

02 NCAC 09O .0103 is amended with changes as published in 29:02 NCR 105 as follows:

02 NCAC 09O .0103 STANDARDS FOR SHELL EGGS

(a) The United States Standards, Grades, and Weight Classes for Shell Eggs, adopted by the Agricultural Marketing Service of the United States Department of Agriculture as AMS-56, are incorporated by reference, including subsequent amendments and editions, and shall apply to all shell eggs sold, offered for sale, or advertised for sale in the state, this State except the term "ungraded eggs" may be used to designate eggs exempt from grading pursuant to G.S. 106-245.15.

Copies of this document may be obtained at no cost from the Division of Marketing, North Carolina Department of Agriculture and Consumer Services. Copies can also be found on the USDA AMS website at <http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateR&navID=EducationalMaterials&rightNav1=EducationalMaterials&topNav=&leftNav=&page=PYEducationalandInformationalMaterials&resultType=&acct=&pgeninfo>.

(b) Title 9, Code of Federal Regulations, Part 590, Inspection of Eggs and Egg Products, is incorporated by reference, including subsequent amendments and editions. Copies may be obtained at no cost from the United States Government Printing Office website at <http://www.gpoaccess.gov/cfr/index.html>.

(c) Cracked or checked eggs may be sold by producers or processors to a consumer for his or her personal use, except an "institutional consumer," as defined in G.S. 106-245.14. Said sales shall be made only at the premises of production or processing.

(d) Cracked or checked eggs may also be sold to a processing plant by a producer or processor for further processing.

(e) It shall be unlawful for cracked or checked eggs to be displayed, sold, or offered for sale in a retail outlet except as permitted by 02 NCAC 09O .0101(4) and Paragraph (a) of this Rule.

(f) ~~It~~ Except when sold directly by the producer to the consumer, it shall be unlawful to offer for sale any repackaged repackage eggs at any retail outlet. to be offered for sale. outlet.

History Note: Authority G.S. 106-245.16; 106-245.21;

Eff. January 1, 2015; August 1, 1982;

Amended Eff. July 1, 2005; April 1, 1988; December 1, 1987;

Transferred from 02 NCAC 43H .0103 Eff. May 1, ~~2012~~, 2012;

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