



# **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

Robert E. Bailey  
Program Manager  
Department of Agriculture and Consumer Services

**From:** Eric A. Gregory  
Assistant Attorney General

**Date:** February 4, 2008

**Subject:** Statement of Legal Authority for proposed amendments to the Rules and Regulations for the Enforcement of the Virginia Fertilizer Law (2 VAC 5-400)

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I have reviewed the Department of Agriculture and Consumer Services' proposed amendment to the Rules and Regulations for the Enforcement of the Virginia Fertilizer Law (2 VAC 5-400). In my view, as counsel to the Commissioner, the Department, and the Board, the regulations and amendment thereto may be promulgated pursuant to authority granted by §§ 3.1-106.4 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.

