

Office of Regulatory Management
Economic Review Form

| | |
|--|---|
| Agency name | Commissioner of Agriculture and Consumer Services |
| Virginia Administrative Code (VAC) Chapter citation(s) | 2 VAC 5-195 |
| VAC Chapter title(s) | Prevention and Control of Avian Influenza in the Live-Bird Marketing System |
| Action title | Periodic review of 2 VAC 5-195 |
| Date this document prepared | December 29, 2022 |
| Regulatory Stage (including Issuance of Guidance Documents) | Periodic Review |

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

Omitted pursuant to ORM Regulatory Economic Analysis Manual

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

Omitted pursuant to ORM Regulatory Economic Analysis Manual

Table 1c: Costs and Benefits under Alternative Approach(es)

Omitted pursuant to ORM Regulatory Economic Analysis Manual

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

| | | |
|--|--|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | This regulation does not directly or indirectly impact local partners, which include local governments, school divisions, and other local or regional authorities, boards, or commissions. | |
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) N/A | (b) N/A |
| (3) Other Costs & Benefits (Non-Monetized) | N/A | |
| (4) Assistance | N/A | |
| (5) Information Sources | N/A | |

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

| | |
|-------------------------------|--|
| (1) Direct & Indirect Costs & | This regulation has no direct cost or benefit to families. |
|-------------------------------|--|

| | | |
|--|---|--|
| Benefits (Monetized) | <p>This regulation has no indirect cost to families.</p> <p>Families may experience an indirect benefit from this regulation, as an avian influenza outbreak in Virginia’s poultry industry, which this regulation assists in preventing, could result in an increase in the retail cost of poultry and poultry products. However, the agency does not have sufficient data to estimate this indirect impact.</p> | |
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) N/A | (b) The agency does not have sufficient data to estimate the indirect benefit. |
| (3) Other Costs & Benefits (Non-Monetized) | N/A | |
| (4) Information Sources | N/A | |

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

| | |
|--|--|
| (1) Direct & Indirect Costs & Benefits (Monetized) | <p>Direct Costs: This regulation has no direct cost on small businesses. The required avian influenza testing is provided at no charge by the Virginia Department of Agriculture and Consumer Services, and there is no fee for the required license.</p> <p>Indirect Costs: There are currently three live bird markets along with and 30 production and distribution units in Virginia. These entities experience minimal indirect costs from this regulation when selling down poultry quarterly and from the down time while disinfecting the sites between quarters.</p> <p>Direct and Indirect Benefits: This regulation is essential to preventing and controlling avian influenza in Virginia’s poultry industry. An avian influenza outbreak in the commercial poultry industry would be economically devastating, resulting in the potential loss of millions of birds and dollars. Additionally, avian influenza would impact trade, leading to further loss of profits for Virginia’s poultry producers.</p> |
|--|--|

| | | |
|--|---|---|
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) The agency does not have sufficient data to estimate the direct or indirect costs. | (b) The agency does not have sufficient data to estimate the direct or indirect benefits. |
| (3) Other Costs & Benefits (Non-Monetized) | N/A | |
| (4) Alternatives | There are no alternatives to this regulation that could alleviate any regulatory burden on small businesses while continuing to prevent and control avian influenza in Virginia's poultry industry. | |
| (5) Information Sources | N/A | |

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed. In the last row, indicate the total number for each column.

Table 5: Total Number of Requirements

| | Number of Requirements | | | |
|-----------------------|-------------------------------|------------------|---------------------|-------------------|
| Chapter number | Initial Count | Additions | Subtractions | Net Change |
| 2 VAC 5-195 | 100 | 0* | 0* | 0 |
| TOTAL | 100 | 0* | 0* | 0 |

*As a result of this periodic review, the agency has decided this regulation should remain in effect without change.