



Agricultural Commodities Assurance Program

(ACAP)

Kansas Department of Agriculture
PO Box 19282, Forbes Field Building 282
Topeka, KS 66619
(785) 862-6574



Visit us on the web
www.ksda.gov

Frequently asked questions – distributors and last handlers

Who needs to obtain an egg license with the Kansas Department of Agriculture?

Any person grading eggs, selling, offering for sale or distributing graded eggs in Kansas needs to obtain a license. The exception is if your business is a food purveyor or a retailer and you have a license with another state agency or program (i.e. Food Safety or Kansas Department of Health and Environment license) you will not need to obtain an egg license. Contact the ACAP office if you have questions or visit our website at www.ksda.gov for a copy of the egg license application.

My business distributes eggs into Kansas. My business is not a “last handler”, a retailer or a food purveyor. Do I still need to be licensed?

Yes. The Kansas Department of Agriculture does require these businesses to obtain a license.

How much does a license cost? The annual license fee is currently \$5.00.

Who is required to keep and retain records?

All licensed businesses are required to keep and retain records for three years to verify the quantity of eggs bought, sold or offered for sale.

What is the inspection fee? The inspection fee is \$0.0035 (3.5 mills) per dozen eggs.

Who is required to pay the inspection fee?

The “last handler” is required to pay the inspection fee. The “last handler” is any person who sells, offers or exposes for sale or distributes eggs to retailers or food purveyors.

How do I pay the inspection fee?

The inspection fee may be paid in one of two ways. First, last handlers may buy inspection fee stamps from the department. The stamps must be placed on each carton to verify that the inspection fee has been paid. The cost of the inspection fee stamps includes costs of printing and mailing the stamps. Second, last handlers may request a permit so that they can report and pay the inspection fee quarterly. The quarterly payment is \$0.0035 per dozen or 15.00, whichever is greater. You may obtain the report form online at www.ksda.gov or contact the ACAP office.

Does the Department of Agriculture require a permit (K) number to be printed on the cartons?

No.

What are the labeling requirements?

Each container of eggs shall be labeled with the following information:

- (1) The size and quality of eggs which shall be printed in boldface type letters not less than 3/8 inch in height;
- (2) The identity of the eggs (types of eggs other than chicken eggs such as turkey, duck, guinea and other eggs);
- (3) Name and address of either the packer, the person for whom the eggs are packed or the retailer if the eggs have been repacked;
- (4) The pack date (which can be expressed in terms of the month and day or as a Julian date);
- (5) Safe handling instructions, which shall include the statements:
 - (A) “Keep refrigerated at or below 45° Fahrenheit,” which shall be printed on the outside of the carton; and
 - (B) “to prevent illness from bacteria: Keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly,” which may be printed either on the outside or the inside of the carton; and
- (6) The expiration date which shall be preceded by “exp,” “sell by,” “use by” or similar language.

The information shall be printed in English, be clearly and conspicuously placed on the outside of the carton unless noted, and not be false or misleading.

As a retailer, can I repack eggs?

Yes. There are many requirements. Please contact ACAP program for a copy of these requirements.

Can I sell balut (a food derived from fertile eggs which are incubated for a period of time shorter than is necessary for hatching)?

Yes, as long as the following requirements are met:

- (a) Balut must be refrigerated upon removal from incubation and maintained at a refrigerated temperature of 45° Fahrenheit, or less, while transported, stored or held for retail sale.
- (b) Each container of balut shall be clearly and conspicuously labeled to inform the consumer that the product is an embryonated egg or such other term or phrase that is informative and not false or misleading.

Please contact our office if you have questions or concerns.