



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

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

MEMORANDUM

To: Steven W. Sturgis
President
Board for Agriculture and Consumer Services

Sandra J. Adams
Commissioner
Virginia Department of Agriculture and Consumer Services

From: James M. Flaherty
Assistant Attorney General

Date: February 13, 2015

Subject: Letter of Assurances for Proposed Amendments to Regulations Governing Milk for Manufacturing Purposes, 2 VAC 5-531 *et seq.*

I have reviewed the Department of Agriculture and Consumer Services' proposed Amendments to Regulations Governing Milk for Manufacturing Purposes 2 VAC 5-531 *et seq.* that were posted to the Virginia Regulatory Town Hall on February 9, 2015. In my view, as counsel to the Department of Agriculture and Consumer Services, the Board may promulgate these regulations pursuant to § 3.2-5206 of the *Code of Virginia*. The regulations do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with federal or state law currently in effect.

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 of the proposed regulations.