



# **COMMONWEALTH of VIRGINIA**

*Office of the Attorney General*

Mark R. Herring  
Attorney General

202 North 9th Street  
Richmond, Virginia 23219  
804-786-2071  
804-371-8946 TDD

## **MEMORANDUM**

**To:** David Gianino  
Program Manager  
Office of Plant Industry Services  
Virginia Department of Agriculture and Consumer Services

**From:** Justin I. Bell  
Assistant Attorney General

**Date:** November 17, 2021

**Subject:** Letter of Assurance for Best Management Practices for the Operation of Apiaries in Order to Limit Operator Liability, 2 VAC 5 – 319.

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Pursuant to the Code of Virginia and Executive Order 14 (2018), a periodic review of a regulation every four years shall include an examination by the Office of the Attorney General to ensure statutory authority. In that regard, I have reviewed the regulations of the Board of Agriculture and Consumer Services referenced above. In my view, these regulations may be retained without change according to §§ 3.2-4401 and 3.2-4411.1 of the *Code of Virginia*. The 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 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.