Virginia Department of Planning and Budget

Economic Impact Analysis

2 VAC 5−30 Rules and Regulations Pertaining to Reporting Requirements for Contagious and Infectious Diseases of Livestock and Poultry in Virginia
Department of Agriculture and Consumer Services
February 6, 2015

Summary of the Proposed Amendments to Regulation

The Board of Agriculture and Consumer Services (Board) proposes to: 1) no longer require laboratories and veterinarians to report diseases that are of interest, but not of immediate and widespread consequence, to the State Veterinarian monthly, 2) update the list of reportable diseases to be in line with the U.S. Department of Agriculture's U.S. National List of Reportable Animal Diseases, and 3) amend language for clarity.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Virginia has long had regulations in place requiring the reporting of certain animal diseases of consequence. Diseases of consequence are those not present in the U.S. or are those with a high sickness rate or death rate, and are those diseases that are typically responded to with quarantine and related measures as needed to prevent the spread of the disease. Often, it is important to quickly control these diseases in order to retain the ability to export animal products to foreign countries. According to The Virginia Department of Agriculture and Consumer Services (VDACS) reporting compliance with diseases of consequence such as avian influenza, tuberculosis, or brucellosis has been good; and this requirement is an important tool with respect to ensuring these diseases are reported promptly so that appropriate action can be taken.

There are also diseases of interest, but not of immediate and widespread consequence, that are currently required to be reported by this regulation. These are diseases that are also

described in some documents as “monitored” diseases, and are required to be reported under the “normal reporting” section of the regulation. Due to the impracticality of enforcing a requirement to report these “monitored” diseases, the Board proposes that the “normal reporting” requirement be removed from the regulation. There is very little active reporting of these diseases and no action is taken when reports are received. Thus the proposed elimination of the “normal reporting” requirement will be beneficial in that it will eliminate time spent on reporting information that is not acted upon.

VDACS is still interested in these diseases, and intends to continue to monitor for their presence outside of the regulatory mechanism. As such, under this proposal it would no longer be a regulatory requirement to report diseases such as Johne’s, Bovine Viral Diarrhea, Leukosis, Salmonellosis, or Giardia. Instead, VDACS will continue to work with veterinarians and laboratories to monitor the presence of these “non-regulatory” diseases.

The Board also proposes to bring the list of reportable diseases in line with the U.S. Department of Agriculture's U.S. National List of Reportable Animal Diseases, which is a suggested list of reportable diseases. The agency anticipates that this uniform list will enhance disease reporting compliance.

Businesses and Entities Affected

VDACS estimates that 5-10 laboratories within the Commonwealth (including the 5 VDACS laboratories) and the approximately 2,000 licensed veterinarians in the state will be affected. Most of these affected entities are small businesses.

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments are unlikely to significantly affect employment.

Effects on the Use and Value of Private Property

The proposal to eliminate the reporting requirement for diseases that do not have immediate and widespread consequence will save some staff time for veterinary practices.

Small Businesses: Costs and Other Effects

The proposed amendments will not increase costs for small businesses. The proposal to eliminate the reporting requirement for diseases that do not have immediate and widespread consequence will save some staff time for small veterinary practices

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments will not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to affect real estate development costs.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 17 (2014). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulatory action would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulatory action will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is

notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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