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MEMORANDUM

To: Senate Committee on Agriculture and Natural Resources
From: Office of Revisor of Statutes
Date: March 12, 2020
Subject: House Bill 2464, as amended by House Committee—Egg Repacking Requirements

House Bill 2464, as amended by House Committee, would amend K.S.A. 2-2510, concerning Kansas Egg Law and the requirements for repacking eggs.

Currently, K.S.A. 2-2510 states that a retailer may repack eggs located in a store as long as the following requirements are met:

1. The eggs are not subject to a stop sale order;
2. The eggs cannot be repacked more than once;
3. Repacked eggs must meet grade B requirements;
4. All containers are labeled properly;
5. Records are kept and available for inspection;
6. Eggs remain subject to inspection; and
7. Eggs that are determined to pose a health risk are not eligible for repacking.

K.S.A. 2-2510 then states that 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;
2. No container with repackaged eggs is labeled with a declaration of enhanced quality or any claim that did not appear on the original container;
3. All eggs with undamaged shells are handled and repacked using good manufacturing practices under refrigerated conditions;
4. All damaged containers and packing material are destroyed; and
5. All segregated inedible eggs are properly destroyed.

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In 2018, Substitute for SB 414 amended K.S.A. 2-2510 to codify the requirements for retailers to repack eggs graded higher than grade B. HB 2464 would clarify the language in K.S.A. 2-2510 to state that eggs may be repacked if they meet the requirements of subsections (b) *or* (c). Thus, a retailer would only need to follow the requirements in new subsection (c), in order to grade repacked eggs higher than grade B.

HB 2464 would take effect upon publication in the statute book.