


NERO ROLL CALL

Arlington, VA

NERO Board: 3/4/2024



States completing Roll Call

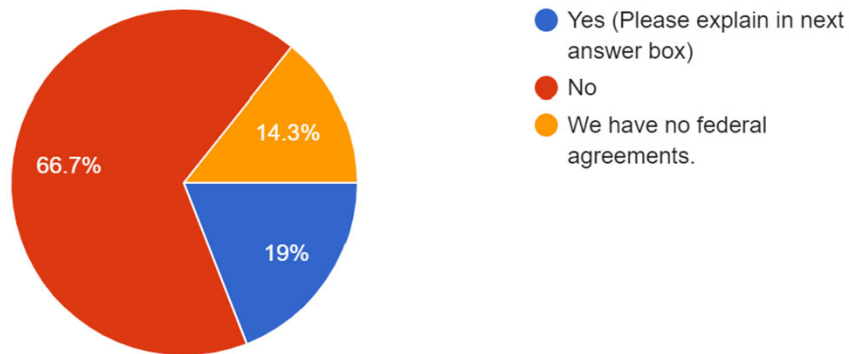
- 21 states completing survey

Wyoming	Arizona	Arkansas
Minnesota	Indiana	Florida
Oregon	Virginia	Illinois
Maine	California	Vermont
Michigan	Colorado	Pennsylvania
Utah	Connecticut	Mississippi
Wisconsin	Iowa	South Dakota



Have there been any changes to the agreements you have with USDA/AMS, USDA/FSIS or FDA?

21 responses



NERO

Federal Agreement Changes

Maine - We have gone to an 80/20 agreement due to our state program losing money and it is still not enough to make up for the shortfall. The shortfall is being blamed on my salary because I do not have enough billable hours as a supervisor. The solution is to send me for training for GAP audits.

California - We have moved to a single contract per agency versus commodity specific contracts.

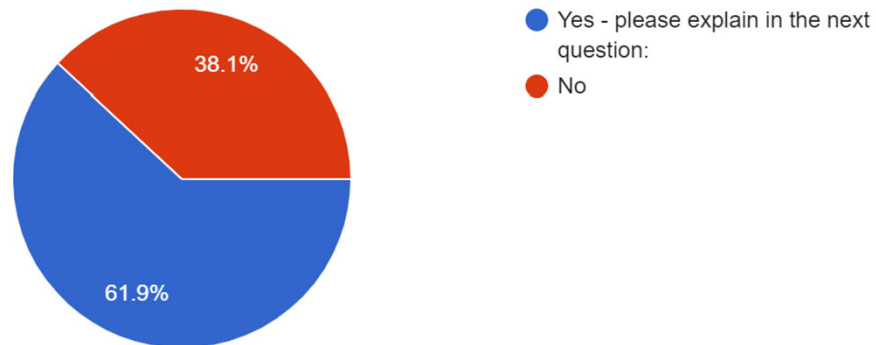
Michigan - Egg Inspection contract is now rolled into Food Inspection contract.

Utah - Utah eagerly handed over both AMS and FSIS functions to the USDA in 2022. Utah still maintains FDA jurisdiction and authority over large egg producers.

NERO

Does your state regulate the production, processing, and/or retail sale of quail eggs?

21 responses



Quail Eggs:
Regulated

- Arizona
- Arkansas
- Minnesota
- Florida
- Oregon
- California
- Pennsylvania
- Michigan
- Mississippi
- Connecticut
- South Dakota
- Wisconsin



Quail Egg Regulations

Arizona - General sanitary and refrigeration requirements, no quality standard

Arkansas - quail eggs are regulated at retail for refrigeration same as other eggs

California - They are required to register as an egg handler and they have to label their eggs "Quail"

Florida - They are currently inspected under CFR 117 at wholesale and the Food Code at retail



Quail Egg Regulations

Michigan - Production and sale of quail eggs do require a MDARD food license. 21CFR117 is reg we would use

Minnesota - Basic labeling requirements must be met, cleanliness of processing area, and temperature of storage at retail.

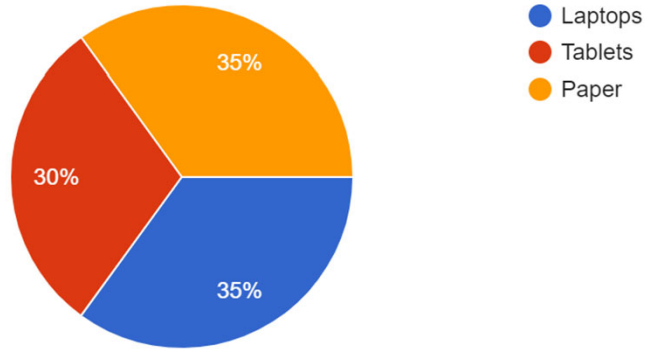
Oregon - All of our rules are the same as chicken eggs except the grade and size requirements do not apply. A weight statement on the carton is required in US and metric units

Pennsylvania - PA has no specific regulations regarding quail eggs but they are treated the same as chicken eggs.



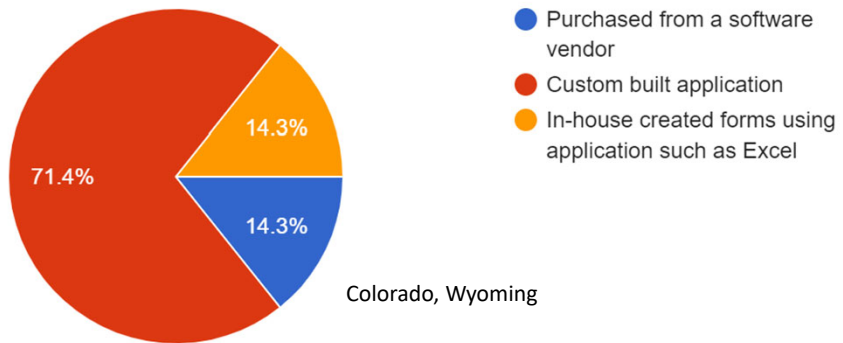
What is the primary method for collecting data when conducting egg quality inspections?

20 responses



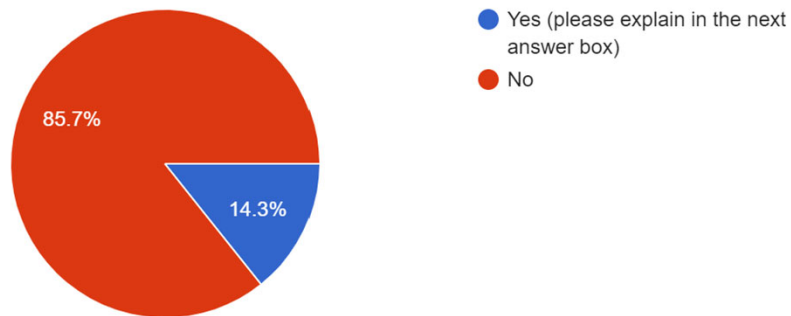
If using a computer, was the application?

14 responses



Have you had any changes to your Egg Law or an associated rule in the past year?

21 responses



States with Egg Law Changes

Wyoming - Cottage Food Laws allow for the 3rd party sell of ungraded, uninspected eggs.

Arkansas - changed from 200 hens to 700 hens for small producers

Illinois - Pending Legislation SB3655

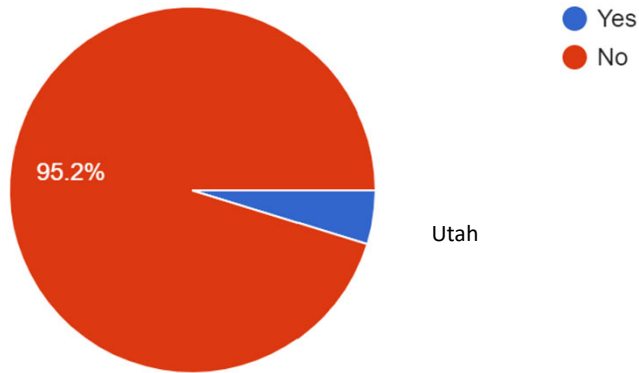
California - The regulations for Proposition 12 were finalized.

Utah - Legislation from 2 years ago mandated a cage free requirement. This was repealed this year because the legislation did not include enforcement for eggs coming into the state.



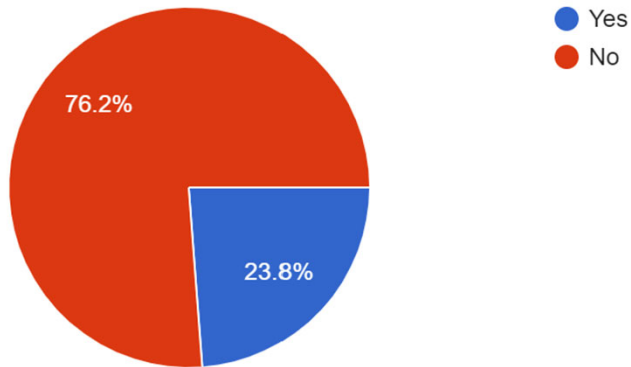
Does your state require environmental sampling for salmonella at small farms with fewer than 3,000 hens?

21 responses



Does your state currently have or will have (example - Michigan beginning 1/1/2025) a Cage-Free law?

21 responses



States with Cage-Free laws

- Arizona
- Oregon
- California
- Michigan
- Colorado



Does your state conduct any Cage-Free inspections/certifications inside poultry barns?

Yes – California

No – Arizona, Colorado, Oregon, Michigan



What are the state specific labeling requirements for Cage-Free eggs?

Do you allow any alternative labeling? What is it?

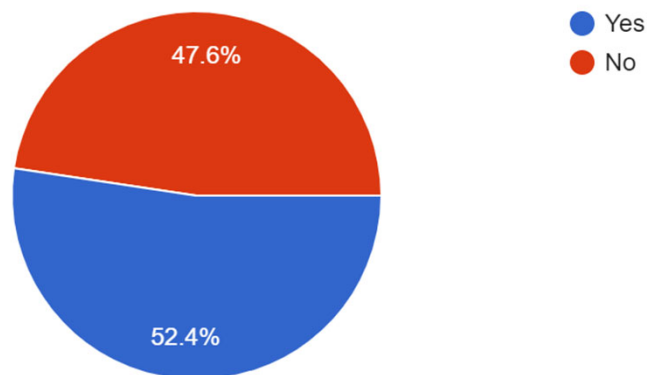
How is your state verifying eggs are produced from Cage-Free layers?

Answers to these questions have changed since the 2024 Roll Call.
We suggest you reach out to the individual state for clarification.



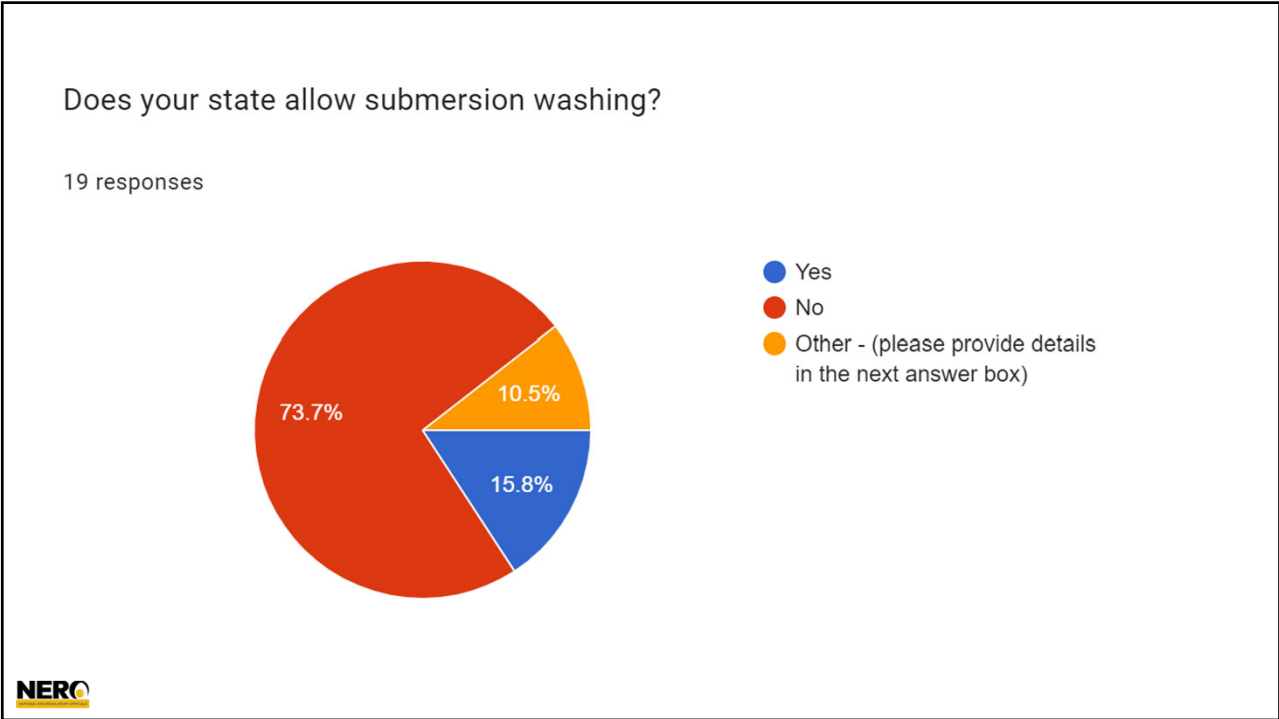
Does your state require eggs to be washed?

21 responses



YES	NO
<ul style="list-style-type: none">• Wyoming• Arizona• Arkansas• Minnesota• Florida• Illinois• California• Michigan• Colorado• Mississippi• Iowa	<ul style="list-style-type: none">• Indiana• Oregon• Virginia• Maine• Vermont• Pennsylvania• Connecticut• South Dakota• Wisconsin• Utah

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Comments on Submersion Washing

Arizona - We do make limited exceptions for very small producers, if they actively washing the eggs and maintain required wash water temperatures during the entire washing process. Soaking eggs for an extended period of time is not permitted.

Indiana - We educate against it but we do not have a regulatory restriction.

California - It is not formally forbidden, it is discouraged based on USDA guidelines.



Comments on Submersion Washing

Pennsylvania - Egg regulations do not specifically cover or mention submersion washing. PA would enforce this under our Food Safety Act where we legally adopt all Federal Acts and would also consider this an adulterated food.

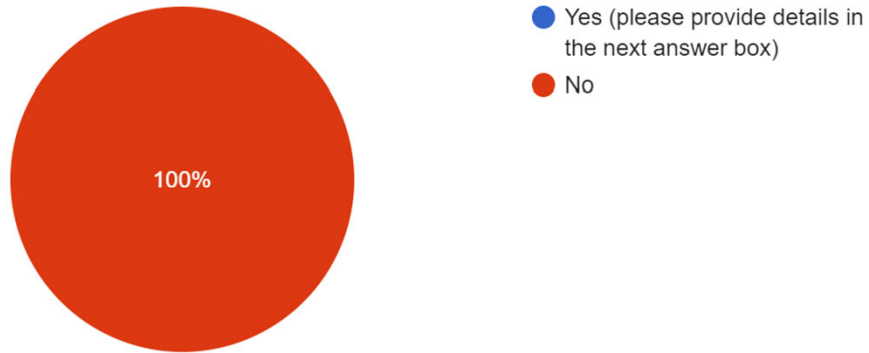
Colorado - Potable water must be used at a temperature of a minimum of 110 degrees F. Eggs are not allowed to stand or soak in wash water.

Wisconsin - From ATCP 88 "(6) Eggs shall not be left standing or soaking in cleaning water."



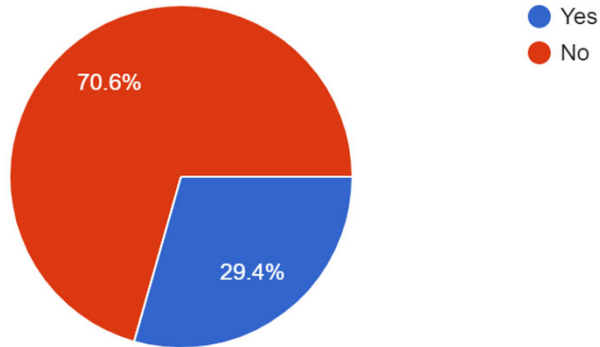
Does your state have a definition of submersion washing?

17 responses



If eggs were rolling through wash water that was covering 1/3 to 1/2 of the egg. Would your state consider the eggs to be submersion washed?

17 responses



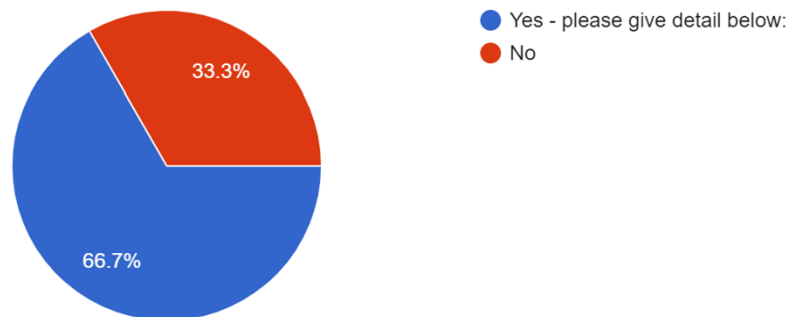
Yes – Submersion

- Arizona
- Oregon
- Maine
- California
- Pennsylvania



Does your state require a refrigeration statement on retail egg packaging?

21 responses



YES	<ul style="list-style-type: none"> • Arizona • Arkansas • Minnesota • Indiana • Florida • Oregon • Virginia • California • Pennsylvania • Mississippi • Connecticut • South Dakota • Wisconsin • Utah 	NO	<ul style="list-style-type: none"> Wyoming Illinois Maine Vermont Michigan Colorado Iowa
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<ul style="list-style-type: none"> • Arizona • Arkansas • Minnesota • Indiana • Florida • Oregon • Virginia 	<ul style="list-style-type: none"> • For pasteurized in shell only – “KEEP REFRIGERATED” or with words of similar meaning as approved by the Department. • 45 degrees or lower • Perishable Keep Refrigerated • "shall contain labeling that indicates refrigeration is required" • Safe Handling Instructions • safe handling instructions which includes; keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly. • Keep Refrigerated
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- California
 - Pennsylvania
 - Mississippi
 - Connecticut
 - South Dakota
 - Wisconsin
 - Utah
- We have incorporated all of the federal safe handling requirements into our regulations.
 - PA follows the 21 CFR 101 requirement: **SAFE HANDLING INSTRUCTIONS** in bold type, on the principal display panel, the information panel, or on the inside of the lid of egg cartons. If this statement appears on the inside of the lid, the words "Keep Refrigerated" must appear on the principal display panel or information panel.
 - The words "keep refrigerated" or words of similar meaning. Words and numerals used to designate the grade and size shall be in clearly legible bold faced type at least three-eighths (3/8) inch in height.
 - Keep Refrigerated, or words of similar meaning
 - "keep refrigerated"
 - Both Safe Handling Statement and Keep Refrigerated required on all egg cartons
 - the statement "SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: Keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly."



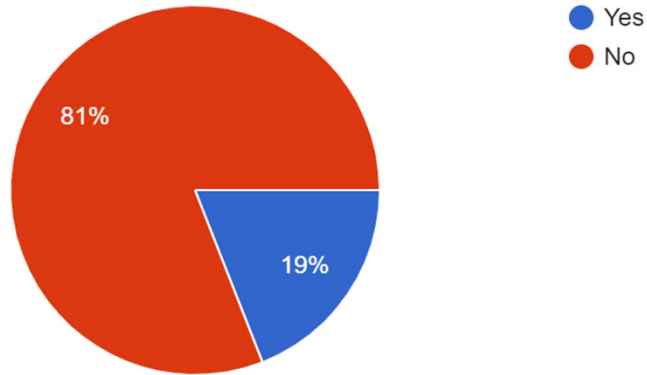
Are you aware of any state laws or local ordinances regulating the use of packaging materials for eggs produced and/or sold in your state?

- None – specific to restricting packaging types



Is your state working on adopting the FDA – Egg Regulatory Program Standards?

21 responses

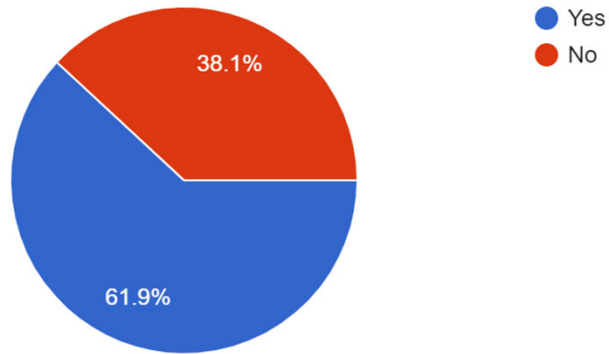


California, Iowa, Utah



Would you find it helpful to have the NERO conference accredited for continuing education credits?

21 responses



Utah – program updates

- The UDAF egg program has taken many twists and turns over the past 4 years and has experienced many changes as a result of many variables.
- First, Food Freedom Advocates have been relentless over the past 4 years in eroding the regulations covering both eggs and raw milk. Small egg producers are allowed to sell eggs to restaurants with no regulatory oversight other than adhering to labeling and disclosure regulations.
- Second, during Covid-19, it was very difficult to hire and retain dependable employees. In spite of raising the fees to cover the costs to attract dependable employees, turnover in the program was persistent and took a toll on staff.



- In short, it was in the best interest of the State, employees and stakeholders to turn the program over to USDA / AMS and FSIS (egg products) and has experienced many changes as a result of many variables.

Any other Items?????



Egg Labeling Questions: NERO 2024 Roll Call

State	What specific language is used for quality dating?	Retail Carton terminology: Do you have specific language indicating a date by which eggs must be sold?	What specific language is used for Sell By dating?	Is a sell by date based on:	If your date is based on "Food Safety" or "Other reason", please supply the date requirement and how the date was determined?	Does your state require a refrigeration statement on retail egg packaging?	What is the refrigeration statement required on cartons?
Iowa		Yes		Quality		No	
Arizona	Grade A Best By up to 45 days, Grade AA Sell By up to 24 days.	Yes	It is unlawful for retailers, producers, producer-dealers and dealers to sell or expose for sale eggs that are marked grade AA or grade A after the expiration date marked on the carton, case or container expires	Quality		Yes - please give detail below:	For pasteurized in shell only - "KEEP REFRIGERATED" or with words of similar meaning as approved by the Department.
Wyoming	Date Packaged	No		Quality		No	
Arkansas		No				Yes - please give detail below:	45 degrees or lower
Minnesota	Any are acceptable.	No		Quality		Yes - please give detail below:	Perishable Keep Refrigerated
Indiana	SELL BY, USE BY, BEST BY, EXP are synonymous terms in our Administrative Rule	Yes	SELL BY, USE BY, BEST BY, EXP are synonymous terms in our Administrative Rule	Quality		Yes - please give detail below:	"shall contain labeling that indicates refrigeration is required"
Florida	Florida does not require a quality date. The only required date is the pack date.	No		Other reason	Florida does not require a sell by date.	Yes - please give detail below:	Safe Handling Instructions
Oregon	no we do not have specific language for quality dating	No		Quality		Yes - please give detail below:	safe handling instructions which includes; keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly
Virginia		No				Yes - please give detail below:	Keep Refrigerated
Illinois	Exp. Sell by or those listed above	Yes	Labeled with an expiration date, or other similar language as specified, that is not later than 45 days from the candling date for Grade A eggs, 30 days Grade AA USDA standards.	Quality		No	
Maine		No				No	
California	Sell by	Yes	30 days from Julian date	Quality		Yes - please give detail below:	We have incorporated all of the federal safe handling requirements into our regulations.
Vermont		No				No	
Pennsylvania	PA has no specific language for this.	No				Yes - please give detail below:	PA follows the 21 CFR 101 requirement: SAFE HANDLING INSTRUCTIONS in bold type, on the principal display panel, the information panel, or on the inside of the lid of egg cartons. If this statement appears on the inside of the lid, the words "Keep Refrigerated" must appear on the principal display panel or information

Egg Labeling Questions: NERO 2024 Roll Call

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Michigan		No				No	
Colorado	Quality dating is optional in Colorado and not required. Only the pack date is required.	Yes	SELL BY or EXP and must be within 30 days of the pack date when used.	Quality		No	
Mississippi	Date beyond which eggs may not be sold. 1. All eggs offered for sale in consumer packages (cases, boxes, baskets, or containers) shall be legibly dated with the consecutive day of the year that the eggs were packed. Consumer packages may bear an expiration date, provided the expiration date is preceded by "EXP" or a preprinted statement such as "sell by", "not to be sold after date on top or end", or "last sale date on end". Expiration dates shall be calculated from the date the eggs are packed into the consumer package and may not exceed 30 days, including the date of pack. No eggs which have exceeded the expiration date shall be offered for sale or sold as shell eggs for human consumption. 2. Such eggs may only be used for further processing by an egg products manufacturing plant or denatured and disposed of as inedible product. 3. The use of dates indicating the maximum time frame for expected quality on consumer packages by the packer or retailer is optional. Language such as "use before", "use by", "best before", or other similar terms may be used to indicate maximum time frame for expected quality. The dates following these terms must be calculated from the date the eggs are packed into the consumer package and may not exceed 45 days, including the date of pack. No eggs which have exceeded the maximum time frame for expected quality shall be offered for sale or sold as shell eggs for human consumption. 4. Except as provided by Section 69-7-321 Miss. Code Ann. , all eggs packed for sale as shell eggs to consumers shall be packed only by grading facilities approved and registered by the United States Department of Agriculture (USDA) under provisions of the Egg Products Inspection Act.	Yes		Quality		Yes - please give detail below:	The words "keep refrigerated" or words of similar meaning. Words and numerals used to designate the grade and size shall be in clearly legible bold faced type at least three-eighths (3/8) inch in height.
Connecticut	None	No				Yes - please give detail below:	Keep Refrigerated, or words of similar meaning
South Dakota	EXP	No				Yes - please give detail below:	"keep refrigerated"
Wisconsin	Use By, Best if Used By, Best By	Yes	Can use "Sell By" but only allowed 30 days for that statement	Quality		Yes - please give detail below:	Both Safe Handling Statement and Keep Refrigerated required on all egg cartons
Utah	A small producer may state a "pull date" or "best by" date. The date may be hand written on the end of the packaging or in a conspicuous location that is clearly discernible. A "pull date" shall first show the month then the day of the month. A recommended date is 30 days after production, but the date may not exceed 45 days after production.			Quality		Yes - please give detail below:	the statement "SAFE HANDLING INSTRUCTIONS: To prevent illness from bacteria: Keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly."