



COMMONWEALTH of VIRGINIA

*Office of the Attorney General
Richmond 23219*

Robert F. McDonnell
Attorney General

900 East Main Street
Richmond, Virginia 23219
804 - 786 - 2071
804 - 371 - 8946 TDD

MEMORANDUM *VIA Electronic Mail*

To: Todd P. Haymore
Commissioner
Department of Agriculture and Consumer Services

Through: Roy Seward
Director - Office of Policy, Planning & Research
Department of Agriculture and Consumer Services

Dr. W. Wayne Surles
Program Manager
Department of Agriculture and Consumer Services

From: Eric A. Gregory
Assistant Attorney General

Date: January 31, 2008

Subject: Statement of Legal Authority for proposed amendments to the Regulations Governing Licensing of Pesticide Businesses Operating Under Authority of the Virginia Pesticide Control Act (2 VAC 20-40)

I have reviewed the Department of Agriculture and Consumer Services' proposed amendments to the Regulations Governing Licensing of Pesticide Businesses Operating Under Authority of the Virginia Pesticide Control Act (2 VAC 20-40). In my view, as counsel to the Commissioner, the Department, and the Board, the regulations and amendments thereto may be promulgated pursuant to authority granted by §§ 3.1-249.30, 3.1-249.46, 3.1-249.49, and 3.1-249.50 and 2.2-4012.1 of the *Code of Virginia*.

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, or public policy implications, of the proposed regulations.

