Egg Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rex P. Shipp

Senate Sponsor: Keven J. Stratton

LONG TITLE

General Description:

This bill addresses eggs.

Highlighted Provisions:

This bill:

- defines and modifies terms;
- clarifies fee and rulemaking authority for the Department of Agriculture and Food (department) regarding the distribution, sale, and inspection of shell eggs;
- establishes that a person may not:
  - distribute shell eggs unless the person obtains a license from the department; or
  - sell shell eggs from a small producer outside of the state;
- requires a large egg producer to register with the department as a food establishment;
- clarifies the requirements for small and large egg producers; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

4-4-102, as last amended by Laws of Utah 2023, Chapter 528

4-4-103, as last amended by Laws of Utah 2024, Chapter 90

4-4-104, as last amended by Laws of Utah 2024, Chapter 90

4-4-105, as renumbered and amended by Laws of Utah 2017, Chapter 345

4-4-107, as last amended by Laws of Utah 2024, Chapter 90

4-4-108, as last amended by Laws of Utah 2024, Chapter 90

REPEALS:

4-4-101, as renumbered and amended by Laws of Utah 2017, Chapter 345

H.B. 432

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **4-4-102** is amended to read:

4-4-102 . Fee and rulemaking authority.

[~~(1) The department may establish grades and standards of quality, size, and weight governing the sale of eggs.~~]

[~~(2) The department shall, subject to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make and enforce rules that are necessary to administer and enforce this chapter.~~]

(1) Except as provided in Subsection 4-4-108(11), the department shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that are necessary to administer and enforce this chapter.

(2) In accordance with Title 63J, Chapter 1, Budgetary Procedures Act, the department may collect fees for the administration and enforcement of this chapter.

Section 2. Section **4-4-103** is amended to read:

4-4-103 . Definitions.

As used in this chapter:

(1) "Addled" or "white rot" means putrid or rotten.

(2) "Adherent yolk" means the yolk of an egg has settled to one side and become fastened to the shell.

(3) "Albumen" means the white of an egg.

(4) "Black rot" means [~~the~~] an egg that has deteriorated to such an extent that the whole interior presents a blackened appearance.

(5) "Black spot" means mold or bacteria have developed in isolated areas inside the shell of an egg.

(6) "Blood ring" means bacteria have developed to such an extent inside of an egg that blood is formed.

[~~(7) "Candling" means the act of determining the condition of an egg by holding it before a strong light in such a way that the light shines through the egg and reveals the egg's contents.~~]

[~~(8)~~] (7) "End consumer" means a household consumer[~~, restaurant, institution,~~] or any other person who has purchased or received shell eggs for consumption.

(8) "Large producer" means a producer of shell eggs that:

(a) has 3,000 or more layers; and

(b) is subject to:

(i) 21 C.F.R. Chapter 1, Part 118, Production, Storage, and Transportation of Shell Eggs; and

(ii) 21 U.S.C. Chapter 15, Egg Products Inspection.

(9) "Retailer" means a restaurant or retail grocery store in the state.

[~~(9)~~] (10) "Moldy" means mold spores have formed within the shell of an egg.

[~~(10)~~] (11) "Shell egg" means an egg in the shell as distinguished from a dried or powdered egg.

[~~(11)~~] (12) "Small producer" means a producer of shell eggs that:

(a) [~~having~~] has less than 3,000 layers; and

(b) [~~who~~]is exempt from 21 C.F.R. Chapter 1, Part 118, Production, Storage, and Transportation of Shell Eggs.

[~~(12)~~] (13) "Wholesale" means, with respect to the sale of [~~an egg~~] a shell egg by an egg producer, the transfer for sale or sale of an egg to a person other than the end consumer, including a retailer or an industrial or business purchaser.

Section 3. Section **4-4-104** is amended to read:

4-4-104 . License required to distribute eggs -- Unlawful acts specified.

[~~(1) It is unlawful for any person to sell, offer, or expose for sale for human consumption any egg:~~]

[~~(a) that is addled or moldy or that contains black spot, black rot, white rot, blood ring, adherent yolk, or a bloody or green albumen; or~~]

[~~(b) without a sign or label that conforms to the standards for display and grade adopted by the department.~~]

[~~(2) For the purpose of bulk wholesale, it is unlawful for a small producer to commingle or combine eggs from a source other than the small producer's operation.~~]

(1) A person may not distribute shell eggs in the state unless the person:

(a) obtains a license from the department; or

(b) is a small producer.

(2) A person may not sell, offer for sale, or expose for sale for human consumption any shell egg that is addled or moldy, or that contains black spot, black rot, white rot, blood ring, adherent yolk, or a bloody or green albumen.

(3) Nothing in this [~~section~~] chapter prohibits the sale of a denatured egg.

Section 4. Section **4-4-105** is amended to read:

4-4-105 . Exemptions from regulation.

(1) Except as provided in this chapter, a small producer and the shell eggs produced by a small producer are exempt from:

(a) regulation by the department; and

(b) the restricted egg tolerances for United States Consumer Grade B Quality as specified in the United States Standards, Grades, and Weight Classes for Shell Eggs, Agricultural Marketing Service Secs. 56.200 through 56.203.

(2) Nothing in this section:

(a) affects the authority of the Department of Health and Human Services or the department to certify, license, regulate, or inspect food or food products that are not exempt from certification, licensing regulation, or inspection under this section; or

(b) prohibits the Department of Health and Human Services from investigating foodborne illness.

(3) The Department of Health and Human Services, or a local health department, may not prevent the sale of shell eggs from a small producer to an end consumer unless the Department of Health and Human Services, or the county health department, establishes that the shell eggs:

(a) are addled or moldy; or

(b) contain:

(i) black spot;

(ii) black rot;

(iii) white rot;

(iv) blood ring;

(v) adherent yolk; or

(vi) a bloody or green albumen.

[~~(1) A person who sells, offers, or exposes eggs for sale or exchange shall maintain candling records as prescribed by the department.~~]

[~~(2) All candling records shall be open for examination by accredited inspectors or representatives of the department at reasonable times.~~]

Section 5. Section **4-4-107** is amended to read:

4-4-107 . Requirements for large producers -- Inspection of records.

[~~(1) Except as provided in this section, a small producer and the shell eggs produced by a small producer are exempt from regulation by the department.~~]

[~~(2) The Department of Health and Human Services has the authority to investigate foodborne illness.~~]

[~~(3) The department may assist, consult, or inspect shell eggs and a small producer's operation when requested by a small producer.~~]

[~~(4) Nothing in this section affects the authority of the Department of Health and Human Services or the department to certify, license, regulate, or inspect food or food products that are not exempt from certification, licensing regulation, or inspection under this section.~~]

[~~(5) The Department of Health and Human Services, or a local health department, may not prevent the sale of shell eggs from a small producer to an end consumer unless the Department of Health and Human Services, or the county health department, establishes that the shell eggs:~~]

[~~(a) are addled or moldy; or~~]

[~~(b) contain:~~]

[~~(i) black spot;~~]

[~~(ii) black rot;~~]

[~~(iii) white rot;~~]

[~~(iv) blood ring;~~]

[~~(v) adherent yolk; or~~]

[~~(vi) a bloody or green albumen.~~]

[~~(6) A small producer that sells eggs wholesale shall notify the department about the small egg producer's operation, including:~~]

[~~(a) the operator's name;~~]

[~~(b) the operator's contact information;~~]

[~~(c) the species of egg products offered for sale; and~~]

[~~(d) other information required by department rule regarding notification.~~]

[~~(7) The department may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:~~]

[~~(a) govern the temperature, cleaning, and sanitization of shell eggs under this chapter that are sold by a small producer to a restaurant or wholesale;~~]

[~~(b) establish notification requirements in accordance with Subsection (6); and~~]

[~~(c) establish inspection requirements for small producers that request an inspection under Subsection (3).~~]

[~~(8) Eggs sold by a small producer in accordance with this chapter are exempt from the restricted egg tolerances for United States Consumer Grade B as specified in the United States Standards, Grades, and Weight Classes for Shell Eggs, AMS 56.200 et seq.,~~

~~administered by the Agricultural Marketing Service of United States Agriculture Department.~~]

(1) A large producer shall:

(a) register with the department as a food establishment in accordance with Section 4-5-301; and

(b) submit to periodical inspections of the large producer's hen housing, operations, transport vehicles, and records.

(2) A large producer that transports, ships, or receives shell eggs in commerce shall:

(a) maintain records, for a period of at least two years, for the receipt and disposition of all shell eggs; and

(b) permit the department to access and review the large producer's records at reasonable times.

Section 6. Section **4-4-108** is amended to read:

4-4-108 . Requirements for small producers -- Rulemaking.

(1) A small producer that sells shell eggs retail or wholesale shall notify the department of the small egg producer's operation, including:

(a) the small producer's name;

(b) the small producer's contact information;

(c) the species of egg products offered for sale; and

(d) other information required by department rule regarding notification.

[~~(1)~~] (2) A small producer shall package the small producer's shell eggs in clean packaging that bears a label with the following information:

(a) the common name of the food, "eggs";

(b) the quantity or number of eggs;

(c) the name and address of the small producer;

(d) the statement "Keep Refrigerated"; and

(e) the statement "SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: Keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly."

[~~(2)~~] (3)(a) A small producer shall label the small producer's shell eggs that are sold in a grocery store with a statement that the shell eggs:

(i) are exempt from 21 C.F.R. Chapter 1, Part 118, Production, Storage, and Transportation of Shell Eggs; and

(ii) are not from an inspected source.

(b) The requirements described in Subsection [~~(2)(a)~~] (3)(a) are in addition to the labeling requirements described in Subsection [~~(1)~~] (2).

(4) If the shell eggs of a small producer are ungraded and not weighed, the packaging for the shell eggs may not be labeled with a grade or size.

(5) Any shell egg produced by a small egg producer and sold in a grocery store shall be displayed separately in the grocery store from shell eggs not from a small producer.

(6) For the wholesale of shell eggs, a small producer may not commingle or combine shell eggs from a source other than the small producer's operation.

(7) A small producer may not sell a shell egg outside of the state.

[~~(3)~~] (8)(a) A small producer may state a "pull date" or "best by" date.

(b) The "pull date" or "best by" date may be hand written on the end of the packaging or in a conspicuous location that is clearly discernible.

(c) A "pull date" or "best by" date shall first show the month then the day of the month.

(d) A recommended "pull date" or "best by" date is 30 days after production, but the date may not exceed 45 days after production.

[~~(4) If the eggs of a small producer are ungraded and not weighed, the packaging for the eggs may not be labeled with a grade or size.~~]

[~~(5) Any egg produced by a small egg producer and sold in a grocery store shall be displayed separately in the grocery store from eggs not from a small producer.~~]

(9) The department may assist, consult, or inspect shell eggs and a small producer's operation if a small producer requests assistance, consultation, or inspection by the department.

(10) The department may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

(a) govern the temperature, cleaning, and sanitization of shell eggs under this chapter that are sold by a small producer in retail or wholesale;

(b) establish notification requirements in accordance with Subsection (1); and

(c) establish inspection requirements for a small producer that requests an inspection under Subsection (9).

(11) Notwithstanding Subsection 4-4-102(1), the department may not make rules regarding small producers except as authorized under Subsection (10).

Section 7. **Repealer.**

This bill repeals:

Section **4-4-101, Title.**

Section 8. **Effective Date.**

This bill takes effect on May 6, 2026.