

SESSION OF 2018

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR SENATE
BILL NO. 414**

As Recommended by Senate Committee on
Agriculture and Natural Resources

Brief*

Sub. for SB 414 would repeal the limitations on egg repackaging set forth in KSA 2017 Supp. 2-2510, known as the Kansas Egg Law. The bill would permit repackaged eggs to be graded Grade B or better under certain requirements as outlined in the bill. Those requirements would be if: undamaged eggs from damaged containers are placed only into containers with the same distributor and packer information (including the name, address, and United States Department of Agriculture plant number and packaging code); the container holding repackaged eggs is not labeled with a declaration of enhanced quality or any other claim that did not appear on the original container; the eggs with undamaged shells are handled and repackaged using good manufacturing processes and under refrigerated conditions in accordance with Food and Drug Administration regulations; all damaged containers and packing materials identified with the United States Department of Agriculture grade shield are destroyed; and all segregated inedible eggs are destroyed to prevent human consumption.

With respect to the current law requirement that an inspection fee stamp be placed on the carton indicating the inspection fee had been paid, the bill would exempt repackaged eggs from the fee as outlined in the new provisions of the bill (these eggs would have already been assessed the inspection fee).

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the Senate Committee on Agriculture and Natural Resources at the request of the Kansas Department of Agriculture (Department).

In the Senate Committee hearing, representatives from the Department and Walmart testified as proponents.

No opponent or neutral testimony was presented.

At the suggestion of the Office of Revisor of Statutes, the Senate Committee recommended a substitute version of the bill. The substitute bill incorporates the original bill's changes to KSA 2017 Supp. 2-2510 permitting retailers to repackage eggs (as outlined in the Brief portion of this supplemental note).

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Department indicates the bill would have no fiscal effect.