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TITLE 250 - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CHAPTER 40- DIVISION OF AGRICULTURE AND RESOURCE MARKETING

SUBCHAPTER 20 - MARKETING

PART 7 - Rules and Regulations Relating to Shell Eggs

7.1 Purpose

The purpose of these rules and regulations is to safeguard the sale of eggs in the State of Rhode Island.

7.2 Statutory Authority

Pursuant to due publication and public hearing required by the provisions of R.I. Gen. Laws § 2-17-1 *et. seq.*, the director has adopted the following Rules and Regulations.

7.3 Applicability

The terms and provisions of these rules and regulations shall be liberally construed to permit the Department to effectuate the purpose of state law, goals, and policies for the sale of eggs in the State of RI.

7.4 Definitions

For the purpose of these regulations, a retailer shall be deemed to be any person, firm or corporation buying eggs for resale to consumers, and a first receiver shall be that person or firm or corporation selling eggs to a retailer.

7.5 Procedures Sale of Egg

A. Egg sale requirements:

1. All eggs displayed, offered for sale or advertised in any form shall include a statement of the proper grade and size, and grade and size shall not be abbreviated.
2. Any person selling eggs to a consumer shall give notice of the exact grade and size of eggs by plainly and conspicuously printing the grade and size on top of the carton, or other container in which the eggs are delivered to purchaser.

3. The marking of the grade and size upon any carton or other container in which eggs are exposed for sale or delivered to the purchaser, shall be in clearly legible block type letters and the grade size designations shall not be abbreviated.
4. The means used in determining the Rhode Island consumer grades and standards of quality of individual eggs shall be the process commonly known as candling.
5. Any person, firm or corporation selling eggs to a retailer shall furnish said retailer an invoice with delivery of eggs clearly specifying and the grade and size of eggs sold, and the grade and size shall not be abbreviated, see § 7.5 of this Part. Said invoice shall be available for inspection purposes to the director of environmental management or his agent for a period of 30 days from the date of purchase.
6. Grade terms and weight classification on all cases of eggs shall be placed on top in block letters. If the cover of a case of eggs is opened to display the eggs, a placard must be conspicuously placed on the case stating the grade and size.
7. "Clearly legible letters" means that all those words indicating grade and size of eggs shall be block type letters, in size proportionate with the balance of the lettering used.
8. For the purpose of these regulations, a retailer shall be deemed to be any person, firm or corporation buying eggs for resale to consumers, and a first receiver shall be that person or firm or corporation selling eggs to a retailer.

7.6 Liability

Any person, firm or corporation selling Rhode Island consumer grades of eggs shall be liable for any violations or infractions of the law or rules relating thereto.

7.7 Violations - Penalties

When the director of environmental management becomes cognizant of any violation or infraction of the law, he shall cause notice of such violations together with a copy of his findings to be given the person or persons concerned. Persons so notified shall be given a hearing by said director. Notice of such hearings shall declare the date, hour and place of hearing.