



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

John A. Beers
Program Supervisor
Department of Agriculture and Consumer Services

From: Eric A. Gregory
Assistant Attorney General

Date: January 8, 2008

Subject: Statement of Legal Authority for proposed amendments to 2 VAC 5-510, Rules and Regulations Governing the Production, Processing, and Sale of Ice Cream, Frozen Desserts, and Similar Products

I have reviewed the Board of Agriculture and Consumer Services' proposed amendments to 2 VAC 5-510, Rules and Regulations Governing the Production, Processing, and Sale of Ice Cream, Frozen Desserts, and Similar Products. In my view, as counsel to the Board, the Commissioner, and the Department, the following regulations may be promulgated pursuant to authority granted by §§ 3.1-562.1, 3.1-562.2 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.

