



Virginia
Regulatory
Town Hall

Periodic Review and Retention of Existing Regulations Agency Background Document

Agency Name:	Agriculture and Consumer Services
VAC Chapter Number:	2 VAC 5-210
Regulation Title:	Rules and Regulations Pertaining to Meat and Poultry Inspection Under the Virginia Meat and Poultry Products Inspection Act
Action Title:	Retain
Date:	December 6, 2000

This information is required pursuant to the Administrative Process Act § 9-6.14:25, Executive Order Twenty-Five (98), and Executive Order Fifty-Eight (99) which outline procedures for periodic review of regulations of agencies within the executive branch. Each existing regulation is to be reviewed at least once every three years and measured against the specific public health, safety, and welfare goals assigned by agencies during the promulgation process.

This form should be used where the agency is planning to retain an existing regulation.

Summary

Please provide a brief summary of the regulation. There is no need to state each provision; instead give a general description of the regulation and alert the reader to its subject matter and intent.

This regulation adopts by reference the rules and regulations governing meat and poultry inspection of the United States Department of Agriculture (USDA) and contains administrative changes therein as needed to make them appropriate to intrastate operations and transactions subject to the Virginia Meat and Poultry Products Inspection Act (Act).

Basis

Please identify the state and/or federal source of legal authority for the regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. Where applicable, explain where the regulation exceeds the minimum requirements of the state and/or federal mandate.

Authority for this regulation is found in Title 9, Chapter III, subchapters A, B, and C of the Code of Federal Regulations dated January 1, 2000 with amendments and administrative changes needed to make them appropriate and applicable to intrastate operations subject to the Act. The federal regulations and acts were adopted by reference, and no parts of the Virginia regulations or Act exceed federal requirements.

Authority is also contained in Section 3.1-884.21:1 of the Code of Virginia (1950), as amended.

Public Comment

Please summarize all public comment received as the result of the Notice of Periodic Review published in the Virginia Register and provide the agency response. Where applicable, describe critical issues or particular areas of concern in the regulation. Also please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

The Department published its notice in The Virginia Register of Regulations on September 11, 2000 advertising the opportunity to comment on this regulation pursuant to Executive Order Number Twenty-five (98). The agency did not receive any public comment concerning this regulation. An informal advisory group was not formed for the purpose of assisting with this periodic review.

Effectiveness

Please provide a description of the specific and measurable goals of the regulation. Detail the effectiveness of the regulation in achieving such goals and the specific reasons the agency has determined that the regulation is essential to protect the health, safety or welfare of citizens. Please assess the regulation's impact on the institution of the family and family stability. In addition, please indicate whether the regulation is clearly written and easily understandable by the individuals and entities affected.

The regulation is designed to ensure a safe, wholesome, and truthfully labeled supply of meat and poultry products for the citizens of the Commonwealth. Meat and poultry products support the growth of human disease-producing organisms. These products must be produced under

controlled conditions to prevent foodborne illness. This regulation has been effective. To date, there have been no reported outbreaks of food borne illnesses attributed to meat/poultry products produced in Virginia plants. The regulation is clearly written and understandable by the individuals affected.

Alternatives

Please describe the specific alternatives for achieving the purpose of the existing regulation that have been considered as a part of the periodic review process. This description should include an explanation of why such alternatives were rejected and this regulation reflects the least burdensome alternative available for achieving the purpose of the regulation.

The only alternative to achieving the purpose of this regulation is placing the slaughter/processing establishments in Virginia under federal inspection. This action has been considered in the past, but was strongly opposed by the majority of meat and poultry establishment owners in the state. Owners of small and very small establishments, which make up 99% of the state program inventory, feel that the state program is geared to small plant operations and offers faster assistance than a federal program with headquarters located out-of-state. As such, the group has been resistant to reverting to USDA inspection.

Recommendation

Please state that the agency is recommending that the regulation should stay in effect without change.

The Agency recommends no changes to this regulation.

Family Impact Statement

Please provide an analysis of the regulation's impact on the institution of the family and family stability including the extent to which it: 1) strengthens or erodes the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourages or discourages economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthens or erodes the marital commitment; and 4) increases or decreases disposable family income.

Unless otherwise discussed in this report, this regulation has no impact upon families.