



Province of Alberta

LIVESTOCK AND LIVESTOCK PRODUCTS ACT

**PURCHASE AND SALE OF EGGS AND
PROCESSED EGG REGULATION**

Alberta Regulation 23/2004

With amendments up to and including Alberta Regulation 174/2018

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Office Consolidation

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(Consolidated up to 174/2018)

ALBERTA REGULATION 23/2004
Livestock and Livestock Products Act
PURCHASE AND SALE OF EGGS AND
PROCESSED EGG REGULATION

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Schedule

Definitions

- 1** In this Regulation,
- (a) “chicken egg” means an egg laid by a domestic chicken of the species *Gallus domesticus*;
 - (b) “consumer” means a person who buys or receives donated eggs for the person’s own or household use and not for resale;

- (c) “container” means any crate, box, carton or other receptacle made to contain eggs or processed egg;
- (d) “Director” means the director of the Food Safety Division of the Department of Agriculture and Forestry;
- (d.1) “donate” means the giving of eggs to a person without the exchange of or expectation of any form of compensation in return;
- (e) “egg station” means a registered egg station as defined in the *Egg Regulations (Canada) CRC 1978, c.284*;
- (f) “first receiver” means any person, other than the operator of an egg station or processed egg station, who receives on consignment or on account uninspected eggs from a producer;
- (g) “inedible egg” means an egg that is not suitable for human consumption, and includes an egg that
 - (i) is contaminated with an odour foreign to that of a normal egg,
 - (ii) is musty or mouldy,
 - (iii) has been in an incubator,
 - (iv) has any internal defect other than a meat spot or blood spot not in excess of 1/8 inch in diameter, or
 - (v) is a reject egg;
- (h) “inedible processed egg” means processed egg that contains any inedible egg or that is otherwise not suitable for human consumption;
- (i) “processed egg” means processed egg as defined in the *Processed Egg Regulations (Canada) CRC 1978, c.290*;
- (j) “processed egg station” means a registered processed egg station as defined in the *Processed Egg Regulations (Canada) CRC 1978, c.290*;
- (k) “producer” means a person who ships, transports, delivers or sells eggs produced only on the person’s own farm;
- (l) “reject egg” means a chicken egg that on examination at an egg station does not meet the requirements of any grade established by the *Egg Regulations (Canada) CRC 1978, c.284*;

- (m) “uninspected egg” means an egg that has not been inspected and graded at an egg station;
- (n) “weight” means the net weight of a container of eggs.

AR 23/2004 s1;35/2007;68/2008;42/2012;174/2018

Inspected eggs

2 Except as provided in section 3, no person shall sell, offer for sale, hold in possession for sale or after sale, ship, transport or deliver chicken eggs unless the eggs are graded, stored, inspected, packed, marked and labelled in accordance with the *Egg Regulations* (Canada) CRC 1978, c.284.

Uninspected eggs

3(1) Subject to section 4, a producer may sell, offer for sale, hold in possession for sale, ship, transport or deliver uninspected chicken eggs directly to a consumer if

- (a) the eggs are produced on the producer’s own farm,
- (b) the eggs are for the consumer’s own or household consumption only,
- (c) the eggs are clean, have no visible cracks and are not leaking,
- (d) the eggs are kept at an ambient temperature that does not exceed 7°C until they leave the producer’s possession, and
- (e) the eggs are packed under sanitary conditions in clean containers that are conspicuously and legibly marked with the word “UNINSPECTED” in letters that are at least 2 centimetres in height.

(2) A producer may sell, offer for sale, ship, transport or deliver uninspected chicken eggs produced on the producer’s own farm to a first receiver, to an egg station for grading and inspection or to a processed egg station for processing if the eggs are in containers that are conspicuously and legibly marked with the word “UNINSPECTED” in letters that are at least 2 centimetres in height.

(3) A first receiver may sell, offer for sale, ship, transport or deliver uninspected chicken eggs received by the first receiver to an egg station for grading and inspection or to a processed egg station for processing if the eggs are in containers that are conspicuously and legibly marked with the word “UNINSPECTED” in letters that are at least 2 centimetres in height.

Salmonella enteritidis

4(1) No person shall sell, donate, or offer to donate, offer for sale, ship, transport or deliver chicken eggs to a consumer if the eggs were laid by chickens in a laying flock that has been exposed to *Salmonella enteritidis* bacteria.

(2) If *Salmonella enteritidis* bacteria are detected in a building in which one or more laying flocks are housed, no person shall sell, offer for sale, ship, transport or deliver to a consumer chicken eggs that were laid in that building unless

- (a) all of the chickens from all laying flocks that have been exposed to the bacteria have been destroyed and all of the eggs produced by those chickens have been destroyed or sent to a processed egg station for processing,
- (b) the building has been cleaned and disinfected to the satisfaction of the Director, and
- (c) the eggs being sold, offered for sale, shipped, transported or delivered were laid by a new laying flock established in the building that has not been exposed to *Salmonella enteritidis* bacteria.

(3) Notwithstanding subsection (2), a person may sell, offer for sale, ship, transport or deliver to a consumer chicken eggs that were produced in a building in which *Salmonella enteritidis* bacteria have been detected if

- (a) more than one laying flock is housed in the building,
- (b) each laying flock is segregated in a completely separate area within the building, and
- (c) the eggs are from a laying flock that is housed in an area in which no *Salmonella enteritidis* bacteria have been detected.

AR 23/2004 s4;42/2012

Destruction of eggs

4.1 The Director may order the destruction of eggs that in the Director's opinion have been exposed to *Salmonella enteritidis* or any other harmful bacteria or virus or that is otherwise not suitable for human consumption.

AR 42/2012 s4

Processed egg

5(1) Except as provided in this section, no person shall sell, offer for sale, hold in possession for sale or after sale, ship, transport or

deliver processed egg unless the processed egg is processed, stored, inspected, packed, marked and labelled in accordance with the *Processed Egg Regulations* (Canada) CRC 1978, c.290.

(2) Subsection (1) does not apply to processed egg shipped to a processed egg station from the premises of another processed egg station if the processed egg is shipped in a container that is conspicuously and legibly marked with the words “FOR FURTHER PROCESSING” in letters that are at least 2 centimetres in height.

Canada C and Canada Nest Run

6 No person shall sell, offer for sale, ship, transport or deliver eggs marked Canada C or Canada Nest Run except to a processed egg station for processing.

Reject eggs and inedible processed egg

7(1) No person shall purchase, sell, offer for sale, ship, transport or deliver reject eggs or inedible processed egg for use

- (a) as food, or in the preparation of food, for human consumption, or
- (b) as food, or in the preparation of food, for consumption by animals if the meat of those animals is intended for human consumption.

(2) A person who purchases, sells, offers for sale, ships, transports or delivers reject eggs or inedible processed egg must mark the container conspicuously and legibly with the words “NOT FOR HUMAN CONSUMPTION” in letters that are at least 2 centimetres in height.

First receiver duties

8(1) A first receiver of eggs who ships, transports or delivers uninspected eggs to an egg station or a processed egg station must clearly identify the eggs from each producer in the shipment by

- (a) packing them in separate containers,
- (b) placing each producer’s eggs in a separate end of a case or in separate fillers, or
- (c) packing and identifying them in some other manner approved by an inspector.

(2) A first receiver must, within 14 days after receiving uninspected eggs from a producer, furnish to the producer one copy

of the grading statement or one copy of the statement of quantity and weight of eggs processed.

(3) A first receiver must retain one copy of each grading statement received from an egg station and each statement of quantity and weight of the eggs processed received from a processed egg station at the first receiver's place of business for a period of 2 years.

Egg station duties

9 The operator of an egg station must

- (a) identify clearly the uninspected eggs received from each producer,
- (b) grade and inspect each producer's eggs separately from those of any other producer, and
- (c) within 14 days after receiving uninspected eggs, furnish to the shipper,
 - (i) if the shipper is a producer, one copy of the grading statement, or
 - (ii) if the shipper is a first receiver, 2 copies of the grading statement.

Processed egg station duties

10 The operator of a processed egg station must

- (a) identify clearly the uninspected eggs received from each producer, and
- (b) within 14 days after receiving uninspected eggs, furnish to the shipper,
 - (i) if the shipper is a producer, one copy of the statement of quantity and weight of the eggs processed, or
 - (ii) if the shipper is a first receiver, 2 copies of the statement of quantity and weight of the eggs processed.

Egg station records

11(1) The operator of an egg station must maintain complete records that include

- (a) a grading statement showing

- (i) the name, address and registration number of the egg station,
 - (ii) the name and address of the first receiver, if any,
 - (iii) the name and address of the producer,
 - (iv) the date of receipt of eggs,
 - (v) the quantity of eggs received,
 - (vi) the date of grading and inspection, and
 - (vii) the quantity of eggs in each grade,
- and
- (b) the names, addresses and phone numbers of buyers of reject eggs.

(2) The operator of an egg station or processed egg station must maintain the records referred to in subsection (1) at the operator's place of business for a period of 2 years.

Processed egg station records

12(1) The operator of a processed egg station must maintain complete records that include

- (a) a statement of quantity and weight of the eggs processed showing
 - (i) the name, address and registration number of the processed egg station,
 - (ii) the name and address of the first receiver, if any,
 - (iii) the name and address of the producer, if known,
 - (iv) the date of receipt of eggs,
 - (v) the quantity of eggs received,
 - (vi) the date of processing, and
 - (vii) the quantity, weight and grade, if known, of the eggs processed,
- (b) a copy of any grading statement provided to the processed egg station, and

- (c) the names, addresses and phone numbers of buyers of reject eggs and inedible processed egg.

(2) The operator of an egg station or processed egg station must maintain the records referred to in subsection (1) at the operator's place of business for a period of 2 years.

Detention

13(1) If pursuant to section 4 of the Act an inspector places any eggs or processed egg under detention, the inspector must

- (a) attach to at least one container of the lot a numbered detention tag, in Form 1 of the Schedule, and
- (b) mark each container in the lot with the word "Detained" and the number of the detention tag inside a design of a circle.

(2) If the eggs are not in a container, an inspector may require the owner to place the eggs in a container and the container must be marked by the inspector in accordance with subsection (1).

AR 23/2004 s13;42/2012

Notice of detention

14 Immediately after attaching the detention tag and marking the containers, the inspector must deliver or mail to the owner of the eggs or processed egg or the owner's agent a completed notice of detention in Form 2 of the Schedule and, if the eggs or processed egg is on premises other than that of the owner, a copy of the notice of detention must also be delivered or mailed to the person on whose premises the eggs or processed egg is found.

Preserving detained goods

15 An inspector may make orders and give directions that appear necessary to the inspector for the proper preservation and safeguarding of any eggs or processed egg held under detention, and every person to whom an order is made or direction is given must comply with it according to its terms.

Detention tag prohibition

16 Except as authorized by an inspector, no person shall alter or remove a detention tag placed on a container of eggs or processed egg or alter any marks made on a container by an inspector pursuant to section 13.

Detained goods prohibition

17 Except with the written permission of an inspector, no person shall remove, sell or otherwise dispose of any eggs or processed egg held under detention.

Notice of release

18(1) If an inspector is satisfied that eggs or processed egg held under detention complies with this Regulation, the inspector must complete a notice of release in Form 3 of the Schedule.

(2) The inspector must deliver or mail one copy of the notice of release to the owner of the eggs or processed egg and one copy to the person on whose premises the eggs or processed egg was found.

Repeal

19 The *Purchase and Sale of Eggs and Egg Products Regulation* (AR 184/97) is repealed.

20 Repealed AR 174/2018 s3.

Coming into force

21 This Regulation comes into force on March 30, 2004.

Schedule

Form 1

Under Detention

**Department of Agriculture and Forestry
Province of Alberta**

TAG _____

Detention No. _____ Date _____

Poultry Product _____

Reason for Detention _____

(Inspector's signature)

Form 2**Notice of Detention - Eggs and Processed Egg**

Name _____ Date _____

Address _____

You are hereby notified that the eggs or processed egg described below have been placed under detention.

Details of Eggs or Processed Egg: Cases Boxes Dozens Kilograms

Each container under detention is marked as follows: DETAINED

Reason for detention _____

Place of detention _____

How notice served _____ (Mailed or delivered personally)

Except with the written permission of an inspector, no person shall make any disposition of the eggs or processed egg placed under detention.

_____ (Inspector)

Receipt acknowledged by

_____ (Signature of recipient)

Form 3**Notice of Release - Eggs and Processed Egg**

Name _____ Date _____

Address _____

You are hereby notified that the eggs or processed egg placed under detention on _____ and having detention tag No. _____ attached to one package have been released from detention at (place of release).

Details of Eggs or Processed Egg: Cases Boxes Dozens Kilograms

How notice served _____ (Mailed or delivered personally)

_____ (Inspector)

Receipt acknowledged by

_____ (Signature of recipient)

AR 23/2004 Sched.;35/2007;68/2008;174/2018



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