

**260.610 Grade identification -- Handling -- Conditions requiring removal from retail display -- Retailers prohibited from repacking eggs into full cartons -- Prohibition of sale or possession for sale of inedible eggs -- Emergency recall plan.**

- (1) All eggs bought or sold by or to retailers, consumers, and institutional users by licensees shall be identified according to grade and size, using USDA standards and weight classes for consumer grades.
- (2) Eggs to be offered for sale for human consumption shall be handled to maintain and preserve the quality and grade in which they are to be offered for sale, including but not limited to storage, transportation, temperature, and sanitation.
- (3) A carton of eggs with any of the following existing conditions shall be removed from a retail display on a daily basis:
  - (a) Cracked eggs;
  - (b) Leaking eggs;
  - (c) Frozen eggs; or
  - (d) A combination of any of the above.
- (4) A retailer shall not rework or repack eggs into full cartons. Repacking shall be done only by the original packer. A retailer may, however, sell an incomplete dozen size carton provided that the quantity labeling on the carton is changed to reflect the number of eggs in the carton.
- (5) No person shall sell, offer or expose for sale, or have in his possession for sale, for human consumption, eggs that are inedible, including eggs that are unfit for human food in whole or in part, addled or moldy, containing black rot, white rot, or blood ring, adherent yolks, or bloody whites, incubated beyond the blood ring stage, or consisting to any extent of filthy decomposed substance.
- (6) No later than June 30 of each year, all packing plants and distributors shall submit an emergency recall plan to the department. The plan shall address policies and procedures that will be followed in the event of a recall of eggs or egg products pursuant to an inedible product designation, as described in subsection (5) of this section. If there have been no changes in the plan from the previous year, a statement to that effect shall be submitted in lieu of a plan on an annual basis.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 66, sec. 4, effective July 15, 2008. -- Amended 2006 Ky. Acts ch. 215, sec. 2, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 208, sec. 4, effective July 15, 1998. -- Amended 1980 Ky. Acts ch. 120, sec. 17, effective July 15, 1980. -- Amended 1962 Ky. Acts ch. 195, sec. 1. -- Amended 1960 Ky. Acts ch. 36, sec. 2. -- Created 1956 Ky. Acts ch. 121, sec. 8.