



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR H.B. 2750

expiration date; eggs; definition

Purpose

Extends the definition of *expiration date* for grade AA eggs from 24 days to 30 days after candling. Allows a person to sell grade AA eggs up to 30 days after the eggs' candling.

Background

The Arizona Department of Agriculture (AZDA) establishes by rule the standards of quality for chicken eggs in the shell as determined by candling. *Candling* is the visual examination of eggs to establish their quality using transmitted light to determine the cleanliness and soundness of the shell, the size and condition of the aircell and the condition of the yolk, white and germ. The AZDA employs egg inspectors certified by the U.S. Department of Agriculture to inspect, weigh and examine eggs in the shell being advertised or offered for sale to determine the eggs' condition, quality, grade and weight and enforce laws relating to the sale of eggs (A.R.S. §§ [3-701](#), [3-705](#) and [3-709](#)).

A person that sells eggs, except a retailer or a producer that sells eggs directly to a consumer, must furnish an invoice showing the: 1) date of sale; 2) exact quantity of eggs or egg products; 3) size and grade of the eggs; and 4) name and address of the buyer and seller. Size and grade markings on an advertisement, sign, placard, carton, container, subcontainer or case must correspond with the size and grade designation on the invoice furnished with the sale of the eggs (A.R.S. §§ [3-718](#) and [3-719](#)).

Cases, half cases, cartons or containers marked grade AA must be marked with an expiration date. For eggs that are marked grade AA, *expiration date* is the words "sell by" or "buy thru" followed by a date that is not more than 24 days after the eggs' candling, including the candling date (A.R.S. §§ [3-701](#) and [3-719](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Extends, from not more than 24 days to not more than 30 days after candling, the definition of *expiration date* for eggs that are marked grade AA.
2. Allows a person to advertise, represent or sell eggs marked grade AA as fresh or grade AA for up to 30 days after the candling date, including the candling date.

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3. Precludes AZDA's standards of quality from prohibiting an egg that otherwise might be deemed grade A 24 days after candling from being advertised and sold as grade AA up to 30 days after candling, including the candling date.
4. Exempts, from a violation, a person that marks grade AA eggs consistent with an invoice and that offers or exposes the eggs for sale as grade AA, if the eggs are offered or exposed for sale within 30 days of candling, including the candling date.
5. Stipulates that advertising or selling grade AA eggs for up to 30 days after candling, including the candling date, is not false, deceptive or misleading.
6. Makes technical changes.
7. Becomes effective on the general effective date.

House Action

LARA	2/13/23	DP	5-4-0-0
3 rd Read	3/1/23		31-28-1

Prepared by Senate Research
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JT/FB/sr