

### **302 KAR 10:100. Refrigeration of eggs and temperature requirements.**

RELATES TO: KRS 260.620

STATUTORY AUTHORITY: KRS 260.620

NECESSITY, FUNCTION, AND CONFORMITY: KRS 260.620 requires the department to establish standards governing eggs offered for sale as graded eggs. This administrative regulation establishes the requirements relating to the refrigeration of eggs, including temperature, transportation, and labeling requirements.

Section 1. The refrigeration and temperature requirements in the standards of quality for shell eggs shall be governed by the following specifications:

(1) To prevent undue deterioration, a shell egg packed in a container for the purpose of resale to a consumer shall be stored and transported under refrigeration at an ambient temperature of forty-five (45) degrees Fahrenheit or seven and two-tenths (7.2) degrees Centigrade or less.

(2) Eggs, which are shipped across the state line into Kentucky, shall be transported under refrigerated conditions at the temperature as required by subsection (1) of this section.

(3) A shell egg that is packed into a container for the purpose of resale to a consumer shall be labeled with the following statement: "Keep refrigerated at or below forty-five (45) degrees Fahrenheit".

(4)(a) A person who takes possession of an egg in this state shall be liable for compliance with subsections (1) and (2) of this section.

(b) Upon receiving an egg, a person shall ensure that his or her supplier complies with the labeling requirements established in KRS 260.630.

(5) An egg that does not meet the refrigeration requirements either in transit, storage or display shall be seized or ordered destroyed by a Department of Agriculture inspector. (24 Ky.R. 2242; Am. 2620; eff. 6-10-98; Crt eff. 2-18-2020; 46 Ky.R. 2314; eff. 7-9-2020.)