



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Sandra J. Adams
Commissioner
Virginia Department of Agriculture and Consumer Services

From: Joshua E. Laws
Assistant Attorney General

Date: March 24, 2017

Subject: Letter of Assurance for Periodic Review of Regulations – Rules and Regulations for Enforcement of the Virginia Pest Law - Thousand Cankers Disease Quarantine found at 2 VAC 5-318

Pursuant to the Code of Virginia and Executive Order 17 (2014), a periodic review of a regulation every four years shall include an examination by the Office of the Attorney General to ensure statutory authority. In that regard, I have reviewed the Virginia Department of Agriculture and Consumer Services' Regulations referenced above. In my view, as counsel to the Department of Agriculture and Consumer Services, these regulations may be promulgated pursuant to § 3.2 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.