

Ag 90

STATE OF WISCONSIN)
STATE DEPARTMENT OF AGRICULTURE) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, D. N. McDowell, Director of the State Department of Agriculture, and custodian of the official records of said department, do hereby certify that the annexed order repealing and recreating and adopting rules relating to egg grading and marketing (Wis. Adm. Code ch. Ag 90) was duly adopted by this department on December 31, 1959.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at the Capitol, in the city of Madison, this 31st day of December, A. D. 1959.

D. N. McDowell
Director

Docket No. 576.
G. O. 208.

ORDER OF THE STATE DEPARTMENT OF AGRICULTURE
REPEALING AND RECREATING AND ADOPTING RULES

Pursuant to authority vested in the State Department of Agriculture by section 93.09, Wis. Stats., the State Department of Agriculture hereby repeals and recreates and adopts rules as follows:

SECTION 1. The title of chapter Ag 90 of the Wisconsin administrative code is amended to read "EGG GRADES AND SIZES".

SECTION 2. Sections Ag 90.01 to Ag 90.06 of the Wisconsin administrative code are repealed and recreated to read:

Ag 90.01 Definitions. As used in this chapter:

- (1) "Department" means the State Department of Agriculture.
- (2) "Person" includes a partnership, association and corporation.
- (3) "Eggs" means chicken eggs in the shell.
- (4) "Ungraded eggs" means edible eggs which have not been graded.
- (5) "Sell," "sale" or "sold" includes offering or exposing for sale.
- (6) "Retail" means a sale or transfer for a valuable consideration to a purchaser for consumption or use other than resale.

(7) "Flock" means all the chickens on one farm or premises.

Ag 90.02 Grade labeling. (1) No person shall sell eggs labeled with, or otherwise represented to be, a grade or size prescribed in this chapter, unless they conform to the standards for such grade or size.

(2) Each carton or container in which eggs are sold or displayed for sale at retail, which does not bear a grade label, shall be conspicuously labeled or marked "Ungraded Eggs". The term shall be legibly printed in letters not less than 1/4 inch high on the main panel of any container which is sold with the eggs. When eggs are displayed and sold from bulk containers an adjacent sign or placard may be used in lieu of a label thereon.

Ag 90.03 Quality standards. Grades for eggs, determined after candling, are AA, A, B and C. Quality standards for each grade are as follows:

(1) AA. The shell shall be clean, unbroken and practically normal. The air cell shall not exceed 1/8 inch in depth and be practically regular. The white shall be clear and firm so that the yolk appears well centered and its outline only slightly defined when the egg is twirled before the candling light. The yolk shall be free from apparent defects.

(2) A. The shell shall be clean, unbroken and practically normal. The air cell shall not exceed 2/8 inch in depth and shall be practically regular. The white shall be clear and at least reasonably firm so that the yolk appears at least fairly well centered and its outline only fairly well defined when the egg is twirled before the candling light. The yolk shall be

practically free from apparent defects.

(3) E. The shell shall be reasonably clean, unbroken, and may be slightly abnormal. The air cell shall not exceed $3/8$ inch in depth and may show total movement not in excess of $3/8$ inch. However, an air cell not over $2/8$ inch in depth may be free. The white shall be clear but may be slightly weak so that the yolk may appear off center with its outline well defined when the egg is twirled before the candling light. The yolk may appear slightly enlarged and slightly flattened and may show other definite but not serious defects.

(4) C. Eggs which do not conform to the standards for AA, A or B may be labeled and sold as Grade C.

Ag 90.04 Wisconsin Fresh Fancy Quality. (1) The grade "Wisconsin Fresh Fancy Quality" may be used only for eggs which are produced, handled and sold in accordance with the requirements of this section. No person shall label or otherwise identify eggs as "Wisconsin Fresh Fancy Quality" without a permit from the department. Application for permit shall be made on a form furnished by the department. Permits will be granted to egg dealers and producers with respect to eggs which are handled and which are produced as required herein.

(2) (a) The determination of egg grades shall be by Haugh units. Permittees shall keep complete grading records on all participating flocks and make them available for examination by the department.

(b) To become eligible a flock shall have a weekly random

sample of 25 eggs average 76 Haugh units, with no more than one egg below 55 Haugh units, or two such samples, in consecutive weeks, average 73 Haugh units, with no egg below 55 Haugh units.

(c) After qualification, random egg samples shall be taken from the flock each week. The size of the sample shall be five eggs if the weekly average for the last four weeks is at least 78 Haugh units, and 10 eggs if such average is less than 78 Haugh units. No such average shall be less than 72 Haugh units, and no sample shall be less than 68 Haugh units. More than one egg below 55 Haugh units in a sample of 10 eggs disqualifies a flock.

(d) Flocks shall be confined in dry, clean, well-ventilated houses. They shall be fed a balanced, all-mash ration that will produce a uniform yolk color.

(e) Eggs shall be gathered at least three times daily, and immediately cooled and held, free from odors, at temperatures between 50° F. and 60° F. and a relative humidity of 70% to 80%. They shall be packed at a temperature of 60° F. or less, with the small end down, in containers which have been precooled to 60° F. or less.

(3) To finance the cost of supervising the "Wisconsin Fresh Fancy Quality" egg program, each holder of a permit shall pay, semiannually, fees in the amount of \$15 for each grading location plus \$7.50 for each participating flock. Initial fees in such amount shall be submitted with the application for permit. Thereafter permittees shall pay fees on January 1 and July 1 of each year.

Ag 90.05 Temperature standard. Eggs which are labeled or otherwise represented to be of a grade prescribed herein shall be stored and displayed, prior to their retail sale, at a temperature above freezing of 60° F. or less.

Ag 90.06 Size classifications. (1) The sizes and minimum weight standards for eggs are as follows:

Size	Minimum net weight per dozen	Minimum net weight per 30 dozen	Minimum weight for individual eggs at rate per dozen
	Ounces	Pounds	Ounces
Jumbo	30	56	29
Extra large	27	50½	26
Large	24	45	23
Medium	21	39½	20
Small	18	34	17

(2) When eggs are sold or offered for sale as Grades AA, A or B without size declaration, all of the eggs so sold shall meet the minimum standard for large eggs as set forth in sub. (1).

SECTION 3. Section Ag 90.07 of the Wisconsin administrative code is adopted to read:

Ag 90.07 Exemptions. This chapter shall not apply to eggs graded and labeled in accordance with the laws of another state or of the United States and which conform to the grades therein prescribed.

The rules contained herein shall take effect on February 1,
1960.

Dated: December 31, 1959.

STATE DEPARTMENT OF AGRICULTURE

By /s/ D. N. McDOWELL
Director