

SAN JOAQUIN AGRICULTURAL LAW REVIEW



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NUMBER 1

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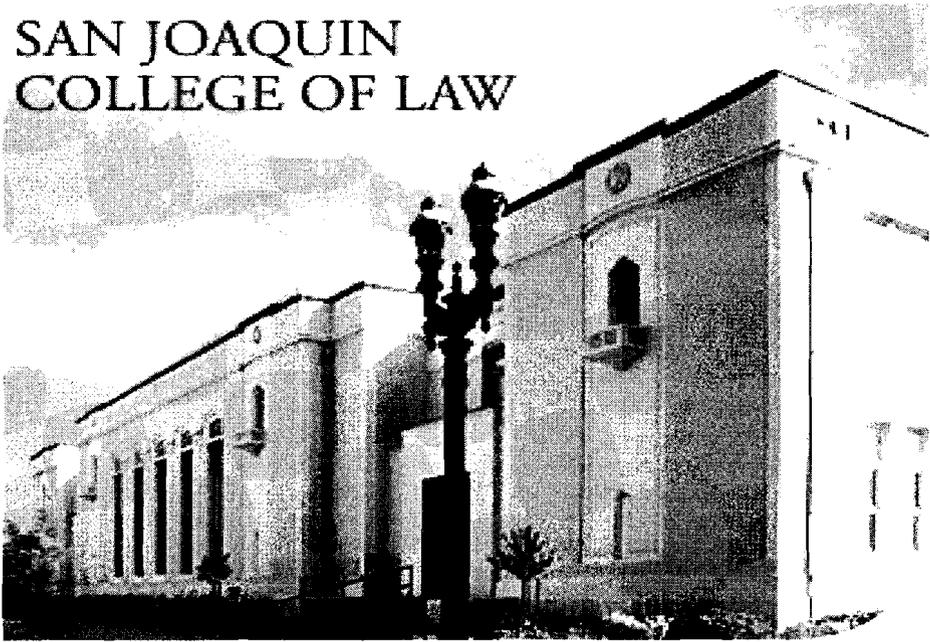
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FOREWORD

Alex Merriam, Editor-in-Chief

The *San Joaquin Agricultural Law Review* has always been known for addressing a variety of legal issues relating to agriculture. This year's volume is no exception. Jordan T. L. Halgas is a graduate of The Ohio State University College of Law, and an assistant professor at California State University, Sacramento, where she teaches courses in Employment Law, Labor Law, and Business Law. In her article, *Reach an Agreement or Else: Mandatory Arbitration Under the California Agricultural Labor Relations Act*, Professor Halgas provides an overview of California's Agricultural Labor Relations Act and its mandatory arbitration amendments. She argues for the repeal of the mandatory arbitration bills and provides suggestions for new amendments to the ALRA which will respect traditional views of contract negotiation while penalizing bad faith conduct at the bargaining table.

Historically, patent rights were limited by the Doctrine of Patent Exhaustion wherein after the authorized first sale of the patented product, the patentee is divested of the exclusive right to prohibit others from using or selling the claimed invention. In her comment *The Horns of a Dilemma: The Application of the Doctrine of Patent Exhaustion and Licensing of Patented Seed*, Marcella Downing-Howk discusses whether or not the Doctrine of Patent Exhaustion should apply to patented seeds and plants independent of licensing arrangements, or whether the licensing arrangements are to be held as valid, independent of the scope of the underlying patented invention.

Family agricultural businesses are commonly transferred from one generation to the next. In her comment *Stealing the Family Farm: Tortious Interference with Inheritance*, Marianna R. Chaffin argues for the implementation of the tort of intentional interference with inheritance to protect individual family members in family-run agricultural enterprises and preserve their right to inherit.

Ron Statler's comment *Please Stop Helping: What is the Family Farm, and Should the USDA Try and Figure it Out For Us*, discusses the effect of and the problems caused by the USDA defining the family farm.

Growing health concerns in the country have put organic food production at the forefront. In her comment *What Does "Organic" Mean Now? – Chickens and Wild Fish are Undermining the Organic Foods Production Act of 1990*, Claire Carroll discusses the definitions of organic produce and calls on Congress to repeal a recent amendment to the OFPA which allows wild-harvest seafood to be labeled as organic.

Federal legislation is currently pending which if enacted into law would make the transportation of horses for the purpose of slaughter for human consumption a federal offense. In her comment *The American Horse Slaughter Prevention Act*, Hallie S. Ambriz discusses this pending legislation and how it can protect our horses.

Together, these articles and comments provide information and insight into the agricultural community and are exemplary of what the *San Joaquin Agricultural Law Review* consistently offers.

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