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 this State, except the term "ungraded eggs" may be used to designate eggs exempt from grading pursuant to G.S. 106-245.15. Copies can be found on the USDA AMS website at https://www.ams.usda.gov/grades-standards/shell-egg-grades-and-standards.

(b) Title 9, Code of Federal Regulations, Part 590, Inspection of Eggs and Egg Products, is incorporated by reference including subsequent amendments and editions.

(c) Cracked or checked eggs may be sold by producers or processors to a consumer for his or her personal use, but shall not be sold to an "institutional consumer" as defined in G.S. 106-245.14. Such sales shall be made only at the premises where the cracked or checked eggs were produced or processed.

(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 Rule .0101(4) of this Section and Paragraph (a) of this Rule.

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

History Note: Authority G.S. 106-245.16; 106-245.21; Eff. August 1, 1982; Amended Eff. July 1, 2005; April 1, 1988; December 1, 1987; Transferred from 02 NCAC 43H .0103 Eff. May 1, 2012; Amended Eff. January 1, 2015; Readopted Eff. March 1, 2017.