



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**To:** Matt Lohr  
Commissioner  
Virginia Department of Agriculture and Consumer Services  
  
Paul W. Rogers, Jr., Chair  
Virginia Board of Agriculture and Consumer Services

**From:** Steven P. Jack  
Assistant Attorney General

**Date:** September 13, 2011

**Subject:** Memorandum of Authority for Regulations Pertaining To the Virginia Weights and Measures Law, 2 VAC 5-340 *et seq.*

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I reviewed the proposed repeal of the Regulations Pertaining to the Virginia Weights and Measures Law, (repealing 2 VAC 5-340-10 *et seq.*), by the Board of Agriculture and Consumer Services (hereinafter "Board"). In my view, as counsel to the Virginia Department of Agriculture and Consumer Services, the Board has authority to promulgate the repeal of these regulations, pursuant to § 3.2-5607 of the *Code of Virginia*.

The proposed regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law.

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.