

SUMMER ACADEMY

IN GLOBAL FOOD LAW AND POLICY

PROGRAM

Monday, July 17 2017

2:00 pm-2:30 pm

- **Registration**

2:30 pm-3:00 pm

- **Setting the Scene**

Alberto Alemanno, Jean Monnet Professor, HEC Paris / NYU School of Law in Paris

Introduction to the week and its major themes

- Aims & philosophy
- instructions simulation game

3:00 pm-4:15 pm

- **The International Trade Regime of Food: a WTO perspective**

Erik Wijkström, Trade and Environment Division, Secretary of the WTO Committee on Technical Barriers to Trade at World Trade Organization

4:30 pm-5:30 pm

- **What Role for the Law in the Prevention of Non-Communicable Diseases?**

Alberto Alemanno

Over the last decade, there has been mounting concern about the worldwide spread of the non-communicable diseases (NCDs) and the health and economic burden associated with it, leading up to the adoption of the UN Political Declaration on the Prevention and Control of NCDs and the WHO NCD Global Action Plan for 2013-2020. This session will focus on the role that the law may play in the development, the implementation and the monitoring and evaluation of effective NCD prevention strategies. In particular, it will discuss how Governments may engage with industry operators to ensure a high level of public health protection, while ensuring avoidance of potential conflicts of interest.

- The emergence of lifestyle regulation across the world and its ethical, legal, effectiveness and evidence-base implications
- UN Political Declaration on the Prevention and Control of NCDs
- WHO NCD Global Action Plan for 2013-2020
- Taxonomy of NCD prevention measures

Guided Walking Tour of Getxo, the Basque Coast

Pintxos Tour (dinner)

Tuesday, July 18 2017

9:30 am-10:45 am

- **Chile's "Super 8" front-of-package food labeling law and its interactions with the global health, trade, and investment architecture**

Paul Mertenskoetter, Institute for International Law and Justice at NYU School of Law

The presentation could use the Chilean case study to introduce the different interest groups (economic and social), international rules and institutions (WHO and WTO), and different "parts of the state" with a role in food regulation (parliament, as well as bureaucrats at the ministries of health, finance, foreign affairs, etc.). It could also look toward specific regulatory challenges in low and middle income countries where regulatory capacity and expertise may be lower.

10:45 am – 11:15 am

Coffee Break

11:15 am – 12:30 pm

- **Food Labeling: Can Labels Reshape the World?**

Melissa M. Card, J.D., Associate Director and Food Law Instructor, Institute for Food Laws & Regulations, Michigan State University

- The difference between a label and labeling
- Are labels effective to change consumer behavior? (i.e. eating healthier, buying "green", etc.)
- How to deal with undefined terms that are used on labels to entice consumers to buy a product (i.e. natural, clean, fair trade)
- How can labels/labeling be designed to prompt change in consumer behavior (i.e. eating healthier, buying "green", etc.)?

1:00 pm-2:30 pm

Lunch Break

2:30 pm-3:30 pm

- **The Consumer Information Paradigm: A Critical European Perspective**

Caoimhin Mac Maolain, Trinity College Dublin

This presentation will set out some of the key framework rules on food information, indicating how and why they have evolved into their current format. It will then establish how these labelling and other requirements interact with free movement obligations, showing how, when combined, these laws place stringent restrictions on Member States' ability to adopt and apply national measures designed to properly inform and protect consumers. Finally, as a case study, the presentation will highlight how attempts made in Ireland to combat the harmful effects of alcohol abuse have been curtailed by these legal obligations

3:45 pm – 4:45 pm

- **A Global Perspective through the Lenses of the Latin American Experience**

Oscar Cabrera, Executive Director of the O’Neill Institute for National and Global Health Law and Visiting Professor of Law at Georgetown University Law Center

Law, as part of an integrated approach, can be an important means of reducing overweight and obesity. Rule of law is an essential foundation for strong and sustainable health systems and regulation of the availability, sale, content, and advertising of unhealthy food and beverage products can promote healthier diets. While international instruments such as the Framework Convention on Tobacco Control and the Global Action Plan for the Prevention and Control of NCDs identify evidence-based legal and policy interventions, our analysis of legislation addressing NCD risk factors in Latin America and the Caribbean indicates deficits in overall regulatory capacity, including examples of fragmentation, lack of capacity to monitor implementation, and inadequate regulatory powers to enforce compliance. Other important barriers to the effective use of law as a tool to reduce NCD risk factors include legal arguments against regulation, including freedom of expression arguments against restrictions on marketing, trade arguments against product content regulation, and administrative law arguments such as lack of regulatory authority. Emerging case law, including cases de-linking commercial speech from the right to freedom of expression, indicate that competing rights do not preclude the vast majority of regulatory actions on NCD risk factors, but should be considered and addressed in the formulation of NCD related laws.

**Guided Visit of the Guggenheim Museum in Bilbao (by bus)
Tour along the river and return by boat to Getxo**

Wednesday, July 19 2017

9:15 am – 11:00 am

- **Taxing Food and Beverage Products: A Public Health Perspective**

Jennifer Pomeranz, Assistant Professor at NYU College of Public Health, New York City

- **Taxation to reduce the consumption of energy-dense foods: the case of SSB**

Anita George, Senior Legal Policy Advisor, McCabe Centre for Law & Cancer, Australia

A growing number of countries have recently implemented, or announced plans to introduce, SSB taxes or other fiscal measures to promote healthy diet and reduce the consumption of HFSS foods. Yet countries seeking to implement the taxes have been met with resistance from the food and non-alcoholic beverage industry, claiming that fiscal measures infringe domestic and international trade and investment laws. These arguments are strikingly similar to those raised by the tobacco industry in response to tobacco control measures. In this presentation, we draw four key lessons from legal challenges to tobacco control measures that may assist countries to design effective and robust tax measures and counter food & non-alcoholic beverage industry opposition.

11:00 am -11:30 am
Coffee Break

11:30 am – 12:45 pm

- **Bridging the Gap between Behavioural Policymaking and Obesity: Unleashing the Power of Peers for Healthy Nutrition**

Pelle Guldborg Hansen, University of Roskilde

Obesity has become a growing health concern for European children and adolescents. Statistics show that one out of three children in Europe is overweight or obese. Participating in sports or other types of physical activity can help children maintain a balanced weight and prevent health conditions associated with physical inactivity. But what is the best way to motivate young people to exercise more? Recent studies on physical activity in adults have shown that the social context has a significant impact. One of European leading behavioural scientists will share his most recent research findings.

1:00 pm-2:30 pm
Lunch Break

2:30 pm – 3:15 pm

- **Unlocking the mindful consumer: where business performance and public policy goals meet**

Francesco Tramontin, Director Public Affairs Mondelez International and Chair of the AIM/Nudge Task Force

This panel discussion will feature the perspective of a chocolate company, a consumer organization and policy maker. Panelists will discuss the role of food companies in supporting consumers' mindful food choices and explore the potential for business strategy and performance to align with public policy goals. The panel will review successful examples of companies leveraging their brands' deep connection with consumers to nudge them to make good choices – serving both their bottom line and public policy goals.

3:15 pm – 4:00 pm

- **Business and Human Rights: opportunities and challenges for a food company embarking on the social sustainability journey**

Virginie Mahin, External communications manager at Mondelez Europe

This session will explore the opportunities and challenges food companies face as they broaden their sustainability focus from environmental to social impact, through the case study of Mondelēz International, a global chocolate and biscuits company. While civil society and policy makers sharpen their focus and expectations for businesses to implement the UN Guiding Principles on Business and Human Rights, companies grapple with the breadth of human rights and its implications all along the supply chain: from farmer, to factory, to consumer.

4:00 pm – 5:00 pm

- **Key Note address:**
Dr Ala Alwan, WHO Regional Director Emeritus

Followed by panel discussion and Q&A

- **Alberto Alemanno**, Chair
- **Dr Ala Alwan**
- **Oscar Cabrera**
- **Anita George**
- **Pelle Guldborg Hansen**
- **Jennifer Pomeranz**
- **Francesco Tramontin**

Team work

Free night

Thursday 20 July 2017

9:30 am – 10:45 am

SIMULATION GAME

10:45 am – 11:15 am

- **Coffee Break**

11:15 am – 1:00 pm

SIMULATION GAME – debrief

1:00 pm -2:30 pm

- **Lunch Break**

2:30 pm – 3:15 pm

- **The General Data Protection Regulation and its impact on regulated products**
Alessandro Spina, Data Protection Officer, European Medicines Agency

3:15 pm – 5:00 pm

- **The application of new technologies and internet of thing in the food sector: risks and opportunities**
Cesare Varallo, Food lawyer, foodlawlatest.com founder and Vice President at INSCATECH

Frank Yiannas, Walmart

Alessandro El-Khoury, European Commission, DG SANTE

Francesca Bosco, United Nations Interregional Crime & Justice Research Institute

Today's increasing interconnection and complexity of the supply chain lead food business operators to the realization that every food crisis can become a common problem. Yet food safety and food frauds prevention should not become the object of competition by companies. Rather "cooperation" and "transparency" must be the key words of the next decade. Technology and Internet of Things (IoT) could help food businesses to increase production, save resources, deliver quickly and safely their products all over the world, enhance the supply chain resilience to frauds and manage such complexity. Today we can delegate to drones most of the field operations in the primary production, trace a single object all over the world and even cook with 3D printers, but which could be the side effects of such applications? Is there enough attention to data security and protection? Are the companies seriously considering the risks deriving from hackers' attacks with the aim to get proprietary data or attempt to the safety of our supply chain? In which measure the technology alone could answer to the actual problems of the food system?

- control of the supply chain: structuring and knowing your supply chain, traceability, blockchains and other solutions
- how build an antifraud culture
- the role of whistleblowing protection
- intelligence gathering and unannounced audit
- horizon scanning - vulnerability assessment
- control of the product: testing and checks on ingredients/raw materials.

Followed by Q&A

5:00 pm -5:30 pm

Wrap Up session, feed-back and greetings

Farewell Dinner – Gran Finale