

Rules and Regulations Relating to the Sale of Eggs in Vermont

For the enforcement of No. 149, Acts of 1973 Adjourned Session, as amended, the following rules and regulations are herein established by the Commissioner of Agriculture:

Section I: Definitions.

As used in these regulations, the terms not herein defined shall have the meaning given to the in Section 351 of the title.

1. Carton – means any consumer package, including any tin, box, can, plastic, or other receptacle, wrapper or cover which contains 12 eggs.
2. Case – means a container which contains thirty (30) dozen eggs.
3. Check or Crack – means an egg that has a broken shell or a crack in the shell, but has its shell membrane intact and contents not leaking
4. Commissioner – means the Commissioner of Agriculture of the State of Vermont or his or her designee.
5. Dealer – means a person who purchases eggs from producers for sale other than to consumers.
6. Dirty or Dirty eggs – means an egg that has a shell that is unbroken and has adhering dirt, foreign material, or prominent stains.
7. Incubator reject – means an egg that has been subjected to incubation and has been removed from incubation during the hatching operations as infertile or otherwise unhatchable.
8. Inedible – means an egg of one or more of the following descriptions: black rots, yellow rots, white rots, mixed rots, sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, musty eggs, eggs showing blood rings, and eggs containing embryo chicks (at or beyond the blood ring stage).
9. Leaker – means an egg that has a crack or break in the shell and shell membrane to the extent that the egg contents are exposed or are exuding or free to exude through the shell.
10. Loss – means an egg that is unfit for human food because it is smashed or broken so that its contents are leaking; or overheated, frozen, or contaminated; or an incubator reject; or because it contains a bloody white, large meat spots, or a large quantity of blood, or other foreign material.
11. Nest Run – means eggs collected together and not separated by size or grade.
12. Producer – means any person who owns or controls one or more domestic chicken hens and who sells, or offers for sale, eggs produced by the animals.
13. Restricted Egg – means any check, crack, dirty egg, incubator reject, inedible, leaker or loss.
14. Retailer – means any person who sells or offers for sale eggs to consumers at retail.
15. Shell-Treated Eggs – shall have the same meaning as “shell protected eggs” as defined in section 7 of 351 (a) of this title.

Section II: Descriptive Terms.

1. Terms descriptive of air cell.
 - a) Depth of air cell (air space between shell membranes, normally in the large end of the egg). The depth of the air cell is the distance from its top to its bottom when the egg is held air cell upward.
 - b) Free air cell. An air cell that moves freely toward the uppermost point in the egg as the egg is rotated slowly.
 - c) Bubbly air cell. A ruptured air cell resulting in one or more small separate air bubbles usually floating beneath the main air cell.
2. Terms descriptive of the shell
 - a) Clean. A shell that is free from foreign material and from stains or discolorations that are readily visible. An egg may be considered clean if it has only very small specks, stains, or cage marks, if such specks, stains or marks are not sufficient number or intensity to detract from the generally clean appearance of the egg. Eggs that show traces or processing oil on the shell are considered clean unless otherwise soiled.
 - b) Dirty. A shell that is unbroken and that has dirt or foreign material adhering to its surface, which has prominent stains, or moderate stains covering more than 1/32 of the shell surface if localized, or 1/16 of shell surface if scattered.
 - c) Practically normal (AA or A quality). A shell that approximates the usual shape and that is sound and is free from thin spots. Ridges and rough areas that do not materially affect the shape and strength of the shell are permitted.
 - d) Abnormal (B quality). A shell that may be somewhat unusual or decidedly misshapen or faulty in soundness or strength or that may show pronounced ridges or thin spots.
3. Terms descriptive of the white
 - a) Clear. A white that is free from discolorations or from any foreign bodies floating in it. (Prominent chalazas should not be confused with foreign bodies such as spots or blood clots.)
 - b) Firm (AA quality) A white that is sufficiently thick or viscous to prevent the yolk outline from being more than slightly defined or indistinctly indicated when the egg is twirled. With respect to broken-out egg, a firm white has Haugh unit value of 72 or higher when measured at a temperature between 45 degrees and 60 degrees Fahrenheit.
 - c) Reasonably firm (A quality). A white that is somewhat less thick or viscous than a firm white. A reasonably firm white permits the yolk to approach the shell more closely which results in a fairly well defined yolk outline when the egg is twirled. With respect to broken-out egg, a reasonably firm white has a Haugh value of 60 or 72 when measured at a temperature between 45 degrees and 60 degrees Fahrenheit.
 - d) Weak and watery (B quality). A white that is weak, thin, and generally lacking in viscosity. A weak and watery white permits the yolk to approach the shell closely, thus causing the yolk outline to appear plainly visible and dark when the egg is twirled. With respect to a broken-out egg, a weak and watery white has a Haugh unit value lower

than 60 when measured at a temperature between 45 degrees and 60 degrees Fahrenheit.

- e) Blood spots or meat spots. Small blood spots or meat spots (aggregating not more than 1/8 inch in diameter) may be classified as B quality. If Larger, or showing diffusion of blood into the white surrounding a blood spot, the egg shall be classified as Loss. Blood spots shall not be due to germ development. They may be on the yolk or in the white. Meat spots may be blood spots which have lost their characteristic red color or tissue from the reproductive organs.
 - f) Bloody white. An egg which has blood diffused through the white. Eggs with bloody whites are classed as Loss. Eggs with blood spots which show a slight diffusion into the white around the localized spot are not to be classed as bloody whites.
4. Terms descriptive of the yolk.
- a) Outline slightly defined (AA quality). A yolk outline that is indistinctly indicated and appears to blend into the surrounding white as the egg is twirled.
 - b) Outline fairly well defined (A quality). A yolk outline that is discernible but not clearly outlined as the egg is twirled.
 - c) Outlined plainly visible (B quality). A yolk outline that is clearly visible as a dark shadow when the egg is twirled.
 - d) Enlarged or flattened (B quality). A yolk in which the yolk membrane and tissues have weakened and/or moisture has been absorbed from the white to such an extent that the yolk appears definitely enlarged or flat.
 - e) Practically free from defects (AA or A quality). A yolk that shows no germ development but may show other very slight defects on its surface.
 - f) Serious defects (B quality). A yolk that shows well developed spots or areas and other serious defects, such as olive yolks, which does not render the egg inedible.
 - g) Clearly visible germ development (B quality). A development of the germ spot on the yolk of a fertile egg that has been progressed to a point where it is plainly visible as a definite circular area or spot with no blood in evidence.
 - h) Blood due to germ development. Blood caused by development of the germ in a fertile egg to the point where it is visible as definite lines or as a blood ring. Such an egg is classified as inedible.

Section III: Marking of Containers and Displays.

1. Each egg container or display must be plainly and conspicuously marked with the proper grade and size, as follows:
 - a) "Plainly and conspicuously" requires that each marking shall be clearly legible and of sufficient size to be read at a reasonable distance and shall be given equal prominence with other grades, descriptive and advertising material.
 - b) Use of one and only one official grade terms and one and only one of the official size terms.
2. Each container and display must be marked in the following manner:

- a) Mark each carton on the cover with proper grade and size term.
 - b) Mark each case on the end. Keep the marked end plainly visible. Mark each bulk lot on attached placard.
 - c) Cross out all previous grade and size markings.
 - d) All required markings shall meet standards set forth in Vermont and Federal Labeling Acts.
3. Each advertised egg price must be accompanied by the size and grade terms which identify those eggs offered at that price. This applies to:
 - a) Signs including roadside and store egg signs.
 - b) Printed "ads" including newspaper egg "ads" and "flyers".
 - c) Commercial advertisements by means of radio or television.
 - d) Any advertisements stating an egg price.
 4. Every person selling eggs is responsible for maintaining legal grade and size markings.

Section IV: Minimum Requirements for Vermont State Egg Grades.

1. AA Quality
The shell must be clean, unbroken, and practically normal. The air cell must not exceed 1/8 inch in depth, may show unlimited movement, and may be free or bubbly. The white must be clear and firm so that the yolk is only slightly defined when the egg is twirled before the candling light. The yolk must be practically free from apparent defects.
2. A Quality
The shell must be clean, unbroken, and practically normal. The air cell must not exceed 3/16 inch in depth, may show unlimited movement, and may be free or bubbly. The white must be clear and at least reasonably firm so that the yolk outline is only fairly well defined when the egg is twirled before the candling light. The yolk must be practically free from apparent defects.
3. B Quality
The shell must be unbroken, may be abnormal, and may have slightly stained areas. Moderately stained areas are permitted if they do not cover more than one-thirty-second of the shell surface if localized or one-sixteenth of the shell surface if scattered. Eggs having shells with prominent stains or adhering dirt are not permitted. The air cell may be 3/16 inch in depth, may show unlimited movement, and may be free or bubbly. The white may be weak and watery so that the yolk outline is plainly visible when the egg is twirled before the candling light. The yolk may appear dark, enlarged or flattened, and may show visible germ development but no blood due to such development. It may show other serious defects that do not render the egg inedible. Small blood spots or meat spots (aggregating not more than 1/8 inch) may be present.
4. Ungraded
All eggs must be graded excepting eggs of mixed quality being sold by one dealer to another dealer as "ungraded" or "Nest Run".

Section V: Quality Required and Tolerances Permitted.

1. U.S. or Vermont Grade AA:

- a) Consumer Grade AA – (at origin) – shall consist of eggs that are at least 87 percent AA quality. The maximum tolerance of 13 percent that may be below AA quality may consist of A or B quality in any combination, except that within the tolerance for B quality not more than 1 percent may be B quality due to air cells over three-eighths inch, blood spots aggregating not more than one-eighth inch in diameter, or serious yolk defects. Not more than 5 percent, (7 percent for jumbo size) checks are permitted and not more than 0.50 percent leakers, dirty or loss (due to meat and blood spots) in any combination, except that such loss may not exceed 0.30 percent. Other types of loss are not permitted.
- b) Consumer Grade AA – (at destination) – shall consist of eggs that are at least 72 percent AA quality. The remaining 28 percent shall consist of at least 10 percent A quality and the remainder shall be B quality, except that within the tolerance for B quality not more than 1 percent may be B quality due to air cells over three-eighths inch, blood spots aggregating not more than one-eighth inch in diameter, or serious yolk defects. Not more than 7 percent, (9 percent for jumbo size) checks are permitted and not more than 1 percent leakers, dirty or loss (due to meat and blood spots) in any combination, except that such loss may not exceed 0.30 percent. Other types of loss are not permitted.

2. U.S. or Vermont Grade A:

- a) Consumer Grade A – (at origin) – shall consist of eggs at least 87 percent A quality or better. Within the maximum tolerance of 13 percent that may be below A quality, not more than 1 percent may be B quality due to air cells over three-eighths inch, blood spots aggregating not more than one-eighth inch in diameter or serious yolk defects. Not more than 5 percent (7 percent for jumbo size) checks are permitted and not more than 0.50 percent leakers, dirty or loss (due to meat or blood spots) in any combination, except that such loss may not exceed 0.30 percent. Other types of loss are not permitted.
- b) Consumer Grade A – (at destination) – shall consist of eggs at least 82 percent A quality or better. Within the maximum tolerance of 18 percent that may be below A quality, not more than 1 percent may be B quality due to air cells over three-eighths inch, blood spots aggregating not more than one-eighth inch in diameter or serious yolk defects. Not more than 7 percent (9 percent for jumbo size) checks are permitted and not more than 1 percent leakers, dirty or loss (due to meat or blood spots) in any combination, except that such loss may not exceed 0.30 percent. Other types of loss are not permitted.

3. U.S. or Vermont Grade B:

- a) Consumer Grade B – (at origin) – shall consist of eggs that are at least 90 percent B quality or better, not more than 10 percent may be checks or not more than 0.50

percent leakers, dirty, or loss (due to meat or blood spots) in any combination, except that such loss may not exceed 0.30 percent. Other types of loss are not permitted.

- b) Consumer Grade B – (at destination) – shall consist of eggs that are at least 90 percent B quality or better, not more than 10 percent may be checks or not more than 1 percent leakers, dirty, or loss (due to meat or blood spots) in any combination, except that such loss may not exceed 0.30 percent. Other types of loss are not permitted.

4. Additional Tolerances

- a) In lots of two or more cases:

For Grade AA – no individual case may exceed 10 percent less AA quality eggs than the minimum permitted for lot average

For Grade A – no individual case may exceed 10 percent less A quality eggs than the minimum permitted for lot average

- b) For Grades AA, A or B – no lots shall be rejected or downgraded due to the quality of a single egg except for loss other than blood or meat spots.

Table I			
U.S. or Vermont Consumer Grade (origin)	Quality Required ¹	Tolerance Permitted ²	
		Percent	Quality
Grade AA	87 Percent AA	Up to 13	A or B
		Not Over 5	Checks
Grade A	87 Percent A or Better	Up to 13	B
		Not Over 5	Checks
Grade B	90 Percent B or Better	Not Over 10	Checks
U.S. or Vermont Consumer Grade (destination)	Quality Required ¹	Tolerance Permitted ²	
		Percent	Quality
Grade AA	72 Percent AA	Up to 28	A or B
		Not Over 5	Checks
Grade A	82 Percent A or Better	Up to 18	B
		Not Over 7	Checks
Grade B	90 Percent B or Better	Not Over 10	Checks

¹ In lots of two or more cases or cartons, see Table II of this section for individual case or carton within a lot.

² For U.S. or Vermont Consumer grades (at origin), a tolerance of 0.50 percent leakers, dirty, or loss (due to meat or blood spots) in any combination is permitted. Other types of loss are not permitted.

³ For U.S. or Vermont Consumer grades (at destination), a tolerance of 0.50 percent leakers, dirty, or loss (due to meat or blood spots) in any combination is permitted, except that such loss may not exceed 0.30 percent. Other types of loss are not permitted.

Table II			
Consumer Grade	Case Quality	Percent	
		Origin	Destinatio
Grade AA	AA (Min)	77	62
	A or B	13	28
	Checks (Max)	10	10
Grade A	A (Min)	77	72
	B	13	18
	Checks (Max)	10	10
Grade B	B (Min)	80	80
	Checks (Max)	20	20

Table III			
Summary of U.S. or Vermont Standards for Quality of Individual Shell Eggs			
Quality Factor	AA Quality	A Quality	B Quality
Shell	Clean	Clean	Clean; to slightly stained
	Unbroken Practically normal	Unbroken Practically normal	Unbroken. May be slightly abnormal
Air Cell	1/8 inch or less in depth. May show unlimited movement and may be free or bubbly.	3/16 inch or less in depth. May show unlimited movement and may be free or bubbly.	Over 3/16 inch in depth. May show unlimited movement and may be free or bubbly.
White	Clear.	Clear.	Weak and Watery.
	Firm.	May be reasonably firm.	Small blood and meat spots present.*
Yolk	Outline slightly defined. Practically free from defects.	Outline may be fairly well defined. Practically free from defects.	Outline may be plainly visible. May show visible germ development, but no blood. May show other serious defects.
* If they are small (aggregation not more than 1/8 inch in diameter).			
Eggs that fail to meet the minimum requirements of the above consumer grades are classified as <u>Restricted Eggs</u> , and except for "Checks" or "Cracks", cannot be sold to consumers except within the specified tolerances stated in the above grades. Dirties, leakers, inedibles, loss, checks and incubator rejects are classified under the restricted categories.			

Table IV		Vermont Weight Classes of Consumer Grades for Shell Eggs				
All Weights Stated at the Minimum Ounces-Per Dozen Rate						
Size Terms	Jumbo	Extra Large	Large	Medium	Small	Pewee
Weight Per Doz.	30 oz.	27 oz.	24 oz.	21 oz.	18 oz.	15 oz.
Net Case Weight	56 lbs.	50 1/2 lbs.	45 lbs.	39 1/2 lbs.	34 lbs.	28 lbs.
Weight Individual	29 oz.	26 oz.	23 oz.	20 oz.	17 oz.	----
A lot average tolerance of 3.3 percent for individual eggs in the next lower weight class is permitted as long as no individual case within the lot exceeds 5 percent.						