SYLLABUS
NUTRITION LAW AND POLICY
Spring 2016

Course Description and Purpose: Proper nutrition is one of the many contributor’s to overall health and could be one of the most cost-effective approaches to address many of societal, environmental and economic challenges facing the world today. Increasingly, law and policy has been recognized as a high-impact and robust approach for accelerating progress toward reducing and managing nutrition-related chronic diseases such as obesity, cardiovascular disease, type 2 diabetes mellitus and certain types of cancer. In various jurisdictions, policymakers enact courses of action, regulatory measures, laws and policies, and set funding priorities designed to address food insecurity, hunger, obesity prevention, chronic diseases, among other health and well-being concerns. This course focuses on federal, tribal, state and local policies, programs and practices across the globe that improve or hinder healthy eating. Students will examine the evidence informing these courses of action, along with the historical and contemporary legislative, regulatory and judicial aspects. Topics and themes include food and nutrition assistance programs, nutrition labeling and menu labeling, and other environmental and policy strategies to improve access to healthier foods and beverages.

Course Number: LAWG 2099 09       CRN: 29382 (1)

Class Time: Tuesdays 7:55 pm – 9:55 pm

Course Duration: January 19, 2016 – May 17, 2016

Class Location: Georgetown University Law Center, Rm Number Hotung 5021

Total Credits: 2 credit hours

Online Course Site System (Canvas): Monitor Canvas for course materials and announcements. Students are automatically enrolled in Canvas through integration with Georgetown’s Banner registration and will be alerted to Canvas postings via their Georgetown student email. You can get access to the course Canvas site by simply clicking on the “View announcement” link in the course email alert announcement. You can also access the course Canvas site by going to the student portal on the Georgetown Law Center website. A link to Canvas appears under “Quick Links.” To learn how to use Canvas, click on the Help button in the right hand corner on the Canvas website or go directly to the

Class Attendance and Participation: Pursuant to the Georgetown Law Student Handbook of Academic Policies, “[r]egular and punctual attendance at all class sessions is required of each student…A student who, even though registered for a course, has not regularly attended, participated, or otherwise met class requirements may, at the professor’s option, be withdrawn, excluded from attending class sessions, excluded from sitting for a final examination or
submitting a final paper (with the same consequences as a voluntary failure to appear for a final examination or submit a final paper), or receive a lowered grade in the course. Even if a student has passed all examinations, academic credit will not be awarded and no student will be advanced, nor will a degree be conferred, if attendance or participation is unsatisfactory.”

Specifically, absent extraordinary circumstances, if you miss more than 3 classes, you may be withdrawn from this course. I will circulate a sign-in sheet at every class. Except for an emergency situation, students must notify me in advance of a class absence. In accordance with Georgetown University policy to ensure instructional continuity, even when the University is closed due to inclement weather and while rescheduling is an option, efforts will be made to use teleconferencing and web conferencing tools such as Zoom (https://zoom.us/download) to hold a virtual class meeting. Class participation and student conference attendance is factored into a student’s course grade as explained in Grading. Students will be asked to use student name tents during initial class meetings and will be provided input on their class participation during the student conference sessions.

**Late Assignments**: Absent an extension approval due to exigent circumstances, any assignment handed in late will be penalized by a letter grade.

**Final Examination**: In lieu of an in-class exam, a final project revising a written component of one of three assignments described below will be due during the final exam period.

**Course Withdrawal**: With an advisor’s approval, a student may withdraw up to and including the last day of classes for the semester, April 30.

**Grading and Academic Integrity**: Your final grade will be based on the four course oral and written assignments, including the final project of revising one of these written components during the final exam period. The final revision project will be worth 20 percent of the course grade and each of the four assignments will be worth 20 percent of the course grade. Class participation and student conference attendance is factored into a student’s course grade as follows: regular quality contributions to class discussions that build on or complement the teacher and students will lead to an increase of a plus to a letter grade; on the other hand, infrequent contributions or reoccurring disruptive class occurrences such as non-class related Internet or mobile phone usage will result in a decrease of a minus to a letter grade. Student contributions relating to the assignments for the facilitated discussions noted in the course topical activities table will be factored into the class participation grade. Any academic misconduct or violation of lawyer ethics will be reported pursuant to Georgetown Law Student Handbook of Academic Policies. Students in the JD section can elect the Pass/Fail option. LLM students cannot take the course on a Pass/Fail basis.
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<thead>
<tr>
<th>Date</th>
<th>Course Topics</th>
<th>Course Activities and Assignments</th>
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<tbody>
<tr>
<td>1/19</td>
<td>What is nutrition law and policy? How does nutrition law and policy relate to</td>
<td>Prior to the first class, in one to two single spaced pages, summarize a book or news article relevant to this course you have read recently and explain how it influenced your interest in this topic, noting any specific issues you were particularly interested in or lingering questions you hope this course will answer. Student contributions will help shape the course and will be integrated into our introductory facilitated discussion.</td>
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<td>agriculture law, food law, health law and other relevant fields of law?</td>
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-Browse the Dietary Guidelines for Americans, 2015³  
-Students will be assigned a country to review their dietary guidance process and recommendations for a facilitated discussion comparing and contrasting national approaches to dietary guidance |
|       | Nutrition education and promotion                                              |                                                                                                                                                                                                 |
| 2/2   | Nutrition and menu labeling                                                   | -Browse The Nutrition Labeling and Education Act of 1990 (P.L. 101-535)⁴  
-Browse The Dietary Supplement Health and Education Act of 1994 (DSHEA) (P.L. 103-417)⁵  
-Browse FDA Proposed Changes to the Nutrition Facts Label⁷  
-Browse through the FDA Menu and Vending Machines Labeling Requirements web resources, focusing specifically on final rules⁸  
-Browse through Codex Alimentarius Committee on Food Labelling web resources⁹ |
<p>|       | Claims (i.e., nutrient content, health, qualified health, structure/function)   |                                                                                                                                                                                                 |</p>
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<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
<th>Details</th>
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<tbody>
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<td>2/9</td>
<td>Nutrition labeling mock Codex meeting</td>
<td>Students will be assigned a country to represent in a mock Codex meeting, preparing both oral and written testimonies. Further assignment requirements will be provided on 2/2.</td>
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<td>2/16</td>
<td>Faculty retreat – No classes meet</td>
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| 2/23 | Legal approaches to addressing food insecurity, hunger and nutrient deficiencies – overview | - Browse the Draft Framework and Outline for the U.S. Government Global Nutrition Coordination Plan<sup>10</sup>  
- Students will be assigned a country to review their approaches to address food insecurity and hunger for a facilitated discussion comparing and contrasting national approaches  
- Food Standards: Amendment of Standards of Identify for Enriched Grain Products to Require Addition of Folic Acid<sup>11</sup> |
| 3/1  | Food and nutrition assistance programs                     | - Browse through US Nutrition Assistance Programs web resources<sup>12</sup>  
- Review 2014 Farm Bill USDA SNAP Implementation<sup>13</sup>  
- *Kentucky Fried Chicken of Cleveland v. United States* (1971)<sup>14</sup>  
- NYC Removing SNAP Subsidy for Sugar-Sweetened Beverages (2010)<sup>15</sup>  
- Letter to Elizabeth Berlin, Executive Deputy Commissioner, New York State Office of Temporary Disability and Assistance from USDA FNS regarding |
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<td>3/8</td>
<td>Spring break – No classes meet</td>
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| 3/15  | Early infancy and child nutrition including school meal programs                   | -Browse the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296)\(^{16}\)  
-Browse USDA Child and Adult Care Food Program (CACFP) Federal Register Documents\(^{18}\)  
-Browse USDA Women, Infants and Children (WIC) Interim Rule – Revisions to the WIC Food Package\(^{19}\)  
-Browse the National Conference of State Legislatures Breastfeeding State Laws\(^{20}\)  
-Students will be assigned a country to review their school meal programs for a facilitated discussion comparing and contrasting national approaches. |
| 3/22  | Food assistance legislative writing workshop                                       | Students will be assigned to draft a legislative communication about a food and nutrition assistance program of their choice and then will participate in a peer-review workshop to garner input before submitting their final draft. Further assignment requirements will be provided on 2/23. |
| 3/29  | Legal approaches for addressing nutrition-related chronic disease prevention and health promotion – Overview | -Brennan et al. Childhood Obesity Policy Research article\(^{21}\)  
-Pratt Public Health Paternalism law review\(^{22}\)  
-Perdue Built Environment article\(^{23}\)  
-Skov, et al. Choice Architecture article\(^{24}\) |
| 4/5   | Class will not meet at the scheduled time – students will be scheduled for a 45-minute student conference between 3/29 and 4/12 to discuss feedback on class participation and course projects to date |                                                                                                                                     |
| 4/12  | Legal approaches to dietary fat reduction and promotion of healthier fat options   | -Browse FDA Cuts Trans Fat in Processed Foods web resources\(^{25}\)  
-\textit{Washington Post} whole milk article\(^{26}\)  
-Browse Codex Standard for Fats and Oils\(^{27}\) |
| 4/19  | Legal approaches to added sugars reduction                                         | -Browse FDA Proposed Changes to the Nutrition Facts Label – particularly relating to added sugars\(^{28}\)  
-Browse Codex Standard for Sugar\(^{29}\)  
-Powell Food and Beverage Taxes article\(^{30}\)  
-Navajo Nation Junk Food Tax media article\(^{31}\)  
-USDA FNS Sales Tax Retailer Notice\(^{32}\) |
| 4/26  | Town hall presentations                                                            | Students will be assigned to support or |
oppose either soda portion size restrictions or soda taxes, providing both oral and written testimony in a mock town hall style presentation. At the town hall, students will have time to respond to arguments made by their opponents. Further assignment requirements will be provided on 3/22.

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<td>5/3</td>
<td>Legal approaches to sodium reduction</td>
<td>Students will be assigned to review two public comments submitted to the FDA docket on Approaches to Reducing Sodium Consumption for a facilitated discussion about past, present and potential approaches. Further assignment requirements will be provided on 3/22.</td>
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<td>5/10</td>
<td>Food marketing to children mock congressional hearing</td>
<td>Students will be assigned roles in a mock Congressional Hearing on food marketing to children. Further assignment requirements for this oral only – no written aspect - will be provided on 3/29.</td>
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<td>5/17</td>
<td>Final project due</td>
<td>Further assignment requirements will be provided on this final project focused on revising one of the three written components assigned for this course on 3/29.</td>
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**Grades Due By:**
Graduating Students - Friday, May 20, 2016 by NOON
Non-Graduating Students - Friday, June 3, 2016 by NOON
