



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

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## MEMORANDUM

**To:** Debra Martin  
Program Manager  
Office of Plant Industry Services  
Virginia Department of Agriculture and Consumer Services

Sandra J. Adams  
Commissioner  
Virginia Department of Agriculture and Consumer Services

**From:** Justin I. Bell  
Assistant Attorney General

**Date:** December 31, 2015

**Subject:** Letter of Assurance for Repeal of the Rules and Regulations for Enforcement of the Virginia Pest Law-Beach Vitex Quarantine, 2 VAC 5-316.

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I have reviewed the Board for Agriculture and Consumer Services's ("the Board") proposed repeal of the Rules and Regulations for Enforcement of the Virginia Pest Law-Beach Vitex Quarantine, 2 VAC 5-316. In my view, as counsel to the Department of Agriculture and Consumer Services, the Board may repeal these regulations pursuant to Title 3.2 of the *Code of Virginia*. Repealing these regulations does not appear, on its face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with 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.