

## HOUSE BILL No. 2102

By Committee on Agriculture

1-21

1 AN ACT concerning agriculture; relating to eggs; repackaging  
2 requirements for retailers; amending K.S.A. 2020 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. 2020 Supp. 2-2510 is hereby amended to read as  
7 follows: 2-2510. (a) A retailer may ~~repack~~ *repackage* eggs located in a  
8 store as long as the ~~following~~ requirements *in subsection (b) or (c)* are  
9 met:

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

12 (1) ~~Eggs eligible for repacking include dirty eggs or eggs in~~  
13 ~~containers with broken eggs. Eggs that are determined to pose a health risk~~  
14 ~~shall not be eligible for repacking.~~ *The eggs, which may include dirty eggs*  
15 *or eggs from containers with broken eggs, do not pose a health risk;*

16 (2) the eggs are not subject to ~~a stop sale order~~ *an embargo* issued by  
17 the secretary;

18 (3) ~~the eggs cannot be repacked more than once~~ *have not previously*  
19 *been repackaged;*

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

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

24 (A) Grade and size;

25 (B) a statement saying that the eggs have been ~~repacked~~ *repackaged*  
26 by the retailer where the eggs are located;

27 (C) name and address of the retailer that ~~repacked~~ *repackaged* the  
28 eggs;

29 (D) a statement containing the phrase, "Keep refrigerated at or below  
30 45° Fahrenheit";

31 (E) the expiration date ~~which shall be~~ *that is* the earliest expiration  
32 date of the ~~repacked~~ *repackaged* eggs; and

33 (F) an inspection fee stamp on the carton indicating that the  
34 inspection fee has been paid, ~~unless repackaged as described in subsection~~  
35 ~~(b) in a carton that has already been assessed the inspection fee;~~

36 (6) records must be kept and available for inspection on all eggs

1 ~~repacked~~ *repackaged* by the retailer; and

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

4 ~~(b)~~(c) *Repackaged eggs may be graded higher than grade B if the*  
 5 *following standards are met:*

6 (1) *The eggs, which may include dirty eggs or eggs from containers*  
 7 *with broken eggs, do not pose a health risk;*

8 (2) *the eggs are not subject to an embargo issued by the secretary;*

9 (3) *the eggs have not previously been repackaged;*

10 (4) *the eggs remain subject to inspection and the requirements of this*  
 11 *act;*

12 (5) *undamaged eggs from damaged containers are placed only into*  
 13 *containers that are already labeled with the same distributor and packer*  
 14 *information, including the name, address, Kansas egg license number or*  
 15 *United States department of agriculture plant number; and packaging code;*

16 ~~(2)~~(6) *no container with repackaged eggs—~~are~~ is labeled with a*  
 17 *declaration of enhanced quality or with any claim that did not appear on*  
 18 *the original container;*

19 ~~(3)~~(7) *all eggs with undamaged shells are handled and repackaged*  
 20 *employing good manufacturing practices under refrigerated conditions in*  
 21 *accordance with United States food and drug administration regulations;*

22 ~~(4)~~(8) *all damaged containers and packaging material identified with*  
 23 *the United States department of agriculture grade shield are destroyed; and*

24 ~~(5)~~(9) *all segregated inedible eggs are properly destroyed to prevent*  
 25 *human consumption.*

26 ~~(e)~~(d) *Retailers may lose the privilege to ~~repack~~ *repackage* eggs if:*

27 (1) *The retailer is found postdating ~~repacked~~ *repackaged* eggs;*

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

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

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

32 Sec. 2. K.S.A. 2020 Supp. 2-2510 is hereby repealed.

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