

1 Department of Agriculture

2

3 Adopted Permanent Rules Relating to Poultry and Eggs and

4 Purified Water

5

6 Rules as Adopted

7 1520.0200 DEFINITIONS.

8 Subpart 1. **Scope.** The definitions in this part and in
9 Minnesota Statutes, section 29.21, apply to parts 1520.0200 to
10 1520.2000.

11 Subp. 2. [See repealer.]

12 Subp. 3. [See repealer.]

13 Subp. 4. **Commissioner.** "Commissioner" means the
14 commissioner of agriculture or the commissioner's authorized
15 representative.

16 Subp. 5. [See repealer.]

17 Subp. 6. [See repealer.]

18 Subp. 7. [See repealer.]

19 Subp. 8. [See repealer.]

20 Subp. 9. [See repealer.]

21 Subp. 10. [See repealer.]

22 Subp. 11. [See repealer.]

23 Subp. 12. [See repealer.]

24 Subp. 13. [See repealer.]

25 Subp. 14. **Pack date.** "Pack date" means the date of
26 candling and grading.

27 Subp. 15. **Quality assurance date.** "Quality assurance date"
28 means any date after which the manufacturer or processor
29 reasonably determines that the product may, by spoilage,
30 wiltage, drying, or any other foreseeable and natural
31 phenomenon, lose its palatability or its desired or nutritive
32 properties.

33 1520.0300 CANDLING.

34 Egg handlers must have equipment, adequate space, and a
35 sanitary room darkened sufficiently to make accurate quality

1 determinations of candled eggs. Processing operations, except
2 when candling, must be well lighted to detect dirties, stains,
3 and the condition of packing material.

4 1520.0400 STORAGE AND REFRIGERATION.

5 Egg handlers must have adequate space and storage
6 facilities capable of maintaining processed eggs at a
7 temperature of 45 degrees Fahrenheit (seven degrees centigrade)
8 or less or 50 degrees Fahrenheit (ten degrees centigrade) or
9 less for unprocessed eggs. All storage and transportation
10 facilities must be maintained in a sanitary condition. Egg
11 handlers must transport eggs in enclosed trucks that are
12 sanitary and capable of maintaining eggs at an ambient air
13 temperature of 50 degrees Fahrenheit (ten degrees centigrade) or
14 less.

15 1520.0500 EGG CLEANING.

16 Subpart 1. Protection of eggs. Eggs must be protected
17 from contamination through all stages of production,
18 transportation, and processing.

19 [For text of subps 2 and 3, see M.R.]

20 Subp. 4. Washing equipment and procedures. Egg washing is
21 subject to items A to J.

22 A. Egg equipment and the surrounding area must be so
23 constructed as to permit thorough cleaning.

24 B. Egg equipment and the surrounding area must be
25 maintained in a sanitary condition.

26 C. Water used for washing eggs must be potable and
27 contain less than two parts per million of iron.

28 D. Water temperature for both washing and rinsing
29 must be thermostatically controlled.

30 E. The temperature of the wash water must be
31 maintained at 90 degrees Fahrenheit (32 degrees centigrade) or
32 above and must be at least 20 degrees Fahrenheit (11 degrees
33 centigrade) warmer than the temperature of the eggs. The rinse
34 water temperature must exceed the wash water temperature by at
35 least ten degrees Fahrenheit (six degrees centigrade).

1 Prewetting must be accomplished by spraying a continuous flow of
2 water over the eggs in a manner that permits the water to drain
3 away.

4 F. Only cleaning and sanitizing compounds approved by
5 the United States Department of Agriculture may be used.

6 G. Washed eggs must be spray-rinsed with a sanitizing
7 agent. The rinse must contain not less than 50 parts per
8 million and not more than 200 parts per million of available
9 chlorine or its equivalent.

10 H. Washed eggs must be dry prior to cartoning or
11 casing.

12 I. Immersion type washers may not be used.

13 J. Eggs must be removed from the washing and rinsing
14 area of the egg washer and the scanning area when there is a
15 build up of heat.

16 1520.0600 CANDLING AND GRADING RECORDS.

17 An egg handler must keep accurate candling and grading
18 records for each patron from whom eggs are purchased on a graded
19 basis. Records must be permanently written and must include the
20 following data: name and address of the egg handler; name or
21 number and address of the producer or person selling eggs, date
22 received, number of dozen eggs received, exact number of eggs in
23 each Minnesota purchase grade as defined in part 1520.1100,
24 deductions for inedible or adulterated eggs, name or initial of
25 candler and date candled, and dirties and checks, identified as
26 such, or grouped in one column.

27 Records must be maintained and must be available to the
28 commissioner for official review for not less than 90 days after
29 the date of purchase.

30 1520.0700 EGGS PURCHASED FROM A PRODUCER.

31 Graded eggs bought by an egg handler from a producer must
32 be graded according to the standards set in parts 1520.1100 to
33 1520.1400.

34 1520.0800 GRADED EGGS PURCHASED FOR RESALE.

1 Candled and graded eggs purchased for resale, sold,
2 transferred, or consigned to consumers, egg handlers, brokers,
3 retailers, or wholesalers within the state must be sold,
4 transferred, or consigned based on the requirements set in parts
5 1520.1100 to 1520.1400. All eggs sold, consigned, or
6 transferred, except eggs sold at retail, must be accompanied by
7 an invoice to the receiver showing the number of cases of eggs
8 by grade in each shipment.

9 1520.0900 CONTAINERS AND PACKAGING MATERIAL USED IN MARKETING
10 EGGS.

11 Containers, including packaging material inside the
12 containers, must be maintained in a clean, sanitary condition.

13 1520.1000 IDENTIFICATION OF EGGS IN THE POSSESSION OF EGG
14 HANDLERS.

15 Each case of eggs held by an egg handler must be identified
16 by grade and size in a legible manner. Grade and size
17 designation may not be abbreviated. Acceptable methods of
18 identifying cases include stamping, marking with chalk or other
19 legible marking, or a grade slip or label in or attached to each
20 case. Each case or part of a case of eggs not candled and
21 graded must be legibly identified with the producer's name and
22 address.

23 1520.1100 MINNESOTA PURCHASE GRADES.

24 Subpart 1. **Consumer grades.** Eggs may be purchased only on
25 the basis of grade and weight classes established for consumer
26 grades in parts 1520.1200 to 1520.1400.

27 [For text of subp 2, see M.R.]

28 Subp. 3. **Restricted eggs.** Restricted eggs must be handled
29 in a manner conforming to the requirements of the federal Egg
30 Products Inspection Act of 1970, as amended, and regulations
31 promulgated under that act, and Minnesota Statutes, section
32 29.235.

33 Subp. 4. **Eggs used in manufacture of food products.** Eggs
34 used in the manufacture of food products or by a restaurant,

1 caterer, nursing home, school, charitable organization, or
2 similar establishment preparing or serving food for human
3 consumption must be grade B or better, except checks and dirties
4 may be processed for human consumption by an official egg
5 processing plant licensed by the department.

6 1520.1200 MINNESOTA CONSUMER GRADES.

7 [For text of subps 1 and 2, see M.R.]

8 Subp. 3. **Grade A at origin.** "Grade A (at origin)"
9 consists of eggs which are at least 87 percent A quality or
10 better. Within the maximum tolerance of 13 percent which may be
11 below A quality, not more than one percent may be B quality due
12 to air cells over three-eighths inch, blood spots aggregating
13 not more than one-eighth inch in diameter, or serious yolk
14 defects. Not more than five percent checks, or seven percent
15 checks for jumbo size, are permitted and not more than 0.50
16 percent leakers, dirties, or loss due to meat or blood spots are
17 permitted in any combination, except that loss may not exceed
18 0.30 percent. Other types of loss are not permitted.

19 Subp. 4. **Grade A at destination.** "Grade A (at
20 destination)" consists of eggs which are at least 82 percent A
21 quality or better. Within the maximum tolerance of 18 percent
22 which may be below A quality, not more than one percent may be B
23 quality due to air cells over three-eighths inch, blood spots
24 aggregating not more than one-eighth inch in diameter, or
25 serious yolk defects. Not more than seven percent checks, or
26 nine percent checks for jumbo size, are permitted and not more
27 than one percent leakers, dirties, or loss due to meat or blood
28 spots are permitted in any combination, except that loss may not
29 exceed 0.30 percent. Other types of loss are not permitted.

30 [For text of subps 5 and 6, see M.R.]

31 1520.1300 QUALITY STANDARDS.

32 Standards of quality for shell eggs must be in accordance
33 with the United States Department of Agriculture Standards for
34 Quality of Individual Shell Eggs and Weight Classes for Shell
35 Eggs, Code of Federal Regulations, title 7, part 2856, effective

1 December 26, 1978, as amended through May 1, 1991.

2 1520.1400 WEIGHT CLASSES FOR SHELL EGG GRADES.

3 Weight classes for shell egg grades are set by the
4 following table:

5	6	7	8	9	10
Size or	Weight	Class	Minimum	Minimum	Minimum
			Net Weight	Net Weight	Weight for
			per dozen,	per 30 dozen,	Individual
			in ounces	in pounds	Eggs at Rate
					per dozen,
					in ounces
12	Jumbo		30	56	29
13	Extra Large		27	50-1/2	26
14	Large		24	45	23
15	Medium		21	39-1/2	20
16	Small		18	34	17

17 A lot average tolerance of 3.3 percent for individual eggs
18 in the next lower weight class is permitted as long as no
19 individual case within the lot exceeds five percent.

20 1520.1500 INVOICES.

21 Every egg handler selling eggs to a retailer must give the
22 retailer an invoice showing the grade of the eggs under part
23 1520.1200. A copy of each invoice must be maintained on file by
24 the seller and the retailer at their places of business for 30
25 days and must be available for official review upon request by
26 the commissioner.

27 1520.1600 LABELING.

28 Egg handlers offering eggs for sale to a consumer must give
29 the grade of eggs in a manner complying with this part.

30 A. Eggs offered for sale in cartons, bags,
31 containers, or other package form must be plainly and
32 conspicuously labeled in printed letters not smaller than
33 one-quarter inch in height or plainly and conspicuously stamped
34 and marked in letters not smaller than one-half inch in height
35 with the product identity; the grade and size; the name and
36 address of the producer, processor, or distributor; the words
37 "packed for" or "distributed by" or equivalent; the statement
38 "Perishable. Keep Refrigerated"; and the pack date and quality
39 assurance date.

40 B. Eggs offered for sale in bulk must be sold under a

1 placard which states all the information in item A.

2 C. Grade and size designations may not be abbreviated.

3 1520.1700 ADVERTISING.

4 Any advertisement of eggs for a price must plainly and
5 conspicuously indicate the grade and size. Grade and size
6 designations may not be abbreviated.

7 All reference to grades of eggs in advertising or in any
8 other manner, either for procurement or sale of eggs, must
9 conform to the grade and size terminology for purchase and
10 consumer grades set in parts 1520.1100 to 1520.1400.

11 1520.1800 MISLEADING STATEMENTS.

12 No egg handler may sell, offer for sale, or advertise for
13 sale eggs for human consumption if the package containing them,
14 the label on the package, or any advertising accompanying them
15 bears any statement or device which is in any way false or
16 misleading.

17 1520.1900 PACK AND QUALITY ASSURANCE DATE.

18 Subpart 1. Pack date. Consumer grades of eggs must be
19 pack dated in type not smaller than one-quarter inch capitals to
20 indicate the date of pack. All cartons and cases must bear a
21 pack date. Retailers who carton eggs delivered in bulk cases
22 must label the cartons with the identical pack date on the bulk
23 case.

24 Subp. 2. Quality assurance date. All consumer grade eggs
25 must carry a "quality assurance date" in addition to the pack
26 date. The pack date must be a Julian date to not confuse it
27 with the quality assurance date. The quality assurance date
28 must be spelled out as the month or number of the month and day,
29 for example, "2-1" or "Feb. 1." The quality assurance date must
30 have an explanatory clause, such as "Sell by" or "Use by," the
31 word "Expires," or the abbreviation "Exp."

32 1520.2000 USE OF WORD "FRESH."

33 The use of the word "Fresh" is limited to eggs of grades
34 AA, A, and B quality which are not older than 30 days from the

1 date of candling and grading. The term "Fresh" or a similar
2 term is not a substitute for grade designation.

3 1520.5200 DEFINITIONS.

4 Subpart 1. **Applicability.** Except where the context
5 otherwise requires, for the purposes of parts 1520.5200 to
6 1520.7200 the following terms shall be construed, respectively,
7 to mean.

8 [For text of subps 2 to 19, see M.R.]

9 Subp. 20. **Plan.** "Plan" means the provisions of the
10 National Poultry Improvement Plan contained in parts 1520.5200
11 to 1520.7200.

12 [For text of subps 21 to 30, see M.R.]

13 1520.6500 SPECIFIC PROVISIONS FOR PARTICIPATING DEALERS.

14 Dealers in poultry breeding stock or hatching eggs or
15 poultry shall comply with all provisions in parts 1520.5200 to
16 1520.7200 which apply to their operations.

17 1550.3200 DEFINITIONS.

18 [For text of subps 1 to 19, see M.R.]

19 Subp. 20. **Purified water.** "Purified water" means water
20 produced by distillation, deionization, ion-exchange treatment,
21 reverse osmosis, or other suitable process. Purified water must
22 not contain more than ten parts per million total dissolved
23 solids. Water that meets this definition and is vaporized and
24 then condensed may be labeled distilled water.

25 [For text of subps 21 to 33, see M.R.]

26 **REPEALER.** Minnesota Rules, parts 1520.0100; 1520.0200, subparts
27 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, and 13; 1520.2100; 1520.2200;
28 1520.2300; 1520.2400; 1520.2500; 1520.2600; 1520.2700;
29 1520.2800; 1520.2900; 1520.3000; 1520.3100, 1520.3200;
30 1520.3300; 1520.3400; 1520.3500; 1520.3600; 1520.3700;
31 1520.3750; 1520.3800; 1520.3900; 1520.4000; 1520.4100;
32 1520.4200; 1520.4300; 1520.4400; 1520.4500; 1520.4600;
33 1520.4700; 1520.4800; 1520.4900; 1520.5000; 1520.5100; and
34 1520.7300, are repealed.