

DEPARTMENT OF AGRICULTURE

FOOD AND DAIRY DIVISION

REGULATION NO. 532. SHELL EGGS FOR SALE UNDER SEAL OF QUALITY

(By authority conferred on the commission of agriculture by sections 5 and 14 of Act No. 70 of the Public Acts of 1961, and sections 9 and 177 of Act No. 380 of the Public Acts of 1965, being SS289.635, 289.644, 16.109, and 16.277 of the Michigan Compiled Laws)

R 285.532.1 Source of eggs.

Rule 1. Only "eggs of current production," produced, packed, and processed within the state, may be identified with "Michigan seal of quality."

History: 1979 AC.

R 285.532.2 Grade of eggs.

Rule 2. Grade shall be "Michigan seal of quality" and eggs so identified shall be produced, packed, processed, and handled in accordance with the standards, requirements, and instructions as set forth in these rules.

History: 1979 AC.

R 285.532.3 Seals, labels, and tags; sources.

Rule 3. "Michigan seal of quality" labels, tags, or other devices bearing the official emblem shall be obtained only at sources approved by the Michigan department of agriculture.

History: 1979 AC.

R 285.532.4 Use of seals.

Rule 4. "Michigan seal of quality" is available to any person for use in marketing eggs who shall comply with these rules and any instructions issued therewith.

History: 1979 AC.

R 285.532.5 Application and contract.

Rule 5. (1) No person shall use "Michigan seal of quality" in connection with the marketing of eggs unless there is in force an official written agreement between the applicant and the Michigan department of agriculture. The director shall issue a permit to make and imprint on tags, labels, and other devices the "Michigan seal of quality" emblem for eggs to manufacturers who sign an official agreement with the Michigan department of agriculture.

(2) All agreements and permits shall expire 1 year after the date of issuance. Request for renewal of such agreement or permit must be made annually prior to date of expiration and shall be in effect unless otherwise notified by the director.

History: 1979 AC.

R 285.532.6 Penalties.

Rule 6. Violations of any of the applicable laws and rules shall be subject to penalty by revocation of permit to use the "Michigan seal of quality" and to other penalties as described in the law.

History: 1979 AC.

R 285.532.7 Eggs packaged under Michigan seal of quality.

Rule 7. (1) Official identification shall be done only under the supervision of competently trained inspectors or graders approved by the department or by graders or supervisors of grading supplied under cooperative agreement between the department and the United States department of agriculture.

(2) Each person packaging eggs for identification with Michigan seal of quality must have a satisfactory procurement and distribution program including requirements at the farm and retail store level as stated in U.S.D.A. grade certification under quality control programs effective August 1, 1963, as published in regulations governing the grading of shell eggs and U.S. standards, grades, and weight classes for shell eggs.

(3) All eggs identified as Michigan seal of quality shall be not less than U.S.D.A. grade AA quality and shall meet the requirements as set forth in section 10 of Act No. 244 of the Public Acts of 1963, being S289.330 of the Michigan Compiled Laws.

(4) Weight classes for Michigan seal of quality grade eggs shall be as indicated in the following table:

| Size or Weight Class | Minimum Net Weight<br>Per Dozen | Minimum Net Weight<br>Per 30 Dozen | Minimum Net Weight<br>for Individual Effs at Rate | Minimum Weight<br>Per Dozen |
|----------------------|---------------------------------|------------------------------------|---------------------------------------------------|-----------------------------|
|                      | Ounces                          | Ounces                             | Pounds                                            |                             |
| Extra Large          | 27                              |                                    | 50 1/2                                            | 26                          |
| Large                | 24                              |                                    | 45                                                | 23                          |
| Medium               | 21                              |                                    | 39 1/2                                            | 20                          |

(5) Sampling, break-out testing, and maintenance of records of break-out tests shall be done only by qualified personnel as described in subrule (1).

(6) The person at whose place of business the eggs are packaged and officially identified shall be responsible for the packaged product meeting the standards and requirements as set forth in these rules.

History: 1979 AC.

R 285.532.8 Package and labels.

Rule 8. All containers used in the distribution and marketing of Michigan seal of quality grade eggs shall meet the following specifications and standards and be labeled in accordance with the following:

(a) All containers, including inner packing materials, used as the primary container for packaging loose eggs shall be new, clean, and a type recognized as a suitable container for eggs; except that good used 15 and 30 dozen size cases, including required inner packing materials, may be used provided such cases and inner packing materials are clean, undamaged, and all previous grade markings have been completely obliterated.

(b) Each consumer type container shall have printed on the principal panel of the container, or if container can be subdivided on the principal panel of each subdivision, in a clear, legible manner the full, correct, unabbreviated:

(i) Designation of quality and size in letters 1/4 inch or more in height.

(ii) Name and address of producer, packer, or distributor in letters 1/8 inch or more in height.

(c) The number of eggs in a container shall be printed on the top, side, or end panel in a clear, legible manner in letters 1/4 inch or more in height.

(d) Each container, other than consumer-type containers, shall have appearing in a conspicuous place in a clear, legible manner on a contrasting background:

- (i) The word "eggs" in letters 2 inches or more in height.
- (ii) The full, correct, and unabbreviated designation of size, quality, number of eggs contained, and name and address of the producer, packer, or distributor in letters 1/4 inch or more in height.
- (e) Each container, package, or subdivision thereof which may be opened shall contain on the principal panel, either by printing or sticking tape, in distinctly legible form a date, stated as the month and day or the number of the month and day, preceded by the letters "exp." or a statement such as "not to be sold after," or a number which is the day of year. The date shall not exceed 10 days from the date of Haugh unit measurement test or candling, excluding the day of testing, except that the expiration date shall start with the date of packing for those shipments received during the interim between the weekly Haugh unit test, provided such eggs are packed prior to the next weekly test. Upon expiration of the 10 days, the eggs shall be removed from the labeled packages or the Michigan seal of quality identification and expiration date shall be completely obliterated.
- (f) Nothing in these rules shall prohibit the use of the AA graded declaration in conjunction with the Michigan seal of quality grade.

History: 1979 AC.

#### R 285.532.9 Facilities and practices.

Rule 9. Any person who produces or supplies eggs to be packaged under Michigan seal of quality grade and any person grading, packaging, holding, transporting, distributing, or offering for sale in any manner Michigan seal of quality grade eggs shall be subject to the following governing the conservation of egg quality:

- (a) Coolers, holding, grading and packing rooms, display units, and any other facilities in which eggs are held, stored, or in any manner maintained shall:
  - (i) Be constructed, maintained, and operated in compliance with Michigan laws and regulations governing food establishments, food handling, and sanitation.
  - (ii) Not to be used for commodities, products, or any substance which emit odors which may affect the flavor or taste of eggs.
  - (iii) Be equipped with a tested thermometer.
- (b) Cooler and holding rooms shall:
  - (i) Have refrigeration facilities capable of reducing within 24 hours and holding the maximum volume of eggs handled to 55 degrees Fahrenheit (internal egg temperature) if eggs are to be held not longer than 1 week.
  - (ii) Have refrigeration facilities sufficient to hold eggs at 40 degrees Fahrenheit (internal egg temperature) or below if eggs are to be held for periods longer than 1 week.
  - (iii) Have equipment and facilities for maintaining relative humidity in the room at not less than 70% nor more than 85%.
  - (iv) Be equipped with adequate, accurate equipment for measuring relative humidity.
  - (v) Be free from objectionable odors and from molds.
  - (vi) Be maintained in a sanitary condition.

History: 1979 AC.

#### R 285.532.10 Sampling and testing procedures.

Rule 10. Sampling and testing of samples of eggs to grade-check eggs officially identified as Michigan seal of quality grade shall be in conformance with the following provisions:

- (a) The person responsible for packaging the product officially identified with Michigan seal of quality grade shall be responsible for conformity of the eggs to quality standards and other requirements of this rule until the expiration of date stated on container, if the eggs are maintained under approved conditions during the period which the eggs may be offered for sale. If eggs are not maintained under approved conditions by the person in possession of eggs at time grade and weight, or both, are checked, then the person in possession of the eggs shall be responsible for conformity of eggs to quality standards and other requirements of this rule.

(b) The person responsible for conformity of eggs to quality standards as provided for in these rules shall be responsible for the cost of all eggs broken out for grade-check purposes, if such grade-check is made in accordance with the provisions of these rules.

History: 1979 AC.

R 285.532.11 Invoices and invoicing sale of eggs.

Rule 11. All sales, other than retail sales to consumers, of eggs identified with "Michigan seal of quality" grade, shall be accompanied with an invoice which shall bear the following:

- (a) Date of sale.
- (b) Name and address of buyer and seller.
- (c) Expiration dates of period eggs may be offered for sale.
- (d) Number of dozens of eggs of each expiration date involved in the transaction by size, class and number indicated in "Michigan seal of quality" seal affixed to packaged product.

History: 1979 AC.

R 285.532.12 Definitions.

Rule 12. As used in these rules:

- (a) "Eggs" means eggs in the shell of a domestic chicken, but does not include eggs intended for incubation.
- (b) "Eggs of current production" means shell eggs which have moved through usual marketing channels since the time they were laid, and have not been held in refrigerated storage in excess of 60 days.
- (c) "Expiration date" means the date after which eggs bearing "Michigan seal of quality" grade may not be sold as "Michigan seal of quality" grade eggs.

History: 1979 AC.