

Substitute for SENATE BILL No. 414

AN ACT concerning agriculture; relating to eggs; repackaging requirements for retailers; amending K.S.A. 2017 Supp. 2-2510 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2017 Supp. 2-2510 is hereby amended to read as follows: 2-2510. (a) A retailer may repack eggs located in a store as long as the following requirements are met:

(1) Eggs eligible for repacking include dirty eggs or eggs in containers with broken eggs. Eggs that are determined to pose a health risk shall not be eligible for repacking;

(2) the eggs are not subject to a stop sale order issued by the secretary;

(3) eggs cannot be repacked more than once;

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

(5) all containers shall have the necessary labeling requirements printed on the outside of the carton which shall include:

(A) Grade and size;

(B) a statement saying that the eggs have been repacked by the retailer where the eggs are located;

(C) name and address of the retailer that repacked the eggs;

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

(E) the expiration date which shall be the earliest expiration date of the repacked eggs; and

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

(6) records must be kept and available for inspection on all eggs repacked by the retailer; and

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

*(b) Repackaged eggs may be graded higher than grade B if:*

*(1) Undamaged eggs from damaged containers are placed only into containers with the same distributor and packer information, including the name, address, United States department of agriculture plant number, and packaging code;*

*(2) no container with repackaged eggs are labeled with a declaration of enhanced quality or with any claim that did not appear on the original container;*

*(3) 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;*

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

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

~~(c)~~ Retailers may lose the privilege to repack eggs if:

(1) The retailer is found postdating repacked eggs;

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

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

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

Sec. 2. K.S.A. 2017 Supp. 2-2510 is hereby repealed.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body

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*President of the Senate.*

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*Secretary of the Senate.*

Passed the HOUSE \_\_\_\_\_

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*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*