HOUSE BILL No. 2464

By Committee on Agriculture

1-22

AN ACT concerning agriculture; relating to eggs; repacking requirements for retailers; amending K.S.A. 2019 Supp. 2-2510 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2019 Supp. 2-2510 is hereby amended to read as follows: 2-2510. (a) A retailer may repack eggs located in a store as long as the following requirements in subsection (b) or (c) are met:

(b) Repacked eggs may be graded as grade B if:

(1) Eggs eligible for repacking include dirty eggs or eggs in containers with broken eggs. Eggs that are determined to pose a health risk shall not be eligible for repacking;

(2) the eggs are not subject to a stop sale order issued by the secretary;

(3) eggs cannot be repacked more than once;

(4) repacked eggs must meet grade B requirements and shall not be graded higher than grade B, except as provided in subsection (b) (c);

(5) all containers shall have the following labeling requirements printed on the outside of the carton which shall include:

(A) Grade and size;

(B) a statement saying that the eggs have been repacked by the retailer where the eggs are located;

(C) name and address of the retailer that repacked the eggs;

(D) a statement containing the phrase, "Keep refrigerated at or below 45° Fahrenheit";

(E) the expiration date which shall be that is the earliest expiration date of the repacked eggs; and

(F) an inspection fee stamp on the carton indicating that the inspection fee has been paid, unless repacked as described in subsection (b) (c) in a carton that has already been assessed the inspection fee;

(6) records must be kept and available for inspection on all eggs repacked by the retailer; and

(7) eggs remain subject to inspection and the requirements of this act.

(b) Repacked eggs may be graded higher than grade B if:
(1) Undamaged eggs from damaged containers are placed only into containers with the same distributor and packer information, including the name, address, United States department of agriculture plant number; and packaging code;

(2) no container with repackaged eggs are is labeled with a declaration of enhanced quality or with any claim that did not appear on the original container;

(3) all eggs with undamaged shells are handled and repackaged employing good manufacturing practices under refrigerated conditions in accordance with United States food and drug administration regulations;

(4) all damaged containers and packaging material identified with the United States department of agriculture grade shield are destroyed; and

(5) all segregated inedible eggs are properly destroyed to prevent human consumption.

Retailers may lose the privilege to repack eggs if:

(1) The retailer is found postdating repacked eggs;

(2) the eggs do not meet grade B or higher standards; and

(3) the retailer has violated any other provision of this act.

The provisions of this section shall be a part of and supplemental to the Kansas egg law.

Sec. 2. K.S.A. 2019 Supp. 2-2510 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.