



Virginia
Regulatory
Town Hall

Periodic Review and Retention of Existing Regulations Agency Background Document

Agency Name:	Agriculture and Consumer Services
VAC Chapter Number:	2 VAC 5-180
Regulation Title:	Rules and Regulations Pertaining to Pseudorabies in Virginia
Action Title:	Review
Date:	July 7, 2000

This information is required pursuant to the Administrative Process Act § 9-6.14:25, Executive Order Twenty-Five (98), and Executive Order Fifty-Eight (99) which outline procedures for periodic review of regulations of agencies within the executive branch. Each existing regulation is to be reviewed at least once every three years and measured against the specific public health, safety, and welfare goals assigned by agencies during the promulgation process.

This form should be used where the agency is planning to retain an existing regulation.

Summary

Please provide a brief summary of the regulation. There is no need to state each provision; instead give a general description of the regulation and alert the reader to its subject matter and intent.

The regulation provides for a swine pseudorabies eradication program for Virginia. This state program is part of a national program implemented to eliminate pseudorabies from swine in the United States.

Basis

Please identify the state and/or federal source of legal authority for the regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or

discretionary. Where applicable, explain where the regulation exceeds the minimum requirements of the state and/or federal mandate.

§§3.1-724, 3.1-726 and 3.1-730 of the Code of Virginia (1950), as amended, requires the Board and State Veterinarian to establish rules and regulations to best protect Virginia’s swine against all contagious and infectious diseases.

Public Comment

Please summarize all public comment received as the result of the Notice of Periodic Review published in the Virginia Register and provide the agency response. Where applicable, describe critical issues or particular areas of concern in the regulation. Also please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

No public comment was received on this regulation review.

Effectiveness

Please provide a description of the specific and measurable goals of the regulation. Detail the effectiveness of the regulation in achieving such goals and the specific reasons the agency has determined that the regulation is essential to protect the health, safety or welfare of citizens. Please assess the regulation’s impact on the institution of the family and family stability. In addition, please indicate whether the regulation is clearly written and easily understandable by the individuals and entities affected.

Specific and measurable goals:

1. The protection of the public’s health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.
2. To prevent re-introduction of the economically devastating disease of pseudorabies into Virginia’s swine herds.
3. To ease the burden of interstate shipping restrictions on Virginia’s swine producers by maintaining Virginia’s pseudorabies-free status (i.e., swine from pseudorabies-infected herds or states are required to be negative for pseudorabies before they may enter a pseudorabies-free state).

Effectiveness of the regulation in achieving such goals: Virginia attained and maintained pseudorabies-free status since January 1, 1996.

Regulations governing an effective program for pseudorabies eradication and maintenance of Virginia's pseudorabies-free status, protects the Commonwealth's public welfare by minimizing economic losses due to pseudorabies in swine, minimizing disease transmission to other animals susceptible to pseudorabies (i.e., cattle, sheep, dogs and cats), and maximizing the swine industry's market potential by easing interstate and intrastate shipment of Virginia's swine to other markets.

The regulations also protect the public health and welfare by ensuring a low cost, plentiful pork supply for consumers by minimizing disease and economic losses to Virginia's pork industry.

The regulation helps ensure family stability and the family institution by minimizing severe economic losses to families that derive incomes from the swine industry and by protecting families from a potentially diminished or more costly food supply.

The regulation is clearly written and easily understandable by individuals and entities affected.

Alternatives

Please describe the specific alternatives for achieving the purpose of the existing regulation that have been considered as a part of the periodic review process. This description should include an explanation of why such alternatives were rejected and this regulation reflects the least burdensome alternative available for achieving the purpose of the regulation.

The alternative would be to cease having a pseudorabies program. This alternative is rejected by the agency because without such a program, pseudorabies could be re-introduced into Virginia with the resultant devastating animal and economic losses to the swine industry, higher pork costs to consumers, and diminished revenues for the Commonwealth.

Recommendation

Please state that the agency is recommending that the regulation should stay in effect without change.

The regulation should stay in effect without change.

Family Impact Statement

Please provide an analysis of the regulation's impact on the institution of the family and family stability including the extent to which it: 1) strengthens or erodes the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourages or discourages economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthens or erodes the marital commitment; and 4) increases or decreases disposable family income.

Unless otherwise discussed in this report, this regulation has no impact upon families.