

REGULATION OF SHELL EGG PRODUCERS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marc K. Roberts

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to eggs.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides an exemption from state regulation for small producers;
- ▶ addresses exceptions; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

4-4-103, as renumbered and amended by Laws of Utah 2017, Chapter 345

ENACTS:

4-4-107, Utah Code Annotated 1953

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

Section 1. Section **4-4-103** is amended to read:



28 **4-4-103. Definitions.**

29 As used in this chapter:

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

31 (2) "Adherent yolk" means the yolk has settled to one side and become fastened to the
32 shell.

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

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

36 (5) "Black spot" means mold or bacteria have developed in isolated areas inside the
37 shell.

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

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

42 (8) "Moldy" means mold spores have formed within the shell.

43 (9) "Shell egg" means an egg in the shell as distinguished from a dried or powdered
44 egg.

45 (10) "Small producer" means a producer of shell eggs:

46 (a) having less than 3,000 layers;

47 (b) selling only to an ultimate consumer; and

48 (c) who is exempt from 21 C.F.R. Chapter 1, Part 118, Production, Storage, and
49 Transportation of Shell Eggs.

50 (11) "Ultimate consumer" means a household consumer, restaurant, institution, or any
51 other person who has purchased or received shell eggs or egg products for consumption.

52 Section 2. Section **4-4-107** is enacted to read:

53 **4-4-107. Exemptions from regulation.**

54 (1) Except as provided in this section, a small producer and the shell eggs produced by
55 a small producer is exempt from regulation by the department.

56 (2) The Department of Health has the authority to investigate foodborne illness.

57 (3) The department may assist, consult, or inspect shell eggs when requested by a small
58 producer.

59 (4) Nothing in this section affects the authority of the Department of Health or the
60 department to certify, license, regulate, or inspect food or food products that are not exempt
61 from certification, licensing regulation, or inspection under this section.