



COMMONWEALTH of VIRGINIA

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MEMORANDUM *VIA Electronic Mail*

To: Todd P. Haymore
Commissioner
Department of Agriculture and Consumer Services

Roy Seward
Director - Office of Policy, Planning & Research
Department of Agriculture and Consumer Services

Colleen Calderwood, DVM
Program Manager
Department of Agriculture and Consumer Services

From: Eric A. Gregory
Assistant Attorney General

Date: January 29, 2008

Subject: Statement of Legal Authority for proposed amendments to 2 VAC 5-90, The Control and Eradication of Pullorum Disease and Fowl Typhoid in Poultry Flocks and Hatcheries and Products Thereof in Virginia.

I have reviewed the Department of Agriculture and Consumer Services' proposed amendments to 2 VAC 5-90, The Control and Eradication of Pullorum Disease and Fowl Typhoid in Poultry Flocks and Hatcheries and Products Thereof in Virginia. In my view, as counsel to the Commissioner and the Department, the regulations and amendments thereto may be promulgated pursuant to authority granted by §§ 3.1-724, 3.1-726, 3.1-730 and 2.2-4012.1 of the *Code of Virginia*.

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, or public policy implications, of the proposed regulations.

