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ARTICLES

- Reigning in Animal Agriculture's Emissions by Shrinking the Herd:
Early Signs of a Necessary Global Policy Shift..... 489
Daina Bray

We will be unable to achieve the temperature goals of the Paris Agreement without radically reforming our food systems. Despite animal agriculture's significant responsibility for climate change—emitting the majority of agricultural greenhouse gases (GHGs), likely 15% or more of all human-caused GHGs, around a third of anthropogenic methane and more than half of nitrous oxide (two climate super-pollutants)—policymakers have so far largely failed to reign in its emissions. In recent years, international bodies including the Intergovernmental Panel on Climate Change, U.N. Environment Programme, World Health Organization, and World Bank have begun to explicitly make the connection between animal agriculture's outsized emissions and the need to reduce consumption of animal products, especially in high-income, high-consuming countries. While national-level policy in the United States has not yet embraced these recommendations, policymakers in other countries—led by Europe—are experimenting with policies that would change diets and ultimately “shrink the herd,” i.e., reduce the number of animals raised for food. Recent farmer protests and weakening of policy proposals in Europe illustrate the political realities of seeking reform in this area. But sooner government action would enable better outcomes, before the climate crisis forces changes to food systems. Developing effective and lasting policy on climate and animal agriculture will require consensus building, incremental approaches, attention to international equity, and a commitment to a just transition.

- Putting Lipstick on a Pig: Biogas, Methane Digesters, and the
Greenwashing Playbook..... 545
Randall S. Abate

Industrial animal agriculture pitches biogas and methane digesters as solutions to the outsized methane footprint of concentrated animal feeding operations (CAFOs), yet these efforts merely seek to convey to the public that CAFOs' operations are environmentally responsible. In reality, quite the opposite is true because biogas and methane digesters more deeply

entrench these facilities into the status quo of unsustainable production and disposal methods at CAFOs. This article first describes industrial animal agriculture’s impacts on climate change, with a focus on methane emissions. It then addresses biogas and methane digesters as ineffective solutions to the methane emissions from CAFOs. Next, it examines how these misleading and inadequate responses in the industrial animal agriculture context parallel the fossil fuel industry’s greenwashing campaigns with blue hydrogen and carbon capture and storage facilities. The article proposes long-term and short-term accountability mechanisms to promote the phaseout of biogas and methane digesters in CAFOs. Effective long-term measures would involve implementing disclosure and verification standards much like those that are starting to be implemented in the fossil fuel industry context. These legislative efforts take time, however, and have not yet been implemented in the United States. In the meantime, an effective short-term response would be to pursue strategic litigation to raise awareness of and apply pressure to phase out these harmful measures by drawing on best practices from greenwashing lawsuits in the fossil fuel context.

Shutting the Gate on Insect-Based Agriculture 573
Rajesh K. Reddy

With the publication of the U.N. Food and Agriculture Organization’s 2013 report, *Edible Insects: Future Prospects for Food and Feed Security*, the production of insects for animal feed and human consumption has witnessed a meteoric rise. Today, facilities capable of producing insects in the trillions are being constructed in many parts of the world, with enthusiasts hailing insect-based agriculture as a means to combat climate change, global food shortages, and the proliferation of food waste, among other concerns. As this Article argues, however, the industrial production of insects for food threatens to exacerbate rather than mitigate these crises, as well as contribute to the systemic cruelties inflicted upon traditionally farmed animals. In documenting the harms externalized by industrial animal agriculture and how the mass-scale production of insects would compound them, this Article calls for the rejection of insect-based agriculture.

Towards a Global Ban on Industrial Animal Agriculture by 2050: Legal
 Basis, Precedents, and Instruments..... 599
Jeff Sebo, Emma Dietz, & Toni Sims

Industrial animal agriculture is both increasingly central to our global economy and increasingly harmful to humans, animals, and the environment. This food system—which encompasses both intensive animal agriculture and extensive animal agriculture that operates at a large scale—contributes significantly to environmental threats such as climate change and biodiversity loss, as well as to public health threats such as antimicrobial resistance and zoonotic disease emergence. This food system also produces extensive social harms, inflicting significant harms to the mental and physical health of farmed animals, farm and slaughterhouse workers, and local community members. Of course, different kinds of industrial animal agriculture produce different kinds of harm. But they all produce large amounts of harm in one or another of these ways. The global community has a long history of regulating products or processes that cause massive, unnecessary, and

transboundary environmental, health, or social harms. Countries have worked together to protect the ozone layer, combat tobacco addiction, prevent forced labor, prevent the spread of nuclear weapons, prevent the torture of enemy combatants, and more. While there are many relevant differences between the products and processes targeted in these precedents and those of industrial animal agriculture, there are many relevant similarities as well. By exploring precedents and instruments drawn from existing international law, this paper will proffer the idea that a global ban on industrial animal agriculture is both possible and necessary to achieve alongside other global environmental, health, and social targets. We start by defining “industrial animal agriculture” and describing our proposed global ban in general terms. We then survey the environmental, health, and social harms of industrial animal agriculture in both its intensive form and its extensive form, and we argue that governments have a responsibility to work together to ban this food system by 2050. We then survey legal precedents for such a global ban, noting other cases where governments have pursued international regulation—including bans—of products or processes that cause similar kinds of harm. We close by proposing a pathway towards a global ban by 2050, which proceeds via informational, financial, regulatory, and just transition policies that seek to gradually scale down industrial animal agriculture, gradually scale up alternative food systems, and support everyone as much as possible along the way.

NINTH CIRCUIT CASE SUMMARIES.....	649
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NINTH CIRCUIT REVIEW INDEX	715
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