



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 245
[2013 Assembly Bill 485]

Direct Sales of Eggs

A person engaged in food processing must obtain a license from the Department of Agriculture, Trade and Consumer Protection. Food processing includes the washing and packaging of eggs.

2013 Wisconsin Act 245 provides that an egg producer need not obtain a food processing license to sell eggs, including nest-run eggs, if all of the following apply:

1. The number of egg-laying birds in the egg producer's flock does not exceed 150.
2. The egg producer sells the eggs directly to a consumer through one of the following venues:
 - a. At the premises where the eggs were laid.
 - b. At a farmers' market located in this state.
 - c. On an egg sales route. The Act defines "egg sales route" as "one or more residences inhabited by consumers who regularly buy eggs from an egg producer who travels to the residences."
3. The egg producer packages the eggs in a carton that is labeled only with the following information:
 - a. The egg producer's name and address.
 - b. The date on which the egg producer packed the eggs into the carton.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- c. A date that falls no more than 30 days after the date on which the eggs were packed by which the eggs must be sold.
 - d. A statement indicating that the eggs in the package are ungraded and uninspected.
4. The egg producer keeps the eggs, packaged as provided under item 3., and held, as packaged, for sale at a venue identified under item 2., at an ambient temperature of 41 degrees Fahrenheit or below at all times.

The Act defines “nest-run egg” as “an egg that is not washed, graded, or subject to candling before sale.” Explicit inclusion of nest-run eggs in the language of the Act makes clear that the sale of such eggs is allowed.

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