



Facoltà di Giurisprudenza Anno accademico 2020/2021

Food Law and Globalization [28035]

No class division

Corso di studio Comparative, European and International Legal Studies

Ordinamento Comparative, European and International Legal Studies

Percorso Standard

Docenti: MATTEO FERRARI (Tit.)

Numero ore: 42

Periodo: Second semester

Crediti: 6

Settori: IUS/03

Course objectives and learning outcomes

Within Jean Monnet Module EU-Food Law and Globalization (EUFLAG), a course on Food Law and Globalization will be offered. The course will be taught in English. Its main goal is to introduce students to the many interactions between EU Food Law (EUFL) and globalization, exploring how the first influences and is influenced by the second. In so doing, it also aims at developing a critical approach to the theme. The classes will be structured in a way to be partly descriptive in order to present some general concepts and legal tools useful to frame the role that EUFL plays within global dynamics; partly critical, making recourse both to seminars with guest lecturers and to one or more case studies within each theme in order to deepen the analysis and appreciate the dialogic nature of the relationship between food law and globalization.

Entrance requirements

None

Contents

The course will be built around three blocks:

1. introduction: this part will be devoted to create a common playing ground among participants, in particular by dealing with what we mean by food law in general, what we mean by globalization, how to analyse the relationship between the two poles from a methodological perspective and how to frame them with the EU general goal of promoting rural development. A first seminar will open the course with a guest lecturer with a background in law, providing students with an overview of the complex relations existing between food law and globalization. A second seminar will conclude this part offering a critical reading on the definitions of globalization and on the methodologies to study it;
2. food law, globalization and origin: this part will be devoted to explore the importance that the origin of foodstuffs assumes nowadays in global markets, by understanding the different legal tools that countries employ to promote origin, with a special attention to the differences between trademarks and sui generis regimes and then by analyzing the role that international treaties play in striving to promote mutual recognition, or at least some form of interoperability, between these different tools. An introductory seminar will open this part, focusing on the economic value of origin in global markets, while a final seminar will focus on the different methods to trace the origin of foodstuffs;
3. food law, globalization and innovation: this part will aim at introducing students to the impact that regulation has in promoting or slowing down innovation in a global context, by analyzing a) the different legal instruments implemented to protect new plant varieties, with particular regard to the differences between patents and sui generis (à la UPOV) systems of protection; b) the different models that regulate the production and marketing of genetically modified organisms, with particular regard to the development of new breeding techniques; c) the different models



regulating the authorization of new food additives and novel food. A first seminar will conclude the part on patents, with a guest lecturer explaining the impact that these regulatory frameworks have in the research activity. A second seminar will conclude the part on food additives and novel food, with a guest lecturer with an expertise in regulatory affairs explaining their experience in getting new products approved around the world. A third seminar will analyze new forms of marketing innovation in the plant sector, such as in particular club varieties.

Teaching and learning methods and activities

The pedagogical approach will be a blend of:

- a) lectures aimed at introducing the basic concepts necessary to frame and understand the interactions between EUFL and globalization. These lectures will be supported by materials (slides, legislation, court decisions, private standards) that will be available in advance;
- b) seminars to stimulate an interdisciplinary approach. The guest lecturers will be asked to offer their own critical perspective on the relation between EUFL and globalization. They will be asked to provide one or two readings in advance representative of the points they wish to raise;
- c) case studies to provoke critical thinking. Also in this case the materials (court decisions, journal articles, academic papers, other documents) will be available in advance. The case study will be discussed in a seminar style: students will have to read the materials in advance, the lecturer will only facilitate the discussion on the issues raised by the case study.

Tests and assessment criteria

Students will have to actively participate during classes. The course will be open to a limited number of students in order to foster dialogue and interactions.

Students' evaluation will consist in: a) writing a paper on one of the topics discussed during the course (70%); b) assessing students' participation to class activities (30%).

Bibliography /study materials

A website will be created with the double goal of facilitating dissemination and to provide students with the materials analysed during the course. The website will contain an array of different educational materials, ranging from the slides used during the course to the pieces of legislation, private standards (when available), court decisions and other materials useful to explore the relations between EUFL and globalization. In addition, a section of the website will host the students' best papers prepared during the course as part of their assignment. The papers represent additional materials that can be useful in understanding the interaction between EUFL and globalization.

Since the website aims at disseminating the activities conducted within EU-FLAG, all the materials will be available to the general public in an open access format.

Other information

None

Stampa del 23/12/2020