

As Amended by House Committee

Session of 2020

HOUSE BILL No. 2464

By Committee on Agriculture

1-22

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

4
5 *Be it enacted by the Legislature of the State of Kansas:*

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

9 (b) *Repacked eggs may be graded as grade B if the following*
10 **standards are met:**

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

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

16 (3) **the** eggs cannot be repacked more than once;

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

19 (5) all containers shall have the ~~necessary~~ *following* labeling
20 requirements printed on the outside of the carton ~~which shall include:~~

21 (A) Grade and size;

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

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

25 (D) a statement containing the phrase, "Keep refrigerated at or below
26 45° Fahrenheit";

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

29 (F) an inspection fee stamp on the carton indicating that the
30 inspection fee has been paid, unless ~~repackaged~~ *repacked* as described in
31 subsection-~~(b)~~ (c) in a carton that has already been assessed the inspection
32 fee;

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

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

1 ~~(b) Repackaged~~(c) *Repacked* eggs may be graded higher than grade
2 B if:

3 (1) Undamaged eggs from damaged containers are placed only into
4 containers with the same distributor and packer information, including the
5 name, address, United States department of agriculture plant number; and
6 packaging code;

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

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

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

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

18 ~~(e)~~(d) Retailers may lose the privilege to repack eggs if:

19 (1) The retailer is found postdating repacked eggs;

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

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

22 ~~(d)~~(e) The provisions of this section shall be *a* part of and
23 supplemental to the Kansas egg law.

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

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