

Sale of Locally Raised Eggs to Food Facilities

Minnesota Department of Agriculture; University of Minnesota Extension

Introduction

The purpose of this factsheet is to describe how food facilities in Minnesota may safely and legally buy or accept eggs from local sources and to provide an overview of regulatory issues related to eggs.

Demand for shell eggs from local sources has increased and more and more individuals are raising their own shell eggs to meet this demand. Owners or managers of licensed food facilities such as restaurants, schools, and grocery stores may want to obtain locally raised shell eggs sold or donated from a farmers' market or directly from a farmer. This document will provide you a foundation and resources regarding questions that you may have regarding the sale of locally raised eggs to food facilities in Minnesota. You will find links and contact information within the text of the factsheet for additional information.

Definitions

CSA: Community Supported Agriculture consists of a farming operation where growers, in exchange for payment at the beginning of the growing season, offer shares to the public, with each share representing a portion of the harvest.

Food facilities: restaurants, caterers, school food service, institutions, day cares, community centers, churches, hospitals, health care facilities, food shelves/banks, grocery stores, food markets, farmers' markets, cooperatives, bakeries, convenience stores, food stands, mobile food units, warehouses, and wholesale food processors and manufacturers.

Retail sales: sales to the final consumer.

Sell; sale: includes keeping, offering, or exposing for sale, use, transporting, transferring, negotiating, soliciting, or exchange of food (MN Statutes, Chapter 28A.03 Subd. 6).

Shell egg: fertilized or unfertilized avian (normally chicken) embryo that is surrounded by a natural, hard, thin protective coating.

Can food facilities buy or accept donated shell eggs directly from farmers, egg producers, CSAs, or individuals?

Yes. Poultry farmers, egg producers, CSAs, and individuals who sell shell eggs from their own flock to food facilities or other people are considered an "approved source" provided certain requirements prior to sale are met.

Regardless of the claim made (e.g. free range, organic, vegetarian diet, omega III, natural, and brown eggs) egg producers must adhere to the shell egg handling and labeling regulations.

Most egg products are regulated by the Minnesota Department of Agriculture (MDA) while organic products are also regulated by the U.S. Department of Agriculture (USDA). The Food and Drug Administration (FDA) also has egg regulations.



Shell Egg Requirement Overview

Shell egg handling requirements consist of two components that overlap: food safety and grading. Food safety refers to the prevention or elimination of potential hazards that cause foodborne illness. Grading refers to egg quality.

New FDA egg safety requirements became effective on July 9, 2010. These rules can be found at this web site:

<http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm218461.htm>

Eggs sold to food facilities must meet the requirements of Minnesota Statutes 29 and Minnesota Rules 1520. Copies of the statute and rules are available from the Revisor of Statutes web site at:

<https://www.revisor.mn.gov/rules/?id=1520>

Basic compliance of requirements includes:

1. Clean exterior shell of shell eggs:

Bacteria on dirty eggs have trouble getting through the intact shell when the egg shells are dry. Egg shells are very porous and washing of eggs increases their porosity. When the egg shell is wet, there is a real potential for contaminants on the outside of the shell to pass through the porous egg shell into the interior of the egg. As soon as the shell gets wet or is no longer sound, the bacteria can pass through the shell more easily. Therefore, eggs cannot be cleaned by wet cleaning unless specific water and egg temperature requirements are met. **The use of immersion type washers or wiping rags is prohibited.**

The most efficient method of dry-cleaning of eggs in small operations is to clean the surface with an abrasive material. A sandpaper block works well to buff small amounts of dirt off the outside surface of the shell, but is not practical for very dirty eggs.



Photo on left: Specks caused by dirt or flies leaving droppings on the exterior of the egg shell. Photo on right: Cage marks on the exterior of the egg shell.



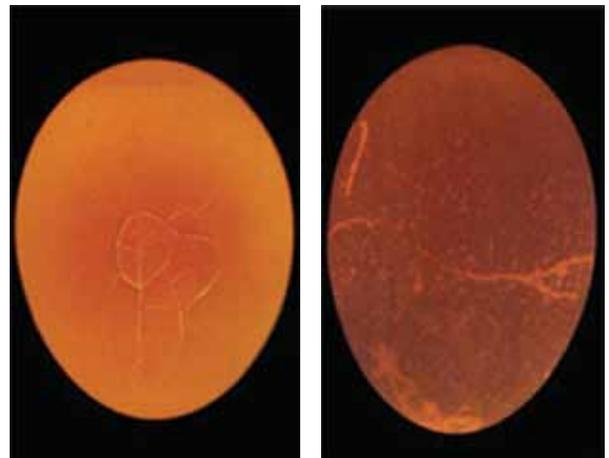
Hand candling of egg shell.



Abnormal shapes having pronounced sandpaper appearance, ridges and/or thin spots.

2. All shell eggs are candled and graded:

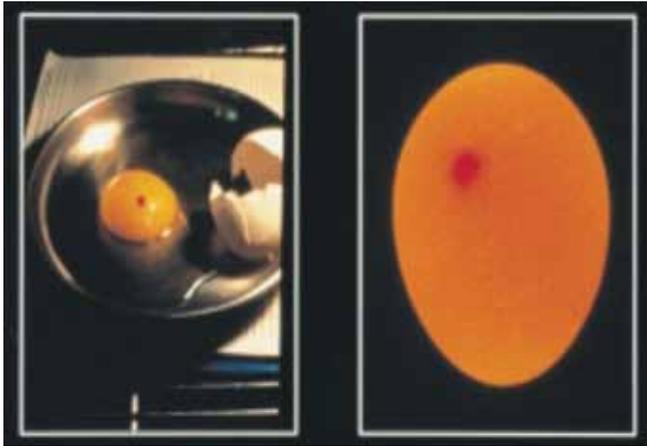
All eggs must be candled and graded either by the farmer or by the food facility that purchases or accepts donated eggs. **Candling** is process that involves holding the egg up to a bright light to determine the quality and to look for defects.



Appearance of checked shells in candled eggs.

Defective eggs found during the candling and grading process must be removed and properly disposed. Defects include: abnormal egg shape, adhering dirt, spots, cracks (checks) on the shells, leaking eggs and/or blood spots, and deterioration of contents within the egg shell. Additional information on identifying candling and grading is in the USDA Grading Manual: <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELDEV3004502>

Grading: Nearly all clean, sound eggs less than 15 days old, will meet grade AA quality. Without special handling, such as temperature and humidity control, the egg quality deteriorates to grade A after 15 days. After 30 days (the maximum number of days eggs can be sold after packing), egg quality deteriorates to grade B.



Appearance of a large blood spot in a broken-out and candled egg.

3. All shell eggs are properly sized

Egg size is determined by the weight of one dozen eggs. Not every egg needs to be weighed. After weighing many eggs, most producers will become skilled at placing eggs in the correct size category.

Size	Weight per dozen
Jumbo	30 oz.
Extra Large	27 oz.
Large	24 oz.
Medium	21 oz.
Small	18 oz.

4. All shell eggs are properly refrigerated:

Eggs must be kept at 45°F or less after grading and be maintained at that temperature through storage and delivery. Mechanical refrigeration is required unless the product is delivered within four hours. Frozen ice packs may be used to maintain temperature provided the product is delivered and sold in a combined total of four hours or less.

5. Shell egg containers are properly labeled:

Containers (cartons, flats, cases) of eggs must be labeled with the following mandatory information:

1. Grade and size of the eggs.
2. Name, address, and zip code of the farmer, egg producer, or individual selling the eggs.
3. A package date in Julian calendar (day of the year) form. For example: The labeling of Grade A Large Eggs packed on June 1 will have a pack date of 152. Julian date tables are available at this Colorado State University website: <http://amsu.cira.colostate.edu/julian.html>

4. A freshness date not to exceed 30 days from the date of packaging. The freshness date must also have an explanation such as “exp.,” “Best if used by” or similar explanation. In the above example using June 1 as the pack date, the freshness date is July 1 and the label would state: 152 exp. 07-01.
5. Safe handling instructions: “To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.”

Can shell egg cartons be reused?

Yes. Used egg cartons may be reused or recycled provided certain conditions are met. They must be clean and any labeling information from a prior pack (including any information relating to another egg packer) must be eliminated. This can be done with a black permanent marker and required label information needs to be provided in its place.

I am interested in finding out more about non-immersion wet cleaning of eggs. How can I do this so I can continue to provide a safe product?

A variety of small production eggs cleaning units are available in the marketplace. Minnesota rules require eggs be free from adhering material including fecal material, yolk, feathers, and any other dirt. Therefore, cleaning of eggs is imperative. The use of immersion type washers is prohibited as is the use of wiping rags. Wet cleaning of eggs is only allowed if the continuous washing equipment used does not submerge the egg in water.

If continuous washing equipment is used, the temperature of the wash water and rinse water is critical. The wash water must be from a potable (drinkable) supply and at least 20°F warmer than the eggs (with a minimum temperature of 90°F). The rinse water must be at least 10°F warmer than the wash water. The eggs must then be spray sanitized with a concentration of available chlorine between 50 and 200 PPM.

Is a producer of shell eggs required to have a food handler license to sell or donate their eggs?

People who sell only eggs from their own flock / production are exempt from obtaining a food license. However, they must register with the Minnesota Department of Agriculture, Meat, Poultry and Egg Inspection program. There is no fee associated with this registration. The one page ***Egg Grading and Sales for Small Producers Exempt from Licensing Exemption*** form can be obtained at:

<http://www.mda.state.mn.us/news/publications/licensing/meat&egg/ag02433egg.pdf>

In some circumstances, a license may be required:

- Approved facilities and a food license issued by the state or local food regulatory agency is needed if eggs are purchased from someone else, then resold (e.g., if a CSA purchases eggs from another farmer and provides those purchased eggs to the CSA members);
- A Wholesale Produce Dealer license may also be required if a person buys eggs from a farmer for resale.

Contact MDA at 651-201-6027 if you have questions regarding approved sources, inspection & facility requirements, farmer exemptions, licensing or labeling.

Regardless of exemption or license status, all producers, processors, handlers, and vendors of food, must comply with food safety laws and regulations.

What are some other purchasing and receiving guidelines for locally produced shell eggs?

- Visit the farm or ask questions about the food production, handling, and storage.
- Wash hands well and often.
- Check to see that the eggs are properly labeled.
- Immediately place the eggs into a refrigerator or cooler maintained at 41°F or less.
- Ask for a receipt of purchase and keep good records. Good recordkeeping is particularly important in case illness or injury results and there is a need to trace the product back to the supplier.

What kind of receipt should the food facilities get from the farmer?

Food facilities should use a receipt that includes the following purchase/donation information:

Example Receipt:

Date: _____ Received by: _____
Donated: ____ Purchased: ____ Purchase price: _____
Description and amount of eggs: _____

Pack Date: _____
Freshness Date: _____
Name of farmer: _____
Address: _____
Phone: _____ E-mail: _____

What would happen if I sold shell eggs without following the rules and guidelines given in this factsheet?

The use or presence of unapproved food products in a food facility is a violation of federal, state, and local laws. If your inspector finds any unapproved food product during an inspection or investigation, you will be ordered to immediately discontinue the practice of using or selling the products identified as illegal and those items will be immediately removed from sale or use. Additional regulatory action including embargo, recall, hearings, fines, or condemnation and destruction of the illegal food items may be taken. This will disrupt your business operation.

<http://www.mda.state.mn.us/food>

(651) 201-6027 • 1-800-967-AGRI

www.extension.umn.edu/foodsafety

612-624-1222





Dairy and Food Inspection, Ph: 651-201-6027, Fx: 651-201-6116

Egg Grading and Sales for Small Producers Exempt from Licensing Poultry Slaughter and Sales Direct to Consumers Exemption

Date of Application: _____ Establishment e-mail: _____

Name of Applicant: _____

Address: _____

City: _____ State: _____ Zip: _____

Establishment phone: _____ Establishment fax: _____

LIST ALL PERSONS RESPONSIBLE CONNECTED WITH THE APPLICANT (INCLUDE ALL OWNERS)

Name/Title	Present Home Address <i>(Street and number, City, State, Zip)</i>

EXEMPTION REQUESTED

I (we) are applying for an exemption to slaughter and process poultry for direct sales to consumers. I (we) understand that we are limited to the number of poultry we can sell and that the poultry products must only be sold from our farm.

- Selling less than or equal to 1,000 poultry per calendar year
- Selling between 1,000 and 5,000 poultry per calendar year
- Selling between 5,000 and 20,000 poultry per calendar year
- Candling and grading eggs for sales to restaurants, grocery stores, or boarding houses.

AGREEMENT AND CERTIFICATION

When an exemption is granted by the Minnesota Department of Agriculture to sell eggs without a food handler license, I (we) agree to conform to *Minnesota Statutes Section 29* and *Minnesota Rules 1520* in regard to the candling, grading and handling of eggs. We have a copy of the appropriate rules and regulations and will strictly adhere to them. I (we) are aware that any violations of state requirements may cancel this exemption.

X Signature and Title of Owner, Partner, or Authorized Officer making this application:

APPLICANT'S SIGNATURE

TITLE

PRINTED NAME

DATE

TO BE COMPLETED BY MDA:

DATE RECEIVED

X

SIGNATURE OF AREA SUPERVISOR

DATE

X

SIGNATURE OF DIRECTOR

DATE