



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

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

MEMORANDUM

To: Mr. Andres Alvarez, Director
Board of Agriculture and Consumer Services
Department of Agriculture and Consumer Services
P.O. Box 1163
Richmond, VA 23218

From: Justin I. Bell
Assistant Attorney General

Date: May 11, 2015

Subject: Letter of Assurance for 2 VAC 5-685 Amendments to Regulations Governing Pesticide Applicator Certification under Authority of Virginia Pesticide Control Act

I have reviewed the Board of Agriculture and Consumer Services's proposed Amendments to Regulations Governing Pesticide Applicator Certification under Authority of Virginia Pesticide Control Act that were posted to the Virginia Regulatory Town Hall on May 5, 2015. In my view, as counsel to the Board of Agriculture and Consumer Services, the Board may amend these regulations pursuant to Title 3.2, Chapter 39 of the *Code of Virginia*. The regulations and amendments do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with federal or state law currently in effect.

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.