

**New Hampshire Department of Agriculture, Markets & Food  
Division of Regulatory Services**

**Guidelines for Selling Shell Eggs**

Do I need a license to sell fresh shell eggs? No, there is no state license required from the NH Dept. of Agriculture, Markets & Food (NHDAMF) or the NH Dept. of Health & Human Services (NHDHHS). However, farms with more than 3,000 laying hens are required to register under the USDA's Egg Products Inspection Act (EPIA). Farms with more than 3,000 birds should contact NHDAMF.

What information needs to be on the carton? NH does have requirements for the labeling of eggs, promulgated under RSA 428:22-30, which provides grade standards for eggs by incorporating those established by USDA. The USDA Grades are as follows: US Grade AA, US Grade A, and US Grade B. (a summary of the USDA grades is on the back) Each carton needs to plainly and conspicuously state the word "fresh," provided the eggs meet the Grade A standard. The US Food & Drug Administration's (FDA) Fair Packaging Act requires that consumer product labels state the identity of the product, the name and place of business of the manufacturer, packer or distributor, and the net quantity of contents.

Does the size need to be stated on the label? All eggs that are offered for sale shall be labeled with a weight class statement, or with the term "Not Sized." The official weight classes per dozen are as follows:

<u>Size</u>	<u>Minimum Net Weight*</u>
Jumbo.....	30 ounces
Extra Large.....	27 ounces
Large.....	24 ounces
Medium.....	21 ounces
Small.....	18 ounces

\*dozen eggs minus weight of carton

Do eggs need to be candled? No, although candling is the most effective way of determining interior quality it is not required.

Do eggs need to be washed? If so, what is the recommended protocol? Eggs must be clean. It is recommended that eggs be washed or cleaned. After collection, try to keep the temperature of the eggs relatively constant until washed. Washing should be performed as soon as possible. Eggs can be washed in warm running water. A mild detergent approved for washing eggs may be used for extremely dirty eggs. Cool and dry eggs quickly after washing. Eggs may also be wiped with a clean cloth or abrasive type material to remove any adhering dirt or fecal matter. Never let eggs sit in water.

Can I reuse cartons? Although the NH Fresh Egg Law does not deal with cartons, local health jurisdictions may require only new cartons to be used. In any case, cartons should be clean and not contain any markings that are not truthful and accurate.

Do I need to state a "Sell By" date or code? No, however; to facilitate stock rotation, it is important that this type of code be on the carton. Eggs stored in cartons at a stable temperature should maintain Grade A quality for at least four weeks from production.

Do eggs need to be kept refrigerated? Yes. FDA and local health officials require that shell eggs held for retail sale must be refrigerated at a temperature less than 45°F. This temperature must be maintained during storage, transportation and at the point of sale. If eggs are to be sold at a farmers market or farm stand it is recommended that the product be kept in a cooler packed with ice. An empty carton may be held out for display purposes. At no time should eggs be frozen.

Is there any concern when storing eggs with other foods? Yes. Care should be taken when storing eggs with strong smelling foods. Both the yolk and albumen tend to take up flavors and odors of surrounding food items or the environment.

Do these requirements pertain to duck and goose eggs as well? No. The NH Fresh Egg Law and the US standards for quality of individual shell eggs shall be applicable only to eggs of the domesticated chicken that are in the shell.