

NEAL D. FORTIN

404 Agriculture Hall
East Lansing, MI 48824

Telephone: (517) 775-4629
E-mail: fortinne@msu.edu

CURRICULUM VITAE

EMPLOYMENT HISTORY

- 8/2006 **Director and Assistant Professor**, Institute for Food Laws and Regulations, Michigan State University.
- 2004 to 2006 **Visiting Associate Professor**, Michigan State University, College of Agriculture and Natural Resources.
- 2004 to present **Adjunct Professor of Law**, Michigan State University College of Law.
Contributing Editor, Food Product Design magazine (2005 to present).
- 2003 to Present **Attorney** concentrating in food and drug law, food safety, labeling, ingredient evaluation, advertising, and administrative law.
Lead Instructor, US food law, Institute for Food Laws & Regulations.
- 2002 to 2003 **Research Attorney**, Michigan Court of Appeals. Reviewed appellate claims and advised the court on the legal issues. Wrote research reports and drafted judicial opinions.
- 1997 to 2002 **Manager**, Food Service Sanitation Section, Michigan Department of Agriculture. Managed the state's food service sanitation program, which regulates food service operations in Michigan. Reviewed, evaluated, and provided guidance to local health department programs. Responsible for the oversight of the forty-five local health departments, their three hundred staff, and disbursement of \$10 million in state funding.
- Organized and chaired the Food Code Workgroup, a broad coalition of stakeholders, to recommend changes in Michigan's food safety law. Successfully achieved consensus among diverse interests of industry, consumers, regulators, and academia.
 - Primary drafter of the Michigan Food Law of 2000. The new law streamlined Michigan's food safety requirements, yet strengthened and updated food safety standards for changes in science.
 - Member of the steering committee that created the Michigan Local Public Health Accreditation Program, leading to significant improvements in public health services.
 - Wrote interpretative memoranda on Michigan's food law.
 - Chaired the Food Advisory Board, which advises the Michigan Department of Agriculture on retail food safety law and policy.
 - Wrote state policy for the food safety programs.

EMPLOYMENT HISTORY continued

- 1994 to **Regional Supervisor**, Food Division, Michigan Department of Agriculture.
1997 Regionally administered the programs that enforced the food safety and weights and measures laws. Supervised ten field staff on inspections and investigations concerning food safety, weight and measures, and consumer protection. Trained new employees, and presented training to staff, industry, and consumers. Conducted compliance meetings with the regulated industry. Authored numerous policy guides and training materials.
- 1989 to **Standards Coordinator**, Food Division, Michigan Department of Agriculture.
1994 Managed statewide compliance for food standards and labeling. Statewide technical resource on food standards and labeling.
- Drafted laws, such as the revised Comminuted Meat Act, the Bottle Water Bill, and the Motor Fuels Quality Act.
 - Conducted statewide regulatory training, such as “Seafood HACCP” and “The Nutrition, Labeling, and Education Act,” and “Food Labeling Compliance Workshop.” Developed the division’s “Training Manual for Food Field Scientists.”
 - Spoke at national seminars on food safety, labeling, and reduced-oxygen packaging.
 - Represented the food program on committees and before groups, for example, the Food Safety Advisory Committee, the BSE committee, and Poultry Disease Task Force.

PROFESSIONAL ASSOCIATION LEADERSHIP

- ❖ Commissioner, Michigan Local Public Health Accreditation Program, 1998 – 2002
- ❖ Advisory Council, Michigan Community Health Leadership Institute, 2000 - 2002
- ❖ NSF Council of Public Health Consultants, NSF International, 2000 - 2002
- ❖ President, Great Lakes Conference on Food Protection, 1998-1999
- ❖ President, North Central Association of Food and Drug Officials, 1997-98
- ❖ Vice-President, North Central Association of Food and Drug Officials, 1996-97
- ❖ Public Health Work Group of the Michigan Association of Counties, 1999-2002

EDUCATION

Probate and Estate Planning Certificate of Completion, 2005, the Institute of Continuing Legal Education and the Probate and Estate Planning Section of the State Bar of Michigan.

Michigan State University College of Law East Lansing, Michigan
Juris Doctor, Summa Cum Laude, June 2002 Class standing: 4 out of 223; top 2%; GPA: 3.87

- King Fellowship, scholarship and enriched academic program for high academic achievement
- Abraham J. Thomas Award for academic excellence
- Dewitt C. Holbrook Award for academic excellence
- Alumni Association Award for outstanding academic achievement
- Merit Scholarship

Jurisprudence Achievement Award for wetlands law
Jurisprudence Achievement Award for King Scholar jurisprudence
Jurisprudence Achievement Award for food and drug law
Jurisprudence Achievement Award for administrative law
Jurisprudence Achievement Award for decedents' estates and trusts
Jurisprudence Achievement Award for legislation
Jurisprudence Achievement Award for research, writing, and advocacy I
Jurisprudence Achievement Award for research, writing, and advocacy II

- Finalist, all school moot court competition (third place of 230)
- Semi-finalist, all school brief competition (top ten of 230)

Newman University
Bachelor of Science, Human Biology, 1979

Wichita, KS

University of Michigan
Bachelor of Science, Botany, 1977

Ann Arbor, Michigan

National Merit Scholar
University of Michigan Regents Alumni Scholar
Allen B. Richardson Memorial Scholar

Bausch & Lomb Science Award
Detroit Classical Society Award

LAW PUBLICATIONS

- FOOD REGULATION: LAW, SCIENCE, POLICY, AND PRACTICE (expected publication fall 2007).
- SECURED TRANSACTIONS (UCC ARTICLE 9), Law in a Flash, Aspen Publishers (2006).
- *The Food Allergen Labeling and Consumer Protection Act: The Requirements Enacted, Challenges Presented, and Strategies Fathomed*, accepted for JOURNAL OF MEDICINE AND LAW (Fall 2006).
- *Is a Picture Worth More Than 1,000 Words? The Fourth Amendment and FDA's Authority to Take Photographs under the Federal Food, Drug, and Cosmetic Act*, 1 JOURNAL OF FOOD LAW & POLICY 239-268 (Fall 2005).
- *The Hang-Up with HACCP: The Resistance to Translating Science into Food Safety Law*, 58 FOOD AND DRUG LAW JOURNAL 565-594 (2003).
- *Protecting Our Vulnerable Food Supply*, (with Pestronk and Lindsay), 30 JOURNAL OF LAW, MEDICINE & ETHICS, Special Supplement to Vol. 30:3, pp. 96-104 (Fall 2002).

LAW RELATED PUBLICATIONS

- *Why Food Laws Matter: Laws and Institutions Go Hand in Hand with the Health of Business*, FOOD PRODUCT DESIGN (accepted for September 2006).
- *Health Claims, Healthy Trends: Navigating the Legal Thicket*, FOOD PRODUCT DESIGN (June 2006).
- *Infamous Lawsuit Liability*, FOOD PRODUCT DESIGN (December 2005).
- *FDA's Final Rules on Recordkeeping: The Fourth Set of Food Regulations Required Under the Bioterrorism Act*, FOOD PRODUCT DESIGN 152 (September 2005).
- *Allergen Labeling on the Horizon*, FOOD PRODUCT DESIGN 168 (June 2005).
- *Fats in the Fast Lane: Changes in Fatty Acid Regulation, Labeling, and Allowed Claims*, FOOD PRODUCT DESIGN 148 (March 2005).
- *There's No Ham in Hamburger*, FOOD & BEVERAGE REPORT (1996).
- *Bottled Water: The New Michigan Law*, MICHIGAN FOOD NEWS 6, 13 (January 1994).
- *Michigan's New Bottled Water Law*, MICHIGAN ENVIRONMENTAL HEALTH NEWS 14-15 (Spring 1994).
- *Labeling for Meat and Poultry to Identify Dietary Information*, FOOD & BEVERAGE REPORT (April 1991).
- *The Proposed Rules on Food Salvage Operations*, (for Dr. E.C. Heffron) FOOD & BEVERAGE REPORT (Nov. 1990).

- *New Packaging Techniques Spark Interest in Processing*, (for Robert Mitchell) MICHIGAN FOOD NEWS (September 1990).
- *Q & A on the Michigan Premium Program*, MICHIGAN MAPLE SYRUP ASSOCIATION NEWSLETTER (August 1989).

COURSES TAUGHT

- Food and Drug Law, Michigan State University College of Law, fall terms, 2004 - present.
- Food Regulation in the United States, Michigan State University College of Agriculture and Natural Resources, fall and winter terms, 2003 - present.
- International Food Laws and Regulations, Michigan State University College of Agriculture and Natural Resources, fall and winter terms, 2003 - present.
- International Food Law in Europe, Michigan State University College of Agriculture and Natural Resources, spring term, 2005.
- Food Labeling and Nutrition Law, Public Health Institute, University of Minnesota, School of Public Health, Spring 2005-2006.

SPEECHES, LECTURES, PRESENTATIONS

- “Firefly Genes, Mark McGuire’s Tonic, and the Supersized Food Fight : An Introduction to Food Law,” lecturer, Introduction to Food Safety and Professional Development (VM 810), Michigan State University, June 13, 2006.
- “National and International Food Regulatory Law,” Chinese Academy of Agricultural Sciences, Beijing, China (April 13, 2006), Jiangsu Academy of Agricultural Sciences, Nanjing, China (April 14, 2006), and Zhejiang Academy of Agricultural Sciences, Hangzhou, China (April 17, 2006), and Zhejiang University, Hangzhou, China (April 19, 2006).
- “Establishing Compliant—and Commercial—Labeling Programs,” conference speaker, Achieving Commercial Success in the Face of Food Regulation & Litigation, Orlando, FL, January 19, 2006.
- “Protecting Your Intellectual Property,” lecturer, Michigan State University (FSC 470 Integrated Approaches to Food Product Development and PKG 485 Packaging Development) fall terms 2003 to present.
- “Mad Cows, Designer Foods, and the First Amendment: An Introduction to Food Law,” lecturer, Introduction to Food Safety and Professional Development (VM 810), Michigan State University, June 14, 2005.
- “Perspectives on the Regulation of GMOs,” Agricultural Biotechnology Short Course, Michigan State University, September 13, 2004.

- “Mad Cows, Designer Foods and Herbal Prozac: Why Food Laws Matter,” lecturer, Introduction to Food Safety and Professional Development (VM 810), Michigan State University, June 16, 2004.
- “US and EU Perspectives on the Regulation of GMOs,” lecturer, International Agricultural Biotechnology Conference, Michigan State University, May 21, 2004.
- “Trade, Food Security, and Standards,” panel chair at the conference Sovereignty and Security: New Conceptualizations for Post-9/11 North American Relations in the XXI Century, Michigan State University, April 1-17, 2004.
- “COOL or unCOOL: The Proposed Country of Origin Labeling Rules,” speaker at the Spring Lecture Series, National Food Safety & Toxicology Center, Michigan State University, February 16, 2004.
- “Can You Really Libel the Lettuce? A Look at Food Disparagement Laws,” panel speaker on food law and the First Amendment, National Food Safety & Toxicology Center, Michigan State University, November 18, 2003.
- “Food Safety Leadership,” speech at the Great Lakes Conference on Food Protection, Lansing, Michigan, April 29, 2003.
- Frequent introductions, comments, and presentations as a representative of the Michigan Department of Agriculture to a variety of groups associated with the department and its food regulatory programs (e.g., employees, food industry organizations, public health organizations, press, and legislative committees) 1983 – 2002.
- “Translating Science into Food Safety Law,” speaker at the American Society of Law, Medicine & Ethics / CDC conference, The Public’s Health & the Law in the 21st Century, Atlanta, Georgia, June 18, 2002.
- “The New Michigan Food Law: Leading the Country in Food Safety,” speech at the Annual Food Protection Conference, Michigan Environmental Health Association, March 16, 2001.
- “Local Public Health Program Accreditation” videotape, speaker on the food safety programs at local public health agencies in an overview of the state accreditation of local public health agencies, February 2000.
- “The Michigan Food Law of 2000,” speaker at the Environmental Health Directors Conference, Michigan Association of Local Environmental Health Administrators, September 2000.
- “Minimum Program Requirements for Food Service Regulatory Programs,” speaker at the Environmental Health Directors’ Conference, Michigan Association of Local Environmental Health Administrators, September 1999.
- “MDA’s Partnership with Local Health Departments,” speaker and panelist, Annual Educational Conference of the Michigan Environmental Health Association, Novi, Michigan, March 19, 1998.

- “Interdisciplinary Collaboration and the Future of Food Safety Regulation,” presentation at the Annual Food Protection Conference, Michigan Environmental Health Association, October 1998.
- “The Public Health Code Requirements on Local Health Department Food Safety Regulatory Programs,” presentation at the Governmental Accounting Seminar for Local Public Health Departments, Public Health Administrators Forum, September 1998.
- “Current Events and Food Safety Regulation,” presentation at the Environmental Health Directors’ Conference, Michigan Association of Local Environmental Health Administrators, September 1997.
- “Seafood HACCP,” presenter, FDA training course, Dearborn, Michigan, 1997.
- “Food Labeling Compliance Workshop,” authored and presented a three-day course on state and federal food labeling requirements, Lansing, Michigan, October 1994.
- “Reduced-Oxygen Packaging,” presentation, Annual Food Protection Conference, Michigan Environmental Health Association, 1994.
- “Michigan Regulation of Package Labeling,” guest lecturer, School of Packaging, Michigan State University, 1992-1993.
- “Vacuum Packaging: Science, Safety, and Standards,” U.S. Food and Drug Administration’s Current Concepts in Food Protection course, Reno, Nevada, September 21-23, 1993.
- “Vacuum Packaging: Science, Safety, and Standards,” presentation, U.S. Food and Drug Administration’s Current Concepts in Food Protection course, Minneapolis, Minnesota, November 16-18, 1993.
- “Current Issues in Food Labeling Law,” U.S. Food and Drug Administration training seminar, Minneapolis, Minnesota, November 16-18, 1993.
- “NLEA: the Nutritional Labeling and Education Act,” instructor for more than fifteen one-day courses around the state of Michigan, 1993-1994.
- “Changes in Michigan Department of Agriculture Regulations,” presentation at the Annual Educational Conference, Michigan Environmental Health Association, October 16, 1992.
- “Regulatory Requirements for Bottled Water,” speaker, Southwestern Sanitarians Seminar, Kalamazoo, Michigan, April 24, 1992.
- “The Nutritional Labeling and Education Act,” speaker and panelist, Food Industry Institute, Michigan State University, February 4, 1992.
- “The CA Law: Prospects for Change” and “Status of the Michigan Premium Program,” speaker, Michigan State University Control Atmosphere and Warehousing Clinic, 1991.
- “HACCP: What’s in it for Growers,” speaker, Great Lakes Vegetable Growers’ Convention, Grand Rapids, Michigan, January 1991.

OTHER ARTICLES WITH MENTION AND QUOTATION

- “The Law Behind the Label,” Public Health Institute Review, University of Minnesota School of Public Health, summer 2005.
- “Restaurant Industry May Face a Spate of Food Allergy Lawsuits,” LAWYERS USA at 15 (July 3, 2006).

BAR ADMISSION

Michigan

PROFESSIONAL AFFILIATIONS

Food and Drug Law Institute
Ingham County Bar Association
Michigan Institute of Continuing Legal Education
State Bar of Michigan

OTHER AWARDS

Certificate of Appreciation Great Lakes Conference on Food Protection, 2003
Certificate of Appreciation, NSF Council of Public Health Consultants, October 2002
Certificate of Appreciation, Great Lakes Conference on Food Protection, September 1999
Suggestion Awards (14) for innovative ideas on improving government service, Michigan Commission on Agriculture