



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Agriculture and Consumer Services
Virginia Administrative Code (VAC) citation	2 VAC 5-400
Regulation title	Rules and Regulations for the Enforcement of the Virginia Fertilizer Law
Action title	Changing Title 3.1 references to Title 3.2 as a result of the recodification of Title 3.1
Final agency action date	December 4, 2008
Document preparation date	January 6, 2009

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 recodification of Title 3.1, which became effective October 1, 2008, makes it necessary to update any Title 3.1 reference in the regulation with the new Title 3.2.

This regulatory action will make the following changes:

Section 10 – Delete the reference to Chapter 10.1 (§ 3.1-1061 et seq.) of Title 3.1 of the Code of Virginia, known as the Virginia Fertilizer Act and replace it with Chapter 36 (§ 3.2-3600 et seq.) of Title 3.2 of the Code of Virginia, known as the Virginia Fertilizer Act. Delete the reference to Chapter 14.1 (§ 3.1-249.27 et seq.) of Title 3.1 of the Code of Virginia, known as the Virginia Pesticide Control Act and replace it with Chapter 39 (§§ 3.2-3900 and 3.2-3938 et seq.) of Title 3.2 of the Code of Virginia, known as the Virginia Pesticide Control Act.

Sections 30 and 90 - Delete the reference to § 3.1-106.4 B and replace it with § 3.2-3601 B.

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 4, 2008, the Board of Agriculture and Consumer Services approved the change to 2VAC5-400, Rules and Regulations for the Enforcement of the Virginia Fertilizer Law.

Family impact

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

This regulatory action will have no impact on the institution of the family and family stability.