

**12:26:10:01. Identification and sale of graded eggs.** A person exposing or offering graded eggs for sale to consumers shall comply with the following requirements for identification and sale:

(1) When graded eggs are exposed or offered for retail sale, the container shall be legibly marked with the exact grade and weight class in letters not smaller than three-sixteenths inch high;

(2) The statement "keep refrigerated" shall appear on the face of each carton in letters not smaller than three-sixteenths inch high;

(3) The expiration date shall be legibly stamped on the outside of each carton. Eggs may be offered for sale for no more than 30 days after the date of pack. The expiration date using the day and the three-letter abbreviation for the month shall be preceded by the letters "EXP";

(4) Each container of eggs shall have legibly stamped on the outside of the carton the United States department of agriculture shell egg surveillance handler code preceded by the state code, the packing plant name and address, or the code number registered with the secretary;

(5) Loose pack graded eggs may not be offered for sale.

**Source:** 2 SDR 7, effective August 4, 1975; 12 SDR 128, 12 SDR 154, effective July 1, 1986; 17 SDR 122, effective February 24, 1991; 19 SDR 61, effective October 26, 1992.

**General Authority:** SDCL 39-11-7.

**Law Implemented:** SDCL 39-11-7.

**Reference:** Shell Egg Surveillance System, Poultry Division, Agricultural Marketing Service, U.S. Department of Agriculture, January 29, 1991. Copies may be obtained from the Dairy and Egg Division, South Dakota Department of Agriculture, Anderson Building, 445 East Capitol, Pierre, South Dakota 57501, free of charge.