

2023 Kansas Statutes

2-2510. Repackaging by retailers, requirements; grounds for loss of privilege. (a) A retailer may repackage eggs, including dirty eggs or eggs from containers with broken eggs, located in a store as long as the following requirements are met:

- (1) The eggs do not pose a health risk;
 - (2) the eggs are not subject to an embargo issued by the secretary;
 - (3) the eggs have not previously been repackaged;
 - (4) the eggs remain subject to inspection and the requirements of this act;
 - (5) no container with repackaged eggs is labeled with a declaration of enhanced quality or with any claim that did not appear on the original container;
 - (6) all eggs with undamaged shells are handled and repackaged employing good manufacturing practices under refrigerated conditions in accordance with United States food and drug administration regulations;
 - (7) all damaged containers and packaging material identified with the United States department of agriculture grade shield are destroyed;
 - (8) all damaged eggs are properly segregated to prevent human consumption; and
 - (9) the eggs satisfy the standards of subsection (b) or (c).
- (b) Repackaged eggs may be graded as grade B if the following standards are met:
- (1) The eggs meet grade B requirements;
 - (2) all containers shall have the following labeling requirements printed on the outside of the carton:
 - (A) Grade B and size;
 - (B) a statement saying that the eggs have been repackaged by the retailer where the eggs are located;
 - (C) name and address of the retailer that repackaged the eggs;
 - (D) a statement containing the phrase, "Keep refrigerated at or below 45° Fahrenheit";
 - (E) the expiration date that is the earliest expiration date of the repackaged eggs; and
 - (F) an inspection fee stamp on the carton indicating that the inspection fee has been paid; and
 - (3) records must be kept and available for inspection on all eggs repackaged by the retailer.
- (c) Repackaged eggs may be graded higher than grade B if undamaged eggs are placed only into containers that are already labeled with the same distributor and packer information, including the name, address, Kansas egg license number or United States department of agriculture plant number and packaging code.
- (d) Retailers may lose the privilege to repackage eggs if:
- (1) The retailer is found postdating repackaged eggs;
 - (2) the eggs do not meet grade B or higher standards; and
 - (3) the retailer has violated any other provision of this act.
- (e) The provisions of this section shall be a part of and supplemental to the Kansas egg law.

History: L. 2006, ch. 90, § 8; L. 2018, ch. 14, § 1; L. 2021, ch. 79, § 2; July 1.