

Unified Regulatory Plan
of the
Department of Agriculture and
Consumer Services
for State Fiscal Year 2024

Prepared on June 30, 2023

Agency Summary

The Department of Agriculture and Consumer Services operates under the supervision of the Secretary of Agriculture and Forestry and promotes the economic growth and development of Virginia agriculture, provides consumer protection, and encourages environmental stewardship. Authority to make regulations administered by the agency lies with the Board of Agriculture and Consumer Services, the Potato Board, the Commissioner of Agriculture and Consumer Services, the State Veterinarian, and the State Milk Commission. Rulemaking powers are established throughout the Code of Virginia (Code), including throughout Title 3.2 of the Code; Article 4 of Chapter 32 of Title 58.1 of the Code; certain chapters of Title 59.1 of the Code; Chapter 7 of Title 61.1 of the Code; Chapter 19.1 of Title 62.1 of the Code; and Article 1.1:1 of Chapter 8 of Title 18.2 of the Code.

The Board of Agriculture and Consumer Services, which is expected to undertake a regulatory action in fiscal year 2024, is a policy board with authority to adopt regulations in accordance with the provisions of Title 3.2 of the Code. The State Milk Commission, which is expected to undertake a regulatory action in fiscal year 2024, ensures that Virginians have a constant, available, and reasonably priced supply of milk and is authorized to adopt and enforce regulations necessary to carry out the Milk Commission Act.

Action/Stage or Guidance Document Forum ID (if available) Action 5677 / Stage 9390 (proposed)		
Title of Proposed Regulatory Action or Guidance Document Promulgate regulation required by Chapter 1284 of the 2020 Acts of Assembly		
Brief Overview This regulatory action will result in the promulgation of <i>Regulations for the Inspection of Pet Shops Selling Dogs or Cats</i> (2 VAC 5-105), a new regulation required by Chapter 1284 of the 2020 Acts of Assembly, which requires the Board of Agriculture and Consumer Services to adopt a regulation governing the keeping of dogs and cats by a pet shop and establishes specific provisions this regulation must include.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) Action 5930 / Stage 9570 (NOIRA)		
Title of Proposed Regulatory Action or Guidance Document Regulatory action to establish a minimum germination rate for cotton seed		
Brief Overview <i>Rules and Regulations for the Enforcement of the Virginia Seed Law</i> (2 VAC 5-390) provides specific requirements for seeds sold in Virginia, including minimum germination rates for vegetable, flower, and peanut seeds. Currently, cotton seed sold in Virginia has no minimum standard for germination rate. The proposed action by the Board of Agriculture and Consumer Services seeks to determine an appropriate minimum germination rate for cotton seed sold in Virginia and establish such minimum germination rate in <i>Rules and Regulations for the Enforcement of the Virginia Seed Law</i> .		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	July 2023	

Action/Stage or Guidance Document Forum ID (if available) Action 6176 / Stage 9910 (initial proposed)		
Title of Proposed Regulatory Action or Guidance Document Regulatory action to promulgate Texas Hold'em Poker Tournament Regulations		
Brief Overview The third enactment of both Chapters 554 and 609 of the 2022 Acts of Assembly directs the Commissioner of Agriculture and Consumer Services to promulgate regulations regarding Texas Hold'em poker tournaments consistent with the provisions of Chapter 982 of the 2020 Acts of Assembly. The proposed action by the Commissioner of Agriculture and Consumer Services will promulgate <i>Texas Hold'em Poker Tournament Regulations</i> (11 VAC 20-30) and amend <i>Charitable Gaming Regulations</i> (11 VAC 20-20).		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input checked="" type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input checked="" type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to amend 11 VAC 20-20 to reflect Chapters 592, 593, 755, and 787 of the 2023 Acts of Assembly.		
Brief Overview		
Chapters 592 and 593 of the 2023 Acts of Assembly (i) require the Department of Agriculture and Consumer Services to issue registrations for those organizations anticipating generating \$40,000 or less in charitable gaming gross receipts for no more than seven days per calendar year and (ii) allow for the sale of paper instant bingo, pull-tabs, and seal cards during certain events. Chapters 755 and 787 of the 2023 Acts of Assembly require the agency to issue temporary permits to certain qualified organizations so that permitted organizations may sell paper instant bingo, pull-tabs, and seal cards during a conference or convention under certain circumstances. The Department will amend <i>Charitable Gaming Regulations</i> (11 VAC 20-20) to implement these new statutory provisions.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
2024 Virginia Cooperative Spongy Moth Suppression Program (Guidance Document)		
Brief Overview		
The proposed changes will update the dates within the guidelines to reflect the dates relevant to the 2024 Virginia Cooperative Spongy Moth Suppression Program.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input checked="" type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to expand the fire ant quarantine to include the counties of Charlotte, Dinwiddie, Halifax, Lunenburg, and Sussex.		
Brief Overview		
The Commissioner will expand the regulated area established in <i>Virginia Imported Fire Ant Quarantine for Enforcement of the Virginia Pest Law</i> (2 VAC 5-315) to include the counties of Charlotte, Dinwiddie, Halifax, Lunenburg, and Sussex.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input checked="" type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	August 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to repeal the Public Participation Guidelines promulgated by the Charitable Gaming Board		
Brief Overview		
Chapters 554 and 609 of the 2022 Acts of Assembly, in part, (i) authorize the Commissioner of the Department of Agriculture and Consumer Services to prescribe regulations and conditions under which charitable gaming shall be conducted in the Commonwealth and (ii) reclassify the Charitable Gaming Board from a policy board to an advisory board. Previously, the authority to adopt regulations regarding the conduct of charitable gaming rested with the Charitable Gaming Board. In response to this 2022 legislation, the Department of Agriculture and Consumer Services will repeal <i>Public Participation Guidelines</i> (11 VAC 15-13), which was promulgated by the Charitable Gaming Board.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	September 2023	

Action/Stage or Guidance Document Forum ID (if available)	
Not available	
Title of Proposed Regulatory Action or Guidance Document	
Regulatory action to promulgate Public Participation Guidelines for charitable gaming	
Brief Overview	
Chapters 554 and 609 of the 2022 Acts of Assembly, in part, (i) authorize the Commissioner of the Department of Agriculture and Consumer Services to prescribe regulations and conditions under which charitable gaming shall be conducted in the Commonwealth and (ii) reclassify the Charitable Gaming Board from a policy board to an advisory board. Previously, the authority to adopt regulations regarding the conduct of charitable gaming rested with the Charitable Gaming Board. In response to this 2022 legislation, the Department of Agriculture and Consumer Services will promulgate <i>Public Participation Guidelines</i> (11 VAC 20-10).	
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input type="checkbox"/> Discretionary action
Deregulatory Component	
Expected Date	September 2023

Action/Stage or Guidance Document Forum ID (if available)	
Not available	
Title of Proposed Regulatory Action or Guidance Document	
Regulatory action to promulgate the regulation required by Chapter 153 of the 2023 Acts of Assembly.	
Brief Overview	
Chapter 153 of the 2023 Acts of Assembly directs the Board of Agriculture and Consumer Services to promulgate a regulation requiring tradespersons to provide written notification to property owners for all plants proposed for installation that are included on the Department of Conservation and Recreation's Virginia Invasive Plant Species list. The Board is expected to initiate a regulatory action to promulgate this regulation in accordance with Chapter 153 of the 2023 Acts of Assembly.	
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule <input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action <input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute <input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	
Expected Date	October 2023

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to amend a reference to the publisher of certain data used in the determination of class prices for producer milk		
Brief Overview		
The State Milk Commission is expected to amend <i>Regulations for the Control and Supervision of Virginia's Milk Industry</i> (2 VAC 15-20) to update the regulation's reference to the publisher of the average weekly earnings of workers in Virginia manufacturing industries.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	November 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to repeal Virginia Grade Standards for Breeder Swine		
Brief Overview		
The Commissioner of Agriculture and Consumer Services (Commissioner) will repeal <i>Virginia Grade Standards for Breeder Swine</i> (2 VAC 5-270), which was promulgated by the Director of the Division of Marketing. Chapter 317 of the 2020 Acts of Assembly reassigns authority for administering the provisions of the Grades, Marks, and Brands Law (Va. Code § 3.2-4300 et seq.), which deals with the grading of agricultural commodities, from the Director of the Division of Marketing to the Commissioner.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action will repeal a regulation that is no longer used by industry.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to repeal Virginia Grade Standards for Slaughter and Feeder Lambs		
Brief Overview		
The Commissioner of Agriculture and Consumer Services (Commissioner) will repeal <i>Virginia Grade Standards for Slaughter and Feeder Lambs</i> (2 VAC 5-280), which was promulgated by the Director of the Division of Marketing. Chapter 317 of the 2020 Acts of Assembly reassigns authority for administering the provisions of the Grades, Marks, and Brands Law (Va. Code § 3.2-4300 et seq.), which deals with the grading of agricultural commodities, from the Director of the Division of Marketing to the Commissioner.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action will repeal a regulation that is no longer used by the agency when grading slaughter or feeder lambs.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to repeal Breeder Sheep Grade Standards		
Brief Overview		
The Commissioner of Agriculture and Consumer Services (Commissioner) will repeal <i>Breeder Sheep Grade Standards</i> (2 VAC 5-290), which was promulgated by the Director of the Division of Marketing. Chapter 317 of the 2020 Acts of Assembly reassigns authority for administering the provisions of the Grades, Marks, and Brands Law (Va. Code § 3.2-4300 et seq.), which deals with the grading of agricultural commodities, from the Director of the Division of Marketing to the Commissioner.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action will repeal a regulation that is no longer used by industry.	
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to amend Retail Food Establishment Regulations		
Brief Overview		
Board of Agriculture and Consumer Services is expected to amend <i>Retail Food Establishment Regulations</i> (2 VAC 5-585) to reflect the 2022 Food Code adopted by the U.S. Food and Drug Administration. VDACS is working in collaboration with Virginia Department of Health to update this regulation.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input checked="" type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input checked="" type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	December 2023	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to amend Rules and Regulations Governing the Production, Processing, and Sale of Ice Cream, Frozen Desserts, and Similar Products		
Brief Overview		
The Board of Agriculture and Consumer Services is expected to propose amendments to <i>Rules and Regulations Governing the Production, Processing, and Sale of Ice Cream, Frozen Desserts, and Similar Products</i> (2 VAC 5-510) to remove extraneous requirements, clarify certain provisions, provide regulatory flexibility, update documents incorporated by reference, and enhance recordkeeping procedures to further protect public health.		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	March 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to amend 2 VAC 5-595		
Brief Overview		
<p>Chapters 744 and 794 of the 2023 Acts of Assembly amended, in part, provisions of the Virginia Food and Drink Law regarding industrial hemp extracts intended for human consumption. The Board of Agriculture and Consumer Services is expected to amend <i>Regulations Governing the Manufacturing and Sale of Products that Contain Industrial Hemp Extracts Intended for Human Consumption</i> (2 VAC 5-595) to reflect relevant provisions in Chapters 744 and 794 of the 2023 Acts of Assembly.</p>		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input checked="" type="checkbox"/> Action required by state statute	<input type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	May 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to reduce the fees established in Regulations Governing Pesticide Fees Charged by the Department of Agriculture and Consumer Services		
Brief Overview		
<p>The fees prescribed in <i>Regulations Governing Pesticide Fees Charged by the Department of Agriculture and Consumer Services</i> (2 VAC 5-675) are utilized to operate VDACS's pesticide programs, which protect human health and the environment by ensuring the proper use of pesticides used to control pests that adversely affect crops, structures, health, and domestic animals. The Board of Agriculture and Consumer Services appointed a Regulatory Advisory Panel in May 2023 for the purpose of assisting the Board in reviewing the fee amounts established in 2 VAC 5-675 and is expected to propose amendments to the regulation to more closely align fee revenue with VDACS's pesticide programs' operating expenses.</p>		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input checked="" type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component	This action is expected to reduce certain pesticide fees.	
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Not available		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to amend Regulations for the Enforcement of the Noxious Weeds Law to reflect Chapter 153 of the 2023 Acts of Assembly		
Brief Overview		
Chapter 153 of the 2023 Acts of Assembly authorizes the Board of Agriculture and Consumer Services to adopt regulations governing the conditions under which a permit is required to move, transport, deliver, ship, offer for shipment, sell, or offer for sale into the Virginia any noxious weed or part thereof. The Board is expected to initiate a regulatory action to amend <i>Regulations for the Enforcement of the Noxious Weeds Law</i> (2 VAC 5-317) to establish these conditions.		
Regulatory Stage (check one box)	<input checked="" type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	June 2024	

Action/Stage or Guidance Document Forum ID (if available)		
Action 5747 / Stage 9551 (proposed)		
Title of Proposed Regulatory Action or Guidance Document		
Regulatory action to amend the noxious weed list		
Brief Overview		
The Noxious Weed Advisory Committee, which assists in the evaluation and risk-assessment of plant species that may be declared noxious weeds and makes recommendations to the Commissioner of Agriculture and Consumer Services regarding plant species that should be listed or delisted as noxious weeds, recommends that certain weed species be added to the noxious weeds list. The Board of Agriculture and Consumer Services has determined it is now appropriate to amend the current list of noxious weeds in <i>Regulations for Enforcement of the Noxious Weeds Law</i> (2 VAC 5-317).		
Regulatory Stage (check one box)	<input type="checkbox"/> NOIRA <input type="checkbox"/> Proposed Rule <input checked="" type="checkbox"/> Final Rule	<input type="checkbox"/> Emergency Rule <input type="checkbox"/> Revised Proposed <input type="checkbox"/> Fast-Track Rule
Additional Description	<input type="checkbox"/> Expedited Review Requested <input type="checkbox"/> Exempt Action	<input type="checkbox"/> Guidance Document
Legal Authority	<input type="checkbox"/> Action required by federal statute <input type="checkbox"/> Action required by state statute	<input checked="" type="checkbox"/> Discretionary action
Deregulatory Component		
Expected Date	June 2024	