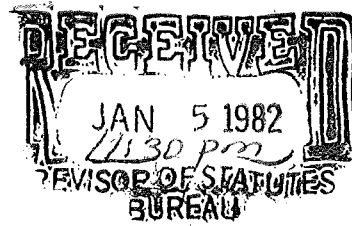


Ag 90



STATE OF WISCONSIN)
DEPARTMENT OF AGRICULTURE,) SS.
TRADE & CONSUMER PROTECTION)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Norman E. Kirschbaum, Administrator, Food Division, State of Wisconsin Department of Agriculture, Trade and Consumer Protection, and custodian of the official records of said Division, do hereby certify that the annexed order amending rules relating to egg grade and quality standards and permit fees for the Wisconsin AA fresh fancy quality grade egg program, sections Ag 90.01(1), 90.03(4), and 90.04(2)(a) and (3), Wis. Adm. Code, was duly approved and adopted by the Department on January 4, 1982.

I further certify that said copy has been compared by me with the original on file in the 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 Department offices in the city of Madison, this 4th day of January, 1982.

Norman E. Kirschbaum
Norman E. Kirschbaum, Administrator
Food Division

ORDER OF THE
STATE OF WISCONSIN

DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION
ADOPTING, AMENDING OR REPEALING RULES

1 Relating to rules concerning egg grade and quality standards
2 and permit fees for the Wisconsin AA fresh fancy quality grade
3 egg program.

Analysis prepared by the Department of
Agriculture, Trade and Consumer Protection

The current egg grade and quality standards in Chapter Ag 90 were adopted in 1974. Adoption of the rule coincided with passage of the shell egg surveillance law by Congress. Rules implementing the shell egg inspection and grading program and establishing federal egg grade and quality standards were then adopted by U.S.D.A.

The federal standards have recently been revised by U.S.D.A. with an effective date of October 1, 1981. It is therefore necessary to make two amendments to Ag 90 to reflect the changes in the federal standards for egg grades.

The first proposed amendment is for the elimination of the Grade C designation in section Ag 90.03. The rule provides for the continuation of Grades AA, A and B. Eggs formerly classified as Grade C will now be classified as either Grade B or restricted, dirty and checked. This change coincides with the new federal standards.

The second change is in section Ag 90.04 and provides for continuation of the Grade AA Fresh Fancy Quality Program with an increase in the fee structure to finance the cost of the program. The proposed fee of \$60 per permit holder is intended to cover the full cost of the program and is based on information presently available. Under the revised federal standards, the Grade AA Fresh Fancy Quality Program has been eliminated, but after checking with the present permit holders in this state, it is proposed that Wisconsin retain the program but increase fees to finance its cost.

4 Pursuant to authority vested in the State of Wisconsin
5 Department of Agriculture, Trade and Consumer Protection by
6 sections 93.07(1) and 93.09, Wis. Stats., the State of Wisconsin
7 Department of Agriculture, Trade and Consumer Protection

1 adopts rules interpreting section 93.09, Wis. Stats., as follows:

2 Section 1. Ag 90.01(1) is amended to read:

3 Ag 90.01(1) "Department" means the ~~State~~ state of Wisconsin
4 ~~Department~~ department of Agriculture agriculture, trade and
5 consumer protection.

6 Section 2. Ag 90.03(4) is amended to read:

7 Ag 90.03(4) Edible eggs not meeting Grades AA, A or B
8 standards may be classified as ~~Grade-G~~ restricted, ~~Dirty~~ dirty or
9 ~~Cheek~~ checked eggs, and sold only as authorized under the federal
10 act. Eggs not meeting U.S. standards for edible eggs shall be
11 classified as ~~Less-or-Inedible~~ inedible and disposed of as
12 provided under the federal act.

13 Section 3. Ag 90.04(2)(a) and (3) are amended to read:

14 Ag 90.04(2)(a) Eggs of this quality shall meet the standards
15 for U.S. consumer Grade AA as determined by candling. All eggs
16 shall average at least 76 Haugh units at the time of candling and
17 at least 72 Haugh units when held for sale at retail.

18 (3) To finance the cost of supervising the "Wisconsin AA
19 Fresh Fancy Quality" egg program, each holder of a permit shall
20 pay, ~~semi-annually,--fees~~ an annual fee in the amount of \$15 60 ~~for~~
21 ~~each-grading-location-plus-\$7.50-for-each-participating-flock.~~
22 ~~Initial-fees-in-such-amount~~ The initial fee shall be submitted
23 with the application for permit. Thereafter ~~permittees~~
24 a permittee shall pay ~~fees~~ the fee on January ~~1~~ and July 1 ~~or~~ of
25 each year.

26 The rules and amendments contained in this order shall take
27

1 effect on the first day of the month following publication in the
2 Wisconsin Administrative Register, as provided in s. 227.026(1),
3 Stats.

4 Dated: January 4, 1982

6 STATE OF WISCONSIN
7 DEPARTMENT OF AGRICULTURE,
8 TRADE AND CONSUMER PROTECTION

9 By Norman E. Kirschbaum
10 Norman E. Kirschbaum
11 Administrator, Food Division

11 KWM/T2/1/DLegal
12 12/30/81-4

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