



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring  
Attorney General

202 North Ninth Street  
Richmond, Virginia 23219  
804-786-2071  
Fax 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

## MEMORANDUM

**TO:** M. Norman Oliver, M.D., M.A.  
Commissioner, Department of Health

**FROM:** Grant E. Kronenberg *GEK*  
Assistant Attorney General

**DATE:** February 3, 2020

**SUBJECT:** Proposed Fast-Track Amendment to Food Regulations  
12VAC5-421-10, *et seq.*

I have reviewed the Food Regulations, 12VAC5-421-10 *et seq.*, as proposed to be amended. The proposed amendment is being promulgated as a fast-track amendment pursuant to Code of Virginia § 2.2-4012.1.

It is my view that the Board of Health has legal authority to promulgate the subject amendment to the regulations pursuant to Code of Virginia § 35.1-11 and § 35.1-14. If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.