



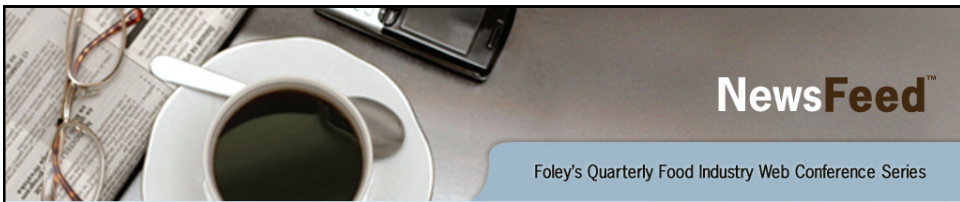
NewsFeed™
Foley's Quarterly Food Industry Web Conference Series

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July 19, 2007

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Today's Presenters



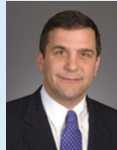
Lance Kotschwar



Vicki Hicks



Sarah Key



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Housekeeping

- We will take questions throughout the program via the Q & A box at the bottom of your screen and live questions at the end of the program
- Foley will apply for CLE credit after the Web conference. If you did not supply your CLE information upon registration, please e-mail it to mlopez@foley.com
- Today's program is being recorded and will be available on our Web site
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The 2007 Farm Bill

Farm Bill Overview

- Commodity Provisions
- Fruit and Vegetable Provisions
- Organic Programs
- Energy Provisions

Commodity Provisions

- Extends farm subsidy programs, with increases in target prices for wheat, barley, oats, oilseeds, and soybeans
- Increases loan rates for wheat, barley, oats, oilseeds, small chickpeas and graded wool. Also establishes separate loan rates for long grain and medium/short grain rice, and for feed and malt barley
- Raises marketing loan rate for sugar and changes the overall allotment quota as a minimum of 85% of domestic consumption

Fruit and Vegetable Food Safety

- Authorizes USDA to approve producers' requests to include in marketing orders good handling practices and other methods to ensure the safety and wholesomeness of fruits and vegetables
- Directs USDA to develop assessments of pest and disease threats and to establish priorities to defeat them
- Provides funding for new programs of joint action between Federal and state governments to provide early detection and surveillance of plant pests and diseases

Support for Organic Farmers

- Provides \$22 million in mandatory funding for the National Organic Certification Cost-Share Program that defrays the costs producers and handlers incur when seeking organic certification

Energy Provisions

- Provides up to \$2 billion in loan guarantee authority for biorefineries to help finance the cost of developing and constructing biorefineries and biofuel production plants to demonstrate the commercial viability of converting biomass to fuels or chemicals
- Provides \$1.5 billion to continue the Bioenergy Program, which provides production incentives for increases in production of ethanol and biodiesel made from agricultural and forestry crops, and associated waste materials, including animal manure and livestock/food processing waste
- If costs can be offset, bill creates a biomass energy reserve program to encourage the production of feedstocks for cellulosic ethanol and provides for 5 year contracts for producers to grow dedicated energy crops
- If costs can be offset, continues to promote the Federal procurement of biobased products, clarifies that products with at least five percent of intermediate ingredients and feedstocks that are biobased should be considered for the preference

Food Safety Oversight and Regulatory Reform: What's on the Menu?

Major Food Safety Developments Prompting Calls for Reform

- September 2006
 - E. Coli outbreaks in spinach
- December 2006
 - E. Coli outbreaks at Taco Bell restaurants
- February 2007
 - Salmonella contamination in ConAgra peanut butter
- March 2007
 - Pet food contamination resulting from Chinese wheat gluten containing melamine

Congressional Committees Hold Several Hearings to Examine the Problem

- April 2007
 - House Energy and Commerce Committee, Subcommittee on Oversight and Investigations
- May 2007
 - House Committee on Oversight and Government Reform
- May 2007
 - House Committee on Agriculture
- July 2007
 - House Committee on Energy and Commerce, Subcommittee on Oversight Investigations

Major Policy Issues Arising from Food Safety Developments and Oversight Hearings

- Mandatory recall authority for FDA
- FDA's ability to ensure the safety of imported foods

What to Expect in the Future

- FDA already beginning to respond on import safety – June 2007 – FDA detains imports of farm-raised Chinese seafood for unapproved drug residues
- Likely to see increased appropriations allocations for FDA's food safety and import inspection activities
- May see mandatory recall authority for FDA

Big Changes Come in Small Packages: The Regulatory, Intellectual Property, and Public Policy Implications of the Use of Nanotechnology in Food Applications

- **Introduction: Keys to Understanding Nanotech Legal Issues**

- Michael R. Pontrelli

- **Regulatory/Public Policy Issues**

- Mark Mansour

Origins of Nanotechnology



“What would happen if we could arrange the atoms one by one the way we want them” ?

Richard P. Feynman
December 29, 1959

Snapshot of Nanotech Today

- 57 million Google hits
- Featured in President's State-of-the-Union Address
- Growing investment (\$2 billion as of 2006)

What Constitutes Nanotechnology?



Nanotech Industry Models

- “Top Down”
- “Bottom Up”
 - Nanoscale engineering
 - “Self-assembly”

Products Incorporating Nanotechnology

- Health and beauty aids
- Textile fibers
- Sports equipment
- Electronics
- Energy generation/transmission
- Medical devices
- Computing

Food-Related Applications

- Agricultural products
- Emulsions
- Nutraceuticals
- Packaging
- “Interactive” foods

Two Fundamental Features of Engineered Nanomaterials

- Size: Incredibly small
- Variety: Incredibly diverse

Legal Implications

- IP Explosion
- Regulatory/Public Policy Considerations
 - Political perception/pressures
 - Research vacuum
 - Multiplicity of materials/products/processes

Historical Analogs?

- Superconductivity
- Industrial Revolution

Questions & Answers

Contact Us

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