



SAFELY SELLING OR BUYING LOCALLY PRODUCED EGGS



Legal requirements for small-scale shell egg producers
and guidelines for Minnesota food facilities

Overview

In Minnesota, most individuals selling eggs from their own flock do not need a food handler's license and operate on a small enough scale (fewer than 3,000 laying fowl) that they also do not need to have their facility inspected. Sales of eggs to customers who come to the producer's premises are exempt from the egg handling regulations described in this fact sheet; however, it is still a good idea to follow these regulations in order to provide wholesome, safe products to consumers. For sales of eggs away from the producer's premises, whether to food facilities or directly to consumers at places like farmers' markets, producers must follow state regulations for shell egg handling, labeling, and storage. This document provides basic guidance for these shell egg producers on how to meet food safety requirements, as well as for owners/managers of food facilities such as restaurants, schools, and grocery stores who are seeking to locally source shell eggs directly from producers.

Terms

Shell egg: A shell egg is the fertilized or unfertilized avian (e.g., chicken, duck, quail) embryo that is surrounded by a natural, hard, and thin protective coating.

Shell egg producer: For the purposes of this document, a shell egg producer is any farmer or other individual who sells or supplies shell eggs produced from their own flock of laying fowl.

Food facility: A food facility is any business or organization that serves or sells food, including restaurants, caterers, school food services, institutions, day cares, community centers, churches, hospitals, health care facilities, food shelves/banks, grocery stores, food markets, farmers' markets, cooperatives, bakeries, convenience stores, food stands, mobile food units, warehouses, and wholesale food processors and manufacturers.

Sell; sale: Any situation in which a food product changes hands, regardless of whether money is exchanged, is considered a sale by Minnesota law. This includes selling, donating, distributing, serving (e.g., at a restaurant), as well as transporting or storing food products with intent to sell, donate, distribute, or serve those products.
(Minnesota Statutes Chapter 34A.01, Subdivision 12)

Retail sale: Retail sales are sales made to the final consumer (i.e., the person who will eat the food themselves or serve it to their household or non-paying guests).

Wholesale sales: Wholesale sales are sales made to a buyer who intends to resell the product.

Community Supported Agriculture (CSA): Community Supported Agriculture consists of an agricultural or horticultural operation in which a grower/producer offers shares of their products over a defined period of time in exchange for an advance payment.

Shell Egg Legal Requirement Overview

Shell egg handling requirements consist of two related components: food safety and grading. Food safety refers to the prevention or elimination of potential hazards that cause foodborne illness. Grading refers to egg quality. Producers must follow the FDA rules outlined in [Prevention of Salmonella Enteritidis in Shell Eggs](#). Eggs sold away from a producer's premises, whether to individual consumers or to food facilities in Minnesota, must also meet the requirements described in state statute and rules, [Minnesota Statutes Chapter 29](#) and [Minnesota Rules 1520](#). Basic compliance with requirements includes:

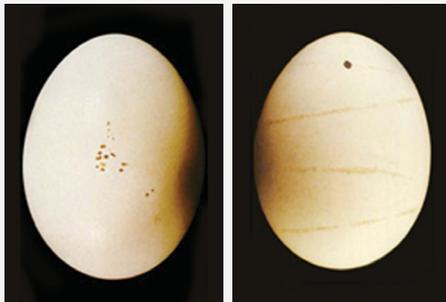
1. All shell eggs must have a clean exterior

Cleaning eggs is important. Minnesota rules require eggs be free from adhering material including fecal matter, yolk, feathers, dirt, and any other debris. Egg shells are porous, but bacteria on dirty eggs have trouble getting through an intact shell when it is dry. When an eggshell gets wet, it becomes easier for contaminants on the outside of the shell to pass through the porous eggshell into the interior of the egg. Therefore, eggs must not be cleaned by wet cleaning methods unless specific water and egg temperature requirements are met. **The use of immersion type washers or wiping rags is prohibited.**

A simple and safe method of dry-cleaning eggs in small operations is to use an abrasive material on the surface of the egg. A sandpaper block works well to buff small amounts of dirt off the outside surface of the shell, but it is not practical for very dirty eggs. Eggs that cannot be adequately cleaned must be disposed of.

Sanitizing eggs is not required after dry cleaning. If you choose to sanitize dry-cleaned eggs, spray bottles may be used. The spray solution must have a concentration of available chlorine between 50 and 200 PPM.

Photo on left: Specks caused by dirt or flies leaving droppings on the exterior of the eggshell



must be cleaned from the egg before it can be sold.

Photo on right: Cage marks on the exterior of the eggshell must be cleaned from the egg before it can be sold.

(USDA Photos)

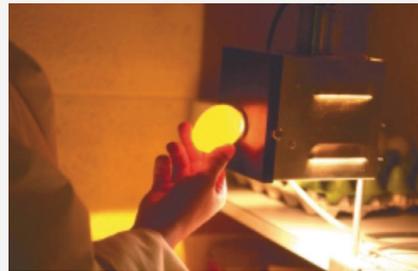
2. All shell eggs must be candled and graded

All eggs must be candled and graded either by the shell egg producer or by the food facility that purchases or accepts donated eggs. **Candling** is a process that involves holding the egg up to a bright light to determine the quality and to look for defects. **Grading** is a process of sorting eggs by overall quality at the time of packaging. Food facilities that buy eggs and conduct their own grading are subject to the [USDA Shell Egg Surveillance Program](#).

Defective eggs found during the candling and grading process must be disposed of. Defects include abnormal egg shape, adhering dirt, spots, cracks (“checks”) on the shells, leaking eggs, blood spots, and deterioration of contents within the eggshell.

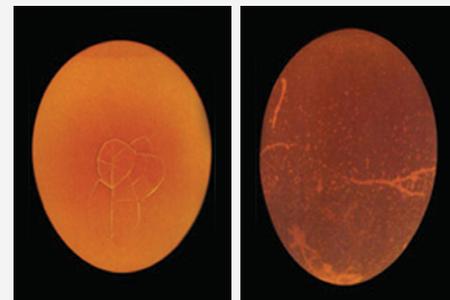
Nearly all clean, sound eggs less than 15 days old will meet Grade AA quality. Without special handling, such as temperature and humidity control, the egg quality deteriorates to Grade A after 30 days. After 45 days (the maximum number of days eggs can be sold after packing), egg quality deteriorates to Grade B.

Additional information on candling and grading can be found in the [USDA Egg-Grading Manual](#).



Hand candling an egg.

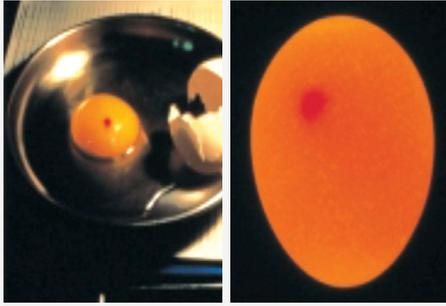
Abnormal shapes having pronounced sandpaper appearances, ridges, and/or thin spots



Appearance of checked shells in candled eggs.

(USDA Photos)

Appearance of a large blood spot in a broken out and candled egg.



(USDA Photos)

3. All shell eggs must be properly sized

Egg size is determined by the weight of one dozen eggs. Not every egg needs to be weighed. After weighing many eggs, most producers will become skilled at placing eggs in the correct size category.

Egg Size	Minimum Weight Per Dozen
Jumbo	30 ounces
Extra Large	27 ounces
Large	24 ounces
Medium	21 ounces
Small	18 ounces

4. All shell eggs must be properly refrigerated

Eggs must be kept at 45°F or less after grading and be maintained at that temperature through storage and delivery. Mechanical refrigeration is required unless the product is delivered within four hours. Ice packs may be used to maintain temperature provided the product is delivered and sold in a combined total of four hours or less. If the eggs are not sold or returned to refrigeration within four hours, they must be disposed of.

5. All shell eggs must be properly labeled

Labeling information must be provided at the point of sale, whether on the egg containers (e.g., cartons, flats, cases), or on a sign or placard clearly displayed in front of or next to the eggs being sold. Shell egg producers must adhere to all shell egg labeling requirements, regardless of any special statements or claims made (e.g., free range, organic, vegetarian diet, omega 3, natural, and brown eggs). Health claims, egg composition claims, and similar statements must be approved by the MDA prior to use on shell eggs offered for sale. This requires supporting documentation for claims, such as test results from accredited laboratories.

The following are mandatory labeling information:

1. Grade, size, and type (e.g., chicken, duck, quail) of eggs. (Weight classes apply for chicken eggs only.)
2. Name, address, and zip code of the farmer, egg producer, or individual selling the eggs.
3. A packaging date (“pack date”) in Julian calendar (day of the year) form. For example: The labeling of Grade A Large Eggs packed on June 1 will have a pack date of 152. [Julian date tables](#) are available online.
4. A freshness date not to exceed 30 days for Grade AA and 45 days for Grade A from the pack date. The freshness date must also have an explanation such as “exp.,” “best if used by,” or similar phrases. In the above example, using June 1 as the pack date of Grade AA, the freshness date is July 1 and the label could state: 152 exp. 07-01.
5. The following statement: “Perishable. Keep refrigerated.”
6. Safe handling instructions: “To prevent illness from bacteria: keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly.”

Frequently Asked Questions

Can food facilities buy or accept donated shell eggs directly from farmers, egg producers, CSAs, or individuals?

Yes. Poultry farmers, egg producers, CSAs, and individuals who sell shell eggs from their own flock to food facilities are considered an “approved source,” provided regulatory requirements prior to sale are met.

Is a shell egg producer required to have a food handler’s license to sell or donate their eggs?

Individuals who sell eggs from their own flock only are excluded from the requirement to hold a food handler’s license, and if those producers have fewer than 3,000

laying hens, they are also excluded from the USDA Shell Egg Surveillance Program. However, these producers are asked to register with the Minnesota Department of Agriculture (MDA) Dairy and Meat Inspection Division if they are selling eggs away from the premises of their farm. There is no fee associated with this registration and producers are provided a certificate of their registration to show to customers.

The registration form can be found at [MDA Sale of Eggs in Minnesota](#) or requested by contacting the Dairy and Meat Inspection Division.

In some circumstances, a license and inspections may be required. A seller will need an approved facility and a food license issued by the MDA or one of its delegated authority agencies if eggs are purchased from someone else, then resold (e.g., if a CSA purchases eggs from another farmer and provides those purchased eggs to the CSA members).

Contact the MDA Dairy and Meat Inspection Division at 651-201-6300 or at MDA.MeatPoultryEgg@state.mn.us if you have questions regarding approved sources, inspection and facility requirements, licensing, farmer exemptions, or labeling.

Regardless of exemption or license status, all food producers, processors, handlers, and vendors must comply with food safety laws and regulations to sell or donate eggs to food facilities.

Can shell egg cartons be re-used?

Yes. Egg cartons may be reused or recycled provided certain conditions are met. They must be clean and any labeling information from a prior pack (including any information relating to another egg packer) must be covered or crossed out. This can be done with a black permanent marker. Required label information needs to be provided in its place.

I am interested in finding out more about non-immersion wet cleaning of eggs. How can I do this so I can continue to provide a safe product?

A variety of small production egg cleaning units are available in the marketplace. **The use of immersion type washers is prohibited, as is the use of wiping rags.** Wet cleaning of eggs is only allowed if the continuous washing equipment used does not submerge the egg in water.

If continuous washing equipment is used, the temperature of the wash water and rinse water is critical. The wash water must come from a potable (drinkable) supply and be at least 20°F warmer than the eggs (with a minimum temperature of 90°F). The rinse water must be at least 10°F warmer than the wash water. After rinsing, the eggs must be spray sanitized with a sanitizing solution that has a concentration of available chlorine between 50 and 200 PPM.

What are some general purchasing and receiving guidelines for locally produced shell eggs?

- Wash hands before and after handling eggs.
- Visually inspect eggs upon receiving them to ensure they are clean and free of debris.
- Check to see that the eggs are properly labeled.
- Immediately place the eggs into a refrigerator or cooler maintained at 45°F or less.
- Ask for a receipt of purchase and keep good records. Good record keeping is particularly important if there is a case of illness and a need to trace the product back to the supplier.

What type of receipt should food facilities get from the producer?

Food facilities should use a receipt that includes the following purchase/donation information:

Date:		Received by:	
Donated:	Purchased:	Purchased Price:	
Description and Amount of Eggs:			
Pack Date:			
Freshness Date:			
Name of Farmer:			
Address:			
Phone:		Email:	

What would happen if a food facility sold shell eggs that were not handled or labeled according to applicable regulations?

The use or presence of unapproved food products in a food facility is a violation of federal, state, and local laws. If an inspector finds any unapproved food product during an inspection or investigation, the food facility may be ordered to discontinue the practice of using or selling the products identified as illegal and those products would be immediately removed from sale or use. Additional regulatory actions could include embargo, recall, hearings, fines, or condemnation and destruction of the illegal food products.

Resources

FDA “Small Entity Compliance Guide: Prevention of Salmonella Enteritidis in Shell Eggs During Production, Transportation, and Storage”:

www.fda.gov/regulatory-information/search-fda-guidance-documents/small-entity-compliance-guide-prevention-salmonella-enteritidis-shell-eggs-during-production

USDA Egg-Grading Manual:

www.ams.usda.gov/publications/content/egg-grading-manual

MDA Sale of Eggs in Minnesota:

www.mda.state.mn.us/food-feed/sale-eggs-minnesota

USDA Shell Egg Surveillance:

www.ams.usda.gov/rules-regulations/eggs

MDA Retail Food Inspection Program and list of delegated agencies:

www.mda.state.mn.us/food-feed/retail-food-inspection-program

Minnesota Statutes Chapter 29, Poultry and Eggs:

www.revisor.mn.gov/statutes/cite/29

Minnesota Rules Chapter 1520, Poultry and Eggs:

www.revisor.mn.gov/rules/1520/

Additional Information

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