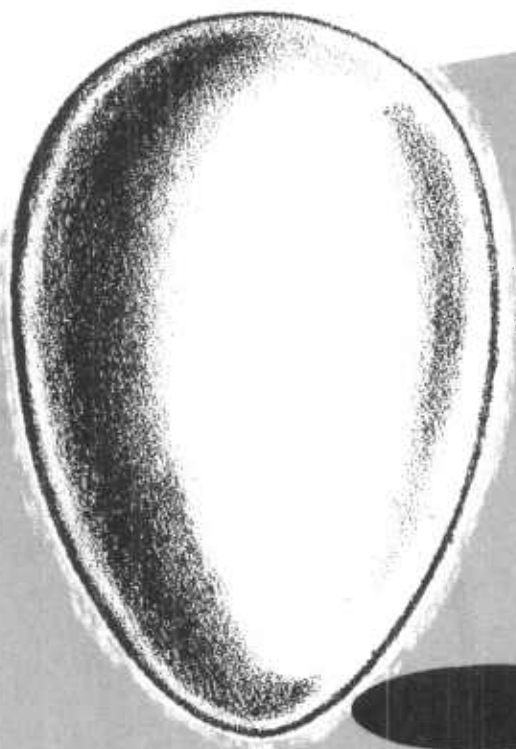
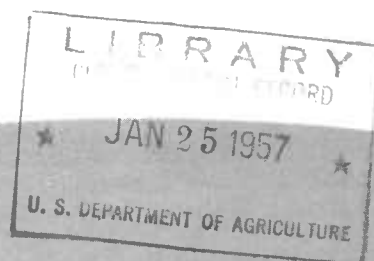


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AGRICULTURE HANDBOOK NO. 112



State
EGG LAWS
and Regulations

A SUMMARY

U. S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
WASHINGTON, D. C. DECEMBER 1956

PREFACE

This summary of State laws and regulations in effect in June 1956 is based on material supplied the Agricultural Marketing Service, Department of Agriculture, by the individual States.

The report does not cover county and city laws. Neither does it cover the State Food and Drug laws, except to refer to them in certain instances in which they pertain to the processing of eggs and egg products.

The cooperation of State agencies in furnishing copies of their laws and regulations and in reviewing preliminary copies of the report is gratefully acknowledged.

The report was prepared at the request of and with the cooperation of the Poultry Division of the Agricultural Marketing Service. Inquiries should be addressed to that Division, which administers the United States Standards and Grades for Shell Eggs.

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State **EGG LAWS** *and Regulations*

A SUMMARY

by Paul Mehl
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PURPOSE OF THE STUDY

The purpose of this study is to present the principal features and variations in the State laws and regulations governing egg marketing. Special attention was given to the establishment and promulgation of standards and grades, in which considerable development has taken place. The report also serves to answer inquiries which come to the U. S. Department of Agriculture.

An examination of the egg laws and regulations in effect in 1956 indicates that the primary purposes of such legislation are:

1. To bring about improvement in the quality of eggs sold to consumers.¹
2. To prohibit the sale of inedible eggs for consumer use.
3. To increase the income of producers who follow practices which result in quality production and efficient marketing.
4. To facilitate interstate commerce in eggs and egg products.
5. To prevent misrepresentation in advertising and labeling of eggs offered for sale to consumers.

The State laws were enacted over a period of years during which better handling practices and standards and grades were being developed. The procedures for bringing about the desired results vary between the different States. Also, in recent years a considerable number of States have either amended their old laws or have passed new legislation pertaining to eggs.

STATES HAVING EGG LAWS

All States except Texas had laws in effect in 1956 pertaining to the marketing of shell eggs. In 1950, six States had no egg laws. Certain States--for example, New Jersey, Kansas, and Pennsylvania--have two separate laws, in addition to food and drug laws,

¹ Consumers include bakeries, confectioneries, and eating establishments such as restaurants and institutions serving food.

pertaining to the marketing of eggs.² Other States have only a single egg law. Nine States have provisions in their egg laws or have separate laws pertaining to the operations of processors of eggs; that is, those who convert eggs into liquid, frozen, or dried form. These States are Arizona, California, Georgia, Illinois, Massachusetts,³ Minnesota, Missouri, Oregon, and Tennessee. The processors are generally supervised by the State board of health, although in some States they are under the supervision of the State secretary of agriculture.

When the State law provides that regulations for marketing of eggs are to be developed and promulgated by the enforcing official, the regulations are herein considered to be a part of the law. Mississippi passed a new egg law which took effect July 1, 1955, but new regulations were not available as of July 7, 1956.

ENFORCING AGENCIES

Enforcement of egg laws is usually left to the State department of agriculture, or the State commissioner or director of agriculture (table 12). In some States, the commissioner or director of agriculture has also nonagricultural duties indicated by his title. The duties may be in the field of industries, food and drugs, or inspection of other commodities.

The State board or department of health usually has the duty of preventing the sale of inedible eggs. Because the regulatory work involves inspection, some States utilize other agencies for enforcement. Arkansas has a livestock and sanitary board, New Mexico operates through the board of regents of the agricultural and inspection departments of the New Mexico A. & M. College. In Indiana, the enforcing agency is the State egg board, in Kentucky, the egg marketing board, and in Arizona, the State egg inspector. The Colorado agricultural commission formulates the regulations which are enforced by the commissioner of agriculture.

In certain States, there is a division of powers. In Kansas, the State board of agriculture enforces the egg and label laws, but candling of eggs comes under the control of the food and drug organization. In New Jersey, the True Origin Law is enforced by the State secretary of agriculture, and other powers are granted to the State department of agriculture, which enforces the Commission Merchants, Dealers, Brokers, and Agents Law.

EXEMPTIONS

Three classes of exemptions are recognized in the egg laws, affecting (1) producers, (2) nonproducers, and (3) eggs.

In order not to interfere too much with sale of eggs by farmers, 37 States have provided that producers, under stated conditions, are exempt from the egg laws (table 1). In 6 Eastern and 4 Western States, no one is exempt. These States are Delaware, Maryland, New Hampshire, New Jersey, Pennsylvania, Vermont, Montana, Nevada, Oklahoma, and Utah.

Exemptions are not limited to producers. In 10 States, other persons also are exempted under stated conditions from the egg laws. The States are Alabama, Connecticut, Illinois, Iowa, Minnesota, Missouri, North Carolina, North Dakota, South Dakota, and Tennessee.

In addition to persons, the commodity itself is specifically exempted under certain conditions in some States. The eggs are those entering interstate commerce or used for hatching purposes. The States having such special provisions as part of the laws and

² Kansas: Kansas Egg Law and Kansas Labeling Law. New Jersey: Fresh Egg Law and True Origin Law. Pennsylvania: Fresh Egg Law and Bureau of Markets Act.

³ Under Food and Drug Law, Sec. 147 A, Ch. 94, General Laws.

regulations are Alabama, Arizona, Colorado, Florida, North Carolina, Oregon, South Carolina, and Wisconsin.

Exemptions of Producers

Producers as individuals are exempt from State egg laws under different conditions in various groups of States:

(a) States having no restrictions on sales to anyone by producers of the eggs:

Alabama	Kentucky	Ohio
Arkansas	Louisiana	Oregon
California	Massachusetts	Rhode Island
Colorado	Minnesota	South Carolina
Georgia	Mississippi	Tennessee
Idaho	Missouri	West Virginia
Illinois	Nebraska	Wisconsin
Indiana	New York	
Kansas	North Carolina	

Supplementary conditions affecting exemption or acts of producers which would invalidate the exemptions are:

- Arkansas: Unless the producer obtains a license, the retailer cannot buy his eggs as graded eggs.
- California: Eggs may be sold to dealers, without restriction, for candling and grading. Only in connection with an emergency may producers sell ungraded eggs, and the State director of agriculture must authorize it by special grant. Producers are exempt from the marketing requirements when making occasional sales from their own farms.
- Colorado: Exemption applies only if producer sells uncandled, ungraded eggs to a licensed first receiver. If he candles eggs he must obtain a candler's license.
- Georgia: Any producer or other person selling less than one case of his own production of eggs in a week is also exempt from 2-cent-per-case inspection fee. Eggs bought or obtained from other sources are not exempt.
- Indiana: Exemption applies if the eggs are sold and delivered on the producer's own premises and if the producer does not sell and deliver eggs to wholesalers and retailers as "fresh eggs." In the latter case, the producer must obtain a "fresh egg permit."
- Missouri: If the producer sells at an established place of business away from the premises where the eggs were produced, he is not exempt.
- Oregon: Exemption applies if the producer does not sell his production on the premises where the eggs were produced.
- Rhode Island: On sales to consumers, grade and size must be indicated on cartons or containers.
- Wisconsin: Producers are exempt if they do not sell eggs by grade.

(b) States exempting producers who sell their own production only to consumers, institutions, and retailers:

Connecticut
Iowa
Maine
Michigan

South Dakota
Virginia
Washington
Wyoming

Connecticut: Producers selling directly to household users. Also all shippers selling to a first receiver who will size and grade the eggs.

Iowa and South Dakota: Except when candling and grading their own eggs for sale, in which case, a license is required.

Maine: Producers selling their own eggs to householders are exempt except when eggs are marked as to grade and size for sale to consumers. Producers not exempt when selling to retailers.

Michigan: Exempt when selling their own production direct to consumers.

Virginia: Eggs must be edible and of the quality represented. Producers may include eggs purchased from other producers not to exceed 60 dozen a week from such other producers.

Washington: License not required of producers selling and delivering shell eggs to consumers at place of production.

Wyoming: When guaranteed personally as being fit for consumption.

(c) States exempting producers selling their own production not to exceed a stated number of 30-dozen cases in a given period of time:

Arizona, Montana, New Mexico

Arizona: Producers selling eggs not graded according to quality and size to retailers and consumers to the extent of 25 cases in a calendar year. Producer must notify State egg inspector if he intends to sell ungraded eggs and the area in which he intends to sell.

Montana: If producers' sales are not more than an average of 25 cases of eggs a month for any one year of other than their own production.

New Mexico: Producers selling directly to consumers not to exceed 5 cases in any one week.

Exemptions of Nonproducers

(a) Hotels, restaurants, bakeries, confectioneries, and ice cream manufacturers and consumers buying for their own consumption:

Illinois, Kentucky, Missouri, Tennessee

(b) Retailers:

Alabama
Iowa

Minnesota
Oregon

Tennessee
Washington

Alabama: Retailers not selling more than 2 cases (60 dozen) eggs per week at retail.

- Iowa: Those who buy direct from licensed dealers and do not sell eggs in lots greater than 1 case of 30 dozen.
- Minnesota: Persons handling for retail sale only eggs which have been candled by a licensed candler.
- Oregon: Retailers who buy graded and labeled eggs accompanied by invoices stating grade and size are not required to have an "egg dealers permit." Retailers who buy ungraded eggs must secure a permit before grading, sizing, and labeling eggs for retail sale.
- Tennessee: Persons handling candled eggs for retail sale only, and having proper storage facilities.
- Washington: If eggs have been candled and graded previously by a licensed dealer.

(c) Hatcheries purchasing eggs only for hatching purposes:

Alabama ⁴	Missouri
Illinois	North Carolina
Iowa	North Dakota ⁵
Kentucky	South Dakota ⁵
Minnesota	Tennessee

(d) Dealers in general:

Connecticut, Illinois, Tennessee

- Connecticut: Shippers selling eggs to a first receiver who will grade them into proper size and grade before reselling the eggs.
- Illinois: Agents of licensed dealers or distributors. If a truck operator buys only from licensed dealers and sells only at retail, he is exempt from license.
- Tennessee: Dealers who purchase eggs from producers and sell to licensed wholesalers. Also agents of licensed dealers.

Eggs Exempted

(a) Eggs in interstate commerce:

Eggs shipped into the State are exempt, provided the shipment does not lose its character as such, in which case, the State egg law becomes applicable. This applies in Alabama, Colorado⁶, Florida, North Carolina, and South Carolina.

Eggs shipped out of State or if ungraded eggs are sold to licensed egg dealers, they are exempt in 3 States: Arizona, California⁷, Oregon.

In Wisconsin they are exempt provided a grade certificate, cold storage label, brand or trade-mark, previously approved by the department of agriculture, is shown where marketed.

⁴ Includes anyone buying and selling eggs for hatching purposes.

⁵ Covers only eggs to be used for hatching and labeled as such.

⁶ Eggs must be candled and be edible as defined in the law.

⁷ Provided they have less than 5 percent inedibles.

(b) Eggs marked with U. S. grade designations:

Arizona: Exempt from label only when sold to United States Armed Forces and United States institutions.

ESTABLISHMENT OF STATE STANDARDS AND GRADES FOR SHELL EGGS

State standards and grades for shell eggs are determined by different methods:

1. The State law may specify in detail what are the standards and grades.
2. The State law may provide that the standards and grades are to be established and promulgated by the State department or board of agriculture or some other agency, such as a commission or State egg board.
3. The law may authorize the commissioner, director, or State secretary of agriculture to establish and promulgate standards and grades.

Method 1. --In 12 States, the laws provide that the standards and grades for shell eggs for the State are those of the U. S. Department of Agriculture. The States are:

Arizona	Kentucky	New Mexico
Arkansas	Louisiana ⁸	Ohio
Georgia	Mississippi	South Carolina
Idaho	Missouri	Wyoming

In 8 of these States, the standards and grades automatically change whenever modifications are made in those of the Federal Government. The 4 exceptions are Arizona, Kentucky, Georgia, and South Carolina. In Arizona and Kentucky, the State law must be amended in order to change the State standards and grades. Kentucky requires that the amendments must be submitted to the General Assembly for approval at the first session following the changes made by the State department of agriculture, labor, and statistics. South Carolina and Georgia authorize the State commissioner of agriculture to make the necessary changes in order to carry out the intention of the law. In Georgia, the standards and grades are the U. S. wholesale standards and grades. The California and Oregon laws specify standards which differ from those of the U. S. Department of Agriculture.

Method 2. --The 15 States in which the standards and grades are determined and promulgated by the department or board of agriculture or a kindred organization are:

Colorado ⁹	Maryland ¹⁰	Pennsylvania ¹²
Delaware	Nevada	Utah
Illinois	New Jersey ¹¹	Virginia
Indiana	North Carolina	West Virginia
Kansas	Oklahoma	Wisconsin

The Colorado law provides that the State standards and grades shall be, as a minimum, based on the USDA standards effective March 1, 1955, or higher as deemed necessary by the commissioner. In Nevada, the egg law is enforced by the State department of agriculture through the State quarantine officer. Indiana has a State egg board which formulates the standards.

⁸ Only the regulations provide that U. S. standards for shell eggs are the quality and weight requirements for the State.

⁹ Consumer grades established by the Colorado agricultural commission.

¹⁰ Through the department of markets of the Extension Service.

¹¹ Applicable only to the Fresh Egg Law.

¹² Through the State secretary of agriculture.

Method 3. --Nineteen States provide for the State commissioner, director, or secretary of agriculture to establish and promulgate State standards and grades. The States are:

Alabama	Massachusetts	Nebraska	South Dakota
Connecticut	Michigan	New Hampshire	Tennessee
Florida	Minnesota	New York	Vermont
Iowa	Missouri	North Dakota	Washington
Maine	Montana	Rhode Island	

Limitations are sometimes placed on those authorized to establish grades and standards. Florida provides that the standards and grades must not exceed those of the U. S. Department of Agriculture. Iowa requires that the State standards must comply with minimum standards for U. S. consumer grades. The Michigan law specifies that the State grades are to conform so far as practical to U. S. grades and standards. The Tennessee standards are to be consistent with those of the U. S.

STANDARDS OF QUALITY FOR INDIVIDUAL SHELL EGGS

The desirability of promoting uniformity in standards and grades for shell eggs is indicated by the fact that in 43 States the standards for the interior quality of individual shell eggs were the same as or very similar to those of the U. S. Department of Agriculture as promulgated in 1952 and 1955 (see table 1). In California, Maryland, Minnesota, Oregon, Vermont, and Washington, the standards for quality were similar to, but varied from, the 1952 or 1955 U. S. standards.

The difference between the standards in 1952 and 1955 for U. S. grade B eggs is that in the latter year a clause relating to stains was inserted in the standard. It reads: "When the stain is localized, approximately 1/32 of the shell surface may be slightly stained, and when the slightly stained areas are scattered, approximately 1/16 of the shell surface may be slightly stained." The standard for grade C quality eggs also was modified with regard to stained eggs. The standards for grades AA and A were the same in both years.

Texas and Delaware did not establish any egg standards. Montana standards are those promulgated by the USDA in 1947, Nevada's are those of 1925, and Massachusetts', those of 1929.

Tolerances in Quality Changes

Unavoidable changes take place in the quality of eggs after candling and before the eggs reach the consumers. To allow for the changes in quality, specified grade tolerances are allowed in the percentages of eggs that are of lower quality. In 27 States, the permitted percentages of quality tolerance in the consumer grades apparently are the same as in the USDA consumer grades (table 2). In 10 States the percentage tolerances varied from those permitted under the USDA consumer grades (table 3). Some States specify tolerances in terms of 2 eggs per dozen, which is the same as published by the USDA in 1946-1952. The U. S. Department of Agriculture deleted, effective July 1, 1952, from its specifications for U. S. consumer grades for shell eggs, the tolerance in terms of number of eggs per 30-dozen case and per dozen. Thirteen States, some of whom also had tolerances in terms of percentages, limited the quality tolerance to not more than 2 eggs per dozen when sold at retail. In Maine and Nevada, which are 2 of the 13 States, it was but 1 egg per dozen. In Vermont, the tolerance per dozen is as follows: Grade AA: grade A white, 1 egg; Grade A: grade B white, 1 egg, and cracks and small spots, 1 egg; Grade B: grade C white, 1 egg, and stains or cracks and small spots, 1 egg; Grade C: dirty or cracks and small spots, 2 eggs. In 2 States, Wisconsin and North Dakota, the tolerance was not specified. Seven States indicated the tolerance permitted in the U. S. wholesale grades.

TABLE 1. --Summary of shell egg grading programs, by States

State, by region	State grades and standards		Producers exempt ¹	"Fresh egg" provisions		State standards for interior quality of shell eggs					U.S. consumer grade, size, and weight specifications used		Consumer grade designations used			Special candling provisions
	Compulsory	Voluntary		Part of law	Separate law	Same as USDA			Similar to 1952 or 1955	None established	Same as USDA 1955	Partly USDA 1955 or 1952	USDA		Other ²	
						Previous to 1952	1952	1955					1952	1955		
NEW ENGLAND																
Maine.....	X		X	X			X				X		X			
New Hampshire.....		X		X			X		X			X	X		X	
Vermont.....	X				X							X			X	
Massachusetts.....		X	X			X (1929)	X					X				
Rhode Island.....	X		X	X				X						X		
Connecticut.....	X		X	X							X					
MIDDLE ATLANTIC																
New York.....	X		X	X				X				X			X	
New Jersey.....		X			X		X	X				X		X		
Pennsylvania.....		X			X							X				
EAST NORTH CENTRAL																
Ohio.....	X		X	X			X				X		X			
Indiana.....	X		X	X			³ X				⁴ X		X			X
Illinois.....		X	X	X				X				X		X		
Michigan.....		X	X	X			⁶ X	X			X		X			X
Wisconsin.....		⁵ X	X													
WEST NORTH CENTRAL																
Minnesota.....		⁷ X	X	X	X				⁸ X			X		X		X
Iowa.....	X		X	X					⁹ X			X		X		X
Missouri.....	X		X	X			³ X	X	X			X		X		X
North Dakota.....		X	X	X				X							X	X
South Dakota.....	¹¹ X		X	X	X			X					¹² X			
Nebraska.....	¹¹ X		X	X				X			X				X	X
Kansas.....			X	X												
SOUTH ATLANTIC																
Delaware.....				X						¹³ X					X	
Maryland.....	X			X								X				
District of Columbia.....							¹⁴ X				X		X			
Virginia.....	¹⁵ X		X	X			X					X			X	X
West Virginia.....	X		X	X				X			X			X		
North Carolina.....	X		X	X				X			X			X		
South Carolina.....	X		X	X			X					X			X	
Georgia.....	X		X	X				X			X			X		
Florida.....	X		X	X				X						X		
EAST SOUTH CENTRAL																
Kentucky.....	X		X	X				¹⁶ X			X			¹⁶ X		X
Tennessee.....		X	X	X				X			X			X		X
Alabama.....	X		X	X				X			X			X		
Mississippi.....		X	X	X				X					X			
WEST SOUTH CENTRAL																
Arkansas.....		X	X	X				X			X			X		X
Louisiana.....		X	X	X			X	X			X			X		X
Oklahoma.....		¹⁷ X		X												
Texas.....	(¹⁸)									X		(¹⁸)				
MOUNTAIN																
Montana.....	X			X		X (1947)		X			X			X		X
Idaho.....	X		X	X							X		X			
Wyoming.....		¹⁹ X	X	X			X	X			X		X			X
Colorado.....	X		X	X				X			X			X		
New Mexico.....	X		X	X			⁶ X	X			X				X	
Arizona.....	X		X	X							X					
Utah.....	X		X	X				X			X			X		
Nevada.....	X		X	X		X (1925)										
PACIFIC																
Washington.....	X		X	X					²⁰ X			²⁰ X		X		X
Oregon.....	X		X	X					¹³ X			X		X		
California.....	X		X	X					X							
U.S.....	30	16	37	35	4	3	15	22	6	2	28	18	14	21	11	14

Footnotes to Table 1

- ¹ See section on exemptions for limitations.
- ² State specifications for quality of individual eggs are about the same as the U.S. quality designation indicated in parentheses following the State grade or quality designations.
- Vermont: Grade AA or Fancy (AA); Grade A Fresh (A); Grade B (B); Grade C (C). (Similar to USDA quality factors of 1952.)
- Massachusetts: Special (AA); Extra (A).
- New York: Fancy or AA (AA); Grade A (A); Grade B (B); Grade C (C). (Same as USDA quality standards of 1955.)
- South Dakota: Grade A (A); Grade B (B); Grade C (C). (Similar to USDA quality factors of 1955.)
- Kansas: Grade AA (AA); Grade B (B); no C Grade.
- Maryland: Fresh (A or better); Grade B (B); Grade C (C). (Similar to USDA quality factors of 1955.)
- West Virginia: Fancy (U.S. Special); Grade A (U.S. Extra); U.S. Standards (Same). (USDA quality standards of 1952).
- Georgia: Fancy or AA (U.S. Special); Grade A (U.S. Extra); Grade B (U.S. Standard); Grade C (U.S. Trade). (Same as USDA quality standards of 1952.)
- Arizona: Grade AA (AA); Grade A (A); Grade B (B); Grade C includes loss-free edible eggs and underweights.
- Nevada: 1925 U.S. Standards for quality.
- Washington: Grade AA (AA); Grade A (A); Grade B (B); no Grade C. (Similar to USDA quality standards of 1952.)
- ³ Indiana, South Dakota: Grade AA not part of State standards and grades.

- ⁴ Illinois: All eggs sold or offered for sale at retail, except those exempted, shall be graded as to net weight and quality, except when sold as "ungraded," which must be candled and edible.
- ⁵ Wisconsin: Candling compulsory. Eggs not graded must be labeled ungraded.
- ⁶ Wisconsin, Arizona: Except for C Grade.
- ⁷ Minnesota: Compulsory if eggs are sold at retail on a grade basis.
- ⁸ Minnesota has no Grade AA.
- ⁹ Iowa: Must meet USDA minimum standards.
- ¹⁰ North Dakota: However, candling is compulsory.
- ¹¹ Kansas, Nebraska: Unlawful to sell ungraded eggs below Grade B.
- ¹² Nebraska: USDA consumer grades used for retail sale.
- ¹³ Maryland: Similar to USDA standards issued in 1955.
- Oregon: Similar to USDA standards issued in 1952.
- ¹⁴ Virginia: Contemplating changes in the State grades.
- ¹⁵ West Virginia: All eggs other than Grade A, still fit for human food, must be sold simply as eggs.
- ¹⁶ Kentucky: New egg law passed. Rules and regulations to be formulated. Grade and weight standards for Kentucky consumer grades A, B, and C to be in conformity with Federal standards.
- ¹⁷ Oklahoma: But must be sold as uncandled, ungraded eggs.
- ¹⁸ Texas: No State egg law.
- ¹⁹ Wyoming: Federal grades and sizes must be used if sold as graded eggs.
- ²⁰ Washington: No grade C provision. Law provides standards of quality shall conform as nearly to those of USDA as local conditions will permit.

TABLE 2. --Permitted quality and weight tolerances: Consumer grades for shell eggs, by States

State by region	Quality				Weight classes				
	Percentages same as USDA	Percentages differ from USDA	Not more than two eggs per dozen when sold retail	Tolerance not indicated	Leakers allowed within permitted tolerance		Five percent in minimum net wt. permitted	Only minimum net weight permitted	Tolerance not indicated
					Allowed	Not indicated			
NEW ENGLAND									
Maine.....	X		¹ X		X			X	
New Hampshire.....	X					X		X	
Vermont.....		X	X			X		² X	
Massachusetts.....			X			X			X
Rhode Island.....	X					X			X
Connecticut.....	X					X		X	
MIDDLE ATLANTIC									
New York.....			X			(³)		X	
New Jersey.....	X				X			X	
Pennsylvania.....	X				X			⁴ X	
EAST NORTH CENTRAL									
Ohio.....	X					X			X
Indiana.....		⁵ X			X			X	
Illinois.....	X		X		X				X
Michigan.....	X					X			X
Wisconsin.....				X		X		X	
WEST NORTH CENTRAL									
Minnesota.....		X				X			X
Iowa.....		⁶ X				X			X
Missouri.....			⁷ X			X		⁸ X	
North Dakota.....				X		X			X
South Dakota.....		X				X			X
Nebraska.....	X				X			X	
Kansas.....	X				X			X	
SOUTH ATLANTIC									
Delaware.....			X			X		⁹ X	
Maryland.....			X		X			¹⁰ X	
District of Columbia.....									
Virginia.....	X					X			X
West Virginia.....			X			¹¹ X			X
North Carolina.....	X					X			X
South Carolina.....	X					X			X
Georgia.....			X			¹¹ X		¹² X	
Florida.....	X		X		X			X	
EAST SOUTH CENTRAL									
Kentucky.....	X				X				X
Tennessee.....	X				X			X	
Alabama.....	X					X	X		
Mississippi.....	X					X			X
WEST SOUTH CENTRAL									
Arkansas.....	X				X		X		
Louisiana.....	X				X			X	
Oklahoma.....	X				X			X	
Texas.....	(¹³)								
MOUNTAIN									
Montana.....		X				X		¹⁴ X	
Idaho.....	X					X			X
Wyoming.....	X				X				X
Colorado.....	X					X		X	
New Mexico.....	X					X		X	
Arizona.....		X			X			X	
Utah.....	X					X			X
Nevada.....			X			X		X	
PACIFIC									
Washington.....		X						X	
Oregon.....		¹⁵ X	X			X		¹⁶ X	
California.....		X						¹⁷ X	
U. S.....	27	10	13	2	16	28	2	27	18

¹ Maine: Permitted tolerance is 1 egg per dozen at time of inspection when packed under the blue, white, and red State trade-mark.

² Vermont: In all official size classifications of eggs each year between June 1 and Sept. 30, inclusive, the following tolerances, in addition to already existing tolerances, apply:

Tolerance No. 1.--Each egg included in the following tolerances for all egg size classes may weigh no less than the rate of 1 ounce per dozen (1/12 oz.) below the minimum weight per dozen of the official size class of the lot in which it is found.

Tolerance No. 2.--For eggs in containers other than individual 1-dozen containers, there shall be such tolerance, in addition to the existing 3 percent, as to create a total tolerance of 6 eggs per 3 dozen.

Tolerance No. 3.--For eggs in individual 1-dozen containers, there shall be the total tolerance for weight loss during distribution, so as to create a total tolerance for eggs in individual 1-dozen containers of 7 eggs per 3 dozen.

³ New York: Leakers considered as "loss eggs."

⁴ Pennsylvania: A maximum of 2 eggs per individual 1-dozen carton, of the next lower ounce per dozen, is permitted. In lots of 30 or more, a tolerance of 10 percent of eggs of the next lower ounce per dozen is permitted. For wholesale grades, the weight variation tolerance is 5 percent by count for individual eggs.

⁵ Indiana: Within tolerance permitted, an allowance of 1 percent in Grades A and B and 2 percent in Grade C for leakers at inspection point.

⁶ Iowa: Eggs below Grade B cannot be sold at retail.

⁷ Missouri: No tolerance for Grade C eggs.

⁸ Missouri: No tolerance below the minimum weight for individual eggs is allowed in weight classes.

⁹ Delaware: In lots sold as large, medium, or small, a tolerance of 2 eggs of the next lower weight classification is allowed in each dozen. If any lot of eggs is sold as fresh and at the same time is sold as large, medium, or small, the sum of the tolerances allowed above shall not exceed 2 eggs in any dozen. Eggs below the designated size shall meet the requirements of the

next lower size and eggs so included shall be those other than eggs included in the tolerance of the lower size.

¹⁰ Maryland: Two eggs in any dozen or 10 percent, by count of the eggs in a 30-dozen case, not having serious defects, may be below the designated size or quality; but the sum of eggs below the designated size and quality shall not exceed 2 eggs in any dozen or 10 percent, by count of the eggs in a 30-dozen case.

¹¹ Georgia, West Virginia: Have only wholesale grades.

¹² Georgia: The weight tolerance, per dozen, where eggs are sold at retail, is not more than 2 eggs of the minimum net weight for individual eggs at rate per dozen. Not more than 5 percent tolerance of the minimum net weight for individual eggs at rate per dozen shall be allowed where eggs are sold in wholesale lots.

¹³ Texas: Has no egg law.

¹⁴ Montana: "To allow for variations incident to grading and handling not more than 10 percent by count of eggs inspected shall be below the weight or quality requirements of the designated grade. Tolerance for each grade shall be confined to eggs in the next lower weight or quality grade."

¹⁵ Oregon: Tolerance specified for only case lots.

¹⁶ Oregon: In determining the weight of any case or lot of eggs, the following maximum tolerances shall be allowed:

"(1) Five percent of the individual eggs in any case or lot may consist of eggs which fail to meet the minimum weight of the size standard.

"(2) On any lot or container of 1 dozen eggs, not more than 1 egg which fails to meet the minimum weight of the size standard shall be allowed. However, weight tolerances for individual eggs shall not be construed as permitting a tolerance for the minimum weight per dozen as set out in ORS 632.025."

¹⁷ California: The tolerance for jumbo, extra large, large, medium, and small size standards of eggs shall be as follows: Five percent by count of eggs in any container or bulk lot may be eggs of the next lower size than that specified, provided eggs of the quality grade C need not be graded and marked as to size. Leakers as such are not allowed except in grade C. California does not consider grade C a consumer grade.

TABLE 3. --Permitted percentage quality tolerances in State consumer grades of shell eggs, which differ from USDA grades

USDA and State	Grade AA			Grade A		
	Minimum percentage AA quality ¹	Tolerance		Minimum percentage A quality or better ¹	Tolerance	
		A quality or better	B, C quality or checks		B quality or better	C quality or check
	<i>Percent</i>	<i>Percent</i>	<i>Percent</i>	<i>Percent</i>	<i>Percent</i>	<i>Percent</i>
.....	80	15	5	80	15	5
Arizona.....	80	15	5	80	15	5
California.....	85	10	5	85	10	5
Indiana.....	--	--	--	80	15	5
Iowa.....	80	15	5	80	15	5
Minnesota.....	--	--	--	80	20	--
Montana.....	90	10	--	90	10	--
Oregon.....	85	10	5	85	10	5
South Dakota.....	--	--	--	80	20	--
Washington.....	85	10	5	85	10	5
	Grade B			Grade C		
	Minimum percentage B quality or better ¹	Tolerance		Minimum percentage C quality or better ¹	Tolerance	
		C quality or better	Dirty or check		dirty or check	
	<i>Percent</i>	<i>Percent</i>	<i>Percent</i>	<i>Percent</i>	<i>Percent</i>	
USDA.....	80	10	10	80	20	
Arizona.....	80	20	--	² 100	--	
California.....	85	5	10	--	100	
Indiana.....	80	10	10	80	20	
Iowa.....	80	10	10	--	--	
Minnesota.....	80	20	--	100	--	
Montana.....	90	10	--	90	10	
Oregon.....	85	15	--	--	--	
South Dakota.....	80	20	--	100	--	
Washington.....	80	5	15	--	--	

¹ Lot average.

² Includes dirty and checked.

Leakers

The U. S. consumer grades for shell eggs provide, in a footnote, that within the quality tolerance permitted, an allowance will be made at receiving points or shipping destinations for 1/2 percent leakers in grades AA, A, and B, and 1 percent in grade C. Eleven States provide for the tolerance referred to. Indiana and Kentucky, however, permit 1 percent leakers for grades A and B and 2 percent for grade C. California permits leakers only in grade C which, however, is not considered as a consumer grade. Twenty-eight States do not indicate that they make an allowance for leakers (table 2). The failure to include the leaker allowance in some States may be primarily due to its being a footnote to the published USDA standards and grades. A number of the States adopting the U. S. consumer grade standards apparently inadvertently omitted the allowance.

SIZE AND WEIGHT DESIGNATIONS FOR SHELL EGGS

Only 28 States have the same size and weight specifications for consumer grades as those of the U. S. Department of Agriculture (table 1). Eighteen other States have variations which can be seen in table 4. The new regulations were not available to show the size and weight designations applicable in Kentucky. A new egg marketing law was passed which is scheduled to go into effect by January 1, 1957. However, USDA weight specifications apparently were adopted.

On March 1, 1955, the U. S. Department of Agriculture announced certain modifications, effective January 1, 1956, in the weight classes for U. S. consumer grades for shell eggs. However, the scheduled changes in the weight classes for shell eggs were rescinded, effective December 29, 1955, and the weight classes previously in effect were continued. Two States, Alabama and Arkansas, however, prior to the rescission, had incorporated the changes in their egg laws (table 2). Twenty-six States specify minimum weights in the State standards. Their laws or regulations, except where indicated in footnotes, contain the following statements, taken from U. S. standards:

"Minimum weights listed for individual eggs at the rate per dozen are permitted in various size classes only to the extent that they will not reduce the net weight per dozen below the required minimum, consideration being given to variable weight of individual eggs and variable efficiency of graders and scales which should be maintained on a uniform and accurate basis."¹³

Effective July 1, 1952, the statement was changed to comprise only the part ending with the words, "required minimum."

The Vermont law allows a "tolerance for errors in each grade: 1 egg per 3 dozen may be 1 ounce (rate per dozen) below the minimum weight per dozen, provided each dozen weighs the required minimum." No additional weight tolerance is allowed during June 1 to September 30.

The Montana regulations allow a tolerance of not more than 10 percent below the weight or quality requirements of the designated grade. The tolerance for each grade is confined to eggs in the next lower weight or quality grade.

Nineteen States do not indicate a tolerance in weight classes.

VARIABLE TERMS USED TO DENOTE QUALITY IN SHELL EGGS

All but a few States use the U. S. Department of Agriculture terminology for grades (table 1). Thirty-five States make reference to the use of the term "fresh eggs" in their egg laws or the regulations under the laws. Four additional States, Massachusetts, New Jersey, Pennsylvania, and Vermont, have separate laws pertaining to "fresh eggs."

The fact that such a large number of States regulate the use of the term "fresh eggs," or words of similar import, indicates that the dealers handling eggs recognize the value of the term in selling eggs to consumers. However, the quality specifications for so-called "fresh eggs" are not the same in all States and the term "fresh" is not used as a quality designation in the U. S. Department of Agriculture standards. At times, egg sellers use such terms as "hennery eggs, newlaid eggs, country eggs, ranch eggs, nearby eggs, native eggs, quality certified eggs, selected, new arrivals, day-old eggs, good eggs, extra selected, fancy eggs, strictly fresh, best eggs, fresh laid, farm eggs, yard eggs, guaranteed eggs." Sometimes the name of the State in which eggs are sold is used as a prefix to the descriptive term. The objective is to have the consumers believe the eggs offered them are of high quality. The eggs may or may not be of top quality. The real test is candling and grading according to some officially recognized standard established by some governmental agency.

¹³ "Weight Classes, for Consumer Grades for Shell Eggs," which became effective December 1, 1947. See Footnote 1.

TABLE 4. --Size and weight specifications in standards and grades for shell eggs, by States

State, by region	Jumbo							Extra Large							
	Minimum net weight				Individual egg			Minimum net weight					Individual egg		
	Per dozen		Per 30 dozen		Minimum weight at rate per dozen		Weight (ounces)	Per dozen		Per 30 dozen			Minimum weight at rate per dozen		Weight (ounces)
	30 ounces ¹	28 ounces ²	56 pounds ¹	56-1/4 pounds	29 ounces ¹	Other (ounces)		27 ounces ¹	26 ounces ²	50.5 pounds ¹	51 pounds	48.5 pounds ²	26 ounces ¹	Other (ounces)	
NEW ENGLAND															
Maine.....	X				X			X					X		
New Hampshire.....	X		X		X			X					X		
Vermont.....	X			X		29-1/2		X		X				26-1/2	
Massachusetts.....	³ X				X			³ X			X		X		
Rhode Island.....	X					30		X					X		
Connecticut.....	X		X		X			X		X			X		
MIDDLE ATLANTIC															
New York.....								X							
New Jersey.....	X		X		X			X		X			X		
Pennsylvania.....								X		X			X		
EAST NORTH CENTRAL															
Ohio.....	X		X		X			X		X			X		
Indiana.....	X		X		X			X		X			X		
Illinois.....	X		X		X			X		X			X		
Michigan.....															
Wisconsin.....	X		X		X			X		X			X		
WEST NORTH CENTRAL															
Minnesota.....	X		X		X										
Iowa.....	X		X		X			X		X					
Missouri.....	X		X		X			X		X					
North Dakota.....	X							X		X					
South Dakota.....													X		
Nebraska.....								X		X					
Kansas.....	X		X		X			X		X			X		
SOUTH ATLANTIC															
Delaware.....									X			X		² 25	
Maryland.....															
District of Columbia.....															
Virginia.....	X		X		X			X		X			X		
West Virginia.....															
North Carolina.....	X		X		X			X		X			X		
South Carolina.....	X		X		X			X		X			X		
Georgia.....	X		X		X			X		X			X		
Florida.....	X		X		X			X		X			X		
EAST SOUTH CENTRAL															
Kentucky.....	⁴ X		X		X			X		X			X		
Tennessee.....	X		X		X			X		X			X		
Alabama.....	X		X					X		X			X		
Mississippi.....	X		X		X			X		X			X		
WEST SOUTH CENTRAL															
Arkansas.....	X		X		X			X		X			X		
Louisiana.....	X		X		X			X		X			X		
Oklahoma.....	X		X		X			X		X			X		
Texas.....															
MOUNTAIN															
Montana.....	X		X		X			X		X			X		
Idaho.....	X		X		X			X		X			X		
Wyoming.....	X		X					X		X			X		
Colorado.....	X		X		X			X		X			X		
New Mexico.....	X		X		X			X		X			X		
Arizona.....	X		X		X			X		X			X		
Utah.....	X		X		X			X		X			X		
Nevada.....			X		X			X	X	X			X		
PACIFIC															
Washington.....	X		X		X			X		X			X		
Oregon.....		X					2-1/4								2-1/12
California.....	X						2-5/12	X	X						2-1/6

See footnotes at end of table.

TABLE 4. --Size and weight specifications in standards and grades for shell eggs, by States--continued

State, by region	Large					Medium							
	Minimum net weight			Individual egg		Minimum net weight				Individual egg			
	Per dozen		Per 30 dozen	Minimum weight at rate per dozen		Weight (ounces)	Per dozen		Per 30 dozen		Minimum weight at rate per dozen		Weight (ounces)
	24 ounces ¹	23.5 ounces	45 pounds ¹	23 ounces ¹	23-1/2 ounces		21 ounces ¹	20.5 ounces	39.5 pounds ¹	40 pounds ²	20 ounces ¹	Other (oz.)	
NEW ENGLAND													
Maine.....	X			X				X			X		
New Hampshire.....	X		X	X				X			X		
Vermont.....	X		X		X					X		20-1/2	
Massachusetts.....	X			X							X		
Rhode Island.....	X			X							X		
Connecticut.....	X		X	X				X			X		
MIDDLE ATLANTIC													
New York.....	X		X	X						X			
New Jersey.....	X		X	X						X			
Pennsylvania.....	X										X		
EAST NORTH CENTRAL													
Ohio.....	X		X	X				X			X		
Indiana.....	X		X	X				X			X		
Illinois.....	X		X	X				X			X		
Michigan.....	X		X	X				X			X		
Wisconsin.....	X		X	X									
WEST NORTH CENTRAL													
Minnesota.....	X		X	X				X			X		
Iowa.....	X		X	X				X			X		
Missouri.....	X		X	X				X			X		
North Dakota.....	X			X				X			X		
South Dakota.....	X		X					X					
Nebraska.....	X		X					X					
Kansas.....	X		X	X				X			X		
SOUTH ATLANTIC													
Delaware.....			X	X						X	X		
Maryland.....													
District of Columbia.....			X	X				X			X		
Virginia.....	X								X				
West Virginia.....	X		X	X				X			X		
North Carolina.....	X		X	X				X			X		
South Carolina.....	X		X	X				X			X		
Georgia.....	X		X	X				X			X		
Florida.....	X												
EAST SOUTH CENTRAL													
Kentucky.....	X		X	X				X			X		
Tennessee.....	X		X	X				X			X		
Alabama.....	X		X					X					
Mississippi.....	X		X	X				X					
WEST SOUTH CENTRAL													
Arkansas.....	X		X	X				X			X		
Louisiana.....	X		X	X				X			X		
Oklahoma.....	X		X	X									
Texas.....													
MOUNTAIN													
Montana.....	X		X	X				X			X		
Idaho.....	X		X	X				X					
Wyoming.....	X		X	X				X			X		
Colorado.....	X		X	X				X			X		
New Mexico.....	X		X	X				X			X		
Arizona.....	X		X	X		1.83		X			X		
Utah.....	X		X	X				X					1.5
Nevada.....	X												
PACIFIC													
Washington.....	X		X	X		1-11/12		X			X		1-8/12
Oregon.....		X				1-11/12		X					1-2/3
California.....	X												

See footnotes at end of table.

TABLE 4. --Size and weight specifications in standards and grades for shell eggs, by States--continued

State, by region	Small						Pee Wee				
	Minimum net weight				Individual egg		Minimum net weight				Individual egg
	Per dozen		Per 30 dozen		Minimum weight at rate per dozen		Per dozen		Per 30 dozen		Weight (ounces)
	18 ounces ¹	Other (ounces)	34 pounds ¹	35 pounds	17 ounces ¹	Other (ounces)	15 ounces ¹	Other (ounces)	28 pounds ¹	Under 35 pounds	
NEW ENGLAND											
Maine.....	X				X						
New Hampshire.....	X		X			18	X	Under 17	X		
Vermont.....	X		X			17-1/2	X	Under av. of 18	X		
Massachusetts.....	X				X			Under 17			14-1/2 per dozen
Rhode Island.....	X				X						
Connecticut.....			X			18	X		X		
MIDDLE ATLANTIC											
New York.....	X										
New Jersey.....		19		X				Under av. of 18			
Pennsylvania.....	X			X		² 15				X	
EAST NORTH CENTRAL											
Ohio.....	X		X		X		X				
Indiana.....	X		X		X						
Illinois.....	X		X		X		X				
Michigan.....		Under 21						Under 15			
Wisconsin.....	X		X		X		X		X		
WEST NORTH CENTRAL											
Minnesota.....	X		X		X						
Iowa.....	X		X		X						
Missouri.....	X		X		X		X		X		
North Dakota.....	X								X		
South Dakota.....	X		X		X		X				
Nebraska.....	X		X								
Kansas.....	X		X		X		X		X		
SOUTH ATLANTIC											
Delaware.....			X			² 15					
Maryland.....	X										
District of Columbia.....											
Virginia.....	X		X		X		X		X		
West Virginia.....		17									
North Carolina.....	X		X		X		X		X		
South Carolina.....	X		X		X		X		X		
Georgia.....	X		X		X		X		X		
Florida.....			X		X		X		X		1-1/6
EAST SOUTH CENTRAL											
Kentucky.....	X		X		X		X		X		
Tennessee.....	X		X		X		X		X		
Alabama.....	X		X				X		X		
Mississippi.....	X		X		X		X		X		
WEST SOUTH CENTRAL											
Arkansas.....	X		X		X		X		X		
Louisiana.....	X		X		X		X		X		
Oklahoma.....	X		X		X		X		X		
Texas.....											
MOUNTAIN											
Montana.....	X		X		X		X				
Idaho.....	X		X		X		X				
Wyoming.....	X		X				X		X		
Colorado.....	X		X				X		X		
New Mexico.....	X		X		X		X		X		
Arizona.....	X		X		X		X		X		
Utah.....	X		X		X		X		X		
Nevada.....		16			X		X		X		
PACIFIC											
Washington.....	X		X		X						
Oregon.....	X						X		X		
California.....	X					1.25 1-5/12					Less than 1-1/4 Less than 1-5/12

¹ Same as U. S. specifications and weight classes for consumer grades for shell eggs, March 1, 1955.² Same as tentative U. S. standards and weight classes for consumer grades for shell eggs, December 1943.³ Average weight per dozen.⁴ New egg marketing law passed. Rules and regulations to be formulated.

Twenty-six States provide that the terms previously mentioned cannot be used unless the eggs meet the quality requirements established by the States for Grade AA or A eggs. The States having such requirements are Alabama, Arizona, Arkansas, California, Connecticut, Georgia, Idaho, Illinois, Indiana, Kansas, Maine, Maryland, Massachusetts, Mississippi, Nebraska, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Rhode Island, Tennessee, Utah, Vermont, Washington, and West Virginia. In addition, the Arizona law provides that the eggs must not have been held in cold storage for more than 30 days. Louisiana requires that terms implying freshness can be used only in connection with graded eggs having not less than the minimum quality requirements of U. S. consumer grade B eggs or better. New Jersey consumer grade B and grade C eggs are designated by that State as "nonfresh eggs."

In New Hampshire, no eggs are deemed to be fresh which do not meet the standards of New Hampshire Extra grade as established by the commissioner of agriculture. It is also required that all fresh eggs for human consumption sold, offered, exposed, or advertised for sale at retail or wholesale or exchanged or distributed at retail or wholesale, within the State, shall be plainly and conspicuously marked and identified with the word "fresh."

The Michigan law specifies that eggs to be deemed fresh must fully meet the standards of quality specified for the U. S. Extra (a wholesale grade) or the equivalent, as described in the latest U. S. Department of Agriculture standards for individual eggs. Furthermore, eggs which fully meet the specifications of a U. S. standard or the equivalent and which have not been subjected to artificial refrigeration for more than 45 days may be designated simply as "Fresh grade B eggs;" except that descriptive words denoting color may be used and certain other provisions of the act must be met. Where the term "fresh grade B eggs" is used, the words "grade B" must be of the same size and prominence as the word "fresh."

Maryland rule 14 states: "Any eggs not designated as Grade B or as Grade C shall be presumed to be 'Grade Fresh,' regardless of whether or not a term is used in describing the quality."

New York, Pennsylvania, South Carolina, and Nevada provide that terms implying freshness cannot be used for eggs that do not conform to the classifications or definition provided for fresh eggs in the act itself or do not meet the standards of quality for fresh eggs established by the commissioner of agriculture.

Minnesota prohibits the use of the term "fresh eggs," or other words or description of similar import, if such a statement or term is false or misleading. In Colorado, such terms as "fresh eggs," "farm fresh," and "new laid" are considered as misleading and may not be used in place of or in connection with the actual grade and size of eggs. The term "fresh" can be used in Florida only as an honest statement of fact as supplemental advertising, in combination with the word eggs, in phrases such as "refrigerated eggs to preserve fresh quality." The use of such legends as "strictly fresh, farm fresh, day-old eggs" is not permitted in that State. The use of terms pertaining to the area of production in Florida must be approved by the poultry and egg division.

Terms of the character previously mentioned are considered in North Dakota to be ambiguous, and cannot be used under the regulations in that State. In Montana the term "fresh" or words of similar import cannot be deemed a substitute for a grade designation. The Virginia egg law requires that terms alluding to the freshness of eggs can be applied only to eggs with air cells not over one-fourth of an inch deep, localized, and regular; with whites firm and clear; the yolks may be visible, but with no visible germ development.

The Delaware law merely provides that freshness must not be implied for eggs offered for sale which are not fresh.

If a wholesaler in Indiana desires to sell "fresh eggs" or use any terms implying freshness, he must secure a fresh egg permit in addition to his certificate of registration. He cannot, however, sell grade B eggs as "fresh" under the fresh egg permit. A certificate of registration is required of a retailer who sells Indiana Grade A eggs, and the fresh egg permit is provided at no additional cost. On or near all eggs offered for sale as fresh (Indiana grade A) eggs, permittees must prominently display a placard indicating such eggs are fresh (Indiana grade A) and also indicating the size.

EXTENT TO WHICH USE OF STATE GRADES AND STANDARDS IS COMPULSORY OR VOLUNTARY

Thirty States make compulsory the grading or sizing of shell eggs according to the State's grades and standards. Another 16 States permit grading and sizing on a voluntary basis (table 1). However, there are certain exemptions from the provisions, which were described earlier in this report (pp 2 to 6). Although some States have voluntary grading and sizing, some also have provisions within the egg laws or regulations pertaining to advertising and labeling of eggs when sold according to grade or as unclassified or ungraded. Other sections of this report explain the advertising and labeling regulations.

SPECIAL CANDLING REQUIREMENTS

As all States prohibit the sale of inedible eggs, candling must be done before the eggs reach the consumer. Some States, however, have special provisions in the egg laws and regulations pertaining to candling. Some of these provisions define what constitutes candling, who should do the candling, improper dockage, the size of the candling certificate or label, the information to be given in the certificate, whether or not the candler must be licensed, the examination of candlers, the requirements for proper facilities for candling, where the candling certificate is to be placed in a case, and maintenance of candling records. Fourteen States have provisions in their laws or regulations covering one or more of the points mentioned (table 1).

Three States, Kansas, North Dakota, and South Dakota, provide that the purchase of eggs must be on a "loss off" basis. In Kansas all rejects must be returned to the producer if requested and must be sufficiently marked to distinguish them from good eggs.¹⁴ In North and South Dakota, all eggs delivered by producers for sale must be candled before full payment is made for the eggs; however, a partial payment may be made before candling.

A few States impose some requirements as to the facilities to be used by dealers in eggs. In Iowa and South Dakota, licenses are issued only after an inspection has been made and the premises and equipment have been approved. For example, the North Dakota law states, "Every person engaged in the business of buying eggs in this State for resale or consignment shall maintain an adequate place for the accurate candling of eggs and a suitable place for the proper handling of eggs which are intended to be used for human food."

Closely related to the above is sanitation. Kansas and South Dakota require that all wooden and fiber egg cases must be clean. Flats and fillers must be dry and clean. In Kansas, the provision is applicable to farmers as well as others who handle eggs for human consumption.

LICENSING OR REGISTRATION REQUIREMENTS

In 33 States, licenses, registration certificates, or permits must be obtained by dealers buying and selling eggs. In 15 States, no registering or licensing is required by the State (table 5), but local licenses may be required by counties, cities, or municipalities in some States.

¹⁴ Kansas Food and Drug Law, Sections 17224 and 17226.

TABLE 5. --Licenses, certificates, or permits for egg dealers: Requirements by States

State, by region	License, certificate or permit ¹				Annual license fee						Inspection fee, stamps or labels required
	Not required	Required			Not required	Dealers		Based entirely or partly on volume of business	Required for each truck used in buying and selling eggs	Candlers and graders	
		Assemblers, packers, shippers, wholesalers, jobbers, brokers, processors	Retailers	Candlers and graders		Same for all	Varies for classes				
NEW ENGLAND											
Maine.....	² X										
New Hampshire.....	X	³ X									
Vermont.....		⁴ X				X			⁴ X		
Massachusetts.....		X									
Rhode Island.....	X										
Connecticut.....	(⁵)										
MIDDLE ATLANTIC											
New York.....		X					X				
New Jersey.....		X				X					
Pennsylvania.....	X										
EAST NORTH CENTRAL											
Ohio.....	X										X
Indiana.....		X	X				X				
Illinois.....		X	⁶ X				X	X	X		
Michigan.....	X										
Wisconsin.....		⁷ X				X					
WEST NORTH CENTRAL											
Minnesota.....		X	X				X				
Iowa.....		X	X	X			X			\$2.00	
Missouri.....		X	X				X	X			
North Dakota.....		X	X			X					
South Dakota.....		X	⁶ X	X			X		X	\$1.00	
Nebraska.....		X	X				X				
Kansas.....		X	⁸ X					⁹ X			⁹ X
SOUTH ATLANTIC											
Delaware.....	X										
Maryland.....	X										
District of Columbia...											
Virginia.....	X										
West Virginia.....	¹⁰ X			X						not stated	X
North Carolina.....		X			X						
South Carolina.....		X	X		X					no charge	X
Georgia.....		X	X	X	X						X
Florida.....		X	X		X						
EAST SOUTH CENTRAL											
Kentucky.....		X	X				X				
Tennessee.....		X		X			X	X		no charge	X
Alabama.....		X	X		X						
Mississippi.....	X										
WEST SOUTH CENTRAL											
Arkansas.....		X	X				X	X			
Louisiana.....	X		X			X					X
Oklahoma.....		X									
Texas.....	X										
MOUNTAIN											
Montana.....		X	X	X		X				\$2.00	X
Idaho.....		X	X			X					
Wyoming.....		X				X					
Colorado.....		X	X	X			X	X	X	\$2.00	
New Mexico.....		X					X	X			X
Arizona.....		X	¹¹ X			X					
Utah.....	X										
Nevada.....	X										
PACIFIC											
Washington.....		¹² X				X					
Oregon.....		¹³ X	X				X	X			
California.....		X									
U. S.....	15	33	21	7	5	10	14	9			9

¹ Producers and others exempt under certain conditions. See section on Exemptions.

² Maine: Anyone packing eggs under the blue, white, and red trade-mark, however, must be licensed by commissioner of agriculture.

³ New Hampshire: Voluntary quality program; also see footnote 4 to table

⁴ Vermont: Not applicable to a merchant or farmer who does not go from place to place buying eggs nor to any charitable organization or town or welfare department. Number plates are furnished each licensee for vehicles.

⁵ Connecticut: To use the words "Connecticut" or "U. S." in connection with official grades, the packer must register with the commissioner of agriculture.

⁶ Illinois, South Dakota: Retailer exempt if he purchases eggs only from licensed dealers.

⁷ Wisconsin: Applies only to out-of-State concerns buying in Wisconsin.

⁸ Kansas: If a retailer buys from a registered packer and all provisions of the law are being complied with, the retailer does not have to register.

⁹ Kansas: Annual fee based on quantity of shell eggs sold to purveyors or consumers. Fee may be paid either by use of inspection fee stamps or by obtaining a permit to report and pay the inspection fee on a quarterly basis.

¹⁰ West Virginia: However, candlers and graders must be certified and registered.

¹¹ Arizona: Not required when eggs are purchased from producer or licensed dealer and sold to consumers.

¹² Washington: Any distributor or person placing his name upon the carton or container must be licensed. A license is not required for a person selling eggs that have been previously candled and graded.

¹³ Oregon: Required only when retailer buys ungraded eggs and does his own candling and grading.

In addition to requiring assemblers, shippers, packers, wholesalers, brokers, commission houses, and processors to obtain licenses, certificates, or permits, 21 States also require this of retailers. However, there are certain exceptions to the licensing and registration provisions which are indicated in the footnotes to table 5 and in the section dealing with exemptions (pp 2 to 6). Dealers are required to obtain a license or certificate for each place of business; and in Colorado, Illinois, South Dakota, and Wyoming, for each truck operated in connection with the buying or selling of eggs. In Colorado, a dealer holding a wholesale egg license and operating retail truck routes, selling directly to consumers, must obtain a small-retailer license for each vehicle used. If he does not have a wholesale license, he must obtain a medium-retailer license. In Illinois, if a truck operator buys eggs only from licensed dealers and sells at retail only, he is exempt from license. In Vermont, number plates are issued to licensees. A separate plate is issued for each vehicle operated by a licensee. A surety bond is required in some States; for example, in Vermont. However, this report does not cover the subject of bonding requirements.

Seven States require the registration of candlers and graders. They are Georgia, Colorado, Iowa, Montana, South Dakota, Tennessee, and West Virginia.

Producers who sell eggs from their own flocks are exempt from the licensing provisions in 37 States, provided they comply with certain stated conditions (see section "Exemptions" and table 1).

The State fees for licenses vary from no charge to relatively substantial amounts. Fees are relatively large especially in States where they are based on the volume of eggs handled by the dealer or processor, as in Colorado, Kansas, Kentucky, New Mexico, Missouri, Tennessee, Nebraska, Arkansas, Oregon, and Illinois. Processors usually pay a higher fee than other dealers in eggs. Retailers' fees are generally less than those charged wholesale dealers. License or permit fees for candlers and graders are nominal, and in some States no charge is made for them.

Stamps must be purchased or inspection fees paid in nine States, some of which also require the payment of license or registration fees. However, in certain States where license or registration or inspection fees are based on quarterly reports (as in Arizona and Kansas), no stamps are required.

MISREPRESENTATION AS A VIOLATION

Misrepresentation of the quality and size of eggs is prohibited in the laws of 45 States. The misrepresentation may be in the form of false or misleading advertising or labeling, or in the use of deceptive signs or placards. The advertisements may be in newspapers, signs, or handbills. Labels are applied to containers, which may be cases containing 30 dozen or a smaller number of eggs, cartons holding a dozen eggs, bags or other forms. The placards are signs which accompany bulk displays.

In some States, the egg law or other laws applicable to eggs contain separate sections or paragraphs pertaining to advertising, labeling, and bulk displays. In other States, references to all three subjects are in a single section or paragraph and are not treated separately. In still other States, the whole subject of misrepresentation is treated in a general manner, with no special provisions pertaining to any one of the three types. For illustration, the New York law states: "No person shall sell or offer for sale, or advertise for sale, eggs for human consumption if the package containing them or the label on them, or any advertising accompanying them, shall bear any statement or device regarding the eggs which may be false or misleading in any particular." Another illustration is Wyoming, where "all misleading or deceptive statements on labels or in advertising shall be deemed to be a violation of the Wyoming Food and Drug Laws." The States making specific reference to advertising, labeling, or bulk display, and describing the major requirements, are indicated in the following three sections of this report.

Advertising Requirements¹⁵

To prevent misleading statements or misrepresentation or to require sellers to supply specific information in advertising eggs, 45 States have legal or regulatory provisions pertaining to advertising of eggs. The 3 exceptions are Iowa, Kentucky, and Texas. Thirty-one of the States require that the advertisements must indicate the correct grade and size of eggs offered at the advertised price (table 6). If the eggs are unclassified or ungraded they must be so described in the advertisements in 13 States. Five additional States require that only the grade be stated. In 2 more States, only the size of the eggs need be mentioned.

To assure that buyers will be aware of the quality and size of the eggs, 10 State laws require that the classification, grade, and size names must not be abbreviated. Furthermore, the lettering pertaining to quality and size must, in 8 States, be of a specified size in relation to that indicating the price. For example, the law in Utah provides that "Any advertisement or statement of grade of eggs shall be of the same style of lettering as the name of the product or other descriptive matter on the label, sign, or advertisement, and such statement of grade shall be given in letters which are not less than one-third as high as the letters or figures in which the price is stated or displayed; and shall be of such style and arrangements as to be plainly legible and readable under ordinary and usual conditions." North Carolina also provides that "the grade and size classification shall be shown conspicuously in letters not less than one-tenth size of letters or figures used to print the word 'EGGS' or the price shown for the particular eggs being offered for sale, whichever is larger." Wisconsin has provisions against fraudulent advertising of foods.¹⁶

Seven States, Alabama, Connecticut, New Jersey, Florida, Georgia, North Carolina, and South Carolina, specify the conditions under which the name of the State or local area, as a source of production, may or may not be used in advertisements. The conditions are primarily that the eggs were produced in the State. In some States the eggs must meet the State standards and grades. A special permit must be obtained in certain States to use the State name in connection with advertising the eggs. Eggs from other than South Carolina producers must be sold in that State as "Shipped Eggs." Three Western States, Idaho, Montana, and Oregon, require that eggs from foreign countries must be advertised as such.

Because of the possibility that consumers may be misled as to the quality of eggs, 36 States have provisions regarding the use of the term "fresh" or words of similar import in advertisements.¹⁷

Labeling¹⁸

Grade and size. --All States except Texas, which has no State egg law, have provisions in the egg laws or in the rules and regulations, which are considered as part of the laws, pertaining to labeling of eggs (table 7). In some States, the labeling provisions are general, as, for instance, in Arizona, Iowa, New Jersey, and Wyoming. In those States, the provisions are more in the nature of prohibitions against mislabeling or giving misleading information as to quality and size, rather than specifications of what the label should comprise.

Correct labeling as to the exact grade and size is considered important by most States. In 40 States, eggs reaching the consumer must be correctly labeled as to grade and size according to the State standards and grades. In 4 States, the label must show the grade, and in 1 it must show the size of the eggs. If mixed, unclassified, or ungraded, the eggs must be labeled as such in 23 States.

¹⁵ See section on Exemptions, pp 2 to 6.

¹⁶ Chapter 97 Wisconsin Statutes 1955, Dairy Foods and Drugs, Sec. 97.64 and 97.65.

¹⁷ See section on "Variable terms used to denote quality in shell eggs," pp 12 to 16.

¹⁸ See section on "Exemptions," pp 2 to 6. Also see section on "Variable terms used to denote quality in shell eggs," and table 1.

TABLE 6. --Advertising: Requirements pertaining to shell eggs, by States

State, by region	Advertisement must state					Grade and size		Use of term "fresh eggs" restricted
	Grade and size of eggs	Grade only	Size only	If unclassified or ungraded eggs	Area of production	Size of letters in relation to price advertised or other factors specified	Abbreviations of grade and size prohibited	
NEW ENGLAND								
Maine.....	X							X
New Hampshire.....		X						¹ X
Vermont.....	X							X
Massachusetts.....	² X							X
Rhode Island.....	X							X
Connecticut.....	X				³ X		X	X
MIDDLE ATLANTIC								
New York.....	⁴ X							X
New Jersey.....					⁵ X	⁵ X		X
Pennsylvania.....								X
EAST NORTH CENTRAL								
Ohio.....	⁴ X			X				X
Indiana.....	⁶ X							
Illinois.....	X			X			X	X
Michigan.....			⁷ X					X
Wisconsin.....								
WEST NORTH CENTRAL								
Minnesota.....		² X		X				X
Iowa.....								
Missouri.....	X					⁸ X	X	
North Dakota.....								X
South Dakota.....		X				⁹ X		
Nebraska.....	X						X	X
Kansas.....	X						X	X
SOUTH ATLANTIC								
Delaware.....								
Maryland.....	¹⁰ X							X
District of Columbia.....								
Virginia.....								X
West Virginia.....		¹¹ X						X
North Carolina.....	X			X	X	¹² X		X
South Carolina.....	X			X	X		¹⁴ X	X
Georgia.....	X				X	¹³ X	¹⁴ X	¹⁵ X
Florida.....	X				X			
EAST SOUTH CENTRAL								
Kentucky.....				X				X
Tennessee.....	X							¹⁷ X
Alabama.....	X				¹⁶ X			¹⁷ X
Mississippi.....			X	X				¹⁷ X
WEST SOUTH CENTRAL								
Arkansas.....	X			X				X
Louisiana.....	X			¹⁸ X				¹⁹ X
Oklahoma.....	X			X				X
Texas.....								
MOUNTAIN								
Montana.....	²⁰ X				²¹ X			
Idaho.....	X							X
Wyoming.....	X							
Colorado.....	X					²² X		X
New Mexico.....	X						X	X
Arizona.....	X			X		²³ X		X
Utah.....	²⁴ X			X		²⁴ X		
Nevada.....								X
PACIFIC								
Washington.....	(²⁵ X				²¹ X			X
Oregon.....	⁴ X							¹⁷ X
California.....							X	X
U. S.....	31	5	2	13	10	9	11	36

¹ New Hampshire: All fresh eggs sold, offered, exposed or advertised for sale at retail or wholesale, or exchanged or distributed at retail or wholesale within the State, shall be plainly and conspicuously marked and identified with the word "fresh."

² Massachusetts: Required if price is stated in advertisement. Not required if eggs are advertised as "not sized" or "ungraded eggs." If sold at wholesale, size need not be shown unless eggs are packed in cartons or other containers for retail sale.

³ Connecticut: The words "Connecticut" or "U.S." may not be used in connection with official grades unless the person or firm packing the eggs is registered by the State commissioner of agriculture.

⁴ California, New York, Ohio, Oregon: Statement of grade and size required if price is stated in advertisement, sign, placard, or otherwise.

⁵ New Jersey: Permission must first be secured from the State secretary of agriculture in order to use the words "New Jersey" or name of any county or municipality thereof. State of origin must be in type of size equal to that used for name and address of packer, repacker, or receiver.

⁶ Indiana: In all quotations or advertising of any kind by any medium connected with the sale of eggs by registrant under the act, if the price is quoted then the grade and size of the eggs so priced must be stated in such quotations or advertisement.

⁷ Michigan: When eggs are sold in bulk, placard must also show quality (if quality is such that under the law it must be stated).

⁸ Missouri: Letters must be in bold-face type and at least half the size of the letters or figures used to designate the price of such eggs.

⁹ South Dakota: Grade designation must be at least half the size of posted price.

¹⁰ Maryland: Block letters must be used which are at least half the height of the tallest letter or figure indicating brand name, the word "eggs," or price.

¹¹ West Virginia: Words used to indicate quality or grade must be of same size as used in word "eggs," and must next precede or follow the word "eggs."

¹² North Carolina: Name, address, and certificate number of distributor required. Grade and size classification shall be in letters not less than 1/10th size of letters or figures used to print the word "eggs," or the price shown for the particular eggs being offered for sale, whichever is larger.

¹³ Georgia: Grade and weight classification must be in letters equal in size to those advertising the eggs for sale.

¹⁴ Georgia: Also applicable to State of origin.

¹⁵ Florida: Cannot be used with classification or grade legends.

¹⁶ Alabama: Cannot use name of State in the advertisement if the eggs were not produced in the State.

¹⁷ Alabama, Mississippi, Oregon: Unless eggs are of consumer grade AA or A according to State standards.

¹⁸ Louisiana: No descriptive words can be used when advertising ungraded eggs.

Footnotes continued on next page.

Footnotes for Table 6--Continued

¹⁹ Louisiana: Not less than U.S. consumer grade B.

²⁰ Montana: Advertisement must state grade but containers must show grade and size except when consumers purchase eggs at place of production from producers.

²¹ Montana, Oregon: If originating in a foreign country or State. All restaurants, hotels, cafes, bakeries, and confectioneries using or serving foreign eggs in any form must place a sign in letters not less than 4 inches in size in some conspicuous place, "We use foreign eggs."

²² Colorado: Advertisement must include statement of correct grade and weight of eggs in type equal in size to the statement of price. A person may add a special name, design, or trade-mark to the grade and weight,

provided such special name, design, or trade-mark is not misleading or contradictory to the actual grade and weight; provided, further, that such "special name, design, or trade-mark" shall first be approved by and registered with the commissioner.

²³ Arizona: Letters must be conspicuous and in bold-face type at least half the size of the letters or figures used to designate the price.

²⁴ Utah: "Advertisements or statements of grade shall in no way be obscured by objects or designs placed in such a manner as to hide or interfere with readability." Statement of grade must be in letters not less than one-third as high as the letters or figures in which price is stated and style and arrangements must be legible and readable.

²⁵ Washington: Advertising reported more adequately covered by Washington Food Law.

TABLE 7. --Labels: Requirements pertaining to shell eggs, by States

State, by Region	Label must state												Grade and size		Seal or stamp required	
	Grade and size of eggs ¹	Grade only	Size only	If mixed, unclassified, candled, uncandled, or ungraded eggs	Area of production	If "shell" treated" eggs	If "cold storage" eggs	Date candled or graded	Date packed	Name and address or license number			Candling or grade certificate number	Size of letters specified ²		Abbreviations prohibited
										Grader or packer	Wholesaler or distributor	or for whom candled or graded				
NEW ENGLAND																
Maine.....	³ X				X		⁴ X			X				X	X	X
New Hampshire.....	⁴ X		X		(⁴)	X			X		⁵ X					
Vermont.....	X					X	X								X	
Massachusetts.....	X														X	
Rhode Island.....	⁶ X									(⁷)						
Connecticut.....	X															
MIDDLE ATLANTIC														X	X	
New York.....	X				X	X				X				X		
New Jersey.....	X					X										
Pennsylvania.....						X										
EAST NORTH CENTRAL														X		X
Ohio.....	X			X					X	X						X
Indiana.....	⁸ X							X		X	X			X		
Illinois.....	X			X						X					X	
Michigan.....	X									⁹ X	X	⁹ X		X	X	
Wisconsin.....		X		X												
WEST NORTH CENTRAL														X		
Minnesota.....		¹⁰ X		X				X								
Iowa.....	¹¹ X			X				X		X		X		X	X	
Missouri.....	¹² X			X						X						
North Dakota.....		¹³ X		X		X	X				X			X		
South Dakota.....		X		X							X				X	
Nebraska.....	X							¹⁴ X	X		X	X		X	X	¹⁵ X
Kansas.....	X			¹⁴ X												
SOUTH ATLANTIC																
Delaware.....							X							X	X	
Maryland.....	X			X												
District of Columbia...														X	X	
Virginia.....	¹⁶ X			X						X						
West Virginia.....	¹⁷ X					X	X			X	X			X		X
North Carolina.....	¹⁸ X				X									X		
South Carolina.....	X			X					X	X				X	X	
Georgia.....	X					¹⁹ X	X		X	X				X		X
Florida.....	¹⁹ X															
EAST SOUTH CENTRAL																
Kentucky.....	X			X					X	X	X		X	X	X	
Tennessee.....	²⁰ X			X		²⁰ X		X		X	X			X	X	
Alabama.....	X		²¹ X	X												
Mississippi.....																
WEST SOUTH CENTRAL														X		
Arkansas.....	X			X				X						X		
Louisiana.....	X			X				X		X	X					X
Oklahoma.....	²² X			X							X					
Texas.....																
MOUNTAIN																
Montana.....	X				X											X
Idaho.....	X			X	X			X								X
Wyoming.....	²³ X															
Colorado.....	²⁴ X							X		X				X		X
New Mexico.....	²⁵ X			X						X					X	
Arizona.....	²⁶ X			X								X		X		
Utah.....	X													X		
Nevada.....	X															
PACIFIC																
Washington.....	X				X			X		X		X		X	X	X
Oregon.....	²⁷ X			²⁷ X	X					X	X	²⁸ X		X		
California.....	X															
U. S.....	40	4	2	23	9	10	6	13	6	23	13	10	2	28	17	12

See footnotes on next page.

- ¹ All States: Applicable to case and cartoned eggs.
- ² Size of letters specified:
New Hampshire: Printed or stamped terms must be 1/4 inch or larger in height.
New Jersey: Labels or other identifying marks on cases or cartons shall bear name and address of packer or dealer and State of origin. State of origin shall be in type of a size at least equal to the name and address of the packer, repacker, or receiver.
Illinois: Eggs candled or graded outside the State must meet the requirements of Illinois' standards. The original candling date of eggs candled outside the State must appear on the container in which the eggs are offered for sale at retail in lettering not less than 1/8 inch in height and must be shown as follows: MAR. 12, or 3 - 12, or 7/1, indicating the day of the year. The hyphen is necessary when numerals are used to indicate the month.
Minnesota: If graded eggs are exposed or offered for sale in cartons, bags, or other containers, such cartons, bags, or other containers shall be plainly and conspicuously printed in letters not smaller than 1/4 inch in height, or plainly and conspicuously stamped or marked in letters not smaller than 1/2 inch in height with the exact grade.
Missouri: Not less than 3/8 inch in height on the outside top face of each container holding less than 15 dozen eggs and not less than 2 inches in height on one outside end of any oblong or other container holding 15 dozen or more eggs.
Maryland: Grade terms and classification on cases or crates shall be on top of cover in block letters at least 1 inch in height unless placed on end of case.
North Carolina: Height of letters applies only to consumer packages. On 30-dozen cases and other containers other than consumer packages, letters must be not less than 1/2 inch in height.
South Carolina: Also for letters for origin (South Carolina or shipped) and not less than 1/4 inch for license number, date packed, and packer's name.
Kentucky: Graded eggs offered for sale in cartons or other packs containing 1 dozen or less shall be plainly marked as to grade, quality, and size with letters not less than 1/4 inch in height. Eggs offered for sale as ungraded candled eggs shall be plainly marked "Ungraded and Candled" on the cartons with letters not less than 1/4 inch in height, and in bulk on a placard with letters not less than 1/2 inch in height.
Alabama: The label affixed to each case or partial case of eggs shall be of a size not less than 5-1/2 inches by 8-1/2 inches. The name and address of the packer and the grade and size of the eggs shall appear on each case label in letters not less than 1/4 inch in height.
The date on which the eggs were graded shall appear on the label in letters not less than 1/8 inch in height. Case labels must be affixed on one end of the case. Labeling information required to appear on each carton or other type container or package of eggs shall be in letters of not less than 3/16 of an inch for the grade and size of the eggs.
The date on which the eggs were graded shall be in letters not less than 1/8 inch in height. This information must appear either on the top or side of the carton or other container.
Louisiana: All containers of "Candled Ungraded" or "Candled Current Receipts" shell eggs offered for sale or sold in Louisiana shall be clearly and legibly marked, stamped with the date of candling and the name and address of the person who last candled, cartoned, packaged, or conditioned the eggs. These markings shall be in lettering not less than 1/4 inch in height, in a conspicuous place, on all containers, including all types of cases and 1 dozen or 1/2-dozen cartons.
Colorado: Also every container or carton of eggs offered for sale to consumers shall have a tag or label showing date of candling, name and address of firm, and stating, in letters 1/4 inch in height, the grade and weight designation.
Utah: Designations of size and quality required shall be plainly and conspicuously placed in bold-faced, gothic-type letters, not less than 1/4 inch in height on the outside top face of each container holding less than 15 dozen eggs and, when held in retail establishments, not less than 1/2 inch in height on 1 outside end of any oblong container holding 15 dozen or more eggs and not less than 1/2 inch in height on 1 outside plainly visible surface of any other container holding 15 dozen or more eggs.
Nevada: When eggs are removed from the original container for resale, the true grade of the eggs must be stamped upon the subsequent container in letters not less than 1/3 inch in height. If placed on display for sale, a sign must be placed immediately over the eggs in letters not less than 1 inch in height, giving the true grade of the eggs.
Washington: Each container and subcontainer must be marked with unabbreviated designation of grade and size, name and address of person by or for whom eggs were graded and marked. Size of markings on top side of container of less than 15 dozen in bold-face letters not less than 1/4 inch in height and on oblong containers of 15 dozen or more not less than 1/2 inch on outside end. Markings not required on containers from a properly marked bulk display and packaged in the presence of the purchaser when shipped out of the State.
California: Markings shall not be less than 1/4 inch in height on containers holding less than 15 dozen eggs and not less than 1/2 inch on any container holding 15 dozen or more eggs.
³ Maine: Also carton must be sealed and stamped; name of firm or person doing the candling must appear on carton only for eggs packed under the State trade-mark.
⁴ New Hampshire: If sold "fresh" must be marked "fresh." A packer of New Hampshire shell eggs is allowed to use the State of New Hampshire seal of quality design only after making application to the commissioner of agriculture for a permit, and receiving from him a permit granting the right to use the

- same. The application is to be accompanied with a fee of \$2. The permit may be revoked, suspended, or cancelled by the commissioner whenever upon investigation it shall appear that the seal has been misused. Containers, labels, and advertising bearing the design must be approved by the New Hampshire department of agriculture before use. Cold-storage eggs are under control of Food, Drug, and Cosmetic Law.
- ⁵ Vermont: Each container sold to a retailer must also be marked with dealer's identification and date of shipment.
- ⁶ Rhode Island: Grade and weight classifications on all cases or crates of eggs must be placed on top or side of cover in block letters. On sales to consumers the exact grade and size must be conspicuously printed on top of the carton, bag, or other container in which eggs are delivered to the purchaser.
- ⁷ Connecticut: Name and address of packer or distributor required under Connecticut Food and Drug Law.
- ⁸ Indiana: When offered for sale by registrants as "Indiana grade A," "grade B," or "grade C" eggs, stamps or marks on packages must also show size of eggs. Also, stamps must be attached by wholesaler showing date of delivery, registration number, or name and address of wholesaler.
- ⁹ Wisconsin: Name and address of packer or for whom packed required by the Wisconsin branding and labeling law section of the law covering dairy, food, and drug regulation.
- ¹⁰ Minnesota: Grade only if sold as graded eggs; if sold as "ungraded eggs," they must be so marked.
- ¹¹ Iowa: All eggs sold at retail must be no lower than USDA consumer grade B.
- ¹² Missouri: No markings are required on containers or subcontainers when sold at retail from a properly marked bulk display and packaged in the presence of the purchaser for the immediate purpose of the sale.
- ¹³ North Dakota: All eggs offered for retail sale must be labeled as to grade only or labeled as "candled ungraded eggs," together with the name and address of the jobber, retail dealer, or other person placing the eggs in commerce.
- ¹⁴ Kansas: No eggs below grade B nor eggs labeled "Ungraded" which are lower in quality than consumer grade B can be sold to consumers or food purveyors. All below grade B are designated as unclassified. Date candled and graded required on all cases or half cases sold to food purveyors. Dating not required but encouraged on 1-dozen cartons.
- ¹⁵ Kansas: Annual fee based on quantity of shell eggs sold to purveyors or consumers. Fee may be paid either by use of inspection fee stamps or by obtaining a permit to report and pay the inspection fee on a quarterly basis.
- ¹⁶ Virginia: Eggs moving into private or cooperative packing plants, first receivers, to be candled and graded, need not be marked.
- ¹⁷ West Virginia: Case labels must show grade and size but showing of grade on delivery containers is optional with retailer.
- ¹⁸ North Carolina: Retailer who purchases eggs directly from a producer may sell at retail in cartons such eggs without grade or size being designated thereon.
- ¹⁹ Florida: Case label must be 7x7 inches, also show name and address of packer. Carton labels required to be bought from the State. Processed eggs must show State of origin.
- ²⁰ Tennessee: Eggs packed in bulk or cases for retail trade must bear candling certificate with packer's or distributor's name and address, classification, grade, and size, and whether ungraded. Cartons or other types of containers packed for retail trade must have same information as in candling certificate with exception of license number. Date when quick grading or check grading was made is to be shown. Use of word "preservative" prohibited in regard to keeping qualities of eggs.
- ²¹ Mississippi: If sold on grade basis must be labeled accordingly.
- ²² Oklahoma: Grade or candling label must be affixed to the container. Consumer packages must be sealed with label showing license number or name of seller and date eggs were candled, graded, and sized. No grade or candling label required on cases containing cartons of shell eggs if the cartons bear appropriate labels.
- ²³ Wyoming: Required if quality or size classification is referred to in labels or advertising. Eggs must be personally guaranteed by producer or retailer as fit for consumption.
- ²⁴ Colorado: Eggs below consumer grade B shall not be sold to consumers. Also unlawful to use cartons in unsanitary condition or a used carton having any identification of any person other than the person selling the eggs.
- ²⁵ New Mexico: A 7-inch-square label must be pasted on each case or partial case of eggs showing name and address of packer, grade, and size of eggs. Cartons must have a 2x3-inch label used as a seal showing size and grade. Unlawful to sell uncartoned eggs at retail.
- ²⁶ Arizona: Not required when sold and packed on a contract basis to U.S. Government with labeled USDA grades or when delivered from outside State for candling and grading or for cold storage or shipment outside the State.
- ²⁷ Oregon: Also name of producer, wholesaler, or retailer. Information must be on one end of all cases. All cartons of graded eggs must be labeled. Retailer may buy ungraded eggs only if he sells such eggs to wholesale dealers or if he grades and sizes them before offering them for sale at retail. Designation of grade and size must not be abbreviated.
- ²⁸ California: Eggs that have been in an incubator must be labeled "hatchery test eggs." Also name and address of producer, dealer, retailer, or agent by or for whom eggs were graded and marked. No markings required on containers when packed for sale to U.S. Navy or Army if labeled with United States Department of Agriculture grades; shipment outside State, or sold from bulk display in presence of retail purchaser.

Seventeen States not only require correct labeling of grade and size, but also prohibit abbreviation of the words used. Also, the type used in labeling on cartons, bags, or other containers must be bold-faced and of specified minimum height. The minimum heights range from not less than 1/8 inch to not less than 1/2 inch. On cartons, the height of letter specified is usually not less than 1/4 or 3/8 inch. On larger containers, such as 30-dozen cases, the minimum height prescribed ranges from 1/2 to 2 inches. Also, it is usually required that the smaller containers have the label on the top, whereas for large containers, such as 30-dozen egg cases, labels must be placed on both the top and one end. Thirty-nine States have requirements pertaining to use of the term "fresh eggs."

"Shell-treated eggs."--Provisions pertaining to labeling of "shell-treated eggs" are a part of the law in 10 States (table 7). They are eggs the shell of which has been treated with oil, generally a mineral oil, to seal the pores, allowing a minimum of evaporation of the contents. They are sometimes referred to as "processed or preserved eggs." The West Virginia law defines them as eggs which have been preserved by an artificial process other than refrigeration.¹⁹ The Tennessee egg law does not define the term; the regulations, however, state: "The use of the word 'preservative' in regard to the keeping qualities of eggs is prohibited."²⁰

Pennsylvania and New Jersey require such labeling only if the eggs are sold as "fresh eggs." North Dakota prohibits their being sold as "fresh eggs."

The Florida law specifies a double classification. If such eggs are also cold-storage eggs, they must be labeled "cold-storage shell-protected eggs." Also shipped fresh eggs that were shell-treated must be classified as "shipped shell-protected eggs."

Vermont permits the sale of shell-protected eggs as fresh eggs provided they meet the State's requirements for "fresh eggs." The eggs, however, must be conspicuously marked as "shell-treated."

"Cold-Storage Eggs."--Cold-storage eggs are eggs which have been under artificial refrigeration for usually 30 days or more. Only 6 States have provisions in the egg laws or regulations pertaining to cold-storage eggs. However, 2 of the 6 States, Florida and Massachusetts, do not define the term. Apparently it is recognized that storage eggs may be quality eggs. The cold-storage time period, however, varies in different States. For example, in West Virginia it is 15 days or longer, and in Washington 90 days. The Florida egg law states "cold-storage eggs" means eggs which have been in cold storage and which meet the grades and standards of quality set up by the commissioner of agriculture.²¹ In that State, shell-treated eggs held in storage 60 days or longer must be labeled "cold-storage shell-protected eggs."

The usual labeling requirement is that the cold-storage eggs must be marked as such. In California and Washington, however, it is unlawful to sell cold-storage eggs or eggs below the quality of grade A as "fresh eggs," "ranch eggs," or "farm eggs," or to represent them as fresh.

New York State merely requires the invoice to indicate such eggs by use of the words "cold-storage" or "refrigerator" eggs.

Place of Production.--Provisions in the egg laws and regulations covering the use of the name of the State where eggs were produced, or the necessity of indicating the origin of the eggs, have been discussed to some extent in the section on advertising. There are 10 States having such provisions particularly pertaining to advertisements (table 6). Two of them, Alabama and Connecticut, make no special reference to labeling. In addition to the 10 States mentioned, Idaho and Maine have provisions pertaining to the

¹⁹ "Fresh Egg Law," Chapter 32 Acts of the Legislature and Regulations Bulletin (n. s.)-16 November 1, 1939.

²⁰ Rules and regulations under the Tennessee egg law. Effective June 1, 1953. Regulation V.

²¹ Florida egg law, Chapter 583 Florida Statutes 1949 Section 583.01 (2).

labeling but not to the advertising of place of production. The Idaho and Washington laws require that all eggs from a foreign country be stamped, on each egg, with the name of the country where produced. Producers and packers are allowed to use the State of Maine trade-mark only after receiving licenses from the commissioner of agriculture. Georgia law requires that the State of origin of the eggs must be shown in legible letters either on the top or sides of cartons.

Other miscellaneous labeling provisions. --In addition to the information on classification, grade, and size, a number of States require that the name and address of the grader, packer, wholesaler, or distributor, or the license number, be placed on the label; or the name and address of the person for whom the eggs were candled or graded. (table 7). Also, in some instances there is a requirement that containers show the candling or grade certificate numbers, or the producer's name, or the name and address of the retailer, or the date eggs were shipped, or only the name of the wholesaler or distributor when the eggs are sold as candled or ungraded, if eggs are sold in bulk to the retail trade. In addition to the requirement that out-of-State eggs coming into Illinois must meet the State's standards, the candling date is required on packages or cartons of eggs packed out-of-State. South Carolina specifies that eggs not produced in the State must be sold as "shipped eggs." The New Mexico law makes it unlawful to sell uncartoned eggs at retail.

Bulk Displays

Retail stores frequently display eggs in bulk in order to attract consumers' attention. So that consumers may be correctly informed as to the quality and size of eggs so displayed, 36 States have provisions in their egg laws or regulations pertaining to bulk displays.

One of the principal requirements is that a placard must be posted in a conspicuous place to describe the eggs. Thirty-six States have such requirements (table 8). Nine of them specify the size of the placard or sign to be used. Twenty-four of the 36 States specify the height of the bold-face letters to be used on the placard or signs. In most States, the minimum height is 1/2 or 1 inch.

Twenty-six States require that the placards show the grade and size of the eggs. Seven additional States require that either the grade or the size be stated. Abbreviation of grade or size is prohibited in 14 States. In 13 States, if the eggs are mixed, unclassified, or ungraded, that also must be indicated on the placards. In States where egg seals are required on cartons or cases, eggs displayed in bulk bear the seal also. In many States, the name and address of the person who graded the eggs, or for whom they were graded or marked, must also be shown on labels of the containers. Six States require that bulk displays indicate place of production. If the eggs are shell-treated or cold-storage eggs, the display, in a small number of States, must show that information.

Invoices

As an aid to enforcement of the egg laws, 35 States have provisions in their laws or regulations pertaining to invoices to buyers (table 9). An invoice often is referred to as a statement or bill.

Requiring invoices assists in enforcing the law because an authorized official of the State or his representative can compare the grade and size of the eggs delivered to the buyer with the written statement of what the seller claimed he delivered.

Requirements of the different State laws as to invoices vary. Some of the requirements are:

1. In 35 States the seller must submit to the buyer an invoice containing certain specified information. In some States, all sellers are required to submit the

TABLE 8. --Bulk displays: Requirements pertaining to shell eggs, by States

State, by region	Placards or signs required	Minimum size of card specified (inches)	Placard must state							Minimum height of letters specified (inches)	Abbreviations prohibited
			Fresh	"Shell-treated" eggs	"Cold-storage" eggs	If mixed, candled, unclassified or ungraded	Area of production	Grade and size	Grade only	Size only	
NEW ENGLAND											
Maine.....				X				X		X	X
New Hampshire.....	X			X				X			
Vermont.....	X			X							
Massachusetts.....	X			X	X						
Rhode Island.....								X			
Connecticut.....	X										
MIDDLE ATLANTIC											
New York.....	X							X		3/8	X
New Jersey.....	X			X			X				
Pennsylvania.....											
EAST NORTH CENTRAL											
Ohio.....	X							X		1/2	
Indiana.....	¹ X		X								
Illinois.....	X	7x7				X		X		1/2	X
Michigan.....	X	8-1/2x11						X		1/4	X
Wisconsin.....	X					X			X		
WEST NORTH CENTRAL											
Minnesota.....	X					X			X	1/2	
Iowa.....	X							² X			
Missouri.....	X							X		1	X
North Dakota.....	³ X	6x6	X		X	X			X	⁴ 1	
South Dakota.....	X								X	1/2	
Nebraska.....	X							⁵ X			X
Kansas.....											
SOUTH ATLANTIC											
Delaware.....											
Maryland.....	X	4-1/2x6			X	X		⁶ X		⁷ 3/8	X
District of Columbia.....										3/8	X
Virginia.....	X			X	X	X		X		Variable	
West Virginia.....	X							⁹ X	X	¹¹ 1	
North Carolina.....	X	8-1/2x5-1/2				X		¹⁰ X		1	
South Carolina.....	X	8x11		X			X	X		1	
Georgia.....	¹² X	7x7		X	X	X	X	X		1	
Florida.....	X										
EAST SOUTH CENTRAL											
Kentucky.....	X									1/4	
Tennessee.....	X	6x3						¹³ X		1/2	X
Alabama.....	X	7x7						¹⁴ X		1	X
Mississippi.....											
WEST SOUTH CENTRAL											
Arkansas.....	X					X		X		1/2	
Louisiana.....	X							X		1/4	
Oklahoma.....											
Texas.....											
MOUNTAIN											
Montana.....	X						X	¹⁵ X		2	
Idaho.....							X				
Wyoming.....											
Colorado.....											
New Mexico.....											
Arizona.....	¹⁶ X					X		X		1/2	X
Utah.....	X					X		X		Variable	
Nevada.....	X								¹⁸ X	1	
PACIFIC											
Washington.....	X					X	X	¹⁵ X		2	X
Oregon.....	X							X			X
California.....	X							X			X
U. S.....	36	9	3	7	5	13	6	26	6	1	14

¹ Indiana: When offered for sale as fresh (Indiana grade A) eggs.² Iowa: If in a refrigerated case and sold at retail.³ North Dakota: When offering cold-storage and shell-treated eggs for sale.⁴ North Dakota: Sign to be used when cold-storage and shell-treated eggs are offered for sale.⁵ Nebraska: Containers and subcontainers must also show name and address of producer, dealer, retailer, or agent for whom eggs were graded or marked.⁶ Maryland: Also price when the cover of a case of eggs is removed to display the eggs.⁷ Maryland: Placards: Grade and size must be in block letters not less than 3/8 inch in height. Designations shall not be abbreviated.⁸ West Virginia: Words used to indicate grade or quality must be in letters the same size as used in word "eggs" and must next precede or follow the word "eggs."⁹ North Carolina: Grade and size not necessary if ungraded eggs were purchased directly from North Carolina producers and sold as "producer eggs."¹⁰ South Carolina: Eggs from other than South Carolina producers must be sold as "shipped eggs."¹¹ South Carolina: For origin of eggs, not less than 1 inch. For grade and weight class, not less than 3/4 inch.¹² Georgia: Restaurants, hotels, or other eating places are required to display placards in lieu of placing information on the menu.¹³ Tennessee: All shell eggs packed in bulk or cases not in cartons for retail trade shall bear an egg-candling certificate including name and address of packer or distributor, license number, date of candling or grading, class, size, and grade.¹⁴ Alabama: Not required by retailer selling not more than 120 dozen eggs per week if placard reads in appropriate size letters "Farm Eggs," provided they were purchased directly from producer. All other eggs must comply with law and be labeled showing grade and size.¹⁵ Montana, Washington: Including State seal to be placed on each container in which eggs are sold or delivered at retail.¹⁶ Arizona: Placard must be within 6 inches directly in front of or above the display.¹⁷ Utah: Not less than one-third as high as letters or figures stating price.¹⁸ Nevada: When eggs are removed from original container for resale, sign must be immediately placed over the eggs giving true grade and size.

TABLE 9. --Invoices: Requirements pertaining to shell eggs, by States

State, by region	Invoice not required	Person required to issue invoice ¹	Information required in invoice							Invoice is to be held			Buyers for whom invoice requirements are applicable	
			Date of sale	Name and address of		Quantity		Area of production	Date		Days (number)	By seller		By buyer
				Seller	Buyer	Of each grade and size or weight	Uncandled unclassified, or ungraded		Graded	Candled				
NEW ENGLAND														
Maine.....		Wholesalers				X								
New Hampshire.....	X													
Vermont.....		Vendors ²	X	X		³ X								
Massachusetts.....	X													
Rhode Island.....		All sellers	X	X	X	X					30			Retailers
Connecticut.....		Wholesalers				X						X	X	All buyers from wholesalers
MIDDLE ATLANTIC														
New York.....		Sellers to retailers	X	X	X	X					60	X	X	Retailers
New Jersey.....	X													
Pennsylvania.....	X													
EAST NORTH CENTRAL														
Ohio.....	X													
Indiana.....		Sellers to retailers				⁴ X					30		X	Retailers, eating est. & inst.
Illinois.....		(⁵)				X					30	X	X	
Michigan.....		(⁶)												
Wisconsin.....		Sellers to retailers				⁴ X					30	X	X	Retailers
WEST NORTH CENTRAL														
Minnesota.....		(⁷)				⁴ X	X				30	X	X	Retailers
Iowa.....	X													
Missouri.....		Dealers to retailers	X	X	X	X					2 years		X	Retailers
North Dakota.....	X	(⁷)				⁴ X	X							
South Dakota.....						X					30	X	X	Retailers
Nebraska.....		All sellers			X	X								Retailers and food purveyors
Kansas.....	X													
SOUTH ATLANTIC														
Delaware.....	X													
Maryland.....		Sellers to retailers				X					30	X	X	Retailers
District of Columbia.....														
Virginia.....		Sellers to retailers & inst.				X	X				30	X	X	Retailers, eating est., & mfrs.
West Virginia.....		(⁸)		X	X	X					30	X	X	All buyers
North Carolina.....		All sellers	X	X	X	X					year	X	X	All buyers
South Carolina.....		Wholesalers				X	X	X			60	X	X	All buyers
Georgia.....		All sellers			X	X		X			30	X	X	All buyers
Florida.....		All sellers				X	X	X						
EAST SOUTH CENTRAL														
Kentucky.....		(⁹)												
Tennessee.....		(⁶)												
Alabama.....		Wholesalers ¹⁰			X	X		X						All buyers except consumers
Mississippi.....	X													
WEST SOUTH CENTRAL														
Arkansas.....		Sellers to retailers		X		X					90		X	Retailers
Louisiana.....		(¹¹)		X		X	X		X	X	60	X		Retailers
Oklahoma.....	X													
Texas.....	X													
MOUNTAIN														
Montana.....		(¹²)				⁴ X								Retailers
Idaho.....		(¹³)	X	X	X						80	X		All buyers
Wyoming.....	X													
Colorado.....		All sellers	X	X		X					30	X	X	All buyers
New Mexico.....		All sellers	X	X	X	X					30	X	X	Retailers
Arizona.....		All sellers	X	X	X	X	X	¹⁴ X			30	X	X	All buyers
Utah.....		Wholesalers				X						X	X	Retailers
Nevada.....		(¹¹)				⁴ X	X							All buyers
PACIFIC														
Washington.....		All sellers	X	X	X	X					30	X	X	Retailers, eating est. & inst.
Oregon.....		All sellers				X					30	X	X	Retailers & mfrs.
California.....	(¹⁵)	All sellers to retailers or manufacturers			X	X								
U. S.....	13		10	13	13	31	8	5	1	1		19	21	

See footnotes on next page.

Footnotes to Table 9

- ¹ Producers generally exempt.
- ² Required under the Act to Provide for Licensing Buyers of Eggs or the Egg Buyers' Bonding Law.
- ³ Only quantity of eggs involved is required.
- ⁴ Grade only.
- ⁵ Dealers selling candled or graded eggs.
- ⁶ Not indicated.
- ⁷ All persons selling graded eggs to retailers.
- ⁸ All sellers to retailers in case lots.
- ⁹ New rules and regulations were not available.

- ¹⁰ May be required to furnish copies of invoice or equivalent information to State department of agriculture.
- ¹¹ All sellers of eggs in lots of 15 dozen or more.
- ¹² Persons selling more than 25 cases of eggs per month to a retailer.
- ¹³ All sellers of graded eggs.
- ¹⁴ Only in case of unclassified eggs..
- ¹⁵ No invoice is required on eggs (1) sold or delivered by a producer to a dealer or retailer for candling or grading, (2) when packed for sale to the U. S. Navy or Army if labeled with the USDA grades, and (3) when the containers and subcontainers are packed and certified in accordance with USDA standards and grades.

invoices. In other States, the requirement is applicable only to certain classes of sellers such as:

- (a) All sellers except producers who are exempted specially under certain conditions.
 - (b) Wholesalers.
 - (c) Wholesalers who sell in lots of one-half case or more.
 - (d) Those who sell only to retailers.
 - (e) Those who sell to retailers in case lots.
 - (f) Those who sell retailers "fresh eggs."
 - (g) Those selling only graded eggs to retailers.
 - (h) Those selling candled or graded eggs to retailers.
 - (i) Only those who make sales of 25 cases or more per month to retailers.
 - (j) Only sellers of graded eggs to anyone.
- 2. The name and address of the buyer is required to be a part of the invoice in 13 States.
 - 3. The name and address of the seller is required specifically by 13 States even though it is expected that any invoice would give that information.
 - 4. The date of sale is specified as a requirement by 10 States.
 - 5. The exact grade and size, based on the official standards and grades of the States, are required as part of the invoices in 25 States. In 6 additional States, as shown in footnote 4 to table 9, only the name of the grade is required. One State requires only the quantity involved. Eight of the 31 States also require the invoice to show if the eggs are unclassified, ungraded, or uncandled.
 - 6. In most States having invoice provisions, both the seller and the buyer are required to hold the invoices for inspection purposes for a stated time, usually 30 days. However, several States have a 60- or 90-day provision. North Carolina specifies the time the invoice is to be held as 1 year and Missouri, 2 years.

REFRIGERATION, QUALITY MAINTENANCE

To maintain the quality of eggs, many States have provisions in their laws and regulations pertaining to the conditions under which eggs are held. One requirement is that the temperature must not exceed a specified degree fahrenheit. Two States provide for a maximum of 50° fahrenheit, 2 for 55°, and 6 others 60° fahrenheit (table 10). Idaho does not specify any particular temperature, but requires that "all egg dealers shall see that eggs in their possession are properly handled to prevent deterioration in the grade or standard of said eggs." The Kentucky law has a provision very similar to that of Idaho. The State of Washington law states ". . . if the retailer or other purchaser, having labeled any such eggs in accordance with the invoice, keeps them for such time after they are purchased as to cause them to deteriorate to a lower grade or standard and then sells them under the label of the invoiced grade or standard, he shall be guilty of a violation. . . ."

TABLE 10. --States having quality-maintenance provisions in the laws or regulations, pertaining to refrigeration

State	Maximum temperature permitted	State	Maximum temperature permitted
Arizona.....	60° F.	Nebraska.....	60° F.
Colorado.....	60° F.	North Dakota.....	55° F.
Georgia.....	60° F.	South Carolina....	50° - 55° F.
Idaho.....	None specified	South Dakota.....	50° F.
Iowa.....	60° F.	Tennessee.....	55° F.
Kansas.....	60° F.		

The provision regarding the holding temperature is applicable in some States only after the shell eggs for human consumption are received at the point of first purchase. The inference is that the refrigeration must be carried on until the eggs reach the consumer. In Kansas, it is unlawful for any person other than those exempted to hold eggs at a temperature higher than 60° fahrenheit after the eggs are received at the first point of purchase.

The South Carolina, Tennessee, and Georgia laws make egg packers responsible for the quality of eggs for 5 days after delivery to retail markets only if the retailer places and keeps the eggs under adequate refrigeration. If the eggs are not under refrigeration, the packer is responsible for the quality for 2 days after delivery in the first 2 States and 3 days in Georgia. Colorado requires the dealers candling and grading the eggs to be responsible for maintenance of grade for 8 days, after which the subsequent buyer is responsible. If eggs are held longer than 8 days and require regrading, they may not be returned to the original carton but must be sold loose or in another carton. Eggs packed in bulk or cases, not in cartons, are the responsibility of the retail merchant at the time of delivery.

Although humidity is a factor related to quality maintenance, only 3 of the 9 States make any reference to it in their laws or regulations. The States are Nebraska, South Carolina, and Tennessee.

EGG PRODUCTS

Although the laws of many States have provisions applicable to dealers and processors as handlers of eggs, only 11 States have special sections in their egg laws or regulations pertaining to egg processing plants. In California and Massachusetts, separate laws cover egg products, and enforcement is under the supervision of the State departments of public health. Two States, Colorado and New Mexico, have special licensing provisions in their egg laws, but none on facilities or operations of the plant.

Nine States, Arizona, California, Georgia, Illinois, Massachusetts, Minnesota, Missouri, Oregon, and Tennessee, have special provisions pertaining to facilities and operations of egg breakers. All those States require that, after filing of an application for a license to operate, the plant and equipment must be inspected by an authorized official and approval received. The purpose of the inspection is to ascertain if the plant and equipment meet the cleanliness and sanitation requirements of the State.

The sanitary requirements generally pertain to:

1. The breaking room and equipment.
2. The water supply; its adequacy for sterilization purposes.

3. The egg-breaking apparatus.
4. The garments to be worn by employees in the breaking room.
5. The rest room facilities for employees.
6. The health of the employees.
7. General sanitation and cleanliness, as, for example, the use of suitable containers for discarded eggs and waste.

California, Missouri, Tennessee, and Illinois laws provide that egg-breaking establishments shall consist of four separate rooms, (1) candling room, (2) breaking room, (3) washing and sterilizing room, and (4) freezing room. They specify the type of construction and equipment and the method of operation to be used.

Only Arizona has a requirement in its egg law pertaining to quality of egg products. The law of that State specifies that ". . . the standards of quality as determined by organoleptic inspections and laboratory analysis test shall be as formulated by the United States Department of Agriculture. The inspector may take samples of any egg products within the State for laboratory analysis tests for the purpose of determining whether or not any provision of this Act has been violated."

Arizona, California, and Oregon have special provisions relating to the sampling and inspection of egg products produced in other States and shipped into those three States. Inspectors for the State of Washington are authorized to inspect not only licensed candling plants, but also egg-breaking plants to assure sanitation. The Arizona law specifies that egg products from other States must have been prepared only from eggs fit for human food, and the products are at all times subject to Arizona regulations and sampling and inspection procedures, including an inspection fee.

In California and Oregon, egg products from other States must bear certificates of authorized representatives of Federal, State, county, or city food inspection departments certifying that the egg products were prepared only from eggs that were fit for human consumption and under sanitary conditions.

Arizona, California, and Washington also regulate egg products imported into those States from foreign countries, or egg products made from imported eggs. Washington requires they must be labeled "foreign eggs used in this product."

Illinois and Oregon require the labeling of egg meats. Illinois requires: (1) Name and address of manufacturer or dealer, (2) net weight of contents, (3) license number, and (4) the date product was prepared or the lot number.

Oregon specifies that the label on the outside of each can or container must indicate (1) the name and address of the person by or for whom the products were packed, (2) the kind of egg meats in the container, (3) the net weight of contents, and (4) the name and percentage by weight of each substance other than egg meats contained therein.

Arizona collects an inspection fee on eggs used for breaking, freezing, or drying, which is to be paid by the manufacturer, dealer, or distributor if the product is sold or offered for sale to retailers or consumers for human consumption within that State. The fee is 1 1/3 mills per dozen shell eggs sold. The inspection fee on egg products is 3 1/3 cents per 30-pound can.

California requires an annual license fee of \$100 for (1) any person or firm engaged in the breaking, liquefying or dehydration of egg products within the State, and (2) any person or firm that brings or causes to be brought into the State egg products from other States or from outside the United States, when the egg products are intended for resale.

TRANSPORTATION OF EGGS

Five States, Arizona, California, Colorado, Iowa, and South Dakota, have provisions in the laws or regulations pertaining to transportation of eggs. Arizona and California laws permit any person, forwarding company, or common carrier to decline to ship or transport any eggs when notified by an enforcement officer or inspector that the eggs are not in conformity with the standards as stated in the law. Furthermore, any person, forwarding company, or common carrier is required to refuse or stop the transportation with reasonable dispatch after being notified in writing by any authorized officer that the eggs are being delivered in violation of the egg law.

In Iowa, Colorado, and South Dakota, provisions relate entirely to protection of the eggs while being transported. The South Dakota regulations provide that "when eggs are transported on open trucks they should be adequately protected from rain and the heat of the sun" The Iowa and Colorado laws state, "Every vehicle used to transport eggs from a producer to any dealer or processing plant shall be maintained in sanitary condition and shall be enclosed to protect eggs from extreme heat or cold; provided, however, this provision shall not be applied to producers delivering their own eggs."

RIGHT OF INSPECTION

Limitations. --Twenty-six States have specific provisions of law or regulations which pertain to the right of authorized persons to enter places of business to make inspections of eggs or egg products. The other States have less specific provisions; apparently, it is implied that the agency has a right to make the inspections to carry out the purposes of the egg laws.

In some States, the egg laws mention which places of business the authorized person may enter, whereas in other States they do not. Following are some illustrations of the phraseology pertaining to right of entry:

1. Any store, market, or other building or place where eggs are (a) sold, (b) offered for sale, or (c) kept for sale in this State. Several States make a fourth addition, namely, (d) any truck or vehicle transporting eggs to be sold or offered for sale in the State (Alabama, Mississippi, North Carolina, New Jersey, West Virginia, and Vermont). In Connecticut, the authorized person is given free access to any building or other place wherein it is reasonably believed that farm products, labeled in accordance with official grades promulgated by the commissioner, are being marketed or held for commercial purposes.
2. Three States authorize entry where eggs are produced, candled, incubated, transported, or sold. Authorized persons may inspect all such eggs and the containers and equipment found in any such places or conveyances (Arizona, California, and Washington).
3. In Indiana, authorized representatives are permitted to make inspections anywhere as directed by the State egg board.
4. Entry in any place of business within the State where any eggs are held is permitted in Kansas and Nebraska.
5. Inspectors in Kentucky may examine, in such manner as the Commissioner may direct, any eggs offered or exposed for sale for human consumption. Records must be available for examination.
6. Any establishment in Missouri where eggs are bought, stored, sold, offered for sale, or processed may be entered.

7. In Georgia and South Carolina, any wholesale or retail establishment, or warehouse, cold storage house, or other storage place may be entered, and trucks or other carriers may be stopped for inspection.
8. In Tennessee, the law permits entry to any place where merchandising of poultry products takes place.
9. Any place from farm to retailer may be inspected in Wisconsin.
10. In Colorado, it is unlawful for any person to refuse to submit eggs or egg products for inspection by authorized persons.

Purposes of inspections. --The expressed purpose and the extent of inspection vary for different States. Some regulations are broad in scope, others are limited. Examples of those broad in scope follow:

1. To determine whether or not any provisions of the law or regulations have been violated (Arizona, California, Delaware, Kansas, Nebraska, North Carolina, Washington, Alabama, and Florida).
2. To enforce the provisions of the law and regulations (Vermont).
3. To make an inspection and issue a withhold-sale order if the person is found to be handling eggs in violation of any portion of the law (Tennessee).

Examples of regulations more restricted in scope follow:

1. To inspect and examine eggs, the products of eggs, egg containers, and the premises, and to examine the records of such establishments relating thereto (Nevada).
2. To determine the quality and size of eggs sold or offered for sale (Mississippi).
3. To determine the classification and quality of eggs sold, offered for sale, or advertised, as defined in the law (West Virginia).
4. To determine the interior quality of eggs sold, offered for sale, or advertised as "fresh" (New Jersey).
5. At such times and places as directed by the State egg board, to ascertain if eggs are fresh and fit for human food (Indiana).

Another group of provisions relates to the examination of invoices and records:

1. To determine if the grades of the eggs conform to grades as labeled on the exterior of the container and also to verify the invoice (Arkansas).
2. To inspect all books, records, and invoices that, in the inspector's judgment, would enable him to make a more accurate examination and inspection of eggs (Arizona, Illinois, Georgia, and South Carolina).
3. To make periodic audits of wholesale egg dealers' books to see that inspection fees were paid on all eggs sold (Alabama).

VIOLATION PROCEDURES

"Stop sale" notices. --The procedures for handling violations of the egg laws and regulations vary for different States. In 36 States, the procedure is the bringing of action in court against a violator, with penalties determined by the court. However, in some States, the initial procedure is different. One method is the use of "stop sale" notices.

These are issued by enforcing agents such as the State commissioner or director of agriculture or other authorized representatives. The "stop sale" notices are placed on the eggs being sold or offered for sale in violation of the law or regulations. The notice prohibits the owner from selling, bartering, exchanging, transferring, or distributing the eggs until the commissioner of agriculture or other enforcing agency is satisfied that the law has been complied with. Upon compliance, the "stop sale" notice is cancelled. The authorized person may require that the eggs be recandled, regraded and sized, relabeled or disposed of. Upon failure to bring the eggs into compliance, steps would be taken by court action to condemn, denature, destroy, or otherwise dispose of the eggs. Ten States provide for the issuance of "stop sale" notices. They are Alabama, Arizona, California, Colorado, Florida, Georgia, Illinois, Missouri, New Mexico, and Washington.

Suspension or revocation of licenses or permits. --Fifteen States provide for the suspension or revocation of licenses or permits in cases of violation. These States are Alabama, Colorado, Indiana, Kentucky, Missouri, Montana, New York, New Mexico, North Carolina, Oklahoma, Oregon, Tennessee, Washington, Wyoming, and Vermont. In Vermont, however, the provision for revocation of license is a part of the act providing for the licensing and bonding of buyers of eggs coming under the licensing law.

The power to suspend or revoke is generally given to the enforcing agent, such as the commissioner or director of agriculture. Usually the suspension or revocation follows a hearing given the licensee or registrant. In Wyoming, the State department of agriculture may revoke a license only if the dealer was convicted of two or more violations of the act. It may also refuse thereafter to issue any license to such dealer.

Court action. --The issuance of "stop sale" notices or the suspension or revocation of licenses and permits does not preclude court action. The failure to obey a "stop sale" notice or to stop merchandising eggs after a license has been suspended or revoked may result in prosecution of violators. However, as previously indicated, 36 States provide for direct court action, with the violator subject to stated penalties for the first offense.

PENALTY CLAUSES

The State laws contain penalty clauses. Fines for the first offense in 21 States are not over \$50 (table 11). When those having fines up to \$100 are included, the number rises to 32. Ten States provide for imprisonment for a stated period in lieu of the fine, or for both fine and imprisonment at the discretion of the court. In 8 States, the violation is considered to be a misdemeanor. As the limit for a fine is not stated, the penalty is determined by the court.

In 4 States, California, Colorado, Nebraska, and Massachusetts, the penalty is comparatively high. In California, if the violation is unintentional a fine can be imposed up to \$500; if intentional, up to \$500 or imprisonment (not exceeding 6 months), or both. In Kansas, the egg law provides for a fine of not less than \$100 nor more than \$1,000, or imprisonment for not more than 6 months, or both. Violation of the poultry and egg dealer's license law in Wisconsin may result in a fine not to exceed \$1,000, or in imprisonment for not more than 6 months, or both. For violation of the law applicable to marketing eggs, the fine is not to exceed \$200, or imprisonment not to exceed 6 months, or both. Violation of the label law in Kansas calls for a fine of not less than \$25 nor more than \$500. The Nebraska law provides for a fine of not more than \$500, and the license may be suspended. Other States also permit revocation of the license, certificate, or permit. Massachusetts stresses untrue and misleading advertising, and provides for a penalty of not less than \$10 or more than \$500. For mislabeling of grade or brand of eggs, the fine is not more than \$50.

SEVERABILITY CLAUSES

Some States incorporate severability clauses in their egg laws. The advantage of such a provision is that in case any part of the egg law is held to be invalid, the finding shall not be construed as affecting the validity of any remaining portion of the act. It is

TABLE 11. --States having various penalties for first offense in violating egg laws

Fine				Violation a misdemeanor Court deter- mines penalty	No data available
Not over \$50	Not over \$100	Not over \$200	Not over \$500		
Arizona Connecticut Illinois Indiana Iowa Kentucky Louisiana Maine Maryland Michigan Mississippi New Hampshire New Jersey ⁶ North Carolina ¹ North Dakota Ohio Pennsylvania ¹ Rhode Island South Dakota Vermont ⁷ West Virginia ¹	Arkansas Delaware Minnesota Montana Nevada New Jersey ⁴ Oregon South Carolina ¹ Tennessee ⁵ Wyoming ¹	Florida ¹ New Mexico ¹ New York Wisconsin ¹	California ¹ Colorado ¹ Massachusetts ² Nebraska	Alabama Georgia Idaho Kansas ¹ & ³ Missouri Oklahoma Virginia Washington	Utah

¹ Possible imprisonment or in some States both fine and imprisonment.

² For untrue and misleading advertisement, not less than \$10 nor more than \$500.

³ For violation of label law not less than \$25 nor more than \$500.

⁴ "True origin" or "commission merchants, dealers, brokers, and agents law" violation.

⁵ Or imprisonment not exceeding three months.

⁶ New Jersey fresh egg Law violation.

⁷ For obstructing or hindering commissioner or his assistants, in carrying out the provisions of the fresh egg law, \$10 to \$50. Under the act providing for licensing and bonding of buyers of eggs, the penalty for violation is a fine of not more than \$200 or imprisonment of not more than 6 months, or both.

desirable to have such a clause in order to avoid waiting a year or two to obtain the passage of new legislation in case part of the existing act is declared invalid. This is especially the case in States where the State legislature meets every 2 years.

Some of the severability clauses read somewhat as follows: "If any word, phrase, or section or part of this act shall be held unconstitutional, the remaining provisions shall be given full force and effect as completely as if the word, phrase, section or part held unconstitutional had not been included herein."²²

Apparently only 13 States have a somewhat similar provision. They are: Arkansas, California, Colorado, Indiana, Illinois, Iowa, Louisiana, Michigan, Maryland, North Carolina, South Dakota, Washington, and West Virginia.

SUGGESTED PROVISIONS FOR EGG LAWS

The following suggested provisions for State laws and regulations are based on provisions which already are in many laws and regulations and which appear to have operated successfully. They are presented purely for the consideration of the States in adopting new or revised laws and regulations.

The Basic Law

A. Broad enabling provisions are needed which:

- (1) Include only such provisions as are necessary to carry out the purposes of the act and define terms contained in the act.
- (2) Delegate authority to a State agency to establish, promulgate, and administer standards and grades for eggs and to issue detailed regulations relating to the enforcement of the act. As a means of attaining national uniformity, most State laws have provided for adoption of Federal standards and grades, and some States make automatic revisions when Federal standards are changed.

B. Adequate funds should be provided for enforcement, through:

- (1) Direct State appropriation.
- (2) License, permit, or registration fees.
- (3) A combination of State appropriation, fees, and collected fines imposed by courts for violations of the act. Authority for determining and collecting fees and utilizing funds derived therefrom should be delegated to the authorized State agency in accordance with requirements for adequate administration of the law.

C. The law should state clearly who is exempt and the conditions under which any exemptions are authorized under the act.

D. It should prescribe the procedure to be followed in case of violation of the act, specifying hearing procedure, who is to determine length of suspension, revocation of license, permit, or voluntary agreement, and the amount of fine or length of imprisonment for first and subsequent violations.

E. It should provide for prosecution of violators by the office of the State's attorney general or other legally authorized agency.

F. It should include a severability clause.

²² Section 14, Indiana egg act, issued by State egg board, March 1949.

The Regulations

Regulations under the egg laws preferably should:

- A. Define the standards of quality for individual eggs, and describe in detail the grades and terms used in specifications.
- B. State the weights and sizes of eggs, in weight classes, and give the average minimum weights per dozen.
- C. State the tolerances permitted for quality, size, and weight in consumer grades and in wholesale grades. Tolerances should be specific and should allow for:
 - (1) Errors and variations in human judgment as determined by inspectors' checking.
 - (2) Reasonable changes in quality following official candling and grading before retail sale.
- D. Include a statement that quality factors, soundness of shell, and condition of air cell, yolk, and white shall be determined by candling by qualified candlers and graders, or by any improved methods.
- E. Provide that final determination of compliance with the law shall be on the basis of inspection for quality and weight or size at the retail level.
- F. Prohibit the use of the term "fresh" to describe eggs that are below grade A or that are "ungraded" or "unclassified" eggs.
- G. Prohibit the sale of inedible eggs for human consumption either as shell eggs or in processed form.
- H. Prohibit misrepresentation of quality and size to consumers. Require that eggs be identified, advertised, designated, or described as to quality and size in accordance with standards and grades issued by the authorized State agency.
- I. Require that when a price is specified in an advertisement for eggs, the appropriate grade and weight or size or the term "ungraded" or "unclassified" be included prominently in the advertisement.
- J. Require labeling which specifies the grade and weight or size on the container or in placards describing the bulk lot of eggs offered for retail sale, unless the eggs are labeled as "ungraded" or "unclassified."
- K. Specify that lettering identifying grade and weight or size on containers, on labels used on containers, or on placards describing a bulk lot of eggs, shall be so placed and of such size as to be readily visible and distinctly legible.
- L. Provide for maintenance of quality, especially at the retail level, through proper refrigeration and handling requirements.
- M. Require that invoices be submitted to retailers stating the grade and size or weight, or that eggs are ungraded or unclassified, together with such other information as is deemed desirable, such as the quantity of each kind.
- N. Provide for representatives of the agency authorized to enforce the act the right to enter, on any business day during the usual hours of business, any store, market, or any other building or place where eggs or egg products are held in storage, processed, offered for sale, or sold, to make such examination of eggs, egg products, and records as is necessary to determine compliance with the law.

- O. Define responsibilities clearly when the responsibility for performing certain functions in the marketing of eggs is placed with more than one agency, as, for example, the State department of health and the State bureau of markets.
- P. Incorporate egg legislation into a single law, if feasible. When it is not practical to do so, it is suggested that reference to other applicable laws and regulations be made in the literature issued pertaining to the egg law.

TABLE 12. --Sources of data pertinent to State laws and regulations applicable to egg marketing, and name and address of enforcing agent

State	Source of authority for information on State laws or regulations	Issuing agency	Effective dates of laws or regulations	Name and address of enforcing agent
Alabama.....	1. Alabama Shell Egg Law with Rules and Regulations, 1955 2. Amendment to Alabama Shell Egg Law, Senate Bill 336	1. Department of Agriculture and Industries	1. April 6, 1955 2. September 9, 1955	A. W. Todd, Commissioner Department of Agriculture and Industries 300 Dexter Avenue, Montgomery, Ala.
Arizona.....	1. Arizona Egg Grades, Rules, Regulations and Laws (Revised January, 1956)	State Egg Inspector	1952 Revised 1956	James D. Kaffenberger State Egg Inspector Capitol Building Phoenix, Ariz.
Arkansas.....	Arkansas Egg Labeling Act of 1955 with Standards, Rules and Regulations and Interpretations	Livestock Sanitary Board	July 1, 1955	Dr. J. S. Campbell, Executive State Secretary and State Veterinarian P. O. Box 2821 Little Rock, Ark.
California.....	1. Extracts from the Agricultural Code of California, 1953, Ch. 8 Eggs and Egg Products 2. Article 4, Ch. 8, Div. 5, California Agriculture Code-Egg Products, as amended in 1933, 1937, 1941, 1951, 1955	1. Bureau of Fruit and Vegetable Standardization 2. Department of Public Health	1. 1933, Amended in 1937, 1939, 1945, 1947, 1951, 1953. 2. September 7, 1955	W. C. Jacobsen, Director Department of Agriculture 1220 N Street Sacramento 14, Calif. Dr. Malcolm H. Merrill, Director Department of Public Health 2151 Berkeley Way Berkeley 4, Calif.
Colorado.....	1. House Bill No. 56 passed February 1956 2. Regulations Presented to Colorado Agricultural Commission. Adopted June 12, 1956	2. Colorado Department of Agriculture	1. July 1, 1956 2. July 1, 1956	Paul W. Swisher, Commissioner Department of Agriculture 3130 Zuni Street Denver 11, Colo.
Connecticut.....	1. Connecticut Egg Grades, Rules, Regulations, and Laws in Brief, March 1955 2. Ch. 138, General Statutes Revision of 1949, Section 3069	Commissioner, Department of Agriculture (Marketing Division)	1. October 1, 1945 2. 1949	Joseph N. Gill, Commissioner Department of Agriculture State Office Building Hartford, Conn.
Delaware.....	An Act Relating to the Marketing of Eggs, Delaware Code of 1953, Revised, Title 3, Chapter 35	State Board of Agriculture (Bureau of Markets)	1953	Ralph W. Wine, Director Bureau of Markets State Board of Agriculture Dover, Del.
Florida.....	Florida Egg Law with Rules and Regulations (3rd ed.), July 1, 1955	Department of Agriculture (Inspection Bureau)	1949	Nathan Mayo, Commissioner Department of Agriculture Tallahassee, Fla.
Georgia.....	1. Georgia Egg Marketing Laws and Rules and Regulations, April 1955 2. Amendments to Egg Marketing Law and Rules and Regulations	Department of Agriculture	1. 1953, Revised 1937, 1953, 1956.	Phil Campbell, Commissioner Department of Agriculture State Capitol Atlanta 3, Ga.
Idaho.....	Dairy and Egg Laws, State of Idaho, January 1954	Department of Agriculture	1939 Amended 1953	Harold West, Commissioner State House, Room 206 Boise, Idaho
Illinois.....	1. Rules and Regulations Relative to Illinois Egg Law 2. Illinois Standards for Quality of Individual Shell Eggs	Department of Agriculture Department of Agriculture	1. August 2, 1951 Revised February 9, 1956 2. February 9, 1956	Stillman J. Standard, Director Department of Agriculture State Fairground Springfield, Ill.
Indiana.....	1. The Indiana Egg Act, March 1949 2. Rules of the Indiana State Egg Board, in effect May 1, 1953	State Egg Board	March 3, 1941 Amended March 5, 1949 May 1, 1953 Amended February 1, 1956	J. B. Wiltshire, Supervisor State Egg Board Federal-State Inspection and Grading Service Purdue University Lafayette, Ind.

TABLE 12. --Sources of data pertinent to State laws and regulations applicable to egg marketing, and name and address of enforcing agent--Continued

State	Source of authority for information on State laws or regulations	Issuing agency	Effective dates of laws or regulations	Name and address of enforcing agent
Iowa.....	1. Egg Candling and Grading Law, Senate File 83 2. Policy to be Followed in Buying, Selling and Enforcement of Iowa Candling and Grading Law		July 4, 1955	Clyde Spry Secretary of Agriculture Department of Agriculture State House, Des Moines 19, Iowa
Kansas.....	1. Kansas Egg Law 2. Kansas Law Pertaining to the Labeling of Agricultural Products 3. Rules and Regulations under Kansas Egg Law 4. Kansas Standards for Eggs 5. Kansas Food and Drug Laws (Candling Regulation)	2. State Board of Agriculture (Marketing Division) 3. State Board of Agriculture (Marketing Division) 4. State Board of Agriculture (Marketing Division)	1. July 1, 1955 2. July 1, 1951	1. Roy Freeland, Secretary State Board of Agriculture State House, Topeka, Kans. 2. Winzer J. Petr, Director 420 West 9th Street Topeka, Kans.
Kentucky.....	1. State Egg Candling Laws and Regulations 2. State Egg Law, House Bill No. 145, January 17, 1956	1. State Department of Health of Kentucky (Division of Foods and Drugs and Hotels).	1. 1948 Revised 1954 2. 1956	1. Harvey S. McAndrews, Director State Dept. of Health of Kentucky 620 South Third street Louisville, Ky. 2. Benjamin J. Butler, Commissioner Department of Agriculture, Labor and Statistics Frankfort, Ky.
Louisiana.....	1. Act No. 102 - Louisiana Egg Grading and Marketing Law 2. Egg Grading and Marketing Regulations 3. Louisiana Standards, Grades and Weight Classes for Shell Eggs	2. State Market Commissioner 3. State Market Commissioner	1. June 25, 1948 2. February 25, 1949 3. October 1, 1955	Sidney J. McCrory, Commissioner Department of Agriculture, P. O. Box 951 Baton Rouge, La.
Maine.....	1. Maine Egg Grading Law, 1949 2. Requirements for Use of State of Maine Blue, White and Red Trade-mark on Market Eggs June 1, 1955	1. Maine Department of Agriculture 2. Maine Department of Agriculture	August 6, 1949	Fred J. Nutter, Commissioner Department of Agriculture Augusta, Maine
Maryland.....	Maryland Grades for Eggs with Rules, Regulations and Laws Bull. No. 108, December 1945 1. Fresh Egg Law 2. The Cold Storage Law 3. The Inedible Egg Law	University of Maryland (Extension Service) University of Maryland (Extension Service)	1935 Amended 1. 1945 2. 1924 3. 1924	State Board of Agriculture through its Department of Markets and Extension Service John E. Mahoney, Acting Head Division of Markets University of Maryland College Park, Md. 3. State Board of Health

TABLE 12. --Sources of data pertinent to State laws and regulations applicable to egg marketing, and name and address of enforcing agent--Continued

State	Source of authority for information on State laws or regulations	Issuing agency	Effective dates of laws or regulations	Name and address of enforcing agent
Massachusetts.....	The Massachusetts Poultryman's Marketing Handbook, 1952 Farm Products Grading Law Act Relative to the Sale or Distribution of Eggs Act Establishing Standard Sizes in Connection with the Sale and Distribution of Eggs Untrue and Misleading Advertisements Prohibited Hawkers and Peddlers Licensing Law Eggs (processing) Voluntary Grades Established by Department of Agriculture	Department of Agriculture	April 18, 1927 June 21, 1935 April 24, 1951 1927 Amended 1931	L. Roy Hawes, Commissioner Department of Agriculture 41 Tremont Street Boston 8, Mass.
Michigan.....	Egg Law and Regulations (Act No. 115, Public Acts, 1939)	Department of Agriculture Bureau of Marketing and Enforcement (Division of Standards)	1939	Commissioner of Agriculture Department of Agriculture Lewis Cass Building Lansing 13, Mich.
Minnesota.....	Egg Law and Rules and Regulations Relating to the Enforcement Thereof, 1954	Department of Agriculture	1949 Amended 1953	Byron G. Allen, Commissioner Department of Agriculture 515 State Office Building St. Paul 1, Minn.
Mississippi.....	House Bill No. 482, Regular Session 1954		July 1, 1956	St. Corley, Commissioner Department of Agriculture and Commerce Jackson 5, Miss.
Missouri.....	1. The Missouri Egg Law and Regulations, 1955 2. Sanitary Requirements, (Rules and Regulations Pertaining to Section 196.342 of Missouri's Egg Law) Supplement 1	1. Department of Agriculture 2. Department of Agriculture	1. August 29, 1955	L. C. Carpenter, Commissioner Department of Agriculture Jefferson City, Mo.
Montana.....	Montana Egg Grades, Rules, Regulations and Laws, Revised 1951	Department of Agriculture (Dairy Division)	1947 Revised 1951	Albert H. Kruse, Commissioner Department of Agriculture State Capitol Helena, Mont.
Nebraska.....	1. Nebraska Egg Improvement Law, 1955 2. Bulletin showing quality for shell eggs at retail in Nebraska	Department of Agriculture and Inspection (Bureau of Dairies and Foods) Department of Agriculture and Inspection (Bureau of Dairies and Foods)	1. September 18, 1955 2. September 18, 1955	Ed Hoyt, Director Department of Agriculture and Inspection Lincoln 9, Nebr.
Nevada.....	Standardization and Grading of Eggs		March 28, 1927	George G. Schweis, Director, Division of Plant Industry Department of Agriculture Reno, Nev.
New Hampshire.....	New Hampshire Egg Grades, Rules, Regulations and Laws, May 1953	Department of Agriculture (Bureau of Markets)	Laws of 1935, Chapter 60 Laws of 1942, Chapter 198 Laws of 1945, Chapter 192 Laws of 1955, Chapter 342, R.S.A. 1955	Perley I. Fitts, Commissioner Department of Agriculture Concord, N.H.
New Jersey.....	1. Title 4, Ch. 3, Revised Statutes, Article 2, Sale of Fresh Eggs 2. Commission Merchants, Dealers, Brokers, and Agents Law, Art. 2, Ch. 11, Title 4, Revised Statutes of New Jersey, Jan. 1955	Department of Agriculture Department of Agriculture	1. 1934 2. 1930, amended 1931, 1933, 1935, 1938, 1949, 1953, 1954.	1. Phillip Alampi, Secretary Department of Agriculture Trenton 8, N.J.