



# COMMONWEALTH of VIRGINIA

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## MEMORANDUM

**To:** William Bosher, Chair  
Pesticide Control Board  
Virginia Department of Agriculture and Consumer Services

Liza Fleeson, Executive Secretary  
Pesticide Control Board

Perida Giles  
Virginia Department of Agriculture and Consumer Services

**From:** Steven P. Jack  
Assistant Attorney General

**Date:** October 24, 2011

**Subject:** Statement of Authority for Proposed Amendments to Pesticide Control Board Regulations, 2 VAC 20-60 et seq.

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I have reviewed the Pesticide Control Board's proposed amendments to the Regulations Governing Pesticide Containers and Containment, 2 VAC 20-60-10 *et seq.*, which govern the standards for pesticide containers, repackaging pesticides, and pesticide containment structures. In my view, as counsel to the Virginia Department of Agriculture and Consumer Services, the Board has the authority to propose such amendments pursuant to §§ 3.2 – 3906 of the *Code of Virginia*, and the proposed amendments 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 amendments.