that followed, there were countless conference calls, in-person discussions at the third conference at Université Laval in 2018, and many emails between a group of generous and dedicated volunteers, until the CAFLP was formally incorporated in 2019. Our first meeting of members was held at our fourth annual conference, which took place at the University of Toronto last year. Since then, our ad hoc governance structure has formalized. Our Operations Committee is now led by two extraordinary leaders in our community: Marsha Cadogan (Practitioner Co-Chair) and Nadia Lambek (Academic Co-Chair). The transition from our inaugural Board of Directors to our current Board of Directors included filling the positions of President, Vice-President, Secretary and Treasurer.

In this report, you can read more about the people who make up the Operations Committee and Board of Directors. Heartfelt thanks to each and every one of them for their work and commitment to building the CAFLP in its early years.

While we had all hoped to hold our second meeting of members in beautiful British Columbia at the Allard Faculty of Law, the pandemic has forced us to connect virtually this year. However, despite the distance, connection remains important for our collective work to strengthen our food systems, to make them resilient and sustainable in the face of a global climate crisis, and to ensure they are fair for producers, workers, and consumers. COVID-19 has revealed many existing inequities in our food system. On the one hand, it has been heartening to see how the pandemic has fostered broader public interest in our world of food law and policy. On the other hand, it remains unclear if genuine policy change that so many experts in our field are calling for will be part of the pandemic recovery.

During these uncertain times, there is room for doubt, but also space for hope. One of the things that gives me hope is seeing our members working to advance the field of food law and policy through their publications, their media engagement, their commitment to pursuing postgraduate studies, and their real desire to engage with one another. This report highlights some of these contributions, and I look forward to following our members' accomplishments in the year ahead. We know better than to waste a good crisis when there is work to be done.

Sarah Berger Richardson
President, CAFLP



MESSAGE FROM THE OPERATION CO-CHAIRS

Dear Members,

It has been an exciting year for the CAFLP. We kicked off the year in November 2019 with our 4th annual conference, hosted by the University of Toronto Faculty of Law. The conference, [From Microbes to Multinationals: The Many Scales of Food Law and Policy](#), brought together some 100 speakers and over 200 participants for three days of panels, workshops, socials and meetings. Highlights included our multiple keynotes tackling different questions of scale in food system governance, our annual [updates in food law and policy panel](#) and a reception hosted by [Suresh Doss](#) featuring food from a number of Toronto-based newcomer chefs. We were delighted with all the student presentations in the [emerging voices in the academy and practice panel](#) and our esteemed panel of judges was proud to award Jenna Khoury-Hanna the Gowling WLG – Joe Taller Prize for Emerging Voices in Food Law for her presentation.

For those who missed the conference or want a recap, check out the [32 blog posts](#) documenting the events prepared by the amazing CAFLP Student Network members. During the conference we also held our first CAFLP Meeting of the Members where we elected a new Board of Directors and the first Operations' Committee.

In late 2019, the CAFLP Student Network launched a [Mentorship Program](#) led by Victoria Baylis and Terra Duchene. Food law is a wonderfully amorphous and varied area of law, making it difficult for burgeoning scholars and practitioners to access information about practicing and studying food law and policy. Through the Mentorship Program, the Student Network aimed to connect those studying and/or hoping to practice in the broad field of food law and policy with more experienced folk in order to both foster relationships as well as offer advice and support. A total of 13 mentors and 18 mentees are now participating in the program. A new call for mentors and mentees will be announced in 2021 for those looking to join the program.

We spent early 2020 planning our next conference to be hosted by the University of British Columbia, Peter A. Allard Faculty of Law, however, COVID-19 threw a wrench in the plans. Rather than go straight online, we decided to postpone the conference until we could meet together in person.

Continued on the next page.

MESSAGE FROM THE OPERATION CO-CHAIRS

Continued

As it has becoming increasingly clear, it will be awhile yet before we can gather in person. We have therefore now decided to host our 5th conference, [Governing Territorial Food Systems: Legal Obstacles and Opportunities](#), online in spring 2021. More details to come soon, so keep an eye on the listserve.

Over the past few months, we have been having conversations in various groups about issues in our food system made more visible by COVID-19 and the responses of governments. One of these conversations led to our first webinar in our [Food Futures Webinar Series](#), Trade and Food Security in the Time of COVID-19. If you missed it, don't worry – you can watch it online [here](#). We have more webinars in the works and if you would like to assist in organizing them, please reach out to nadia.lambek@mail.utoronto.ca.

Our blog, edited by the wonderful Sabrina Tremblay-Huet continues to be active and a great place for sharing of information. Check out new posts by students at the Faculté de droit civil, Université d'Ottawa on [COVID-19 and remittances](#) and [rights of temp workers](#). If you are interested in writing something for the blog, please reach out to Sabrina – we would love to feature your entry. If you are a student, and are interested in writing, but aren't sure what to write about – please reach out to Sabrina.Tremblay-Huet@usherbrooke.ca as we have a long list of potential topics waiting for someone to take the lead.

Our listserve has been at times active (and at times a little more sleepy). It offers a great way for members to share interesting articles in food law and policy, some of which we have collected on the website under the tab [Food Law and Policy in the News](#), as well as upcoming webinars, new publications and important decisions in food law and policy. We urge you to share more on the listserve!

Behind the scenes, we have been updating our website, having conversations with interested students, thinking about how to better address questions of equity in our work, and brainstorming new activities for the upcoming year. If you have any ideas or would like to work on a project, let us know – we would love to hear from you!

Thank you all for your membership, engagement and work towards improving our food systems. Please take care of yourselves during these strange times.

Sending warmth, solidarity and hopes that your next meal is a good one,

Marsha Cadogan & Nadia Lambek
Operations Committee Co-Chairs, CAFLP



Who We Are

Board of Directors

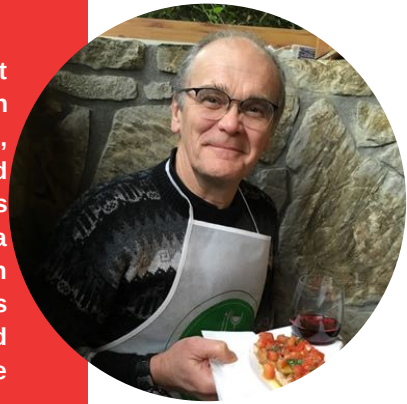


Sarah Berger Richardson, President

Sarah is an Assistant Professor at the University of Ottawa's Faculty of Law (Civil law section), where she teaches food and agricultural law, civil liability, and administrative law. Her research focuses on the regulation of food production and farming, with a particular emphasis on the meat industry. She holds a doctorate from McGill University's Faculty of Law and her dissertation examined the ways that socio-cultural and moral perspectives about how livestock should be raised and slaughtered are considered in the design of meat inspection systems. In 2018-2019, she was a visiting fellow at the Schulich School of Law at Dalhousie University. She holds a Master of Law (LL.M) from Tel Aviv University, where she was a research fellow at the Manna Center in Food Safety and Security. Previously, she served as a law clerk at the Supreme Court of Israel and the Canada Agricultural Review Tribunal.

Don Buckingham

Raised on a farm in Saskatchewan, Don came to appreciate the effort required to produce a vibrant rural agricultural community. As his parents greatly valued education, after high school Don completed a B.A. in French literature, and an advanced degree in international development studies, and then bachelor, master and doctorate level degrees in law with a focus on agriculture and food law. Don's professional life has taken him across Canada and abroad. As a lawyer, he has served as private practitioner, university professor, government advisor, administrative judge and CEO of a food and agriculture think-tank. He continues to enjoy serving at home and abroad through volunteer and professional avenues in the agriculture, food, environment and faith worlds. His family, now with grandchildren, inspires and sustains him. And as a "foodie" family, preparing and enjoying good meals provide splendid opportunities to discuss the complexity of food, agriculture and all creation.



Carmen Francis

Carmen is an international trade and regulatory lawyer with McCarthy Tétrault LLP. In the regulatory sphere, her expertise tracks the entirety of the food product continuum: from product inception (including legal viability of products being introduced into the Canadian market), to product composition, ingredient listings, marketing and advertising claims, packaging and labelling, to import and export quotas and customs compliance, and ultimately to product recalls and engagement with Canadian regulators. Carmen's practice has also focused on the intersection of food law and policy and international trade flows – a perspective that has become increasingly relevant as we weigh the balance between globalized production and the demand for domestic, localized sourcing. Within her international trade practice, Carmen has significant experience acting for clients in anti-dumping investigations and litigation, international investment disputes, import and export control matters, and customs and sanctions compliance.

Alix Génier

Alix recently completed her articles for the Québec Bar at the Bureau d'Aide Juridique in Joliette. She is now working as a policy analyst with at Collectif Récolte. Her passion for justice in food systems, both at the local and global level, inspired her to pursue her studies in law. Alix hopes to establish a career working in food and agricultural policy with an eye towards making our food systems more just, sustainable, and equitable for all. Alix is also involved in grassroots community activism and volunteers with several organizations advocating for food justice and food sovereignty. Previously, she was a coordinator at the McGill Food and Agricultural Law Clinic.





Amélie Gouin, Secretary

Amélie is a senior associate at Borden Ladner Gervais LLP. She specialises in commercial litigation and practices mainly in the fields of competition law, advertisement and marketing, extraordinary recourses, shareholder disputes, fraud and intellectual property. She completed her studies in civil law and common law at McGill University. Since 2011, Ms. Gouin has been involved in the activities of the Young Chamber of Commerce of Montreal. She currently serves as supervising lawyer for McGill's Food and Agriculture Law Clinic.

Glenford Jameson, Vice-President

Glenford's practice is focused on corporate-commercial and regulatory issues. His business law experience is on transactional and commercial matters, including mergers and acquisitions, private equity financing, and a broad range of business law issues, and his regulatory experience involves working with clients to manage permissive processes or enforcement actions by Health Canada or the CFIA in the food context. He has significant industry experience in the food sector, relating to domestic and international organizations that encounter a high degree of provincial/federal regulation and those that seek to challenge regulatory regimes under which food is produced and sold in Ontario and Canada. His clients include start-ups, not-for-profits, SMEs, governments, and multinationals.



Jean-Pierre Levesque, Treasurer

Jean-Pierre is a lawyer at Cain Lamarre, where he practices in business law and agricultural and agri-food law. In the field of agricultural law and agri-business, Jean-Pierre works in regulatory compliance, food processing and marketing, product recall and penalties and offenses. He advises and defends the interests of agricultural producers and processors before the appropriate authorities, in particular the Régie des marchés agricoles et alimentaires du Québec.

Heather McLeod-Kilmurray

Heather McLeod-Kilmurray is a Professor at the Centre for Environmental Law and Global Sustainability (CELGS) at the Faculty of Law, University of Ottawa. Her research deals with toxic torts, environmental justice, the relationship between science and courts, and food law including GMOs and industrial factory farming. She is co-author of *The Canadian Law of Toxic Torts* with Prof. Lynda Collins, and co-editor of *Canadian Food Law and Policy* with Profs. Nathalie Chalifour and Angela Lee. She is a former part-time member of the Ontario Environmental Review Tribunal.



Kathleen Sullivan

Kathleen Sullivan is one of Canada's most dynamic and experienced agri-food industry leaders with a 25 year career in Canada's food sector. In August 2018, Kathleen was appointed as CEO of the newly-formed Food and Beverage Canada – Aliments et boissons Canada – an organization representing Canadian food and beverage manufacturers. Kathleen has held a number of senior positions in Canada's agri-food sector including Executive Director of the Canadian Agri-Food Trade Alliance, President of the Canadian Agri-food Policy Institute, General Manager of the Animal Nutrition Association of Canada and President Sullivan Consulting. Kathleen has a Bachelor of Commerce degree from Carleton University and a law degree from the University of Western Ontario.

Who We Are

Operations Committee

Co-Chairs



**Marsha Cadogan
(Practitioner Chair)**

Dr. Marsha Simone Cadogan is an international intellectual property rights lawyer with expertise in trademarks, geographical indications (food and non-food based), design rights and copyright law and policy. Other aspects of her work include emerging technologies (artificial intelligence, blockchains and 3D printing automation) interface with intellectual property law, preferential free trade agreements and the direction of IP laws and, international law theories and sustainable development. She has a PhD in intellectual property rights and is called to the Bar of Ontario. She is also the Canadian representative on AIPPI's (International Association for the Protection of Intellectual Property Rights) Standing Committee on Geographical Indications.



**Nadia Lambek
(Academic Chair)**

Nadia is an SJD candidate at the University of Toronto, and a human rights lawyer, researcher and advocate focused on food system transitions and the rights of working people. Nadia is adjunct faculty at Vermont Law School where she teaches courses on global food security governance. In 2018, she worked with the Civil Society and Indigenous Peoples' Mechanism to the UN Committee on World Food Security on a report monitoring realization of the right to food. She is an editor of *Rethinking Food Systems: Structural Challenges, New Strategies and the Law* (Springer 2014).

Student Network Co-Chairs



Jessica Cytryn

Jessica is an articling student at McCarthy Tétrault LLP where she works on matters in business law, consumer law, and the food, beverage and agribusiness sectors. Jessica worked in the restaurant industry for 11 years, holds a WSET Level 2 Award in Wine and Spirits, and is the President of the Montreal Restaurant Workers Relief Fund. She organizes wine tastings in her spare time.



Terra Duchene

Terra is currently pursuing an LLM at UCLA. She holds a law degree from Windsor Law, where she held positions including Editor-in-Chief for the Windsor Review of Legal and Social Issues, Senior Editor of the Canadian Bar Review, co-organizer of two food law panels, president of the Environmental Law Society and Cycling Association of Windsor Law, and board member of the Campus Community Garden. Previously, she worked in Ireland managing a restaurant. Her interest in food law is praxis oriented and she enjoys foraging and fermenting.



**Sabrina
Tremblay-Huet**

Sabrina Tremblay-Huet is a doctoral candidate in law at the University of Sherbrooke. She is a research assistant for a project on labelling of food products of animal origin within the context of the Legal Research Chair in Food Diversity and Security. Her research interests are international legal theory, human rights and animal law.



**Jessica
Dufresne**

Jessica Dufresne is a lawyer and member of the Québec Bar. She holds law degrees from Université Paris-1 Panthéon Sorbonne and Université Laval as well as a LLM in international law from Université du Québec à Montréal (UQAM). She is currently pursuing doctoral studies at the University of Ottawa (Faculty of Law, Civil Law Section) where her dissertation focuses on the role of municipalities in the realisation of the right to food in Canada. Beyond her scholarship, Jessica is also involved in community initiatives that advance the right to food in Quebec and Canada.



Alyssa Brierley

Alyssa Brierley is the Executive Director and General Counsel of the Centre for Equality Rights in Accommodation (CERA), Canada's leading NGO working to advance the right to housing. She is a lawyer and public policy professional with over a decade of experience in public policy, legal service, research and operations management. Prior to joining CERA, Alyssa served as the health, social, justice and labour policy advisor to the President of the Treasury Board of Ontario and as the Director of Policy to the Minister of Economic Development, Employment and Infrastructure. Alyssa has also worked as a legal research and communications advisor to the UN Special Rapporteur on the Right to Food, as a lawyer and policy analyst at the Ontario College of Teachers, and completed her articles at Torys LLP. Alyssa holds a BA from the University of Waterloo, an MA in Political Science from York University, a Juris Doctor from Osgoode Hall Law School and is completing a Ph.D. in Political Science at York University, focused on the right to food in India.



CAFLP BLOG HIGHLIGHTS

The CAFLP Blog has been a fixture of the association from its very beginning and active since 2017. It felt important to provide a forum for a dynamic exchange of ideas on food law and policy. Over the years, the blog has provided a space for members of our community to share opinions, provide updates, highlight takeaways from our annual conferences, and celebrate the work of leaders in the field. Last year, session reporters blogged about the 2019 CAFLP conference at University of Toronto. In the span of a week, no fewer than 32 posts were written on a wide range of topics including blockchain, food labelling, global food supply chains, alternative proteins, justice for migrant farmworkers, Canada's national food policy and so much more.

"[...] Pat urged the legal community to view the field of Food Law and Policy as an interdisciplinary area that requires cooperation across fields. Areas such as competition law need to work alongside safety regulation and human rights law. Only when we recognize the various facets of law and policy's role in the food system can we come up with effective solutions."

Madeleine Andrew-Gee

Beyond capturing conference highlights and sharing them with the broader public, these blog posts also provide an opportunity for law students to hone their writing skills while engaging substantively with emerging issues in the field.

"Dans le cas des travailleurs dans le secteur agroalimentaire, les risques ne sont pas uniquement pour la santé physique, mais également pour la santé mentale. Comment se fait-il que le secteur d'activités avec l'un des plus grands risques de blessures ne fasse toujours pas partie de l'un des groupes prioritaires au sens de la loi?"

Charles Pothier-Levasseur

Most recently, the blog has also provided a forum for two law students at the University of Ottawa to post their reflections on some of the ways that COVID-19 has impacted our food systems and the agricultural labour force. In her blog, Nicole Camacho examines how COVID-19 is contributing to a downturn in global remittances and the impact of this on global food security. For his part, Charles Pothier Levasseur explores the timely question of occupational health and safety of agrifood workers employed through temporary placement agencies, a topic that will be of interest to many of our members working in the food and beverage industry.

The blog is well on its way to accomplishing its mission of providing an important platform for all actors in food law and policy, including students. If you wish to submit a blog post on any topic related to the association's mission, please email Sabrina Tremblay-Huet, blog editor, to pitch your idea at: sabrina.tremblay-huet@usherbrooke.ca.

NEXT CAFLP CONFERENCE

May 13 - 15, 2020

Originally scheduled for November 2020, our 5th conference has been moved online and will be held over 3 days in May 2021 (May 13-15). The conference is hosted by the University of British Columbia, Peter A. Allard Faculty of Law, and the theme is Governing Territorial Food Systems: Legal Obstacles and Opportunities. Recognizing that we have all been increasingly tied to our computers, we are working hard to develop a creative and engaging approach to the online platform. We will soon be sending around a “call for ideas”, soliciting specific topics and speaker recommendations for each event. The conference will address a number of issues currently plaguing our food systems, turning to the potential solutions presented by territorial food systems. The conference will continue to focus on the importance of Indigenous governance and Indigenous approaches to food sovereignty as valuable sources of guidance, highlighting any differences from the current Western approach. We will address whether territorial food systems offer a viable alternative to the current globalized model; whether they could better address racial injustices within our food systems, help alleviate the effects of climate change, and increase access to food. We will also investigate the impacts that Covid-19 has had on global, as well as more local supply chains.

Conference Chairs



Victoria Baylis



Stephen Wood

Conference Organizing Committee Members

Sarah Berger Richardson

Abra Brynne

Marsha Cadogan

Jessica Cytryn

Patricia Galvao Ferreira

Amelie Gouin

Glenford Jameson

Nadia Lambek

Lauren McCulloch

Heather Mcleod-Killmurray

Linda Nowlan

The Canadian Association for Food Law and Policy

GOVERNING TERRITORIAL FOOD SYSTEMS: LEGAL OBSTACLES AND OPPORTUNITIES



5TH ANNUAL
CANADIAN FOOD
LAW AND POLICY
CONFERENCE

MAY 13-15, 2021

Do place-based territorial food systems offer a viable alternative to the global food market? Could such systems meet the demands for food in individual communities around the world? What legal, political or social barriers do territorial food systems face?

Stay tuned to learn more!

Visit: foodlaw.ca



PETER A. ALLARD
SCHOOL OF LAW
THE UNIVERSITY OF BRITISH COLUMBIA

75TH
ANNIVERSARY



CENTRE FOR
LAW & THE ENVIRONMENT

News From Our Members

IN THE COMMUNITY

Jessica Cytryn co-founded the Montreal Restaurant Workers Relief Fund in March. Through an active crowdfunding campaign and several partnerships with Montreal businesses, the initiative has raised over \$200,000 and has helped almost 1,000 food service workers who have been laid off or had their hours reduced due to COVID-19.

In January, **Nadia Lambek** took up the position of co-facilitator of the Youth Working Group for the Civil Society and Indigenous Peoples' Mechanism to the UN Committee on World Food Security. After a collective elaboration process, last month the working group released its Youth Demands for a Radical Transformation of our Food Systems. You can read the policy declaration [here](#), and more about the group's work [here](#).

Jeannette Tramhel gave a webinar for the International Law Institute in May entitled "Food Security: Building Resilience in the Face of Crisis". For those who missed it, a recording available [here](#). In June, she organized a panel discussion for the OAS Secretariat for Legal Affairs entitled "Food Security as a Challenge in Post COVID-19" - recording and transcript available [here](#).

CONGRATULATIONS!

Sophia Murphy joined the Institute for Agriculture and Trade Policy (IATP) as executive director in October 2020. Sophia is a leader on global food security, international trade and corporate concentration, focused on the importance of food systems that support rural communities and the environment. She will lead IATP's efforts to bring about policy reforms to ensure fair and sustainable food, farm and trade systems.

Talia Ralph was recently hired as Counsel at Agri-Food Legal Services serving the Canadian Food Inspection Agency and Agriculture and Agri-Food Canada.

Angela Lee joined the Ryerson University Faculty of Law as an Assistant Professor this summer. Prior to joining Ryerson, Angela was the 2019-2020 Schulich Fellow at Dalhousie University's Schulich School of Law.

Jenna Khoury-Hanna was selected for the 2020-2021 Food and Agriculture Graduate Law Fellowship at the Elisabeth Haub School of Law at Pace University. In conjunction with the fellowship, Jenna is also working towards completing an LL.M in Environmental Law with a specialization in land use and sustainable development law

Lauren Martin has taken on a new role with the Canadian Cattlemen Association managing government relations and food policy. Established in 1932, and continually evolving with the industry, the CCA works on a wide range of issues that concern Canadian beef producers. Current key areas of focus include market access and trade regulations, sustainability, animal care, animal health and food safety, grading/inspection, marketing, government and regulatory affairs, fiscal/monetary policy and business risk management.

India Annamantadoo passed the Ontario bar and is now completing her articles with G.S. Jameson & Company

News From Our Members

PUBLICATIONS

Marsha Cadogan, The Prospects and Limits of Blockchain Technologies in the Global Protection of Geographical Indications (2020) 35 Canadian Intellectual Property Review 27 (Read it [here](#))

Geographical Indications in Canada's Food and Beverage Businesses, Lawyers Daily August 4th, 2020, available [here](#).

Implications of International Treaty on Geographical Indications, Lawyers Daily July 27th, 2020, available [here](#).

Renata Pimental Watkin, "La propriété intellectuelle et l'innovation : Les indications géographiques sont-elles compatibles avec l'innovation ?" Paradigms in Intellectual Property Blog, available [here](#).

Adam Houston & **Angela Lee**, "Diets, Diseases, and Discourse: Lessons from COVID-19 for Trade in Wildlife, Public Health, and Food Systems Reform" (2020) 5 Food Ethics, DOI: 10.1007/s41055-020-00075-4.

Don Buckingham, COVID-19 pandemic tests Canada's agri-food supply chain, Food in Canada April 2020 (Read it [here](#))

Sarah Berger Richardson "Worked to the bone: COVID-19, the agrifood labour force, and the need for more compassionate post-pandemic food systems" in Vulnerable: The Policy, Law and Ethics of COVID-19, Colleen M Flood, Vanessa MacDonnell, Jane Philpott, Sophie Theriault & Sridhar Venkapuram (eds) (Ottawa: University of Ottawa Press, 2020) (Available [here](#))