

HB0256S01 compared with HB0256

~~deleted text~~ shows text that was in HB0256 but was deleted in HB0256S01.

Inserted text shows text that was not in HB0256 but was inserted into HB0256S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Marc K. Roberts proposes the following substitute bill:

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;
- ▶ addresses packaging; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

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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

4-4-108, 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:

4-4-103. Definitions.

As used in this chapter:

- (1) "Addled" or "white rot" means putrid or rotten.
- (2) "Adherent yolk" means the yolk has settled to one side and become fastened to the shell.
- (3) "Albumen" means the white of an egg.
- (4) "Black rot" means the egg 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.
- (6) "Blood ring" means bacteria have developed to such an extent 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) "Moldy" means mold spores have formed within the shell.
- (9) "Shell egg" means an egg in the shell as distinguished from a dried or powdered egg.
- (10) "Small producer" means a producer of shell eggs:
 - (a) having less than 3,000 layers;
 - (b) selling only to an ultimate consumer; and
 - (c) who is exempt from 21 C.F.R. Chapter 1, Part 118, Production, Storage, and

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Transportation of Shell Eggs.

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

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

4-4-107. Exemptions from regulation.

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

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

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

(4) Nothing in this section affects the authority of the Department of Health 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 may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to govern the temperature, cleaning, and sanitization of shell eggs under this chapter that are sold by a small producer to a restaurant.

(6) Eggs sold by a small producer pursuant to 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.

Section 3. Section 4-4-108 is enacted to read:

4-4-108. Packaging for small producer.

(1) A small producer shall package the small producer's 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."

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(2) A small producer may state a "pull date" or "best by" date. The date may be hand written on the end of the packaging or in a conspicuous location that is clearly discernible. A "pull date" shall first show the month then the day of the month. A recommended date is 30 days after production, but the date may not exceed 45 days after production.

(3) 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.