



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Agriculture and Consumer Services
<b>Virginia Administrative Code (VAC) citation</b>	2 VAC5-210
<b>Regulation title</b>	Rules and Regulations Pertaining to Meat and Poultry Inspection Under the Virginia Meat and Poultry Products Inspection Act
<b>Action title</b>	Adoption of 9 CFR Part 442 Quantity of contents labeling and procedures and requirements for accurate weights.
<b>Final agency action date</b>	May 18, 2010
<b>Document preparation date</b>	May 6, 2010

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The purpose of this amendment is to adopt Part 442 Chapter III of Title 9, Subchapter E of the Code of the Federal Regulations (rev. January 1, 2007) regarding Quantity of contents labeling and procedures and requirements for accurate weights. The USDA Food Safety Inspection Service has consolidated the separate net weight regulations for meat and poultry products in a new CFR part, applicable to both meat and poultry products. By adopting Part 442, the regulations are amended to reference the most recent version of the National Institute of Standards and Technology (NIST) Handbook 133 that contains standards for determining the reasonable variations allowed for the declared net weight on labels of immediate containers of meat and poultry products; the procedures to be used to determine the net weight and net weight compliance of meat and poultry products; and related definitions. The addition of this part does not change the net weight requirements.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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On May 18, 2010, the Commissioner of the Virginia Department of Agriculture and Consumer Services adopted as final the amendment to 2 VAC 5-210 Rules and Regulations Pertaining to Meat and Poultry Inspection Under the Virginia Meat and Poultry Products Inspection Act.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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This regulatory action will not impact the institution of the family and family stability.