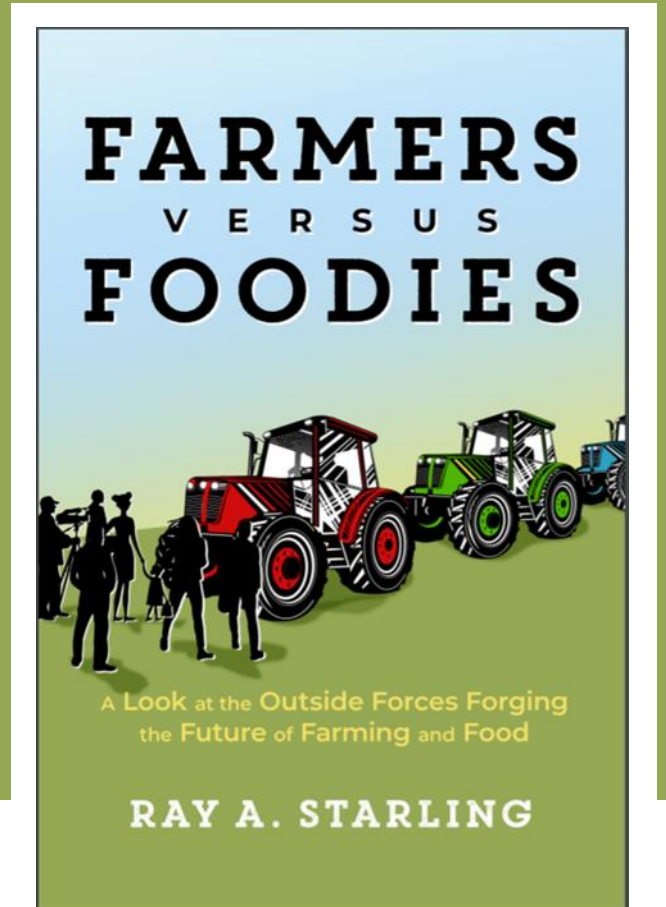


Farmers Versus Foodies

*A Look at the Outside Forces Forging
the Future of Farming and Food*



National Assoc. of Independent Crop Consultants

2024 Annual Meeting - San Antonio, Texas

Things that don't make sense...



Photo credit:
I have no idea.



Photo credit:
Andrew Sullivan's
"The Dish"

Things that don't make sense...

(Continued ... there are plenty)



Things that don't make sense...

ALL-SEEING APP | 3. 22. 19 by DAN ROBITZSKI

Brutal Startup Is Using Eye Tracking to Force You to Watch Ads

It's basically like "A Clockwork Orange."

Things that don't make sense...



Things that don't make sense...

18 =
72?

9 = 36?



The logo for the NC Chamber, featuring the letters "NC" in white, a red chevron pointing right, and the word "Chamber" in white.

NC Chamber

Ray Starling
NC Chamber General Counsel
President, NC Chamber Legal Institute

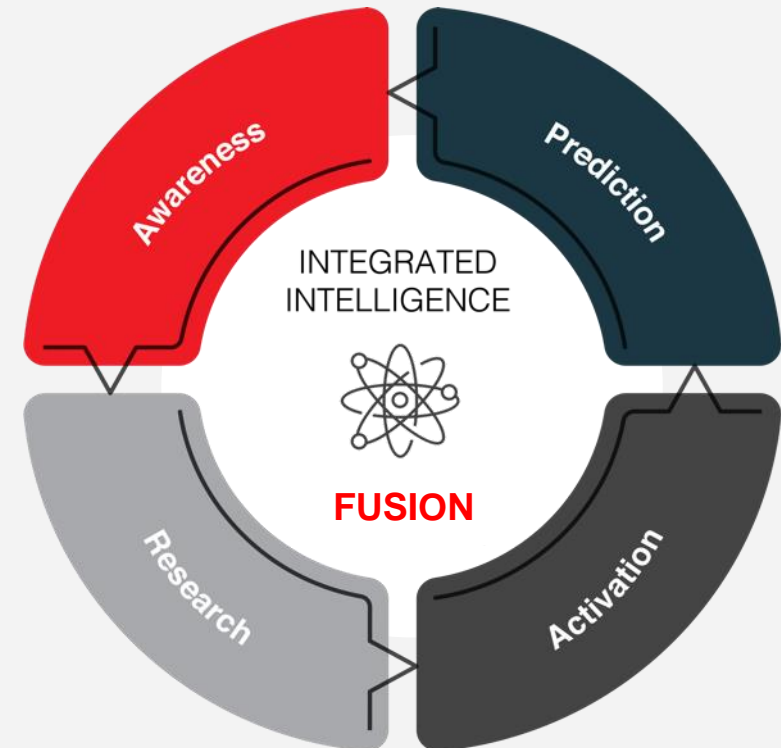




A global strategic intelligence firm specializing in agri-food.

Driven by the core belief that the success of agri-food is essential to national security, we blend military intelligence techniques and cutting-edge market research to discover:

- What's really happening in your marketplace.
- What's going to happen in the future.
- What you can do to ensure organizational success.



YES ... *that* White House ...

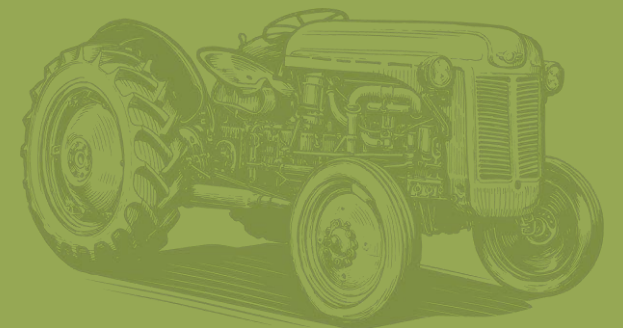




Trigger Warning:

A statement cautioning that content (as in text, video, or class) may be disturbing or upsetting.

Merriam-Webster Dictionary





Josh Tetrick

CEO of Just, Inc.

“Food, guys, is a broken system...Food is broken through and through.”

Dr. Raj Patel

Research Professor at Texas LBJ



“The industry that [has] killed more people than any other was agribusiness...There’s a death toll associated with this cheap food, which the food industry knows all too well.”



Paul Polman

*Former Chair, Food and Land Use Coalition
International Chamber of Commerce*

*“Our food system is
broken, and here is
how we fix it.”*

Dr. Jyotsna Puri

Associate VP of IFAD

*(The UN's International Fund for Agricultural Development)
(Now with the Green Climate Fund)*



“It is clear we need a revolution of our food systems ... A change so dramatic that previous versions of food systems are unrecognizable.”



is the food system broken?



 All

 News

 Videos

 Images

 Books

 More

Tools

About 581,000,000 results (0.71 seconds)

It's never been more clear — **our food system is broken.** Billions of animals and thousands of humans suffer behind the walls of factory farms. Together, let's repair our broken food system.



Ad · <https://www.aspenideas.org/> ⋮

Food systems - Mark Bittman

Mark Bittman has a plan to provide affordable and environmentally sound **food** for everyone. Listen to "A Recipe For Fixing Our **Broken Food System**" to learn more from Mark Bittman.

[Explore Our Collections](#) · [Explore Our Content](#) · [About the Ideas Festival](#)

system—one that is a massive contributor to climate change, that leaves populations hungry or full of non-nutritious calories, and that exploits land, labor, and species. Award-winning food writer Mark Bittman has a plan to provide affordable, nutritionally and environmentally sound food for everyone, creating a food system that serves society without wrecking the earth—and recognizing good food as a public good available to all.

The food system is *so* broken...

“The federal government shouldn’t be trying to salvage our broken food system – we need a new one.”

AJ Albrecht

Mercy for Animals

(Who also happens to chair an Animal Law Committee for the American Bar Association)

It's not just people...

“Our food system is broken.”

Food Tank

“Our broken farm subsidy system encourages over production of the wrong food.”

EWG

“It's not what you're eating, it's what you're being fed.”

Pennington Biomedical Research Center

Even AI (sometimes) thinks it's broken...

RA

Is the food system broken?

RA

Is the food system broken?



The food system, which includes all the processes and practices involved in producing, distributing, and consuming food, is complex and multifaceted. While it is not accurate to say that the food system as a whole is broken, there are certainly many challenges and issues that need to be addressed.

“Ag Humpty Dumptyism”

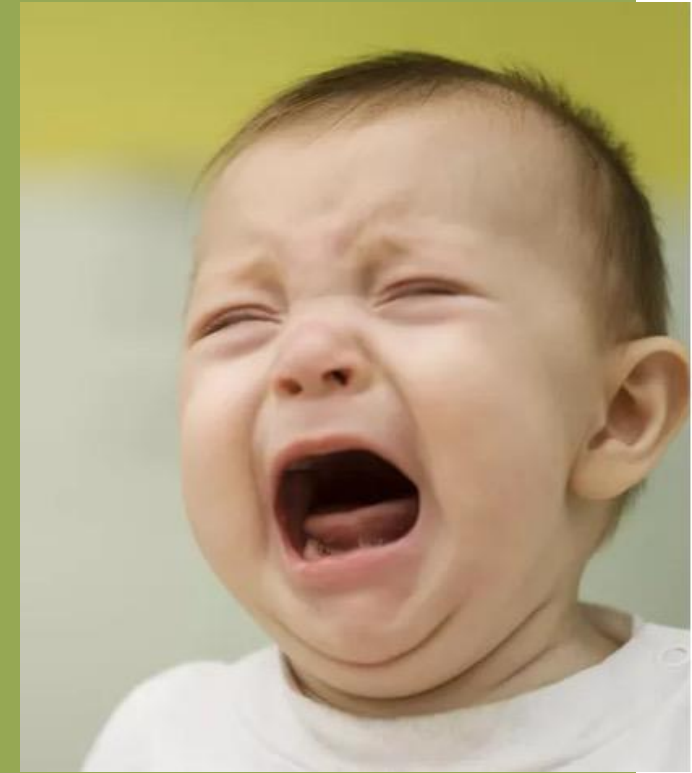
*Humpty Dumpty sat on a wall,
Humpty Dumpty had a great fall.
All the kings horses, and all the kings men,
Couldn't put Humpty together again.*



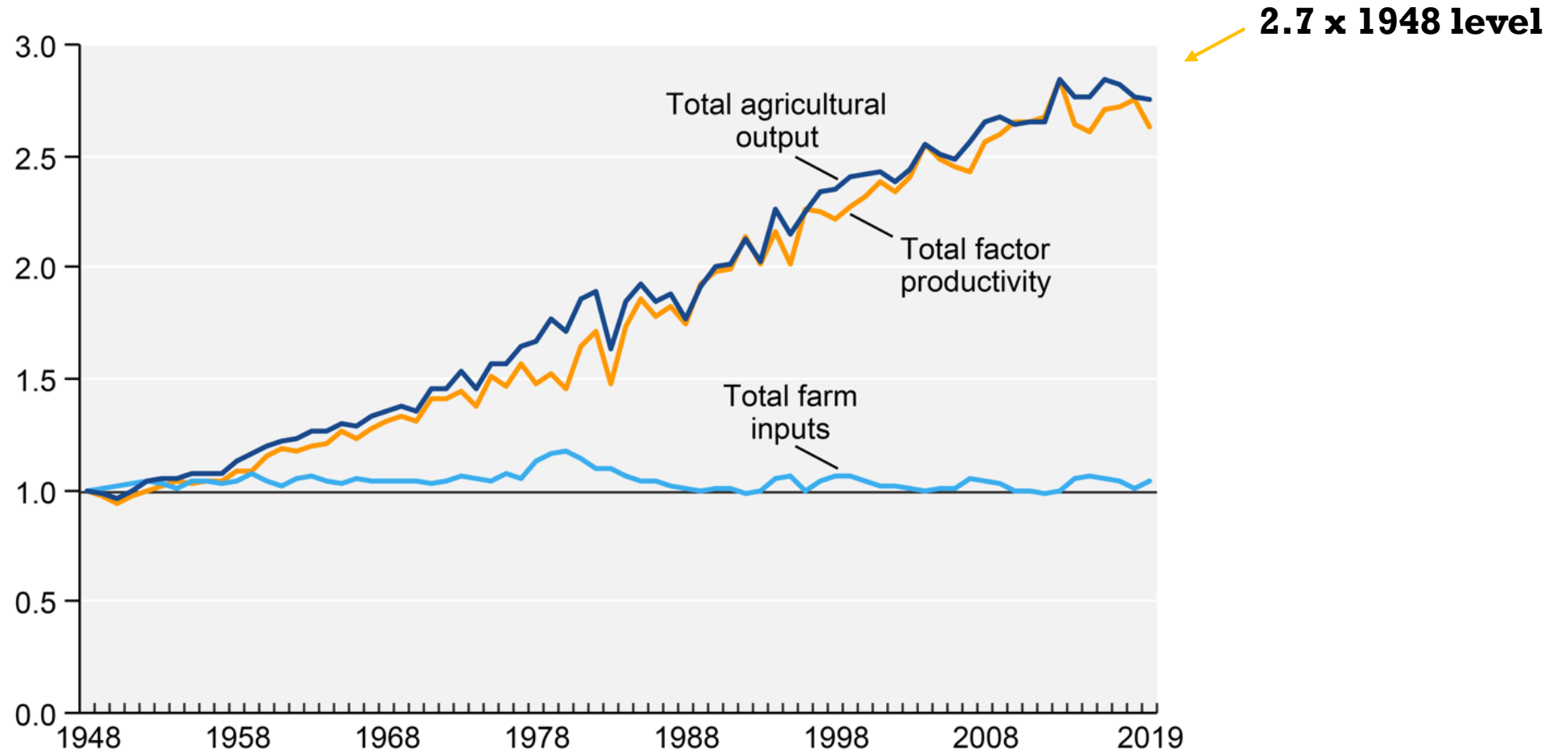
Photo: Alamy

It's maddening!

- *It's absurd*
- *It's ridiculous*
- *It's complete "poppycock"*



U.S. agricultural output, inputs, and total factor productivity



Source: USDA, Economic Research Service, *Agricultural Productivity in the U.S.* data series. Data as of January 2022.

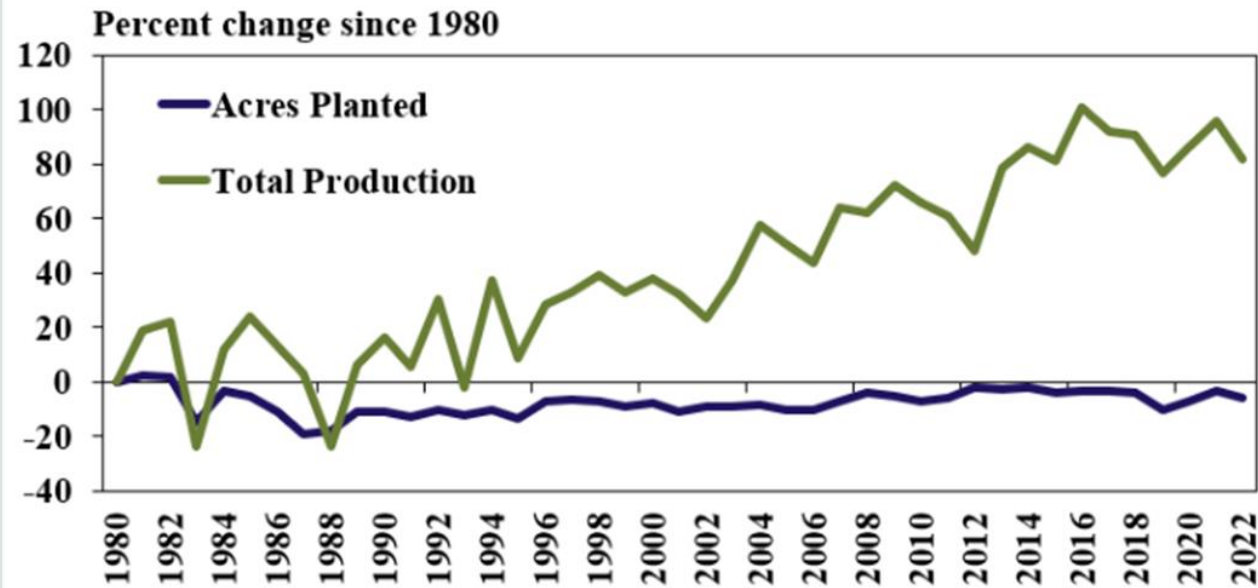


Nate Kauffman
@N_Kauffman



U.S. acreage devoted to corn, soybeans, and wheat has declined (slightly) since 1980, but overall production has nearly doubled. [#productivity](#)

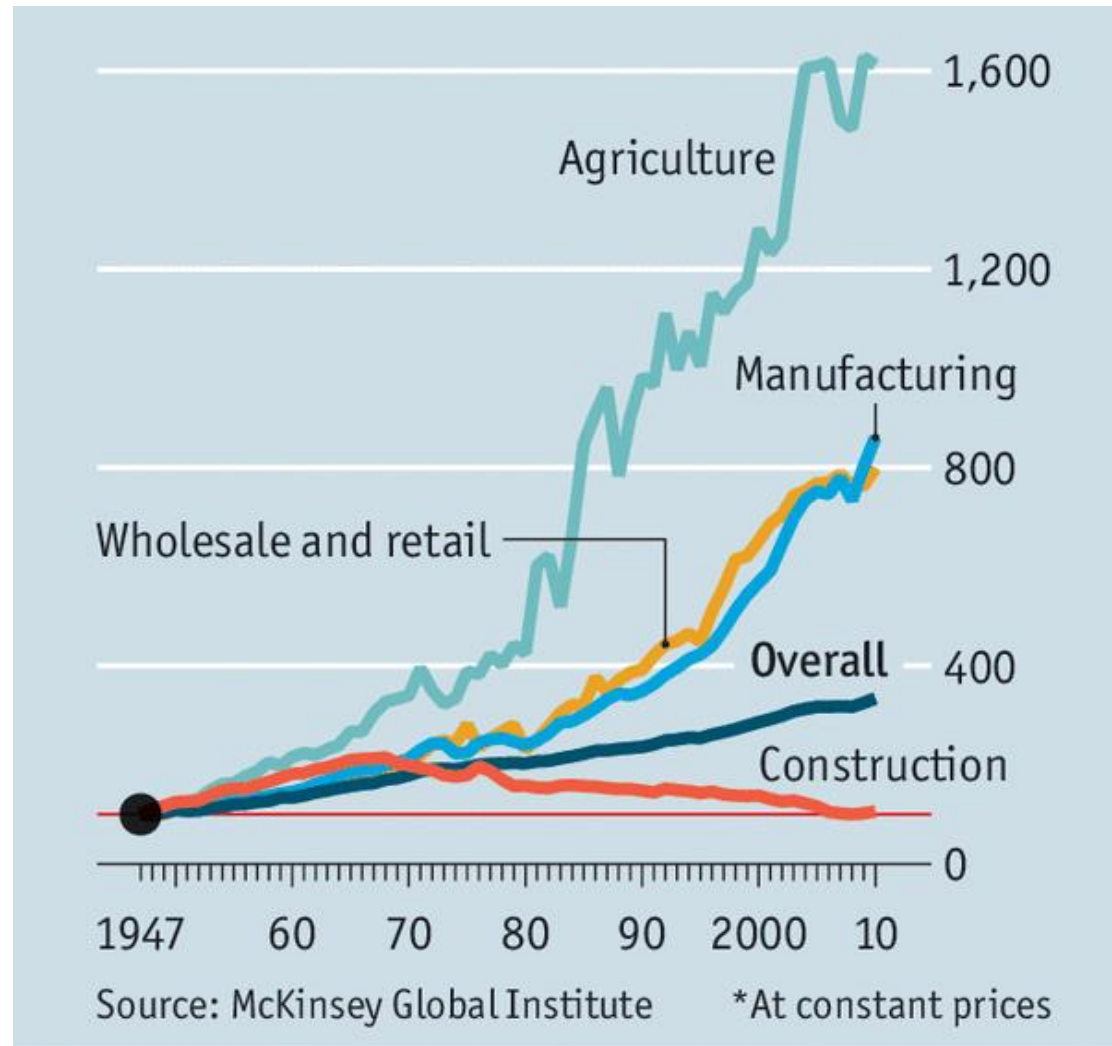
U.S. Crop Production – Corn, Soybeans, & Wheat



Source: USDA

United States, gross value-added*

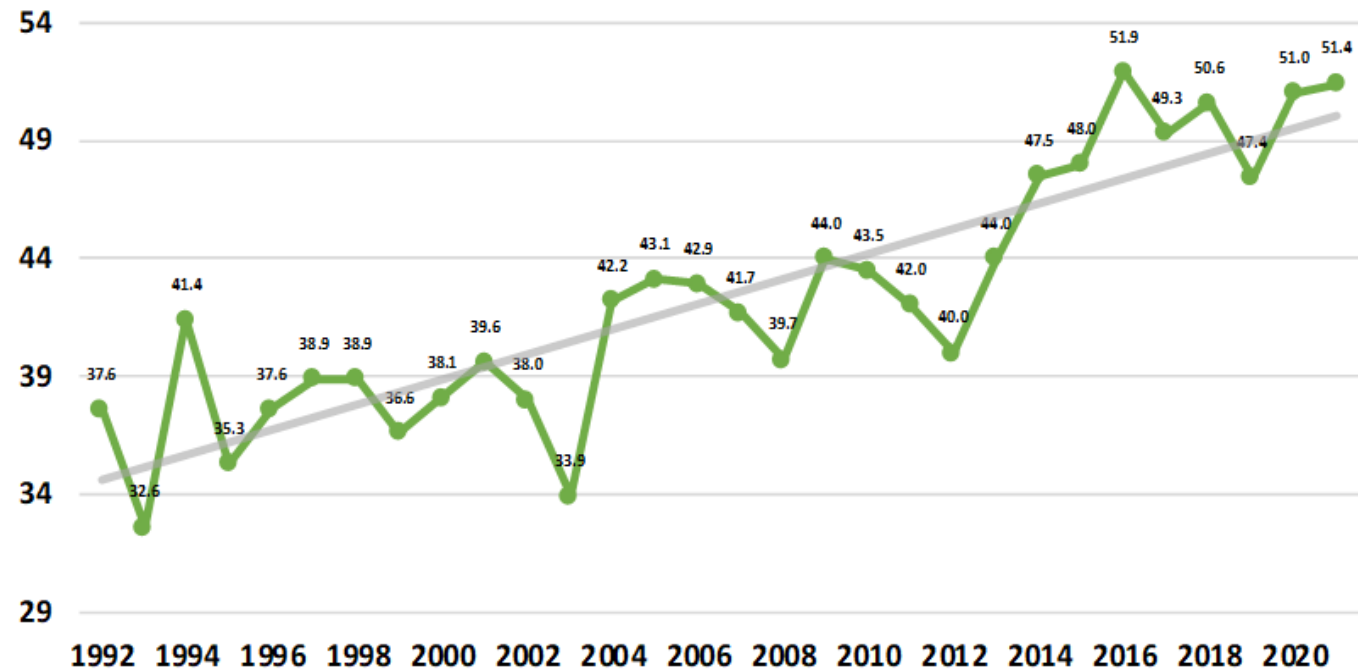
Per hour worked, 1947=100



Soybean Yield

United States

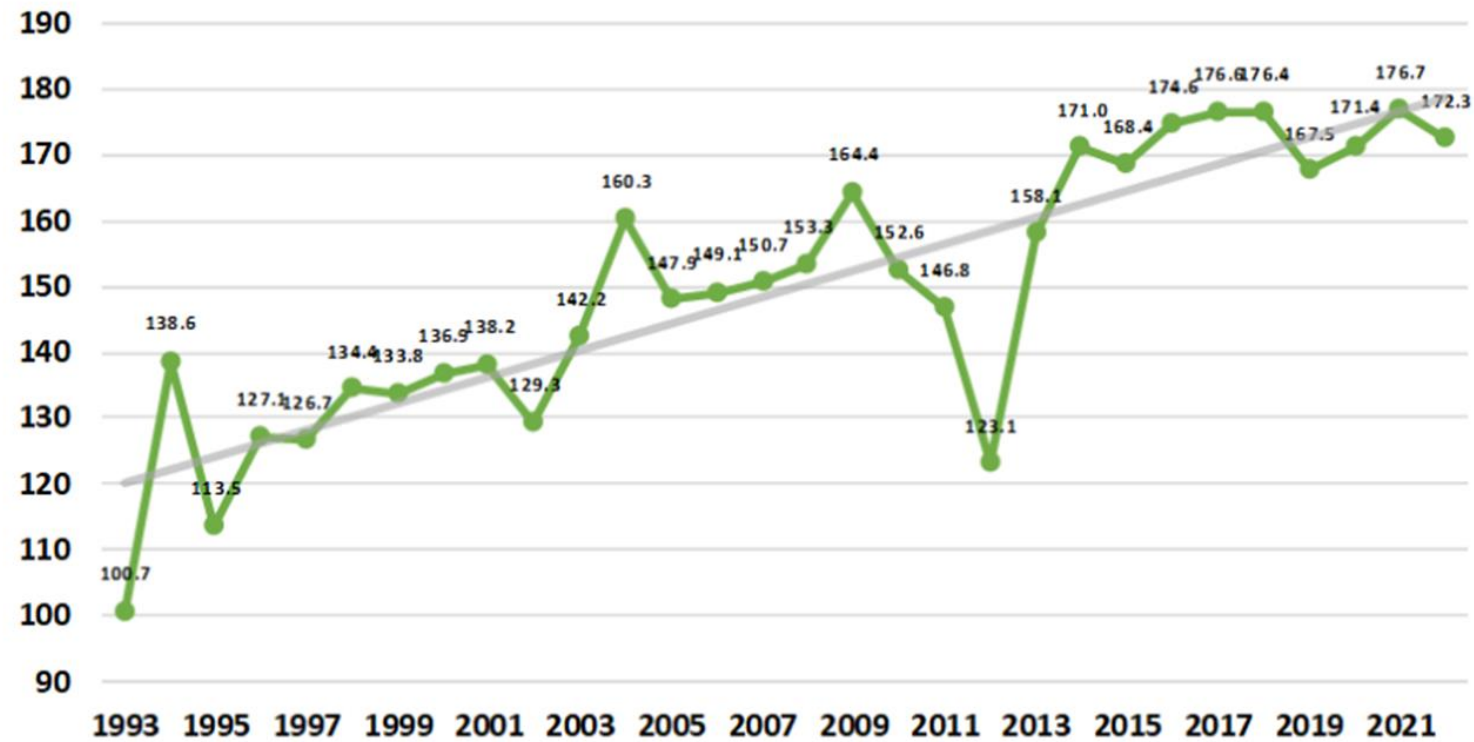
Bushels per Acre



Corn Yield

United States

Bushels per Acre

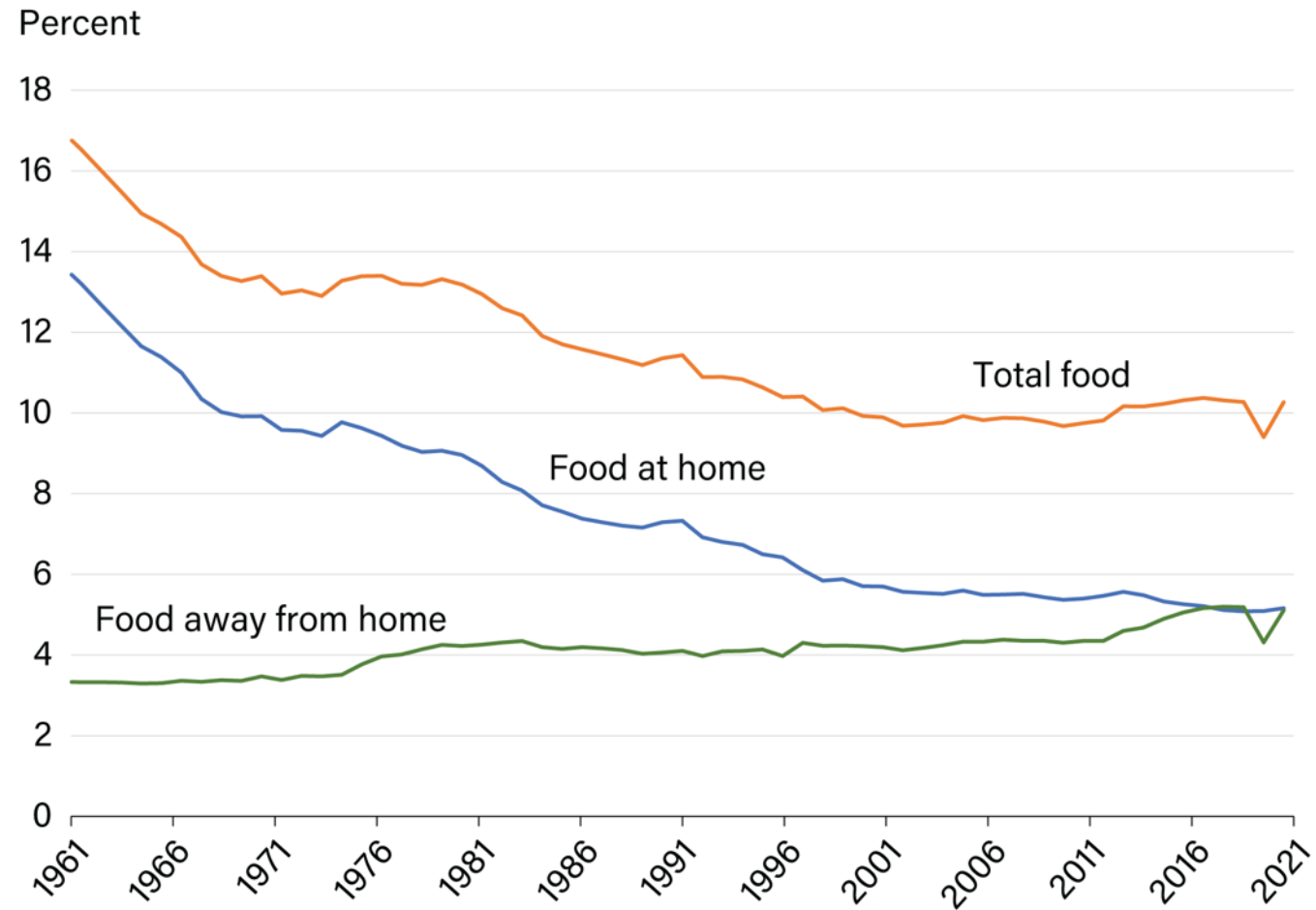


United States Department of Agriculture
National Agricultural Statistics Service

November 9, 2022

Share of disposable personal income spent on food in the United States

1961-2021

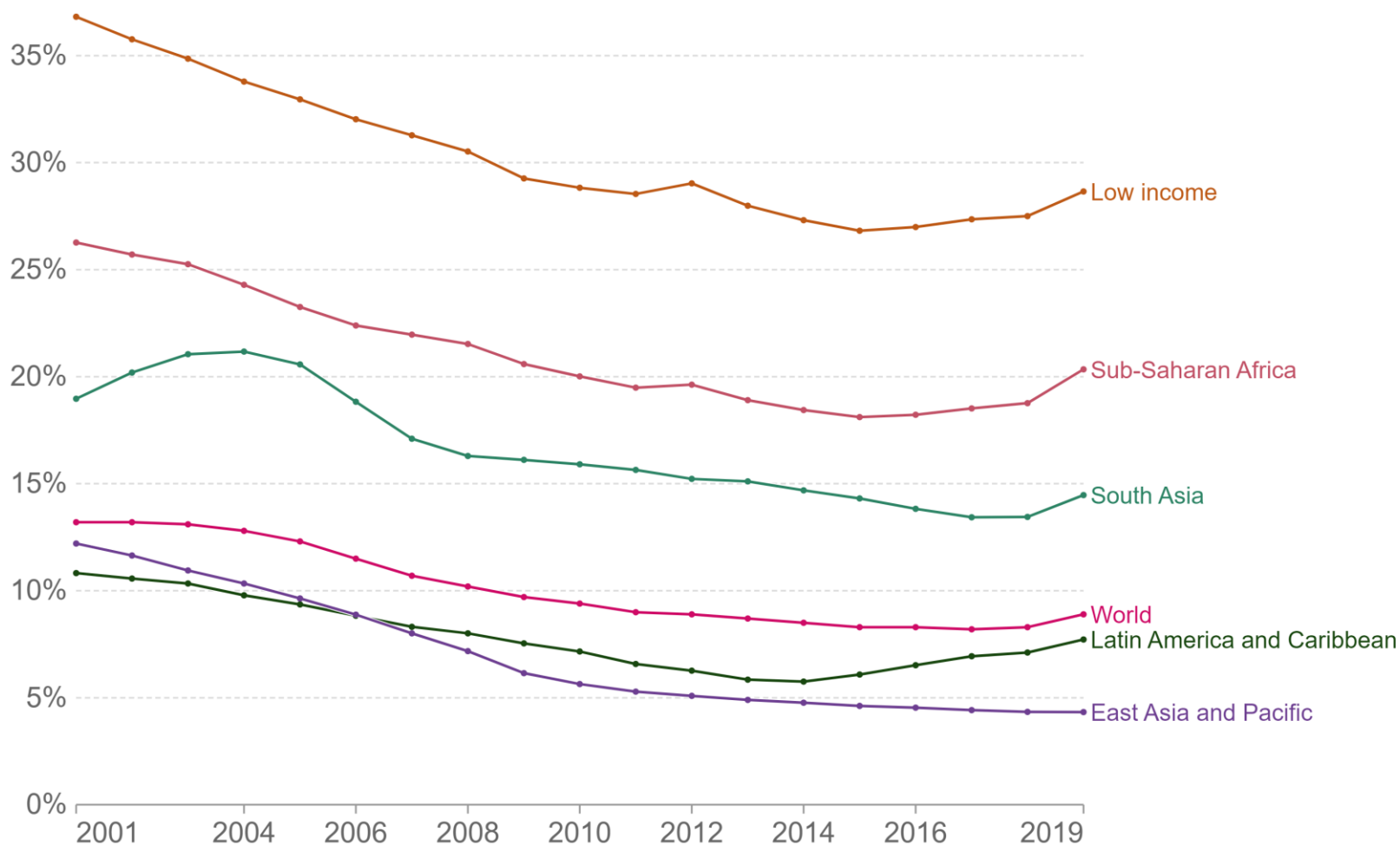


Source: USDA, Economic Research Service, Food Expenditure Series.

Global Malnutrition

Share of the population that is undernourished

Share of individuals who have a habitual energy intake lower than their requirements.



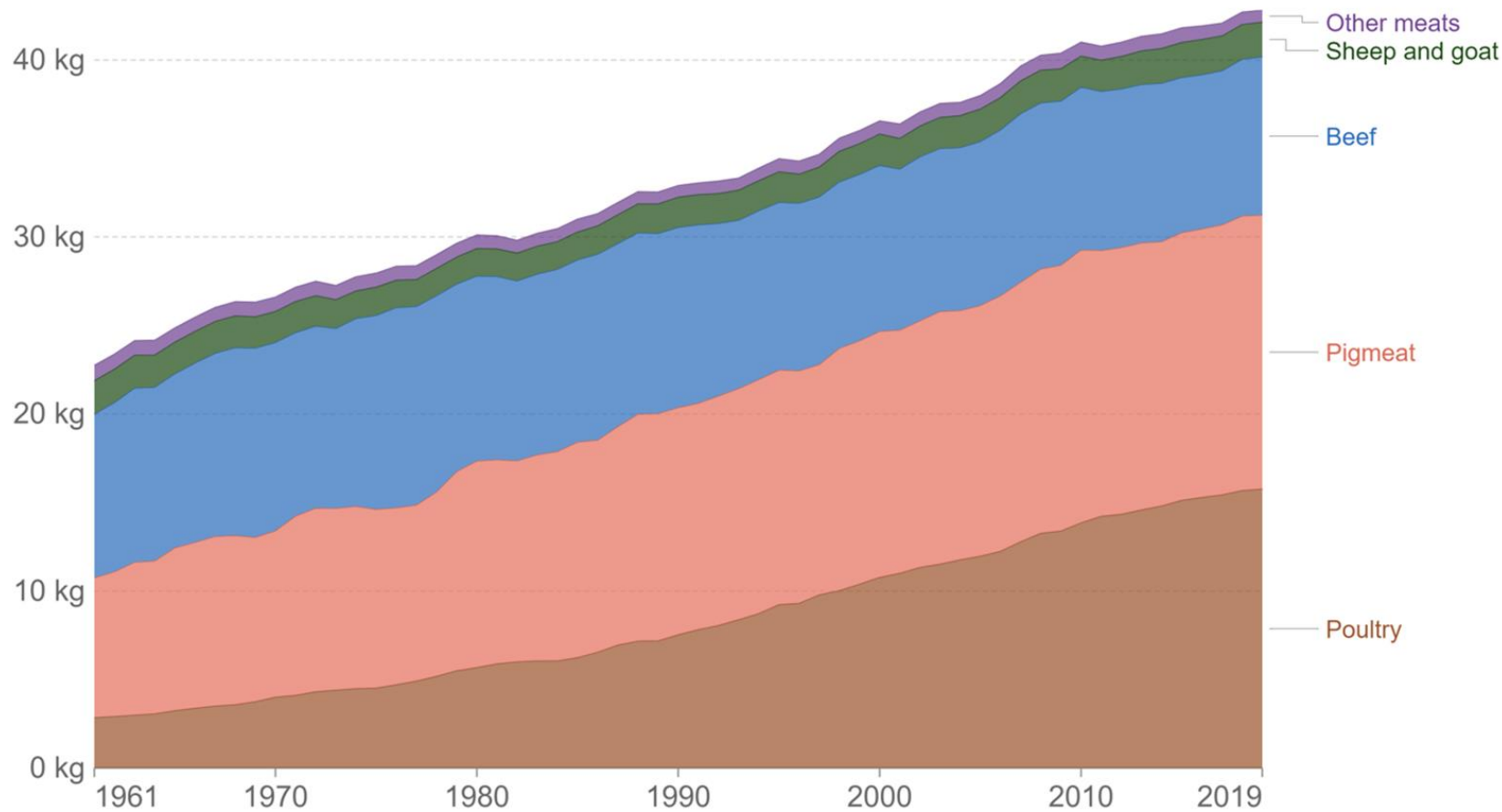
Source: Food and Agriculture Organization of the United Nations (via World Bank)

OurWorldInData.org/hunger-and-undernourishment • CC BY

Global Per Capita Meat Consumption

Per capita meat consumption by type, World, 1961 to 2019

Per capita meat consumption is broken down by types of meat, and is measured in kilograms per person per year.



Source: Food and Agriculture Organization of the United Nations

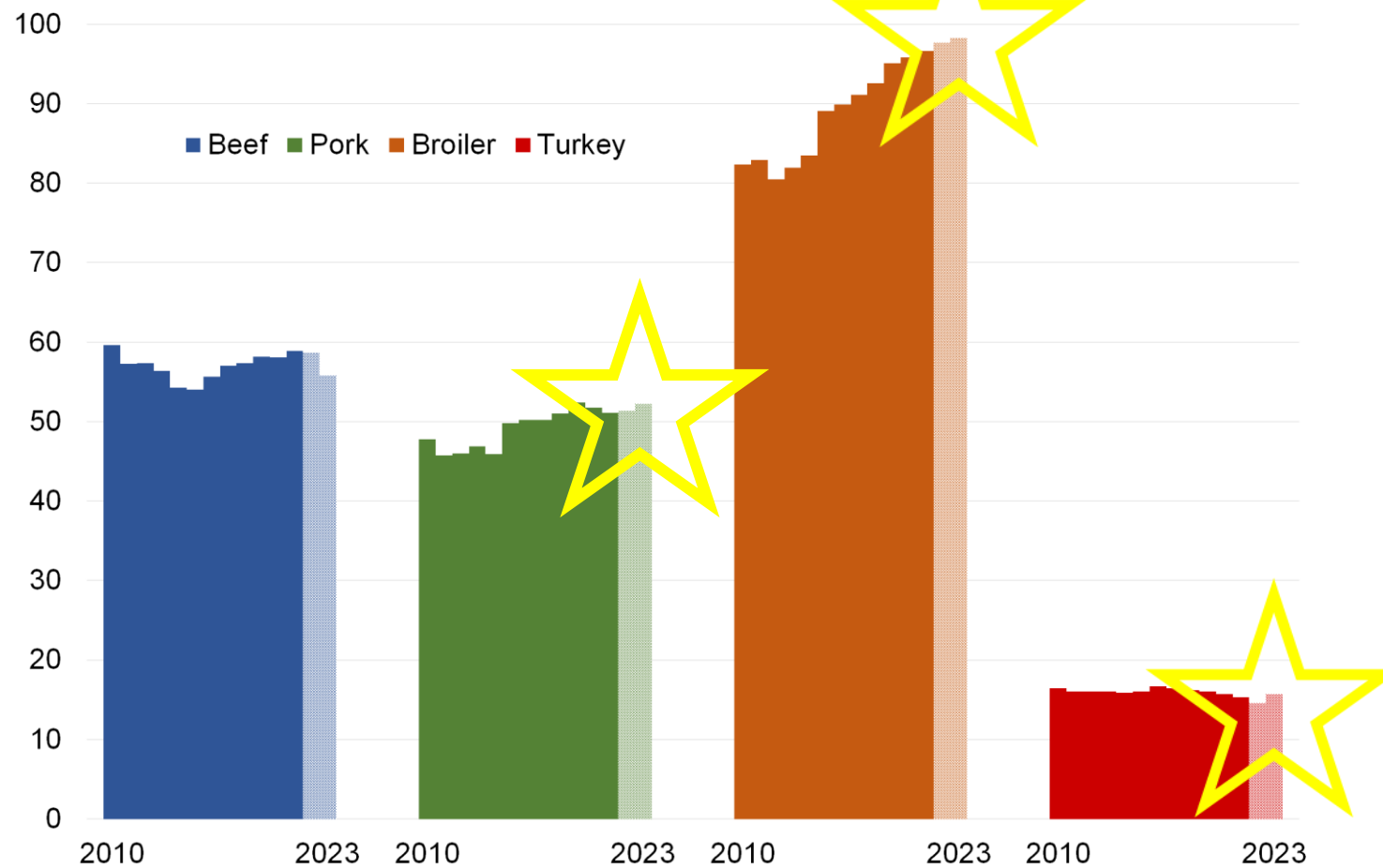
OurWorldInData.org/meat-production • CC BY

Note: Data does not include fish and seafood. Figures do not correct for waste at the consumption level so may not directly reflect the quantity of food finally consumed by a given individual.

Global Per Capita Meat Consumption (2023 projection)

Retail weight per capita disappearance for beef, pork, broilers and turkey 2010–2023*

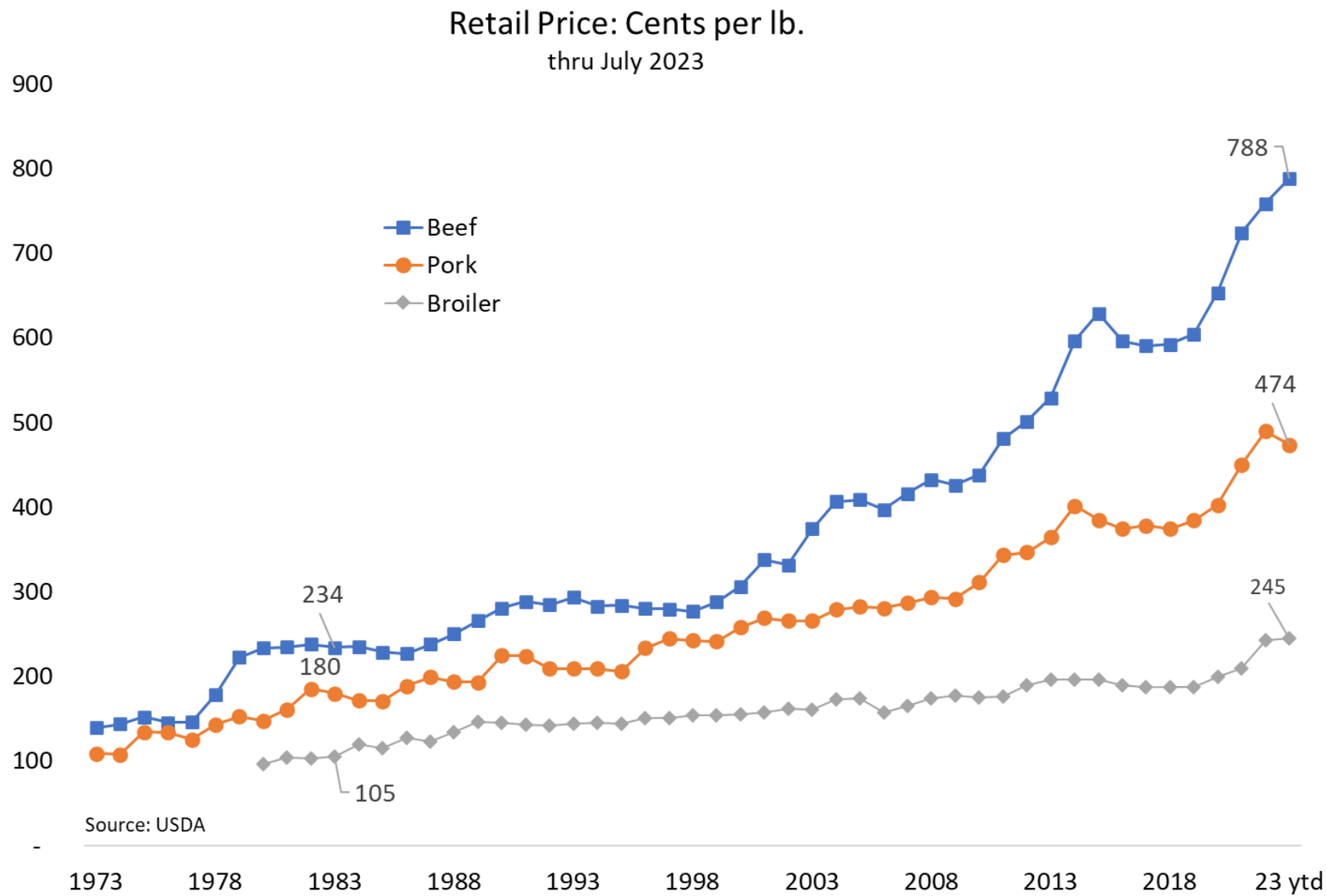
Pounds per person



Note: 2022 and 2023 represent forecast values (lighter shading in the graph).

Source: USDA, World Agricultural Outlook Board.

Nominal Price is Getting all the (Unwanted) Attention



Source: Dr. Michael Swanson, Wells Fargo

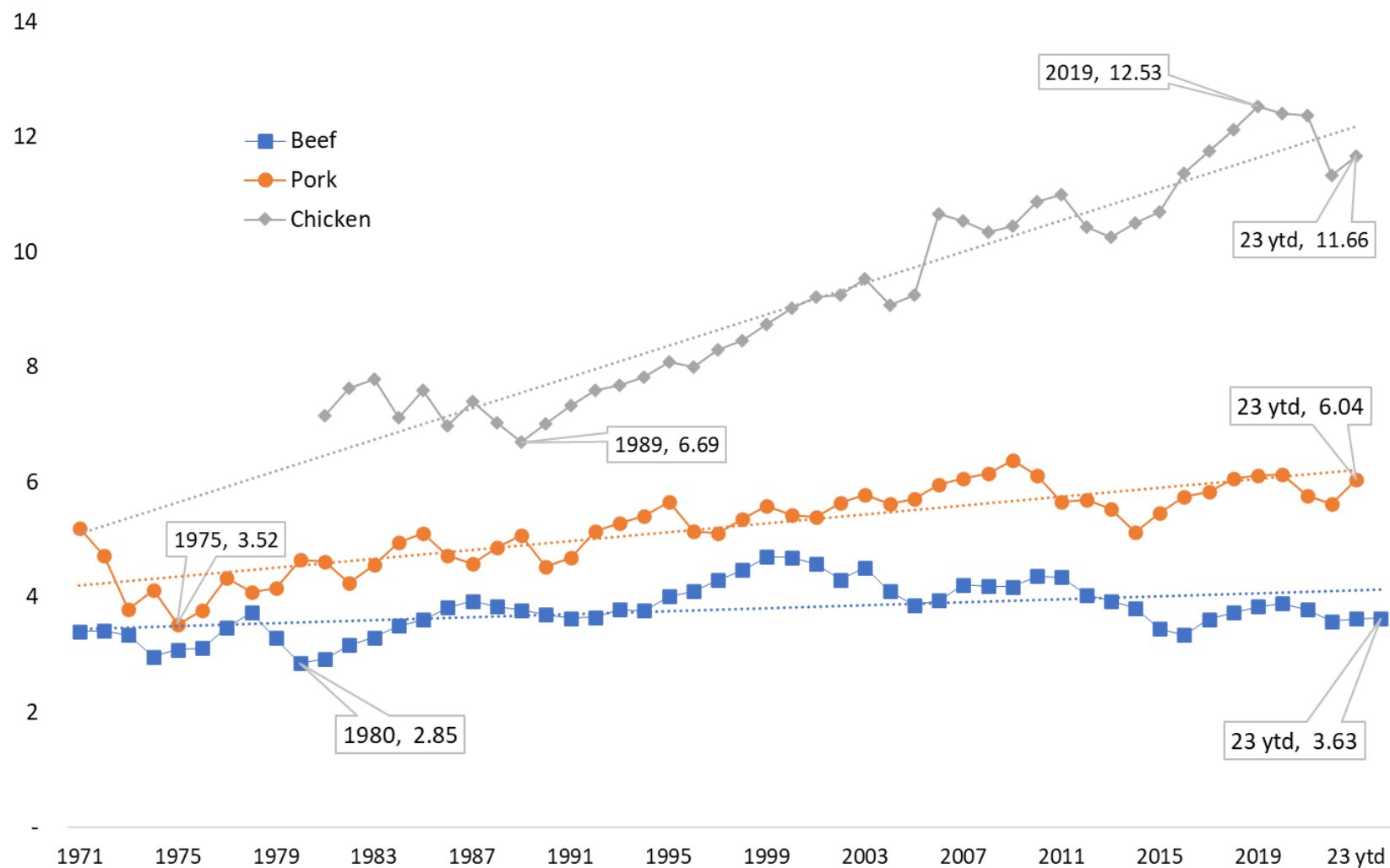
Nominal Price is Getting all the (Unwanted) Attention

The most expensive vehicle to operate in 2023.



But price = What you give up to get it

Pounds of Meat (at retail) equivalent to Average Hourly Wage



Source: USDA ERS, BLS August 2023

Source: Dr. Michael Swanson, Wells Fargo

“Two Guys on a Bus”





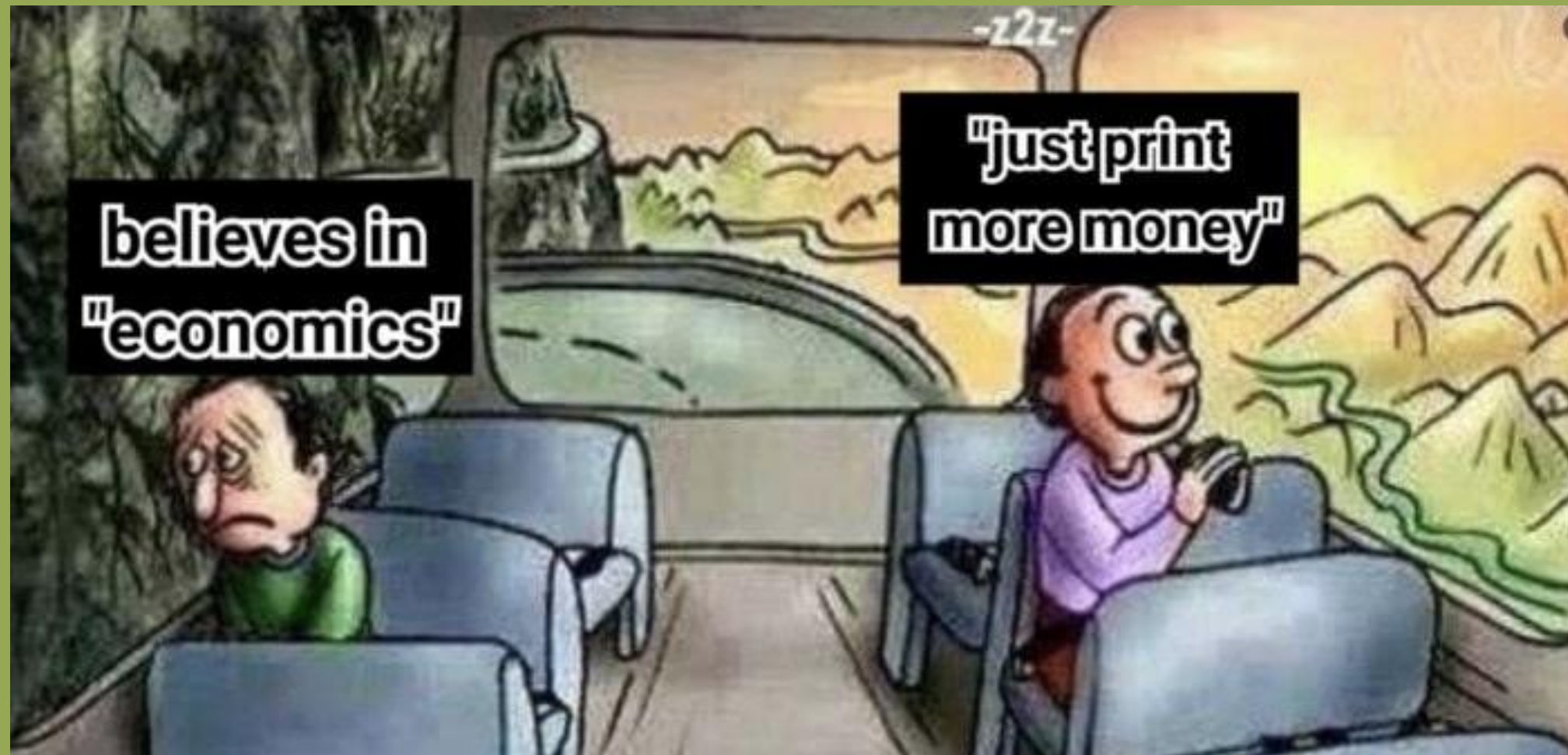
A cartoon illustration of a car interior. On the left, a man with a worried expression sits in the passenger seat. On the right, a woman with a happy expression sits in the driver's seat, holding a steering wheel. The background shows a road and a landscape. Two large black speech bubbles are overlaid on the image. The first bubble, on the left, contains the text 'Saying "Target"'. The second bubble, on the right, contains the text 'Saying "Targee"'. The text in the second bubble is written in a cursive font.

**Saying
"Target"**

**Saying
*"Targee"***

believes in
"economics"

-227-
"just print
more money"



A cartoon illustration of a man and a woman sitting on a train. The man, on the left, has a sad expression. The woman, on the right, is smiling and holding a camera. The train is moving through a landscape with green hills and a sunset sky. Two black text boxes are overlaid on the image. The first box, on the left, contains the text "No pineapple on pizza". The second box, on the right, contains the text "Pineapple on pizza".

No pineapple on pizza

Pineapple on pizza



The food system is broken!

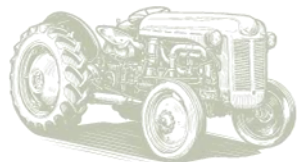
A cartoon illustration of a bus. On the left, a man with a worried expression sits in a seat. On the right, a woman with a happy expression sits in a seat, holding a camera. The bus has a sign that reads 'CANTAS DA REPUBLICA'. The background shows a landscape with hills and a sky with clouds. Two large black speech bubbles are overlaid on the image, one on the left and one on the right, containing the text 'The food system is broken!' and 'The food system is awesome!' respectively.

The food system is awesome!



We normally stop there. But seriously, “how can this be?”

- **Opinion by proxy?**
 - *Not rural versus urban*
 - *Not older versus younger*
 - *Not Republican versus Democrat*
- **It's actually “Outsiders” versus “Insiders”**
 - *To put it differently, it's “farmers” versus “foodies”*



Insiders versus Outsiders

Farmers

Foodies

Impressive contribution to society

Run a broken system

*Treat workers & animals with
dignity and respect*

*Everyone in the system except “big
ag” is being exploited*

Sustainable by nature

Need to be “monitored” or “scored”

FARMERS VERSUS FOODIES



A Look at the Outside Forces Forging
the Future of Farming and Food

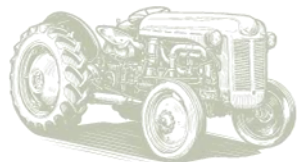
RAY A. STARLING

Where are the outsiders
exerting meaningful influence?

How?

Why are they gaining ground?

- Marketplace
- Investment Community
- Politically
- Legal
- International
- Media
- Leveraging Culture



FARMERS VERSUS FOODIES



**A Look at the Outside Forces Forging
the Future of Farming and Food**

	ACKNOWLEDGMENTS	ix
ONE	A REALLY BAD MEETING	1
TWO	THE HUMPTY DUMPTY MEGAPHONE	15
THREE	FOOD GLORIOUS FOOD—WHICH EXPLAINS SOME THINGS	31
FOUR	THE FOODIE OF THE FUTURE AND WHY FARMERS SHOULD CARE	45
FIVE	READING THE FUTURE FOODIE TEA LEAVES	61
SIX	BOTTOM LINES: OUTSIDE INVESTMENT IN AGRICULTURE	77
SEVEN	DECLINING POLITICAL CLOUT	101
EIGHT	MEET ME AT THE COURTHOUSE	123
NINE	FARMERS WITHOUT BORDERS	145
TEN	EXTRA! EXTRA! READ ALL ABOUT IT!	169
ELEVEN	GETTING A LITTLE AGRI-CULTURE	187
TWELVE	THIS PLANE DOESN'T WAIT ON YOU	201
	STAYING ENGAGED	225
	ABOUT THE AUTHOR	227

Today's spotlight:

- *Outside investment*
- *Political advantages dissipating*
- *Lawyers*
- *Culture*



**Money
Money
Money**

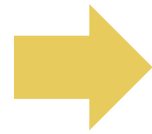
CHAPTER SIX



BOTTOM LINES: OUTSIDE INVESTMENT IN AGRICULTURE

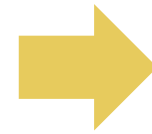
**15-25
Years Ago**

*Consumer
Influence*



**5-15
Years Ago**

*Retailer
Influence*



Present

*Investor
Influence*

“Outside” Investment in Ag

- *The irony of greater dependence on people who understand less and less about production agriculture.*
- *“Hello, I’m from the outside investment world ... and I’m here to help.”*
- *ESG (credentialing, SEC interest)*

Why FoodTech & AgTech?



Driven by shifts in eating habits, population growth, climate change, and failing soils, our food and agriculture industry faces moonshot-sized challenges.

Agri-FoodTech entrepreneurs are stepping up to solve these problems by harnessing the most advanced technologies. From plant-based protein, gene-editing, drones and indoor farming to satellite imaging, precision farming, and computational biology, founders are driving radical transformation in our food and agriculture system with technology.

[JOIN THE AGRI-FOODTECH REVOLUTION](#)

So What?

- *Tim Hammerich observation.*
- *A need for “Wall Street Lobbyists”?*

We need less of this:

7 ways for ESG investors to profit from sustainable agriculture

Last Updated: March 27, 2021 at 10:29 a.m. ET

First Published: March 24, 2021 at 11:36 a.m. ET

By Debbie Carlson



And more of this:

Farmers are taking the lead on ESG – and not just to please investors



Michael Gilbert

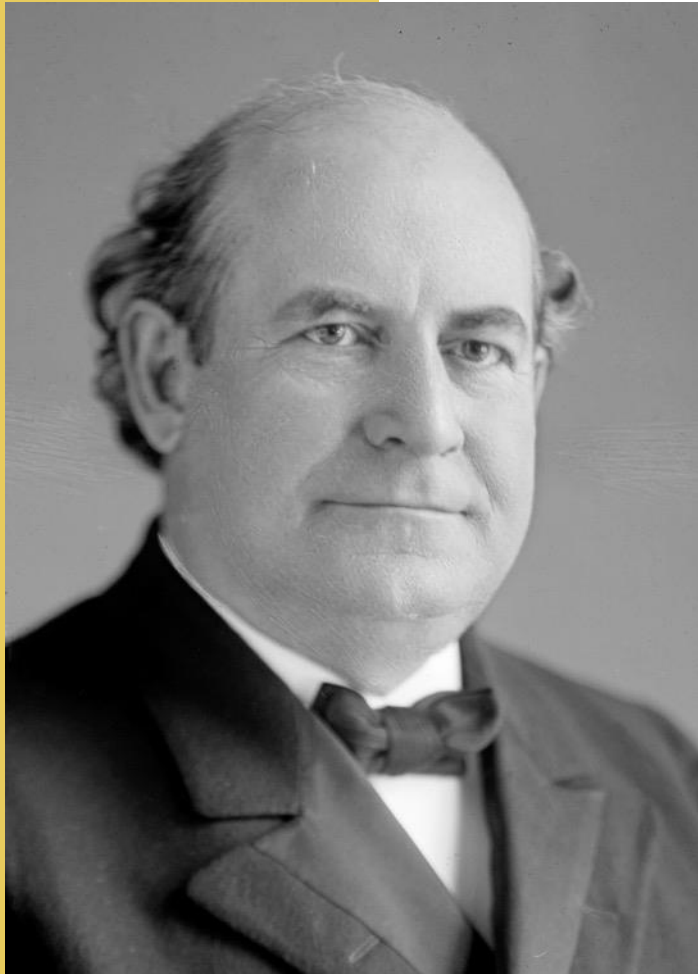
CEO at Semios. Data-driven sustainable agriculture. IoT & machine learning.

Political Reckoning

CHAPTER SEVEN

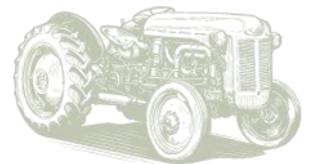


DECLINING POLITICAL CLOUT



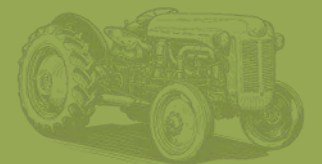
Williams Jennings Bryan

- Ran for President in 1896
- One of the oldest orators in American political history
- Lost the 1896 election



“Burn down your cities and leave our farms, and your cities will spring up again as if by magic. But destroy our farms and the grass will grow in the streets of every city in the country.”

Williams Jennings Bryan



Ag's Political Prowess Shrinking?



“I could teach anybody ... to be a farmer. It’s a process.

You dig a hole,

you put seed in,

you put dirt on top,

add water,

up comes the corn.”



Elected Officials

*“The American food system is broken,
and it is killing us.”*

*“The American food system is working against
nearly everyone it touches – it is hurting urban
communities and rural communities; farmers and
farm workers. And it is deeply dangerous to our most
vulnerable communities.”*

Senator Cory Booker



Sen. Cory Booker ✓
@SenBooker

Big factory farming hurts our small farmers, public health, our environment and more. It's time we end this broken system with my Farm System Reform Act.



By the numbers:

- *1953: ~ 15-20% of the members of Congress were agrarians*
- *2020: ~ <5%*



Let's **(DON'T)** talk about the Farm Bill!



NAIICC

NAIICC POSITION PAPERS

- **Carbon Markets Sequestration Questions Concerns**
- **The Endangered Species Act Position Paper**
- **FIFRA Revision Position Paper**
- **IR-4 Position Paper**
- **Worker Protection Standards Position Paper**
- **WOTUS Position Statement**

Legal Forces

CHAPTER EIGHT



MEET ME AT THE COURTHOUSE

Lawyers...and Other Legal Threats

LIVESTOCK

Fifth North Carolina Nuisance Case Lands Another Blow to Pig Farmers



by Sara Brown 05:44PM Mar 11, 2019

ENVIRONMENTAL ISSUES FOOD INDUSTRY FEATURE JANUARY 13/20, 2020

The Stink and Injustice of Life Next to an Industrial Hog Farm

Will the world's leading pork producer be held responsible for making life unbearable in rural Southern communities?

By Barry Yeoman

DECEMBER 20, 2019

Let's Ask the Lawyers

Laurie Beyranevand

- Director, the Center for Agricultural and Food Systems at Vermont Law School
- A member of the Food and Drug Law Institute
- A member of Georgetown Law School's *Food and Drug Law Journal*/Editorial Advisory Board
- Chair Elect of the Food Law Section of the American Association of Law Schools

Emily Broad Leib

- Professor, Harvard Law School
- Founder of Harvard's Food Law and Policy Clinic

*“The food system **fails to meet our nation’s most important and basic needs** in a variety of ways.”*

*“Soaring rates of **food insecurity**, the **exploitation** of food workers, massive volumes of food **waste**, widespread **nutritional deficiencies** leading to alarming rates of diet related disease, the challenging economics of farming and **disproportionate harm** to underserved and Black, Indigenous and people of color (BIPOC) communities – all of these existed at near-crisis levels before the coronavirus first infected a single human.”*

**Laurie
Beyranevand**

and

**Emily
Broad Leib**

Vermont Law School



VLS / Academics / Clinics & Externships /

FOOD AND AGRICULTURE CLINIC

WHO WE ARE

The Food and Agriculture Clinic is one of the only law school clinics in the United States exclusively devoted to the food system.

Our student clinicians are JD, Master's and LLM candidates in Vermont Law School's top-ranking environmental law program. They represent the next generation of law and policy leaders, committed to advancing a more just, sustainable, and humane food system. Student clinicians work under the close supervision of licensed attorneys, including Food and Agriculture Clinic Director Sophia Kruszewski and the faculty and staff at the Center for Agriculture and Food Systems, including Director Laurie Beyranevand, Professor Emily Spiegel, and Senior Legal Fellow Francine Miller.



Vermont

PARTNERS:

[Harvard Law School Food Law and Policy Clinic](#)

[Duke Environmental Law and Policy Clinic](#)

[Harvard Law School Emmett Environmental Law & Policy Clinic](#)

[Health Law and Policy Clinic at Harvard Law School](#)

[Pace University Elisabeth Haub School of Law, Food Law Initiative](#)

[UCLA School of Law, Resnick Program for Food Law and Policy](#)

[University of Pittsburgh School of Law](#)

[Yale Environmental Protection Clinic](#)

VLS / Academics / Centers & Programs

FARM BILL LAW ENFORCEMENT

The Farm Bill Law Enforcement

...ds of our society.



Table 2. Market Value of Agricultural Products Sold Including Landlord's Share, Food Marketing Practices, and Value-Added Products: 2017 and 2012

[For meaning of abbreviations and symbols, see introductory text.]

Item	2017	Percent of total in 2017	2012
MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD (SEE TEXT)			
Total sales (see text) farms	6,808	100.0	7,338
..... \$1,000	780,968	100.0	776,105
Average per farm dollars	114,713	(X)	105,765

Table 2. Market Value of Agricultural Products Sold Including Landlord's Share, Food Marketing Practices, and Value-Added Products: 2017 and 2012

[For meaning of abbreviations and symbols, see introductory text.]

Item	2017	Percent of total in 2017	2012
MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD (SEE TEXT)			
Total sales (see text) farms	86,104	100.0	88,637
..... \$1,000	28,956,455	100.0	30,821,532
Average per farm dollars	336,296	(X)	347,728

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Center for Animal Law Studies



Lewis & Clark Law School

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“The ALLC advocates for farmed animals in the courtroom by providing litigation support for cutting-edge lawsuits aimed at establishing and expanding legal protections and rights for farmed animals, including challenging the presumption that common, inhumane farming practices are shielded from judicial scrutiny, and pursuing novel causes of action.”

ALLC (ALLC) focuses on the legal protections and rights of farmed animals. It is the nation's only clinic focused exclusively on animal law litigation. Under the leadership of professor Delcianna Winders, the clinic advocates for farmed animals in the courtroom through cutting-edge lawsuits aimed at establishing and expanding legal protections and legal rights for farmed animals, including by challenging the presumption that common, inhumane farming practices are shielded from judicial scrutiny and pursuing novel causes of action. Cases are selected to maximize student learning opportunities while also making the most change for farmed animals. Students are involved in every aspect of litigation, including appearing in court on behalf of animals.





November 17, 2022

Join the Next Generation of Animal Advocates

Candidates pursuing the LLM or MSJ degree can expect a world-class learning experience and access to a diverse array of animal law courses taught by CALS faculty, as well as by prominent scholars and practitioners. Examples of coursework include:

- Animal Law Fundamentals,
- Companion Animal Law,
- Global Wild Animal Law,
- Industrial Animal Agriculture Law,
- International Animal Law, and more.

Students studying in our in-person program can participate in experiential learning opportunities, such as **our innovative Farmed Animal Protection Project** (available for LLM and MSJ students) and our International Wildlife Law Clinic (available for LLM students).

Today's law student loves it!

“

I'm so grateful to be in a collaborative space that allows me to hone my advocacy skills while also protecting the interests of farmed animals. I love that our roundtable class discussions about lawyering, ethics, and contemporary issues in the animal rights movement shape our litigation goals and strategies.”

-ALLC Student

**2 for 1
special
for a limited
time**

Public Justice – Go Read it for Yourself



IMPACT LITIGATION

We believe the way we achieve our vision is through bringing **strategically targeted litigation** that supports the larger good food movement and redresses the structural and institutional inequities upon which the current system is built. [Learn more about our litigation.](#)

Tactics for Attorneys with Clients Suffering Harms from Industrial Animal Agriculture

Use this document to help screen and evaluate cases against potential harms from new and expanding factory farms, slaughterhouses, and processing plants.

[LEARN MORE](#)

Lives on the Line: The High Human Cost of Cheap Chicken

Oxfam America's report explores industry history and trends, documents the realities and challenges of life working on the line, and offers concrete recommendations to improve conditions for poultry workers.

[LEARN MORE](#)

Public Justice Rebrand ...



FarmSTAND is the only legal project in the country dedicated solely to taking on industrial animal agriculture.

We're focused on dismantling the structures that enable the consolidation of corporate power and extractive practices in our food system and we support a vision of animal agriculture that is regenerative, humane, and owned by independent farmers



Nothing's safe in industrial agriculture



CENTER for BIOLOGICAL DIVERSITY



Iowa Citizens for Community Improvement
We talk. We act. We get it done.



MERCY FOR ANIMALS

AnimalOutlook
Exposing Truth. Inspiring Change.

Home → Legal Advocacy

Significant funding



(Slip Opinion)

OCTOBER TERM, 2022

1

Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

NATIONAL PORK PRODUCERS COUNCIL ET AL. *v.*
ROSS, SECRETARY OF THE CALIFORNIA
DEPARTMENT OF FOOD AND AGRICULTURE, ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

No. 21–468. Argued October 11, 2022—Decided May 11, 2023

This case involves a challenge to a California law known as Proposition 12, which as relevant here forbids the in-state sale of whole pork meat that comes from breeding pigs (or their immediate offspring) that are “confined in a cruel manner.” Cal. Health & Safety Code Ann. §25990(b)(2). Confinement is “cruel” if it prevents a pig from “lying down, standing up, fully extending [its] limbs, or turning around

Courtesy: Andy Curliss

Back to Public Justice



Public Justice

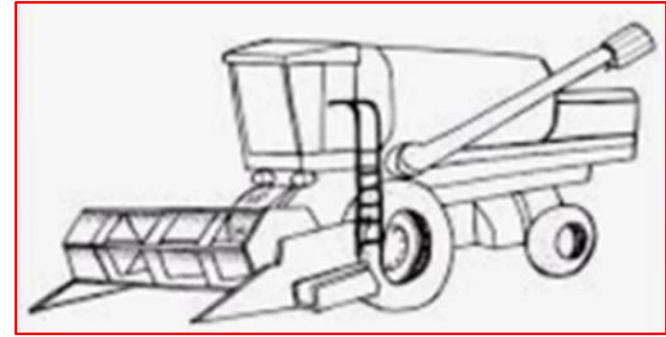
Apr 6, 2021 · 16 min read · [Listen](#)

How can the legal community support the kind of organizing you're involved in?

The legal work is a tool in the toolbox of a broader vision of what we want to see happen. There are certain times when strategic litigation can advance a campaign or long-term goal. ...

Cultural Underpinnings

CHAPTER ELEVEN



GETTING A LITTLE AGRI-CULTURE

Individualism

- *The 1800s, 1900s, and 2000s*
- *Selfishness: “Make everyone pay what I pay.”*
- *Lack of Objectivity: “It’s true to me!”*

be you

do you

for you

Consumption vs. Production

- *Efficiency = rise of private space and private time*
- *1.6M packages/day*
- *What's next?*



Search for Purpose

“I need a cause!”

MAN'S SEARCH FOR MEANING VIKTOR E. FRANKL

WITH A NEW FOREWORD BY
HAROLD S. KUSHNER



MORE THAN
12 MILLION COPIES
IN PRINT
WORLDWIDE

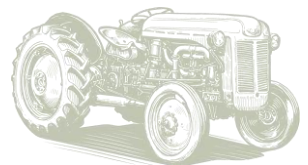
In sum ...

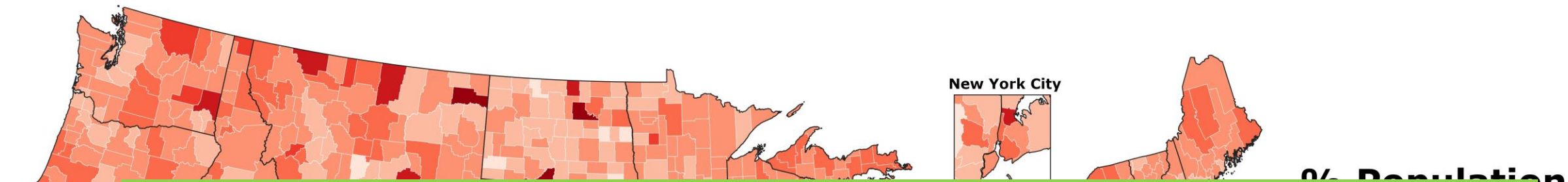
Outside forces are shaping the system

Most of their assumptions are wrong

They capitalize on cultural trends

So why does all of this matter?

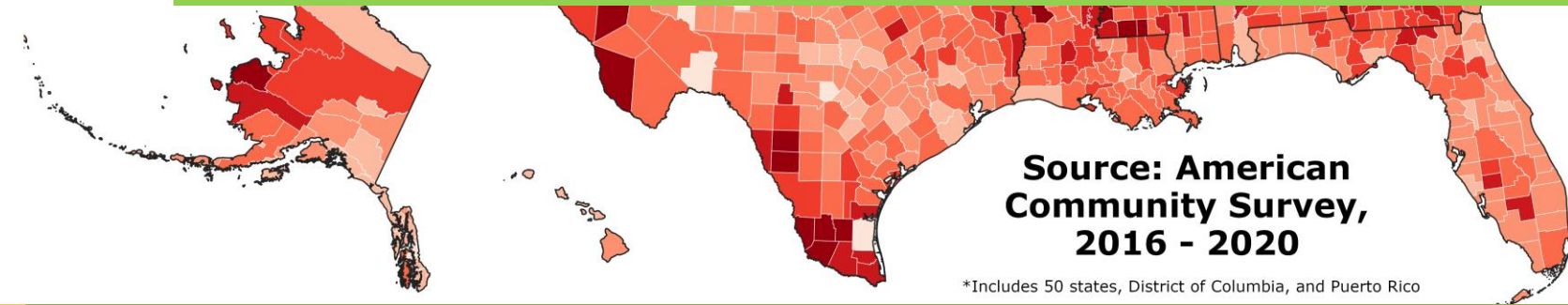




In 2020, in the United States, the poverty threshold for a single person under 65 was an annual income of US\$12,760, or about \$35 per day.

The threshold for a family group of four, including two children, was US\$26,200, about \$72 per day.

According to the US Census Bureau's American Community Survey 2018 One-year Estimates, 13.1% of Americans lived below the poverty line.



Source: American Community Survey, 2016 - 2020

*Includes 50 states, District of Columbia, and Puerto Rico

Top Ten (%)

- Guánica, PR: 66.19%
- Adjuntas, PR: 64.78%
- Lajas, PR: 61.36%
- Arroyo, PR: 60.09%
- Todd, SD: 58.87%
- Maricao, PR: 58.05%
- Jayuya, PR: 57.92%
- Lares, PR: 57.75%
- Orocovis, PR: 57.51%
- Guayanilla, PR: 54.86%

Top Ten (#)

- Los Angeles, CA: 1,401,656
- Harris, TX: 723,236
- Cook, IL: 695,076
- Maricopa, AZ: 553,661
- Kings, NY: 490,525
- Miami-Dade, FL: 427,130
- Dallas, TX: 378,025
- Bronx, NY: 375,410
- Wayne, MI: 369,572
- Philadelphia, PA: 354,832

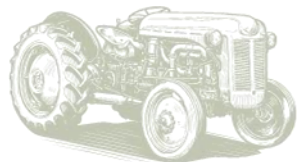
Remember why it matters...



An Attitude of Gratitude...

**“No food. One problem.
Have food. Many Problems.”**

**Old Chinese Proverb?
Thank Norman Borlaug**

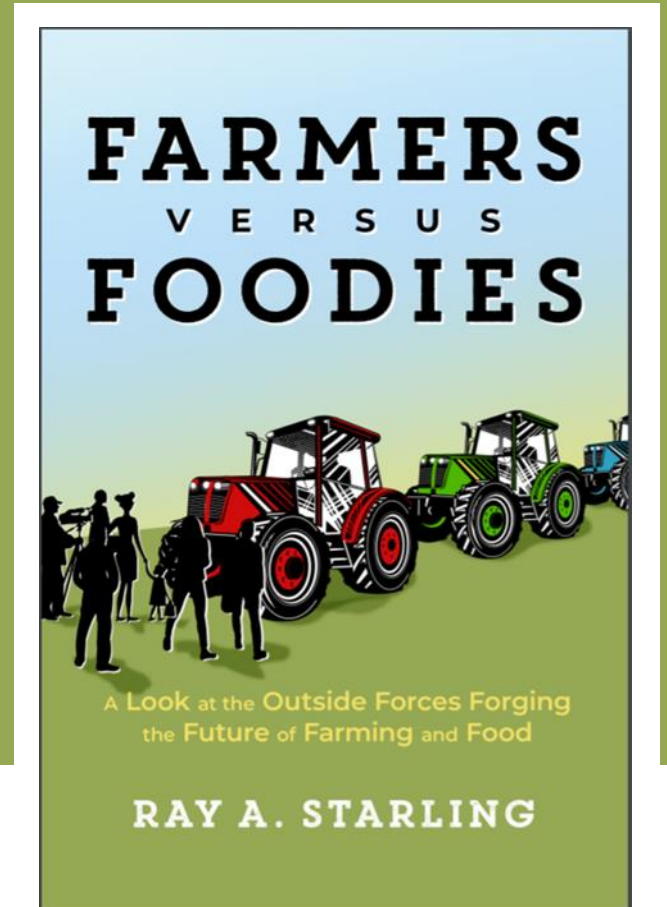


The “to do” list

- *Be honest.*
- *Compete.*
 - *That does not mean telling our story to ourselves!*
- *Prepare.*
- *Horizontal leadership across the industry.*
- *Remember why it matters.*

Farmers Versus Foodies

*A Look at the Outside Forces Forging
the Future of Farming and Food*



#1 New Release in Agriculture Industry