



COMMONWEALTH *of* VIRGINIA

Office of *the* Attorney General

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MEMORANDUM

To: Board of Agriculture and Consumer Services

From: William A. Diamond
Senior Assistant Attorney General

Date: November 29, 2005

Subject: Statement of Legal Authority to Amend Food Code Regulations: 2 VAC 5-585

I have reviewed the proposed amendments to the above-referenced regulations of the Board of Agriculture and Consumer Services.

In my view as counsel to the Board of Agriculture and Consumer Services, the Board may promulgate these regulations under the authority granted to it under §§ 3.1-398 of the Code of Virginia. The proposed regulations do not conflict with state or federal law.