

Office of Regulatory Management  
Economic Review Form

<b>Agency name</b>	Board of Agriculture and Consumer Services
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	2 VAC 5-585
<b>VAC Chapter title(s)</b>	Retail Food Establishment Regulations
<b>Action title</b>	Amendments to Align Regulation with 2022 FDA Food Code
<b>Date this document prepared</b>	May 28, 2024
<b>Regulatory Stage (including Issuance of Guidance Documents)</b>	Fast-track

**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)**

<b>Direct &amp; Indirect Costs &amp; Benefits (Monetized)</b>	<p>This regulatory fast-track action proposes to amend Retail Food Establishment Regulations. The majority of the proposed amendments in this regulatory action are to terminology, which will have no direct or indirect associated costs to Industry.</p> <p>Direct Costs:</p> <p>The proposed amendments add sesame as a major allergen. Costs associated with this amendment are expected to be minor, as the U.S. Food and Drug Administration (FDA) has already established a federal</p>
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	<p>requirement that food manufacturers list sesame on the label as an allergen for packaged foods. Establishments that add sesame to foods will have one-time costs associated with providing written notification of any allergens present.</p> <p>The proposed regulation adds requirements to the duties of the Person In Charge (PIC), which may require limited costs for initial training.</p> <p>Other amendments are not estimated to result in direct costs to regulants.</p> <p>The cost to VDACS to implement the proposed amendments is expected to be minimal.</p> <p>Indirect Costs: The agency has not identified any indirect costs.</p> <p>Direct Benefits: The proposed amendment to Section 80 reclassifies certain ill employees who were previously required to be excluded from work as those who are allowed to work in a restricted capacity. These employees will benefit, as they will not lose wages, and employers will benefit from a reduced impact on staffing.</p> <p>The proposed amendment to Section 2190 reduces the requirement for the temperature of hot water required in food establishments. This may reduce energy costs or costs borne in the maintenance or replacement of hot water heaters.</p> <p>Indirect Benefits: Indeterminate, however, indirect monetizable benefits to food establishments may occur due to reduction in foodborne illness and outbreak.</p> <p>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.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits

	(a) The agency does not have data on which to base an estimate of the direct costs	(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)	Alignment of the Retail Food Establishment Regulations to the 2022 Food Code may benefit chain establishments that operate in other states and localities that also use the current version of the Food Code. Many large chain operations use the most recent edition of the Food Code as an operational standard to ensure they reduce liability and operate consistently throughout their operational region.	
(5) Information Sources	<a href="https://www.cdc.gov/foodborneburden/estimates-overview.html">https://www.cdc.gov/foodborneburden/estimates-overview.html</a> <a href="https://www.pewtrusts.org/en/research-and-analysis/reports/0001/01/01/healthrelated-costs-from-foodborne-illness-in-the-united-states">https://www.pewtrusts.org/en/research-and-analysis/reports/0001/01/01/healthrelated-costs-from-foodborne-illness-in-the-united-states</a> <a href="https://www.ers.usda.gov/amber-waves/2021/april/economic-cost-of-major-foodborne-illnesses-increased-2-billion-from-2013-to-2018/">https://www.ers.usda.gov/amber-waves/2021/april/economic-cost-of-major-foodborne-illnesses-increased-2-billion-from-2013-to-2018/</a>	

**Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)**

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct costs associated with not aligning the Retail Food Establishment Regulations to the 2022 FDA Food Code.</p> <p>Indirect Costs: There are no indirect costs associated with not aligning the Retail Food Establishment Regulations to the 2022 FDA Food Code.</p> <p>Direct Benefits: There are no direct benefits to not aligning the Retail Food Establishment Regulations to the 2022 FDA Food Code</p> <p>Indirect Benefits: There are no indirect benefits to not aligning the Retail Food Establishment Regulations to the 2022 FDA Food Code.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	None	

(4) Other Costs & Benefits (Non-Monetized)	None
(5) Information Sources	N/A

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no known alternative approaches to the amendments proposed in this regulatory action.</p> <p>Indirect Costs: There are no known alternative approaches to the amendments proposed in this regulatory action.</p> <p>Direct Benefits: There are no known alternative approaches to the amendments proposed in this regulatory action.</p> <p>Indirect Benefits: There are no known alternative approaches to the amendments proposed in this regulatory action.</p>	
(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 impact on local partners.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(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)	<p>Direct Costs: There are no direct costs to families that do not operate a food establishment (see Table 1a for impacts on those operating a food establishment).</p> <p>Indirect Costs: There are no indirect costs to families that do not operate a food establishment (see Table 1a for impacts on those operating a food establishment).</p> <p>Direct 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.</p> <p>Indirect Benefits: 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 retail food establishments such as supermarkets and convenience stores. A significant outbreak may have deleterious effects on the economic performance of the retail food establishments, which may have effects on</p>
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	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 retail food establishments.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) Indeterminate
(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)	Direct Costs: See Table 1a for direct cost information. Indirect Costs: See Table 1a for indirect cost information. Direct Benefits: See Table 1a for direct benefits information. Indirect Benefits: See Table 1a for indirect benefits information.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) See Table 1a	(b) See Table 1a
(3) Other Costs & Benefits (Non-Monetized)	See Table 1a	
(4) Alternatives	See Table 1a	
(5) Information Sources	See Table 1a	



## 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.

**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

*Change in Regulatory Requirements*

<b>VAC Section(s) Involved*</b>	<b>Authority of Change</b>	<b>Initial Count</b>	<b>Additions</b>	<b>Subtractions</b>	<b>Net Change</b>
2 VAC 5-585-40	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 0 D/A	0	0	0
2 VAC 5-585-50	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-65	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	3 D/R; 0 D/A	0	0	0
2 VAC 5-585-67	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-70	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	16 D/R; 0 D/A	1 D/R	0	+1 D/R
2 VAC 5-585-80	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	5 D/R; 0 D/A	0	0	0
2 VAC 5-585-160	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	110 D/R; 0 D/A	0	0	0
	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0



2 VAC 5-585-220	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-270	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	6 D/R; 0 D/A	0	0	0
2 VAC 5-585-400	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-420	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	1 D/R; 0 D/A	0	0	0
2 VAC 5-585-430	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	1 D/R	0	+1 D/R
2 VAC 5-585-440	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	3 D/R; 0 D/A	0	0	0
2 VAC 5-585-445	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	0	0	0
2 VAC 5-585-450	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	5 D/R; 0 D/A	0	0	0
2 VAC 5-585-510	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	3 D/R; 0 D/A	0	0	0
2 VAC 5-585-620	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	9 D/R; 0 D/A	0	0	0
2 VAC 5-585-700	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	0	0	0
2 VAC 5-585-725	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	10 D/R; 0 D/A	0	0	0
2 VAC 5-585-726	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	2 D/R	0	+2 D/R
2 VAC 5-585-790	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-830	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	7 D/R; 0 D/A	0	0	0

2 VAC 5-585-850	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	0	0	0
2 VAC 5-585-870	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	5 D/R; 0 D/A	5 D/R	0	+5 D/R
2 VAC 5-585-900	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	0	0	0
2 VAC 5-585-910	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	1 D/R	0	+1 D/R
2 VAC 5-585-930	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-950	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	7 D/R; 0 D/A	1 D/R	0	+1 D/R
2 VAC 5-585-1300	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-1460	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	5 D/R; 0 D/A	0	0	0
2 VAC 5-585-1540	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	3 D/R; 0 D/A	0	0	0
2 VAC 5-585-1700	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	6 D/R; 0 D/A	0	0	0
2 VAC 5-585-2010	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-2100	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	0	0	0
2 VAC 5-585-2190	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	0	0	0
2 VAC 5-585-3140	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0

2 VAC 5-585-3150	<b>Discretionary:</b> § 3.2-5121	1 D/R; 0 D/A	0	0	0
2 VAC 5-585-3310	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	0	0	0
2 VAC 5-585-3360	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-3370	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	1 D/R; 0 D/A	0	0	0
2 VAC 5-585-3510	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-3520	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-3542	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	1 D/R; 0 D/A	0	0	0
2 VAC 5-585-3600	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	1 D/R; 0 D/A	0	0	0
2 VAC 5-585-3620	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	1 D/R; 0 D/A	0	0	0
2 VAC 5-585-3630	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	7 D/R; 0 D/A	0	0	0
2 VAC 5-585-3670	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	1 D/R	0	+1 D/R
2 VAC 5-585-3680	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	1 D/R	0	+1 D/R
2 VAC 5-585-3690	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	3 D/R	0	+3 D/R
2 VAC 5-585-3700	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	3 D/R	0	+3 D/R
2 VAC 5-585-3710	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	3 D/R	0	+3 D/R

2 VAC 5-585-3720	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	3 D/R	0	+3 D/R
2 VAC 5-585-3740	<b>Statutory:</b>	0 M/R; 1 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 0 D/A	0	0	0
2 VAC 5-585-3750	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	4 D/R; 0 D/A	1 D/R	0	+1 D/R
2 VAC 5-585-3760	<b>Statutory:</b>	N/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	N/A	3 D/R	0	+3 D/R
2 VAC 5-585-3860	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 2 D/A	0	0	0
2 VAC 5-585-3890	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 2 D/A	0	0	0
2 VAC 5-585-3910	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 3 D/A	0	0	0
2 VAC 5-585-3920	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	1 D/R; 0 D/A	0	0	0
2 VAC 5-585-3930	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	2 D/R; 0 D/A	0	0	0
2 VAC 5-585-3940	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 2 D/A	0	0	0
2 VAC 5-585-3950	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	1 D/R; 1 D/A	0	0	0
2 VAC 5-585-4050	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 1 D/A	0	0	0
2 VAC 5-585-4060	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	0 D/R; 1 D/A	0	0	0
2 VAC 5-585 DIBR	<b>Statutory:</b>	0 M/R; 0 M/A	0	0	0
	<b>Discretionary:</b> § 3.2-5121	38 D/R; 184 D/A	0	0	0

<b>Total Net Change of Statutory Requirements:</b>	0
<b>Total Net Change of Discretionary Requirements:</b>	+29 D/R

*Cost Reductions or Increases (if applicable)*

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Requirement</b>	<b>Initial Cost</b>	<b>New Cost</b>	<b>Overall Cost Savings/Increases</b>
2VAC5-585-40	Adds sesame to the list of what constitutes a major allergen	Indeterminate	Indeterminate (see Table 1a)	Indeterminate

*Other Decreases or Increases in Regulatory Stringency (if applicable)*

<b>VAC Section(s) Involved*</b>	<b>Description of Regulatory Change</b>	<b>Overview of How It Reduces or Increases Regulatory Burden</b>
2VAC5-585-80	Ill employees previously excluded from work may now work in a restricted capacity.	Positive effect on both employee income and food establishment staffing.
2VAC5-585-440	Adds 'invoice' as a recordkeeping option.	Allows greater flexibility while maintaining food safety.
2VAC5-585-2190	Reduction in the temperature required for hot water.	Indeterminate but positive effect on potential costs for hot water heater upkeep and power costs associated with hotter water use.

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

<b>Title of Guidance Document</b>	<b>Original Length</b>	<b>New Length</b>	<b>Net Change in Length</b>
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).