

Office of Regulatory Management
Economic Review Form

Agency name	Commissioner of Agriculture and Consumer Services
Virginia Administrative Code (VAC) Chapter citation(s)	2 VAC 5-600
VAC Chapter title(s)	Regulations Pertaining to Food for Human Consumption
Action title	Update CFR revision date and remove reference to 21 CFR Part 152
Date this document prepared	December 12, 2025 Updated on June 30, 2026, to address update to CFR revision date
Regulatory Stage (including Issuance of Guidance Documents)	Exempt, final

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)

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: The agency has not identified any direct costs. Indirect Costs: The agency has not identified any indirect costs. Direct Benefits: The proposed update to the CFR revision date in 2 VAC 5-600-10 replaces “April 1, 2019” with “April 1, 2025” so that the Virginia food manufacturing industry is regulated on the state level according to the current version of the CFR, which provides uniformity across the country. Indirect Benefits: Indeterminate, however, indirect monetizable benefits to food establishments may occur due to reduction in foodborne illness and outbreak. The indirect benefit to the individual may be significant as well. The Centers for Disease Control and Prevention estimate that 48 million people get sick, 128,000 are hospitalized, and 3,000 die from foodborne diseases each year in the United States. A 2010 estimate placed the cost to an affected (ill) individual at \$1,850 on average nationwide. The United States Department of Agriculture estimated the economic burden of foodborne pathogens at \$17.6 billion in 2018.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) The agency does not have any data on which to base an estimate of the direct or indirect benefits
(3) Net Monetized Benefit	Indeterminate; however, given the potential costs for foodborne illness to industry and individuals, the agency estimates that the benefits of the action outweigh costs.	
(4) Other Costs & Benefits (Non-Monetized)	The primary advantage to the agency and Commonwealth is that the regulation ensures that the Commonwealth can adequately protect the public by ensuring that the food manufacturing industry is being regulated with the current adopted federal regulations to prevent foodborne illnesses occurring and which will ultimately benefit Virginia’s economy.	
(5) Information Sources	https://www.cdc.gov/foodborneburden/estimates-overview.html https://www.pewtrusts.org/en/research-and-analysis/reports/0001/01/01/healthrelated-costs-from-foodborne-illness-in-the-united-states	

	https://www.ers.usda.gov/amber-waves/2021/april/economic-cost-of-major-foodborne-illnesses-increased-2-billion-from-2013-to-2018/
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Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: The agency has not identified any direct costs Indirect Costs: Under the status quo the food manufacturing industry would not be regulated under the current version of the CFR until there was a new regulatory action taken by the agency for a revision to 2 VAC 5-600. Direct Benefits: The agency has not identified any direct benefits. Indirect Benefits: The agency has not identified any indirect benefits.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	Economic benefits include consistent regulation with surrounding states, thus facilitating more effective integration into interstate commerce by Virginia's food manufacturing industry, and the continued availability of safe and wholesome food products for intrastate and interstate sale.	
(5) Information Sources	N/A	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no known alternative approaches to the amendments proposed in this regulatory action.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	

(4) Other Costs & Benefits (Non-Monetized)	N/A
(5) Information Sources	N/A

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)	The proposed amendments will have no direct or indirect costs or benefits on local partners.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None
(3) Other Costs & Benefits (Non-Monetized)	None	
(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 & Benefits (Monetized)	Direct Costs: There are no direct costs to families. Indirect Costs: There are no indirect costs to families. Direct Benefits: There are no direct benefits to families.
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	Indirect Benefits: A reduced risk of foodborne illness may result in reduced healthcare costs and reduced loss of wages associated with foodborne illness. See Table 1a. It is possible that improvement in food safety as a result of the proposed amendments may lead to greater economic stability in the sale of food products in the Commonwealth, as high-profile outbreaks can hurt consumer confidence in food manufacturers. A significant outbreak may have deleterious effects on the economic performance of the food manufacturers, which may have effects on the economy of the Commonwealth at large. These effects may impact the family economy, especially if the employment and wages of the family are dependent on food manufacturers.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) The agency is unable to estimate the benefits to families.
(3) Other Costs & Benefits (Non-Monetized)	Improvements in food safety associated with the amendments help ensure families avoid the pain, suffering, and potential death associated with foodborne illness.	
(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)	See Table 1a	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See Table 1a	(b) See Table 1a
(3) Other Costs & Benefits (Non-Monetized)	Economic benefits include consistent current regulation with surrounding states, thus facilitating more effective and efficient integration into interstate commerce by the food manufacturing industry. This allows for a level playing field, and the continued availability of safe and wholesome food for intrastate and interstate sale.	

(4) Alternatives	N/A
(5) Information Sources	N/A

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
600-10	(M/A): § 3.2-5121	75	0	0	0
	(D/A): § 3.2-5121	1	0	0	0
	(M/R): § 3.2-5121	23487	8	57	-49
	(D/R): § 3.2-5121	0	0	0	0
				Grand Total of Changes in Requirements:	(M/A):0
					(D/A):0
					(M/R):-49
					(D/R):0

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
N/A	N/A	N/A	N/A	N/A

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
N/A	N/A	N/A

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
N/A	N/A	N/A	N/A

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).