

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: S3/4/97

# A Bill

HOUSE BILL 1598

4  
5 By: Representative Hunton  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO REVISE THE ARKANSAS EGG MARKETING ACT OF 1969;  
10 AND FOR OTHER PURPOSES."  
11

## Subtitle

12  
13 "AN ACT TO REVISE THE ARKANSAS EGG  
14 MARKETING ACT OF 1969."  
15

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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18 SECTION 1. Arkansas Code 20-58-203 is amended to read as follows:

19 <sup>Ⓢ</sup>20-58-203. Applicability.

20 This subchapter shall be applicable to all retailers of eggs except that  
21 retailers shall be permitted to sell eggs, ~~identified as ungraded~~, when the  
22 eggs are purchased directly from producers who own less than two hundred (200)  
23 hens provided the following requirements are met:

24 (1) Eggs are washed and clean;

25 (2) Eggs are prepackaged and identified as ungraded with the name and  
26 address of the producer;

27 (3) Used cartons are not used unless all brand markings and other  
28 identification is obliterated; and

29 (4) Eggs are refrigerated and maintained at a temperature of forty-five  
30 degrees Fahrenheit (45<sup>°</sup> F) or below.'  
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32 SECTION 2. Arkansas Code 20-58-207 is amended to read as follows:

33 "20-58-207. Prohibited acts.

34 (a) No person, firm, or corporation shall sell, traffic in, or deliver  
35 to the retail or consuming trade any eggs unfit for human food.

36 (b) It shall be unlawful to:

1 (1) Prepare, pack, place, deliver for shipment, deliver for sale, load,  
2 ship, transport, sell in bulk or containers, or advertise by sign, placard, or  
3 otherwise any eggs for human consumption which are mislabeled, deceptive, that  
4 are or contain inedible eggs not denatured, or eggs that have been incubated;

5 (2) Use descriptive terminology as to eggs that have not been graded  
6 and sized according to the standards set forth by the Arkansas Livestock and  
7 Poultry Commission;

8 (3) Use descriptive terminology such as fresh, farm, country, etc.,  
9 or to represent the same to be fresh, any eggs excepting those eggs that meet  
10 the minimum requirements of Grade A or higher according to the standards set  
11 forth by the Arkansas Livestock and Poultry Commission.

12 (c) No eggs shall be sold for resale to consumers below U.S. Consumer  
13 Grade B.

14 (d) All restaurants, hotels, hospitals, and any other eating  
15 establishments who knowingly purchase, sell, serve, or use in food  
16 preparation, eggs below U.S. Consumer Grade B quality will be in violation of  
17 this subchapter.

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19 SECTION 3. All provisions of this act of a general and permanent nature  
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 4. If any provision of this act or the application thereof to  
24 any person or circumstance is held invalid, such invalidity shall not affect  
25 other provisions or applications of the act which can be given effect without  
26 the invalid provision or application, and to this end the provisions of this  
27 act are declared to be severable.

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29 SECTION 5. All laws and parts of laws in conflict with this act are  
30 hereby repealed.

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/s/Hunton

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