



Virginia
Regulatory
Town Hall

Periodic Review and Retention of Existing Regulations Agency Background Document

Agency Name:	Agriculture and Consumer Services
VAC Chapter Number:	2 VAC 5-30
Regulation Title:	Rules and Regulations Pertaining to the Reporting Requirements for Contagious and Infectious Diseases of Livestock and Poultry in Virginia
Action Title:	Retain
Date:	May 8, 2001

This information is required pursuant to the Administrative Process Act § 9-6.14:25, Executive Order Twenty-Five (98), and Executive Order Fifty-Eight (99) which outline procedures for periodic review of regulations of agencies within the executive branch. Each existing regulation is to be reviewed at least once every three years and measured against the specific public health, safety, and welfare goals assigned by agencies during the promulgation process.

This form should be used where the agency is planning to retain an existing regulation.

Summary

Please provide a brief summary of the regulation. There is no need to state each provision; instead give a general description of the regulation and alert the reader to its subject matter and intent.

This regulation establishes the reporting requirements for contagious and infectious diseases of livestock and poultry, by any person practicing veterinary medicine, any person or firm operating a laboratory for the diagnosis of livestock or poultry diseases, and any other reporting entity designated by the State Veterinarian within the Commonwealth of Virginia.

Basis

Please identify the state and/or federal source of legal authority for the regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or

discretionary. Where applicable, explain where the regulation exceeds the minimum requirements of the state and/or federal mandate.

Sections 3.1-724 and 3.1-726 of the Code of Virginia (1950), as amended, require the State Board of Agriculture and Consumer Services, the State Veterinarian, and all other veterinarians within the Commonwealth to use their best efforts to protect the domestic animals and poultry from disease. Consequently, the State Board of Agriculture and Consumer Services and the State Veterinarian shall establish rules and regulations to establish livestock and poultry disease surveillance, control, and eradication programs to prevent the possible spread of diseases.

Public Comment

Please summarize all public comment received as the result of the Notice of Periodic Review published in the Virginia Register and provide the agency response. Where applicable, describe critical issues or particular areas of concern in the regulation. Also please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

The Department published its notice in The Virginia Register of Regulations on February 12, 2001 advertising the opportunity to comment on this regulation pursuant to Executive Order Number Twenty-five (98). The Department did not receive any public comments concerning this regulation. An informal advisory group was not formed for the purpose of assisting with this periodic review.

Effectiveness

Please provide a description of the specific and measurable goals of the regulation. Detail the effectiveness of the regulation in achieving such goals and the specific reasons the agency has determined that the regulation is essential to protect the health, safety or welfare of citizens. Please assess the regulation's impact on the institution of the family and family stability. In addition, please indicate whether the regulation is clearly written and easily understandable by the individuals and entities affected.

The specific and measurable goals of the regulation are:

- 1.The protection of the public's health and welfare with the least possible cost and intrusiveness to the citizens of the Commonwealth.

2.The prevention of contagious and infectious diseases into animal populations in the Commonwealth by reporting suspected or confirmed diseases within 24 hours (Schedule A) or the first of each month (Schedule B).

The effectiveness of the regulation in achieving these goals is reflected, in part, in the freedom from most if not all of the diseases on Schedule A and Schedule B. that may affect both animals and humans in Virginia. The Commonwealth has prevented the incursion of many of these diseases having a major impact on the livestock and poultry industries because of the effectiveness of the disease reporting regulation. Not only has the regulation effectively protected the public's health and welfare, but it has prevented death losses and decreased production of livestock and poultry. This action translates into a consistent source of animal protein that is affordable and of good quality for Virginia consumers. Preventing and controlling infectious and contagious diseases within an animal population is dependent upon a successful disease reporting system that quickly identifies disease problems in the animal population. Because healthy animals tend to bring better prices and are therefore more valuable when marketed, it is beneficial to Virginia's livestock producers that reporting entities promptly report these diseases to provide the best opportunity to control or eradicate them if possible. Also, healthy animals pose less risk to the health of the human population since a number of diseases of livestock and poultry affect man.

The regulation is clearly written and easily understandable by the individuals and entities affected.

Alternatives

Please describe the specific alternatives for achieving the purpose of the existing regulation that have been considered as a part of the periodic review process. This description should include an explanation of why such alternatives were rejected and this regulation reflects the least burdensome alternative available for achieving the purpose of the regulation.

Considered alternative to this regulation is not to set any requirement for reporting these diseases. The agency rejects this alternative because without a disease reporting requirement, it would be difficult to control or eradicate these diseases.

Recommendation

Please state that the agency is recommending that the regulation should stay in effect without change.

The regulation should stay in effect without change.

Family Impact Statement

Please provide an analysis of the regulation's impact on the institution of the family and family stability including the extent to which it: 1) strengthens or erodes the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourages or discourages economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthens or erodes the marital commitment; and 4) increases or decreases disposable family income.

Unless otherwise discussed in this report, this regulation has no impact upon families.