



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Don Blankenship, Deputy Commissioner
Virginia Department of Agriculture and Consumer Services

From: J. Jasen Eige
Senior Assistant Attorney General

Steven P. Jack
Assistant Attorney General

Date: February 9, 2007

Subject: Letter of Assurance for Proposed Board Regulations Governing Scrapie Eradication,
5 VAC 5-206

I have reviewed the Virginia Board of Agriculture and Consumer Services' proposed regulations for scrapie eradication that were posted on the Virginia Regulatory Town Hall internet site on October 10, 2006. In my view, as counsel to the Virginia Board of Agriculture and Consumer Services, these regulations may be promulgated pursuant to §§ 3.1-724, 3.1-726, and 3.1-730 of the *Code of Virginia*, and 9 CFR 79.6 of the United States Code of Federal Regulations. 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.

