



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: Liza Fleeson Trossbach
Program Manager
Office of Pesticide Services
Virginia Department of Agriculture and Consumer Services

From: Justin I. Bell
Assistant Attorney General

Date: November 10, 2021

Subject: Letter of Assurance for Regulations Governing the Pesticide Fees Charged By the Department of Agriculture and Consumer Services, 2 VAC 5-675.

I have reviewed the amendments to the Regulations Governing the Pesticide Fees Charged By the Department of Agriculture and Consumer Services, 2 VAC 5-675, as proposed by the Board of Agriculture and Consumer Services. In my view the Board of Agriculture and Consumer Services has the authority to promulgate these amendments pursuant to § 3.2-3906 of the *Code of Virginia*. Additionally, this action does not appear to be controversial thus is eligible for the Fast-track rulemaking process of the Administrative Process Act pursuant to § 2.2-4012.1 of the *Code of Virginia*. The regulations 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.