

Office of Regulatory Management  
Economic Review Form

<b>Agency name</b>	Board of Agriculture and Consumer Services
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	2 VAC 5-600
<b>VAC Chapter title(s)</b>	Regulations Pertaining to Food for Human Consumption
<b>Action title</b>	Periodic review of 2 VAC 5-600
<b>Date this document prepared</b>	December 29, 2022
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	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 &	The direct benefit of this regulation on families is the availability of food that is safe and properly labeled as well as the opportunity to make
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Benefits (Monetized)	<p>informed food choices. The agency does not have sufficient data to estimate the direct benefit on families.</p> <p>The agency is not aware of an indirect benefit to families associated with this regulation.</p> <p>The agency is not aware of a direct cost to families associated with this regulation.</p> <p>The indirect cost of this regulation on families is any increase in the cost of food associated with costs incurred by food establishments in complying with the regulation. The agency does not have sufficient data to estimate the indirect cost on families.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) The agency does not have sufficient data to estimate the indirect cost on families.	(b) The agency does not have sufficient data to estimate the direct benefit on families.
(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>Food establishments that process, package, or sell food in Virginia will experience direct costs to maintain facilities and processes and to produce food products in compliance with this regulation. Some of these establishments are likely small businesses.</p> <p>Indirect costs for food establishments will vary and will depend on the nature of the operation, the locality within which the food operation is located, and the degree to which the applicable regulation is adhered to.</p> <p>Food establishments that process, package, or sell food in Virginia will experience direct benefit from this regulation from the resulting production and sale of food that is safe, unadulterated, and properly labeled.</p>
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	Food establishments that process, package, or sell food in Virginia will experience indirect benefit of a lower risk and associated financial impact of producing or selling food that is a vector for foodborne illness. Additionally, properly labeled food assists in ensuring that consumers who are susceptible to allergens do not purchase foods that would likely cause illness or death.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) The agency does not have sufficient data to estimate the direct and indirect costs on small businesses.	(b) The agency does not have sufficient data to estimate the direct and indirect benefits on small businesses.
(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 but continue to provide an appropriate level of food safety oversight for the various food product processes and food products that are prepared, held, or sold to consumers in Virginia.	
(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**

	<b>Number of Requirements</b>			
<b>Chapter number</b>	<b>Initial Count</b>	<b>Additions</b>	<b>Subtractions</b>	<b>Net Change</b>
2 VAC 5-600	53	0*	0*	0
<b>TOTAL</b>	53	0*	0*	0

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