

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:*

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

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

15 (3) eggs cannot be repacked more than once;

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

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

20 (A) Grade and size;

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

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

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

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

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

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

34 (7) eggs remain subject to inspection and the requirements of this act.

35 ~~(b) Repacked~~ (c) *Repacked* eggs may be graded higher than grade
36 B if:

- 1 (1) Undamaged eggs from damaged containers are placed only into
- 2 containers with the same distributor and packer information, including the
- 3 name, address, United States department of agriculture plant number; and
- 4 packaging code;
- 5 (2) no container with ~~repackaged~~ *repacked* eggs ~~are~~ is labeled with a
- 6 declaration of enhanced quality or with any claim that did not appear on
- 7 the original container;
- 8 (3) all eggs with undamaged shells are handled and ~~repackaged~~
- 9 *repacked* employing good manufacturing practices under refrigerated
- 10 conditions in accordance with United States food and drug administration
- 11 regulations;
- 12 (4) all damaged containers and packaging material identified with the
- 13 United States department of agriculture grade shield are destroyed; and
- 14 (5) all segregated inedible eggs are properly destroyed to prevent
- 15 human consumption.
- 16 ~~(e)~~(d) Retailers may lose the privilege to repack eggs if:
- 17 (1) The retailer is found postdating repacked eggs;
- 18 (2) the eggs do not meet grade B or higher standards; and
- 19 (3) the retailer has violated any other provision of this act.
- 20 ~~(d)~~(e) The provisions of this section shall be a part of and
- 21 supplemental to the Kansas egg law.
- 22 Sec. 2. K.S.A. 2019 Supp. 2-2510 is hereby repealed.
- 23 Sec. 3. This act shall take effect and be in force from and after its
- 24 publication in the statute book.