

FOOD LAW OF 2000 (EXCERPT)
Act 92 of 2000

***** 289.7114.added THIS ADDED SECTION IS EFFECTIVE OCTOBER 1, 2012 *****

289.7114.added Shell eggs.

Sec. 7114. (1) U.S. standards for shell eggs are adopted by reference.

(2) Eggs described by United States department of agriculture as black rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, stuck yolks, blood rings or embryos beyond blood ring stage, moldy eggs, musty eggs, bloody whites, crusted yolks, eggs with abnormal odors, and any eggs which contain wholly or in part a tainted, disease, filthy, decomposed, or putrid substance are eggs unfit for human food.

(3) A person shall not sell, offer, or expose for sale to the consumer or to the retail trade, or have in his or her possession with intent to sell to the consumer, or to the retail trade, any egg unfit for human food. Such an egg shall be broken out of the shell and denatured or destroyed by methods approved by the director so that it cannot be used for human food.

(4) The final determination of all grade and quality factors of an official sample of shell eggs from domesticated chickens shall be made by visual examination of the egg to determine cleanliness, soundness of shell, and exterior quality, and by candling or breaking to determine interior quality. The examination shall be made by a competent representative authorized by the director. The representative shall certify the results of the examination and his or her certificate shall be prima facie evidence of the facts certified to in any court where the certificate is offered in evidence.

(5) All eggs from domesticated chickens sold, offered, or exposed for sale, or advertised for sale by a retailer or wholesaler shall be marked as follows to conform to the following applicable size requirement:

(a) "Jumbo", if the eggs weigh at the rate of not less than 30 ounces per dozen, with no eggs below the rate of 29 ounces per dozen.

(b) "Extra large", if the eggs weigh at the rate of not less than 27 ounces per dozen, with no eggs below the rate of 26 ounces per dozen.

(c) "Large", if the eggs weigh at the rate of not less than 24 ounces per dozen, with no eggs below the rate of 23 ounces per dozen.

(d) "Medium", if the eggs weigh at the rate of not less than 21 ounces per dozen, with no eggs below the rate of 20 ounces per dozen.

(e) "Small", if the eggs weigh at the rate of not less than 18 ounces per dozen, with no eggs below the rate of 17 ounces per dozen.

(f) "Pee wee", if the eggs weigh at the rate of not less than 15 ounces per dozen.

(6) All advertising of eggs shall include the correct unabbreviated size designation in describing eggs. The correct unabbreviated size designation shall also appear on the exterior of any container, open or closed, in which eggs are offered for sale to the retailer or the consumer.

(7) A person shall not by himself or herself or his or her agents sell, offer, or expose for sale, advertise, or in any manner represent for sale as strictly fresh, hennery, new laid, best, grade A, number 1, fancy, special, extra, selected, direct from the farm, or under any word, figures, symbols, or description of similar import, any eggs which are not fresh. An egg is not considered fresh unless it meets the standards of quality specified for the U.S. AA or A quality, or the equivalent, as designated in U.S. standards for shell eggs for individual eggs or in standards prescribed by the director by rule.

(8) All eggs from domesticated chickens sold, offered or exposed for sale, or advertised for sale by a retailer or wholesaler shall be labeled or marked to conform to one of the following grade requirements:

(a) Eggs that fully meet the specifications of U.S. AA quality or fresh fancy quality, or the equivalent thereof, as described in U.S. standards for shell eggs, shall be labeled and advertised as grade AA or fresh fancy eggs, Michigan seal of quality eggs, grade A or grade B eggs.

(b) Eggs that fully meet the specifications of the U.S. A quality, or the equivalent thereof, as described in U.S. standards for shell eggs, shall be labeled and advertised as grade A or grade B eggs.

(c) Eggs that fully meet the specifications of a U.S. B quality, or the equivalent thereof, as described in U.S. standards for shell eggs, shall be labeled and advertised as grade B eggs.

(d) Eggs that do not meet the grade requirements of subdivision (a), (b), or (c) shall not be offered for sale or sold in the shell. Those eggs may be broken out of the shell at the grading plant or grading station or may be offered for sale or sold to an egg breaking plant.

(9) Eggs shall be held and transported at or below 45 degrees Fahrenheit ambient temperature beginning 36 hours after time of lay. If the eggs are to be processed as table eggs and are not processed for the ultimate consumer within 36 hours from the time of lay and, therefore, are held and transported as required at or below

45 degrees Fahrenheit ambient temperature, then the eggs may be held at room temperature for no more than 36 hours just prior to processing to allow an equilibration step to temper the eggs.

(10) This act does not apply to a person who meets all of the following requirements:

- (a) Is directly responsible for producing eggs from fewer than 3,000 hens.
- (b) Only sells eggs directly to consumers or first receivers.
- (c) Only sells eggs in containers that each bear a label stating "packaged in a facility that has not been inspected by the department."
- (d) Does not sell eggs through the internet or by mail order or consignment.

History: Add. 2012, Act 178, Eff. Oct. 1, 2012.