

The National Agricultural
Law Center



*A research project from The National Center for Agricultural Law Research and Information
University of Arkansas School of Law • NatAgLaw@uark.edu • (479) 575-7646*

An Agricultural Law Research Publication

TABLE OF CONTENTS

for

Federal Regulation of Organic Food: A Research Guide for Legal Practitioners and Food Industry Professionals

by

Stephanie Jillian

January 2006

www.NationalAgLawCenter.org

TABLE OF CONTENTS

| | PAGE |
|--|------|
| I. INTRODUCTION..... | 1 |
| 1. THE TOPIC..... | 1 |
| 2. SCOPE..... | 2 |
| 3. HOW TO USE THIS GUIDE..... | 2 |
| 4. NO TIME TO SPARE: THE THREE BEST RESOURCES..... | 3 |
| 4.1. A Legal Guide to the National Organic Program..... | 3 |
| 4.2. The National Organic Program Website..... | 3 |
| 4.3. AGRICOLA..... | 3 |
| II. BOOKS & RELATED MATERIALS..... | 5 |
| 1. OVERALL USEFULNESS RATING..... | 5 |
| 2. OVERVIEW..... | 5 |
| 3. RAPID RESULTS..... | 5 |
| 3.1. AGRICOLA..... | 5 |
| 3.2. WorldCat..... | 6 |
| 3.3. Alternative Farming Systems Information Center (AFSIC)..... | 6 |
| 4. GOVERNMENT PUBLICATIONS & MATERIALS..... | 6 |
| 4.1. Search Strategies..... | 6 |
| 4.1.1. Alternative Farming Systems Information Center (AFSIC)..... | 6 |
| 4.2. Suggested Government Publications & Materials..... | 6 |
| 4.2.1. AFSIC Publications..... | 6 |
| 4.2.2. Agricultural Marketing Service Publications..... | 7 |
| 4.2.3. Agricultural Research Service Publications..... | 8 |
| 4.2.4. Economic Research Service Publications..... | 8 |
| 5. TREATISES, BOOKS & BOOKS WITH BIBLIOGRAPHIES..... | 9 |
| 5.1. Search Strategies..... | 9 |
| 5.1.1. Library of Congress Subject Headings..... | 9 |
| 5.1.2. Online Catalogs: Home Institution, AGRICOLA, and Regional/ National Level Consortia..... | 9 |
| 5.1.2.1. The Home Institution..... | 10 |
| 5.1.2.2. AGRICOLA & The National Agricultural Library..... | 10 |
| 5.1.2.3. Regional Consortia..... | 11 |
| 5.1.2.4. National Level Consortia: RLG & WorldCat..... | 11 |
| 5.1.3. Amazon, Barnes & Noble, and Alibris..... | 11 |
| 5.1.4. Index to Legal Periodicals..... | 12 |
| 5.1.5. A Note on Westlaw & Lexis..... | 12 |
| 5.2. Suggested Treatises, Books & Books with Bibliographies..... | 12 |
| 6. NON-GOVERNMENT ELECTRONIC PUBLICATIONS & ONLINE COMPUTER FILES..... | 15 |
| 6.1. Search Strategies..... | 15 |
| 6.2. Suggested Non-Government Electronic Publications & Computer Files..... | 15 |
| 7. DISSERTATIONS..... | 17 |
| 7.1. Search Strategies..... | 17 |

| | | |
|----------|---|----|
| 7.2. | Suggested Dissertations..... | 18 |
| 8. | BAR & CLE MATERIALS..... | 19 |
| 8.1. | Search Strategies..... | 19 |
| 8.2. | Suggested Bar & CLE Materials..... | 20 |
| 9. | LOOSELEAFS..... | 21 |
| | | |
| III. | PERIODICALS..... | 23 |
| 1. | OVERALL USEFULNESS RATING..... | 23 |
| 2. | OVERVIEW..... | 23 |
| 3. | RAPID RESULTS..... | 23 |
| 3.1. | Westlaw..... | 23 |
| 3.2. | Legal & Non-Legal Indices..... | 23 |
| 4. | FINDING PERIODICALS..... | 23 |
| 4.1. | Legal Periodicals..... | 23 |
| 4.1.1. | Online Catalogs & Directories..... | 23 |
| 4.1.1.1. | Home Institution, RLG & WorldCat..... | 23 |
| 4.1.1.2. | Ulrich's Periodical Directory..... | 24 |
| 4.1.2. | Websites..... | 24 |
| 4.1.2.1. | Agzines..... | 24 |
| 4.1.2.2. | University of Southern California Law School Legal Journals Listing..... | 24 |
| 4.1.2.3. | Washington & Lee Law School Most-Cited Legal Periodicals..... | 24 |
| 4.2. | Trade Journals..... | 25 |
| 4.2.1. | Westlaw..... | 25 |
| 4.2.2. | Lexis..... | 26 |
| 4.3. | Non-Legal Periodicals..... | 26 |
| 4.3.1. | AGRICOLA..... | 26 |
| 4.3.2. | MedBioWorld..... | 26 |
| 4.3.3. | IngentaConnect..... | 27 |
| 5. | SUGGESTED PERIODICALS..... | 27 |
| 5.1. | Legal Periodicals..... | 27 |
| 5.2. | Trade Journals..... | 30 |
| 5.3. | Non-Legal Periodicals..... | 31 |
| 6. | FINDING PERIODICAL ARTICLES..... | 32 |
| 6.1. | Legal Indices..... | 32 |
| 6.1.1. | Index to Legal Periodicals & Current Index to Legal Periodicals..... | 32 |
| 6.1.2. | LegalTrac/LRI/CLI..... | 33 |
| 6.2. | Non-Legal Indices & Databases..... | 33 |
| 6.2.1. | AGRIS/CARIS..... | 33 |
| 6.2.2. | Biological & Agricultural Index..... | 33 |
| 6.2.3. | Medline..... | 33 |
| 6.3. | Westlaw Databases..... | 34 |
| 6.4. | Lexis Files..... | 36 |
| 6.5. | Annotated Codes & Citor Services..... | 36 |
| 6.6. | Accepting Help from Others: Bibliographies & Footnotes..... | 36 |

| | | |
|----------|--|----|
| 7. | SUGGESTED PERIODICAL ARTICLES..... | 36 |
| 7.1. | Recent..... | 37 |
| 7.1.1. | Legal Periodical Articles..... | 37 |
| 7.1.2. | Trade Journal Articles..... | 38 |
| 7.1.3. | Non-Legal Periodical Articles..... | 38 |
| 7.2. | Classic..... | 39 |
| 7.2.1. | Legal Periodical Articles..... | 39 |
| 7.2.2. | Non-Legal Periodical Articles..... | 40 |
| IV. | STATUTORY & LEGISLATIVE HISTORY RESEARCH..... | 41 |
| 1. | OVERALL USEFULNESS RATING..... | 41 |
| 2. | OVERVIEW..... | 41 |
| 3. | RAPID RESULTS..... | 41 |
| 3.1. | U.S.C.A..... | 41 |
| 3.2. | CIS..... | 41 |
| 4. | STATUTORY RESEARCH..... | 41 |
| 4.1. | The United States Code: Official vs. Annotated..... | 41 |
| 4.1.1. | United States Code Annotated..... | 41 |
| 4.1.1.1. | Using U.S.C.A..... | 41 |
| 4.1.1.2. | U.S.C.A. Annotations..... | 42 |
| 4.1.2. | United States Code Service..... | 42 |
| 4.1.2.1. | Using U.S.C.S..... | 42 |
| 4.1.2.2. | U.S.C.S. Annotations..... | 43 |
| 4.2. | Suggested Statutory Materials..... | 43 |
| 4.2.1. | The Organic Foods Production Act..... | 43 |
| 4.2.2. | Other Legislation Affecting Organic Food Regulation..... | 43 |
| 4.3. | Pending and Recent Legislation..... | 44 |
| 5. | LEGISLATIVE HISTORY..... | 44 |
| 5.1. | Generally..... | 44 |
| 5.2. | Finding Legislative Histories..... | 45 |
| 5.2.1. | Print Sources..... | 45 |
| 5.2.2. | Commercial & Online Sources..... | 45 |
| 5.2.2.1. | Congressional Information Service (CIS)..... | 45 |
| 5.2.2.2. | Westlaw..... | 48 |
| V. | ADMINISTRATIVE LAW..... | 49 |
| 1. | OVERALL USEFULNESS RATING..... | 49 |
| 2. | OVERVIEW..... | 49 |
| 3. | RAPID RESULTS..... | 49 |
| 3.1. | GPO Access..... | 49 |
| 3.2. | Today's News, National Organic Program Website..... | 49 |
| 3.3. | Agriculture Decisions..... | 49 |
| 4. | REGULATIONS..... | 49 |
| 4.1. | Sources of Federal Regulations..... | 49 |
| 4.1.1. | Generally..... | 49 |
| 4.1.2. | Code of Federal Regulations..... | 50 |

| | | |
|--------------|--|-----------|
| 4.1.2.1. | GPO Access..... | 50 |
| 4.1.2.2. | Westlaw..... | 50 |
| 4.1.2.3. | Lexis..... | 51 |
| 4.1.3. | Federal Register..... | 51 |
| 4.1.3.1. | GPO Access, Westlaw, & Lexis..... | 51 |
| 4.1.3.2. | The National Agricultural Law Center's Federal Register Digest..... | 52 |
| 4.1.3.3. | The CERIS Federal Register Agriculture Archive..... | 52 |
| 5. | TRACKING NOP & NOSB NEWS..... | 52 |
| 6. | ADMINISTRATIVE DECISIONS..... | 53 |
| 6.1. | Sources of Administrative Decisions..... | 53 |
| 6.1.1. | Agriculture Decisions..... | 53 |
| 6.1.2. | The AgLaw Reporter USDA Judicial Officer Decisions..... | 54 |
| 6.2. | Suggested Administrative Decisions..... | 54 |
| VI. | INTERNET RESOURCES..... | 55 |
| 1. | OVERALL USEFULNESS RATING..... | 55 |
| 2. | OVERVIEW..... | 55 |
| 3. | RAPID RESULTS..... | 55 |
| 3.1. | Search Engines..... | 55 |
| 3.2. | USDA National Organic Program Website..... | 55 |
| 4. | SEARCH STRATEGIES: WEB-AGRI, GOOGLE & YAHOO..... | 55 |
| 5. | SUGGESTED WEBSITES..... | 56 |
| 5.1. | Government..... | 56 |
| 5.2. | Non-Government..... | 59 |
| 5.3. | Internet Research Guides/Legal Resources Collections..... | 61 |
| VII. | ORGANIZATIONS..... | 63 |
| 1. | OVERALL USEFULNESS RATING..... | 63 |
| 2. | OVERVIEW..... | 63 |
| 3. | RAPID RESULTS..... | 63 |
| 3.1. | Encyclopedia of Associations..... | 63 |
| 4. | FINDING ORGANIZATIONS..... | 63 |
| 4.1. | Encyclopedia of Associations..... | 63 |
| 4.2. | Online Catalogs..... | 63 |
| 4.3. | Search Engines..... | 63 |
| 5. | SUGGESTED ORGANIZATIONS..... | 64 |
| 5.1. | Legal..... | 64 |
| 5.2. | Producer/Consumer..... | 64 |
| 5.3. | Business..... | 65 |
| 5.4. | Research..... | 66 |
| 5.5. | Agricultural Law Education Institutions..... | 66 |
| VIII. | CASE LAW..... | 68 |
| 1. | OVERALL USEFULNESS RATING..... | 68 |
| 2. | OVERVIEW..... | 68 |

| | | |
|--------|--|----|
| 3. | RAPID RESULTS..... | 68 |
| 3.1. | Citator Services..... | 68 |
| 3.2. | Annotated Codes..... | 68 |
| 4. | FINDING CASE LAW INTERPRETING OFPA..... | 68 |
| 4.1. | Citator Services..... | 68 |
| 4.1.1. | Generally..... | 68 |
| 4.1.2. | KeyCite..... | 69 |
| 4.1.3. | Shepard's..... | 69 |
| 4.2. | Annotated Codes..... | 69 |
| 4.3. | Agricultural Law Websites..... | 69 |
| 4.3.1. | Farmer's Legal Action Group, Inc..... | 69 |
| 4.3.2. | The AgLaw Reporter Case Summaries..... | 69 |
| 4.4. | Traditional Westlaw Search Strategies..... | 70 |
| 4.4.1. | Generally..... | 70 |
| 4.4.2. | Topic and Key Number Searching..... | 70 |
| 4.4.3. | Custom Digest..... | 71 |
| 4.4.4. | Natural Language Searching..... | 71 |
| 4.4.5. | KeySearch..... | 71 |
| 4.5. | Traditional Lexis Search Strategies..... | 71 |
| 4.5.1. | Search Advisor..... | 71 |
| 4.5.2. | Natural Language Searching..... | 72 |
| 5. | FINDING RELATED CASE LAW..... | 72 |
| 5.1. | Generally..... | 72 |
| 5.2. | Westlaw: Full-Text Searching..... | 72 |
| 5.3. | Lexis: Full-Text Searching..... | 73 |
| 6. | SUGGESTED CASE LAW..... | 73 |
| 6.1. | Interpreting OFPA..... | 73 |
| 6.1.1. | Decided..... | 73 |
| 6.1.2. | Pending..... | 73 |
| 6.2. | Related..... | 74 |
| IX. | CITATOR & NOTIFICATION SERVICES..... | 75 |
| 1. | OVERALL USEFULNESS RATING..... | 75 |
| 2. | OVERVIEW..... | 75 |
| 3. | RAPID RESULTS..... | 75 |
| 3.1. | KeyCite & Shepard's..... | 75 |
| 4. | CITATOR SERVICES..... | 75 |
| 4.1. | KeyCite..... | 75 |
| 4.2. | Shepard's..... | 76 |
| 4.3. | A Comparison..... | 76 |
| 5. | NOTIFICATION SERVICES..... | 77 |
| 5.1. | KeyCite Alert & WestClip..... | 77 |
| 5.2. | Eclipse..... | 77 |
| X. | CONCLUSION..... | 78 |