



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Todd P. Haymore
Commissioner
Department of Agriculture and Consumer Services

Through: Roy Seward
Director - Office of Policy, Planning & Research
Department of Agriculture and Consumer Services

John Beers
Program Manager, Office of Dairy and Foods
Department of Agriculture and Consumer Services

From: Eric A. Gregory
Assistant Attorney General

Date: February 5, 2008

Subject: Statement of Legal Authority for proposed amendments to the Regulations
Governing the Cooling, Storing, Sampling and Transporting of Milk (2 VAC 5-501)

I have reviewed the Department of Agriculture and Consumer Services' proposed amendments to the Regulations Governing the Cooling, Storing, Sampling and Transporting of Milk (2 VAC 5-501). In my view, as counsel to the Board for Agriculture and Consumer Services, the Commissioner, and the Department, the regulations and amendments thereto may be promulgated pursuant to authority granted by §§ 3.1-530.1, 3.1-530.2, 3.1-535, and 3.1-535.1 and pursuant to § 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.

