



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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September 27, 2011

Karen Remley, M.D., M.B.A.
State Health Commissioner
Department of Health
109 Governor Street
Richmond, Virginia 23219

Proposed Regulations for the Repacking of Crabmeat for Human Consumption

Dear Dr. Remley:

I have reviewed the proposed regulations for the *Repacking of Crabmeat*, 12 VAC 5-165 *et seq.* The proposed regulations pertain to the practice of transferring crab meat from one processor's container into the container of a different processor, primarily for marketing purposes.

It is my view that the Board of Health, contingent on approval by the Governor, has legal authority to promulgate the subject regulations pursuant to *Code of Virginia* § 28.2-801 and §28.2-806. If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karri B. Atwood".

Karri B. Atwood
Assistant Attorney General

cc: Robert W. Hicks, Director, Office of Environmental Health Services