



COMMONWEALTH of VIRGINIA
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MEMORANDUM

To: David Gianino
Program Manager
Office of Plant Industry Services
Virginia Department of Agriculture and Consumer Services

From: Justin I. Bell
Assistant Attorney General

Date: June 2, 2026

Subject: Repeal of Rules and Regulations for the Enforcement of the Virginia Dealers in Agricultural Products Law, 2 VAC 5-380.

I have reviewed the Board of Agriculture and Consumer Services's proposed repeal of the Rules and Regulations for the Enforcement of the Virginia Dealers in Agricultural Products Law found at 2 VAC 5-360. In my view, as counsel to the Board of Agriculture and Consumer Services, these regulations may be repealed because the Dealers in Agricultural Produce Law was repealed by Chapter 142 of the 2025 Session. The regulations were used in the administration of this now repealed law. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

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 of the proposed regulations.