

### **260.630 Labeling requirements.**

- (1) All wholesale egg packs consisting of cases or portions of cases shall bear a legible label designating contents; quality; quantity; date of packing and an expiration or best-by date; dealer's name, address, and plant number; and size and grade of eggs. Expiration dating shall include qualifying prefixes such as "EXP," "Expiration date," "Sell by," "Not to be sold after date on end of carton," "Purchase by," "Last sale date on end of carton," or other similar language denoting stock rotation. The dates associated with these prefixes shall be calculated from the date the eggs are originally packed into the container and may not exceed thirty (30) days including the day of pack. Best-by dating shall include qualifying prefixes such as "Use before," "Use by," "Best before," "Best by," or other similar language to generally indicate the maximum time frame for expected quality. The dates associated with these prefixes shall be calculated from the date the eggs are packed into the container and may not exceed forty-five (45) days including the day of pack. The letters on the label shall not be less than one-sixteenth (1/16) inch in height.
- (2) Graded eggs shall be offered for sale in cartons or other consumer packs and shall be plainly and legibly marked as to grade; size; quantity; dealer's name, address, and plant number; and date of packing and an expiration or best-by date. Expiration dating shall include qualifying prefixes such as "EXP," "Expiration date," "Sell by," "Not to be sold after date on end of carton," "Purchase by," "Last sale date on end of carton," or other similar language denoting stock rotation. The dates associated with these prefixes shall be calculated from the date the eggs are originally packed into the container and may not exceed thirty (30) days including the day of pack. Best-by dating shall include qualifying prefixes such as "Use before," "Use by," "Best before," "Best by," or other similar language to generally indicate the maximum time frame for expected quality. The dates associated with these prefixes shall be calculated from the date the eggs are packed into the container and may not exceed forty-five (45) days including the day of pack. The marking letters shall not be less than one-sixteenth (1/16) inch in height. The information on the label shall not be altered or replaced. The quantity may be changed in accordance with KRS 260.610(4).
- (3) Eggs offered for sale that are not in a carton shall be in a container that:
  - (a) Contains all information required by this section; and
  - (b) Displays the information in legible letters at least one-sixteenth (1/16) inch on a label attached to the container.
- (4) The required label information on wholesale egg packs, cases, or portions of cases shall match the required label information on the carton or other consumer pack contained therein, with the exception of the dealer's name and address.
- (5) If eggs are packed in retail "breakaway" cartons that can be divided by the consumer or retailer into smaller units for the purpose of selling lesser amounts of eggs, each half or portion of the container shall contain full information as required by subsection (2) of this section.
- (6) Wholesale egg packs, cases, or portions of cases shall be used only in the following

manner:

- (a) All original label information shall be redacted completely in such a manner so that it is obvious that the container is being reused;
  - (b) The new label shall contain all of the information otherwise required by this section; and
  - (c) The cases shall be clean, sturdy, and intact.
- (7) Egg cartons cannot be reused.
- (8) If a producer who sells directly to consumers only is using stock cartons, the cartons shall be labeled "ungraded" followed by "produced by:" (producer's name and address) and "sold directly to the consumer." This information may be hand printed on the carton if it is legible and appears on the top panel of the egg carton.
- (9) Plastic or wire crates, change baskets, or racks may be used as wholesale packs without bearing the required label information only if the required label information is visible on the carton or consumer egg pack.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 66, sec. 5, effective July 15, 2008. -- Amended 2004 Ky. Acts ch. 31, sec. 1, effective July 13, 2004. -- Amended 1998 Ky. Acts ch. 208, sec. 6, effective July 15, 1998. -- Amended 1960 Ky. Acts ch. 36, sec. 4, effective June 16, 1960. -- Created 1956 Ky. Acts ch. 121, sec. 11.