

Food and Agricultural Products Classification Act

**EGG GRADING AND STANDARDS REGULATION**

Note: Check the Cumulative Regulation Bulletin 2015 and 2016  
for any non-consolidated amendments to this regulation that may be in effect.

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Part 1 — Definitions and Application

Definitions

1 In this regulation:

"Act" means the Food and Agricultural Products Classification Act;

"consumer" means a person who buys eggs for personal use and not for resale;

"domestic egg" means

(a) a domestic hen egg, or

(b) an egg of a domestic turkey belonging to the species *Meleagris gallopavo*,

but does not include an egg whether wholly or partly formed that has been removed from a slaughtered bird;

"domestic hen egg" means an egg of a hen of a domestic chicken belonging to the species *Gallus domesticus*, other than an egg intended for the hatching of a chick;

"processed egg" means a processed egg as defined in the Processed Egg Regulations (Canada);

"producer" means an operator who transports or distributes domestic eggs produced only on his or her own farm;

"registered egg station" means a registered egg station as defined in the Egg Regulations (Canada);

"registered processed egg station" means a registered processed egg station as defined in the Processed Egg Regulations (Canada);

"reject" means a domestic hen egg that, on examination at a registered egg station, cannot be graded or does not meet the requirements for any grade.

#### Application

2 This regulation does not apply to a domestic egg that is distributed by a producer, from the producer's farm or residence, to a consumer.

#### Part 2 — Grading Program For Domestic Hen Eggs

##### Grading program adopted

3 (1) The program established under the Egg Regulations (Canada)

(a) is adopted as a grading program for the purposes of the Act, and

(b) applies only to domestic hen eggs.

(2) A person must not take an action prohibited under section 6 of the Act with respect to a domestic hen egg unless the egg has been graded, processed and marked in accordance with the Egg Regulations (Canada).

(3) A person must not transport or distribute domestic hen eggs marked Canada C except to a registered processed egg station for the purpose of processing the egg.

##### Distribution of ungraded eggs

4 Despite section 3 (2) [grading program adopted], a domestic hen egg that has not been graded and marked at a registered egg station may be transported or distributed

(a) by a producer to the British Columbia Egg Marketing Board, a registered egg station or a registered processed egg station,

(b) by the British Columbia Egg Marketing Board to a registered egg station or a registered processed egg station, or

(c) by the operator of a registered egg station, with the prior written approval of the producer, to a registered processed egg station.

##### Grading statement

5 (1) The operator of a registered egg station must do both of the following:

(a) prepare a grading statement for each lot of domestic hen eggs received from a producer;

(b) keep a copy of each grading statement at the operator's facility.

(2) A grading statement must contain at least the following information:

(a) the name, address and registration number of the operator's facility;

(b) the name and address of the producer;

(c) the date on which the eggs were received and the quantity of eggs received;

(d) the date on which the eggs were graded;

(e) the quantity of eggs graded into each grade.

##### Distribution of graded eggs

6 (1) In this section, "egg wholesale station" means a place where graded domestic hen eggs are held for distribution to

- (a) a person who distributes or offers to distribute eggs, or possesses eggs for the purpose of distribution, to consumers, or
  - (b) any person, in quantities of 15 dozen or more at one time.
- (2) An operator responsible for an egg wholesale station must ensure that the egg wholesale station is separate from any place used to manufacture, store or hold anything that may emit odours that could affect the flavour or taste of eggs.

#### Distribution of rejects

7 (1) A person must not distribute rejects unless both of the following conditions are met:

- (a) the person has no reason to believe that the rejects will be used in food;
  - (b) the rejects are in a container marked conspicuously and legibly as follows:
    - (i) in letters of at least 12 mm in height, with the words "Rejects – Not for Human Consumption";
    - (ii) in letters of at least 6 mm in height and located immediately below the words set out in subparagraph (i), with the name and business address of the registered egg station at which the eggs were found to be rejects.
- (2) A person who distributes rejects must keep, at his or her facility, a record containing at least the following information with respect to each transaction in which rejects were distributed:
- (a) the name and address of the purchaser;
  - (b) the quantity of rejects distributed;
  - (c) the date of distribution.

#### Part 3 — Standards Program For Processed Eggs

##### Standards program adopted

8 (1) The requirements, prohibitions, limits and conditions established under the Processed Egg Regulations (Canada)

- (a) are adopted as a standards program for the purposes of the Act, and
  - (b) apply to processed eggs.
- (2) A person must not take an action prohibited under section 7 of the Act with respect to processed eggs unless the processed eggs
- (a) have been processed and marked in accordance with the Processed Egg Regulations (Canada), or
  - (b) are being transported from one registered processed egg station to another and are in a container marked conspicuously and legibly with the words "For Further Processing".

##### Processing statements

9 (1) In this section, "weight" means the net weight of a container of domestic eggs that are still in their shells.

- (2) The operator of a registered processed egg station must do both of the following:
- (a) prepare a statement for each lot of domestic eggs received from a producer;
  - (b) keep a copy of each statement at the operator's facility.
- (3) A statement must contain at least the following information:
- (a) the name, address and registration number of the operator's facility;
  - (b) the name and address of the producer;
  - (c) the date on which the eggs were received and the quantity of eggs received;
  - (d) the date on which the eggs were processed;
  - (e) the quantity and weight of eggs that were processed.

##### Inedible processed eggs

10 In section 11 [distribution of inedible processed eggs], "inedible processed egg" means a processed egg that is

- (a) made in whole or in part from a domestic egg that
  - (i) has been in an incubator,
  - (ii) is musty or mouldy, or has an odour not associated with a normal egg,
  - (iii) is a reject,
  - (iv) has an internal defect, other than either a meat spot or a blood spot of not more than 3.175 mm in diameter, or
  - (v) is contaminated within the meaning of the Egg Regulations (Canada), or

( b) otherwise unsuitable for human consumption.

Distribution of inedible processed eggs

11 (1) A person must not distribute inedible processed eggs unless both of the following conditions are met:

(a) the person has no reason to believe that the inedible processed eggs will be used in food;

(b) the inedible processed eggs are in a container marked conspicuously and legibly as follows:

(i) in letters of at least 12 mm in height, with the words "Inedible Processed Egg – Not for Human Consumption";

(ii) in letters of at least 6 mm in height and located immediately below the words set out in subparagraph (i), with the name and business address of the registered processed egg station at which the inedible processed eggs were processed.

(2) A person who distributes inedible processed eggs must keep, at his or her facility, a record containing at least the following information with respect to each transaction in which inedible processed eggs were distributed:

(a) the name and address of the purchaser;

(b) the quantity of inedible processed eggs distributed;

(c) the date of distribution.

Part 4 — Offences

Offences

12 A person who contravenes any of sections 3 (3), 6 (2), 7 or 11 commits an offence.

[Provisions relevant to the enactment of this regulation: Food and Agricultural Products Classification Act, S.B.C. 2016, c. 1, sections 47 (2), (3) (a) and (b) and (6), 48 (a) and 52 (6) (a) (i) and (9)]

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