

Substitute for SENATE BILL No. 414

By Committee on Agriculture and Natural Resources

2-19

1 AN ACT concerning agriculture; relating to eggs; repackaging
2 requirements for retailers; amending K.S.A. 2017 Supp. 2-2510 and
3 repealing the existing section.

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

6 Section 1. K.S.A. 2017 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 are met:

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

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

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

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

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

19 (A) Grade and size;

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

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

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

25 (E) the expiration date which shall be the earliest expiration date of
26 the repacked eggs; and

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

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

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

33 (b) *Repackaged eggs may be graded higher than grade B if:*

34 (1) *Undamaged eggs from damaged containers are placed only into*
35 *containers with the same distributor and packer information, including the*
36 *name, address, United States department of agriculture plant number, and*

- 1 *packaging code;*
2 (2) *no container with repackaged eggs are labeled with a declaration*
3 *of enhanced quality or with any claim that did not appear on the original*
4 *container;*
5 (3) *all eggs with undamaged shells are handled and repackaged*
6 *employing good manufacturing practices under refrigerated conditions in*
7 *accordance with United States food and drug administration regulations;*
8 (4) *all damaged containers and packaging material identified with*
9 *the United States department of agriculture grade shield are destroyed;*
10 *and*
11 (5) *all segregated inedible eggs are properly destroyed to prevent*
12 *human consumption.*
13 ~~(b)~~ (c) Retailers may lose the privilege to repack eggs if:
14 (1) The retailer is found postdating repacked eggs;
15 (2) the eggs do not meet grade B *or higher* standards; and
16 (3) the retailer has violated any other provision of this act.
17 ~~(e)~~ (d) The provisions of this section shall be part of and
18 supplemental to the Kansas egg law.
19 Sec. 2. K.S.A. 2017 Supp. 2-2510 is hereby repealed.
20 Sec. 3. This act shall take effect and be in force from and after its
21 publication in the statute book.