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 the following
standards are met:

(1) Eggs eligible for repacking may 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) the 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 (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 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) or 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) the eggs remain subject to inspection and the requirements of this
act.
Repackaged 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.