



COMMONWEALTH of VIRGINIA

*Office of the Attorney General
Richmond 23219*

Robert F. McDonnell
Attorney General

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

MEMORANDUM *VIA Electronic Mail*

To: Todd P. Haymore
Commissioner
Department of Agriculture and Consumer Services

Roy Seward
Director - Office of Policy, Planning & Research
Department of Agriculture and Consumer Services

Colleen Calderwood, DVM
Program Manager
Department of Agriculture and Consumer Services

From: Eric A. Gregory
Assistant Attorney General

Date: January 29, 2008

Subject: Statement of Legal Authority for proposed amendments to 2 VAC 5-100, Requirements and procedures relating to application for approval of humane investigators.

I have reviewed the Department of Agriculture and Consumer Services' proposed amendments to 2 VAC 5-100, Requirements and Procedures Relating to Application for Approval of Humane Investigators. In my view, as counsel to the Commissioner and the Department, the regulations and amendments thereto may be promulgated pursuant to authority granted by §§ 3.1-796.106 and 2.2-4012.1 of the *Code of Virginia*.

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, or public policy implications, of the proposed regulations.

