



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Tracy Fitzsimmons
Program Manager
Livestock Marketing Services
Virginia Department of Agriculture and Consumer Services

From: Justin I. Bell
Assistant Attorney General

Date: April 16, 2024

Subject: Repeal of Virginia Grade Standards for Breeder Swine [2 VAC 5 - 270]

I have reviewed the Commissioner of Agriculture and Consumer Services's proposed repeal of the Virginia Grade Standards for Breeder Swine found at 2 VAC 5 - 270. In my view, as counsel to the Commissioner, this repeal may be completed pursuant to § 3.2-4302 of the Code of Virginia. Furthermore, the repeal may be completed using the fast-track process of the Administrative Process Act, § 2.2-4012.1, as the repeal does not appear to be controversial.

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.