

STATE OF ALABAMA FARMERS MARKET AUTHORITY



Don Wambles Director

January 27, 2009

Re: Sale of Farm Raised Eggs at Farmers Markets

I have had several inquiries regarding the sale of eggs at farmers markets. The Farmers Market Authority does not have the authority to regulate the sale of eggs. That falls under the purview of the Dept of Agriculture.

Therefore, I have spoken with the Dept of Ag about the sale of eggs and what is required. This is the answer that I was given. "If the producer wishes to sell eggs from his home/farm, they are not required to do anything.

However, if the producer wishes to take the eggs to a farmers market to sale, they must follow the guidelines set out in the Alabama Shell Egg Law. In summation, they would have to clearly imprint thereon or securely attach thereto a label on which there shall be plainly and legibly printed the name and the address of the packer of said eggs, the grade and weight class to which the eggs contained therein conform and the date on which the eggs were graded.

I am including the Alabama Shell Egg Law, U.S. standards, grades, and weight classes for shell eggs.

Should have any questions, please feel free to contact me.

Don Wambles, Director Farmers Market Authority

THE CODE OF ALABAMA 1975

ALABAMA SHELL EGG LAW

- Section 2-12-1 Definitions.
- <u>Section 2-12-2</u> Sale requirements.
- <u>Section 2-12-3</u> Grades, standards and weight classes.
- <u>Section 2-12-4</u> Permits for sale of eggs required; permit fee; delinquency penalty; revocation of permits and appeals therefrom.
- Section 2-12-5 Sales between wholesale dealers.
- <u>Section 2-12-6</u> Exemptions.
- <u>Section 2-12-7</u> Furnishing duplicate copies of invoices to Department of Agriculture and Industries.
- <u>Section 2-12-8</u> Administration and enforcement of chapter; rules and regulations.
- <u>Section 2-12-9</u> Suspension from sale and seizure; cost of inspection and grading after suspension.
- <u>Section 2-12-10</u> Inspections of buildings, vehicles, records, etc.; penalty for failure to pay inspection fee or affix labels.
- <u>Section 2-12-11</u> Offenses; disposition of fines.
- <u>Section 2-12-12</u> Injunction.

RULES AND REGULATIONS

FOR

ALABAMA SHELL EGG LAW

1. The label or the printed matter required under Section 2, Subsection (a) to appear on any case or partial case of eggs shall be of a size to make all information plainly visible and easy to read.

The date on which the eggs were graded must be shown as the month and day of the year. This information, label or printed matter, must be on one end of each case.

- 2. Label information required to appear on each carton or other type container or package of eggs, as required under Section 2, Subsection (b) of the Alabama Egg Law, shall be in letters of a size not less than 3/16 of an inch for the grade and size of the eggs and the name and address of the packer or person responsible for such packing. The date on which the eggs were graded shall be in figures or letters of not less than 1/8 of an inch in height and shall be by means of a code number which must be the actual consecutive number of the day of the year from the beginning day of the year on which the eggs were graded (Julian dating system). Any dealer, packer or other seller of eggs may, in addition to the foregoing requirement, also imprint upon such carton or package in which eggs are offered for sale or sold, the actual date by month, day of month and year on which the eggs are graded and any other recognized method of egg container dating may also be used; provided, however, the dealer, packer or other seller of the eggs shall apply for and obtain approval from the Poultry Division of the State Department of Agriculture and Industries. The code dating system for the grading of eggs, as hereinabove required, and any other additional means of carton dating as may be authorized by the Department of Agriculture and Industries shall be figures or letters of not less than 1/8 of an inch in height, clearly and legibly shown in on either the top or side of the carton or package in which the eggs are offered or sale or sold.
- 3. No abbreviation of any grade, term or size classification is permitted.
- 4. INEDIBLE EGGS (Not Fit For Human Food) Section 2, Subsection (g) Eggs of the following descriptions are classed as inedible: blackrots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings, eggs containing embryo chicks (at or beyond the blood ring stage), eggs with bloody whites, large blood spots, large unsightly meat spots, or other foreign material, and any eggs that are adulterated as such term is defined pursuant to the Federal Food, Drug and Cosmetic Act.

Inedible eggs are eggs unfit for human food as defined above shall not be sold or offered for sale for human food.

5. STANDARDS, GRADES AND WEIGHT CLASSES FOR SHELL EGGS.

Section 3 Standards, grades and weight classes for shell eggs shall be consistent with those of the Unites States Department of Agriculture and the tolerances allowed thereunder, as such standards, grades and weight classes are now established or may hereafter be amended.

6. Where eggs are being offered for sale by a retail egg dealer (stores) and such eggs do not comply with grade requirements, it will be presumed that the eggs were of the same grade when delivered to the retail dealer where the eggs are inspected within a period of six (6) days following the date of delivery, provided the retail egg dealer has kept the eggs under refrigeration at a temperature of not more that 45 degrees Fahrenheit during such six (6) days period; provided, however, where the retail egg dealer has not kept such eggs under refrigeration of not more than 45 degrees Fahrenheit, it will be presumed that the eggs were of the same grade when delivered on three (3) days following date of delivery. A retail egg dealer shall not, however, be responsible for the grade or condition of eggs which fail to comply with grade requirements where the eggs are found to contain certain inedible eggs, such as bloody whites, large blood spots and dirty eggs.

EGG WEIGHTS

Dozen Carton		Dozen Carton	1 ½ Dozen Carton	2 ½ Dozen Sleeve
OZ		lbs	lbs	lbs
Pee wee	15oz	.94	1.41	2.34
Small	18oz	1.13	1.69	2.81
Medium	21 oz	1.31	1.97	3.28
Large	24 oz	1.50	2.25	3.75
Ex-Large	27 oz	1.69	2.53	4.22
Jumbo	30 oz	1.88	2.81	4.69

METRIC CONVERSION CHART

	OZ	GRMS	DOZ CTN GRMS	1 ½ DOZ CTN GRMS	2 ½ DZN SLGRMS
Pee wee	15	425	425	638	1063
Small	18	510	510	765	1276
Medium	21	595	595	893	1488
Large	24	680	680	1021	1701
Ex-Large	27	765	765	1148	1914
Jumbo	30	850	850	1276	2126

Rules and Regulations For the ALABAMA SHELL EGG LAW (Act N. 46 as amended)

Labeling and dating requirements for eggs in CARTONS (Standard 1 dozen size or other types used for packaging eggs for sale to consumers).

Grade Size
Name and Address of packer or
person responsible for packing
Date
Day of the Year and Actual Date
Expiration Date - option

The date on which eggs are graded shall be shown on the labeling of each carton or package in which eggs are offered for sale or sold and shall be by means of a code number which shall be the actual consecutive number of the day of the year from the beginning day of the year (Julian dating system). Any dealer or packer of eggs may, in addition to the foregoing requirement, also imprint upon such carton or package the actual date by month, day of month and year on which the eggs are graded and any other recognized method of dating may also be used; provided, however, before any such additional method of dating is used, the dealer or packer shall apply for and obtain approval from the Poultry Division of the State Department of Agriculture and Industries. The code dating system as hereinabove required, and any other additional means of carton dating as may be authorized by the Department of Agriculture and Industries shall be in figures or letters of not less than 1/8 of an inch in height, clearly and legibly shown on either the top or side of the carton or package in which the eggs are offered for sale or sold.

CASES (Loose pack, 30 dozen; 15 dozen per case).

Grade	Size				
Name and Address of packer or person responsible for packing					
Date Month	Day of Month				

This labeling information may be by label, stamp or imprint and must be legible (easy to read). It must appear on one end of each case.