



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Agriculture and Consumer Services
Virginia Administrative Code (VAC) citation	2 VAC5-210
Regulation title	Rules and Regulations Pertaining to Meat and Poultry Inspection Under the Virginia Meat and Poultry Products Inspection Act
Action title	Amends Rules and Regulations Pertaining to Meat and Poultry Inspection Under the Virginia Meat and Poultry Products Inspection Act to require certain persons to apply for a permit of exemption annually.
Final agency action date	December 11, 2007
Document preparation date	December 6, 2007

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The rules and regulations governing the meat and poultry inspection of the United States Department of Agriculture were adopted by reference in 2 VAC 5-210-10. Title 9, Chapter III, Subchapter C, § 381.10, dated January 1, 2006 of the federal Poultry Product Inspection Act Regulations provides for exemptions from the inspection requirements of the Poultry Products Inspection Act. Poultry operations may qualify for one of seven exemptions based on the amount of poultry products produced, the intended customers, and the type of operations being conducted.

The change to 2 VAC 5-210-30, Subpart C Exemptions is requested to require persons claiming exemption under § 381.10 (5), (6), or (7) to apply for a permit of exemption annually. The types of poultry operations identified under these sections are allowed to sell and distribute up to 20,000 poultry per calendar year. Exemptions allowed under § 381.10 (1), (2), (3), and (4), provide more stringent limitations in regard to the number of birds sold and their distribution in commerce. Poultry operations

claiming exemption under these sections would not be required to apply for a permit. The permitting process will help identify poultry operations that may be involved when certain types of public health crises arise such as food borne diseases and poultry disease outbreaks.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On December 6, 2007, the Commissioner of the Virginia Department of Agriculture and Consumer Services adopted amendments to 2 VAC 5-210 Rules and Regulations Pertaining to Meat and Poultry Inspection Under the Virginia Meat and Poultry Products Inspection Act.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have a positive impact on the safety of families within the Commonwealth. These amendments will help increase the reaction time of the Office of Meat and Poultry Services when certain public health crises arise as food borne diseases and poultry disease outbreaks.