

CHAPTER 11
EGG SHELL LAW REGULATIONS

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NOTE: Rule-making authority cited for formulation of regulations for Egg Shell Law by the Department of Agriculture, 5 GCA §§60108, 66104, 66105, 66107, and 66111.

§1110. Definitions: Words and Phrases Defined.

Whenever used in this part, unless the context otherwise requires:

- (a) *Addled* or *white rot* means an egg which is putrid or rotten.
- (b) *Moldy* means an egg in which mold has developed inside the shell.
- (c) *Black rot* means an egg which has deteriorated to such an extent that the whole interior presents a blackened appearance before the candle.
- (d) *Blood ring* means an egg which contains blood.
- (e) *Adherent yolk* means an egg in which the yolk has settled to one side and become fastened to the shell.
- (f) *Retailer* means any person, firm or corporation or association which sells eggs to ultimate consumers.
- (g) *Consumer* means any person purchasing eggs for his own family use or consumption and not for resale.
- (h) *Eggs* means eggs in the shell that are the product of domesticated chickens.

(i) *Department* means Guam Department of Agriculture.

(j) *Lot* means any one group of shell eggs which are set apart or are separate from any other group or groups.

(k) *Director* means the Director of Agriculture.

(l) *Container* means any box, case, basket, carton, sack, bag or other receptacle containing six (6) eggs or more.

(m) *Grade* means specifications defining the limits of variation in quality of eggs in such a manner as to differentiate among classes of eggs, and the letter, number or other symbol by which reference thereto may be made.

(n) *Institutional consumer* means a restaurant, hotel boarding house, or any other business, facility or place in which eggs, are prepared or offered as food for use by its patrons, residents, inmates or patients.

(o) *Market* means sell, offer, for sale, give in the channels of commerce, barter, exchange or distribute in any manner.

(p) *Person* means any individual, producer, firm, partnership, exchange, association, trustee, receiver, corporation or any other entity and any member, officer, employee or agent hereof.

(q) *Producer* shall mean a person who markets eggs of his own hens' production.

(r) *Size-weight class* means the size of eggs to be determined by weighing pursuant to standards or classifications for size which are adopted and promulgated by this Chapter.

(s) *Standard* means specifications of the physical characteristic of any or all of the component parts of individual eggs.

(t) *Principal Display Panel* means the part or parts of the label most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale.

§11101. Same: Terms Descriptive of 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 or stains, if such specks or stains are not of sufficient number or intensity to detract from the generally clean appearance of the egg.

(b) **Light Dirty.** A shell that is free from dirt or adhering foreign material and that shows slightly stained surface.

(c) **Dirty.** A shell that has dirt or foreign material adhering to its surface, which has prominent stains, or has slightly stained or slightly soiled areas covering more than 1/4 of the shell surface.

(d) **Unbroken.** An egg that is free from actual check or break in the shell.

(e) **Check.** An egg that has an actual break or crack in the shell but with its shell membrane intact and its contents do not leak.

(f) **Leaker.** An egg that has a crack or break in the shell and shell membrane to the extent that the egg contents are exuding or free to exude through the shell. An egg which has a portion of the shell missing, in excess of an area 1/4 inch square is considered a leaker even though the shell membrane is intact.

(g) **Practically Normal. (AA or A Quality).** A shell that approximates the usual shape and that is of good even texture and strength and is free from distinct ridges, rough areas, thin spots or other conditions not common to good shell. Slight ridges and rough areas that do not materially affect the shape, texture and strength of the shell are permitted.

(h) **Slightly Abnormal. (B Quality).** A shell that may be somewhat unusual in shape or that may be somewhat faulty in texture and strength. It may also show distinct, but not pronounced ridges, thin spots or rough areas.

(i) **Abnormal. (C Quality).** A shell that may be decidedly misshapen or that is decidedly faulty in texture or strength or that shows pronounced ridges, thin spots or rough areas.

§11102. Same: Terms Descriptive of Air Cell. (a) **Depth of Air Cell.** (Air space between shell membrane, normally in the large end of an 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) **Practically Regular. (AA or A Quality).** An air cell that maintains a practically fixed position in the egg and shows a fairly even outline with not more than 2/8 inch movement in any direction as the egg is rotated.

(c) **Free Air Cell. (B or C Quality).** An air cell that moves freely toward the uppermost point in the egg as the egg is rotated slowly.

(d) **Bubbly Air Cell. (B or C Quality).** A ruptured air cell resulting in one or more small separate air bubbles usually floating beneath the air cell.

§11103. Same: Terms Descriptive of 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) **Outline Well Defined. (B Quality).** A yolk outline that is quite definite and distinct as the egg is twirled.

(d) **Plainly Visible. (C Quality).** A yolk outline that is clearly visible as a dark shadow when the egg is twirled.

(e) **Slightly Enlarged and Slightly Flattened. (B Quality).** A yolk in which the yolk membrane and tissues have weakened somewhat causing it to appear slightly enlarged and slightly flattened.

(f) **Enlarged and Flattened. (B Quality).** A yolk in which the yolk membranes and tissues have weakened and moisture has been absorbed from the white to such an extent that it appears definitely enlarged and flat.

(g) **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.

(h) **Definite But Not Serious Defects. (B Quality).** A yolk that may show definite spots or areas on its surface but with no definite indication of germ development or other pronounced or serious defects.

(i) **Other Serious Defects. (C Quality).** A yolk that shows well-developed spots on areas and other serious defects which do not render the egg inedible.

(j) **Clearly Visible Germ Development. (C Quality).** A development of the germ spots on the yolk of a fertile egg that has progressed to a point where it is plainly visible as a definite circular area or spot with no blood in evidence.

(k) **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 eggs are classified as inedible.

(l) **Blood Clots (Blood Not Due to Germ Development)**. Spots or clots of blood usually on the surface of the yolk and sometimes floating in the white if larger than 1/8 inch in diameter or showing a diffusion of blood in the white surrounding them, the egg shall be classified as inedible.

§11104. Same: Terms Descriptive of 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 a broken-out egg, a firm white has a Haugh Unit value of 72 or higher.

(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 a broken-out egg, a reasonably firm white has a Haugh Unit value of 60 to 72.

(d) **Slightly Weak. (B Quality)**. A white that is lacking in thickness or viscosity to an extent that causes the yolk outline to appear well defined when the egg is twirled. With respect to a broken-out egg, a slightly weak white has a Haugh Unit value of 31 to 60.

(e) **Weak and Watery. (C Quality)**. A white that is thin and generally lacking in viscosity. A weak and watery white permits 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 31.

(f) **Blood Clots and Spots (Not Due to Germ Development)**. Blood clots or spots are usually on the surface of the yolk or floating in the white. These blood clots may have lost their characteristic red color and appear as small spots or foreign materials commonly referred to as meat spots. If they are small (not more than 1/8 inch in diameter) the egg may be classed as "C

Quality." If larger, or showing diffusion of blood in the surrounding whites, the egg shall be classified as loss.

(g) **Bloody White.** An egg, the white of which has blood diffused through it. Such a condition may be present in new laid eggs. Eggs with bloody whites are classed as loss.

§11105. Same: General Terms. (a) *No grade* means eggs of possible edible quality that fail to meet the requirements of Consumer Grades or that have been contaminated by smoke, chemicals or other foreign materials, that have seriously affected the character, appearance or flavor of the eggs.

(b) *Loss* means eggs with dirt or other foreign material on the shell, eggs that are inedible, smashed, broken so that the contents are leaking, cooked, frozen, contaminated or unsightly meat spots, or other foreign materials.

(c) *Processed, Shell-Treated, Shell-Protected* means eggs which have had a protective covering such as oil applied to the shell surface. The product used shall be acceptable to the Food and Drug Administration.

§11106. Labeling. (a) The label affixed to each case or partial case of eggs, as required under §12504 of the Guam Egg Shell Law, shall be of a size not less than 5 1/2 inches by 8 1/2 inches. The name and address of the packer and the grade and size of the eggs shall appear on each case label in letters of not less than 1/4 inch in height. The date on which the eggs were graded shall appear on the label in letters of not less than 1/8 of an inch in height. Case labels must be affixed on one end of the case.

(b) Labeling information required to appear on each carton or other type of container or package of eggs as required by the Guam Egg Shell Law, shall be in letters of a size not less than 3/16 of an inch for the grade and size of the eggs and the name and address of the packer or person responsible for such packing. The date on which the eggs were graded shall be in letters of not less than 1/8 of an inch in height. This information must appear either on the top or side of the carton or other container.

(c) No abbreviation of any grade, term of size classification is permitted on labels and the labeling information shall be clearly and legibly marked, stamped or printed on the label on each case or other type package and shall be displayed or kept in full view of prospective purchasers.

§11107. Notice of Grade and Size; Designation of Origin of Imported Eggs. (a) It shall be unlawful for any person to sell, or offer to sell or expose for sale to a consumer, any eggs other than those of his own production intended for human consumption without notifying by suitable sign or label the person purchasing or intending to purchase the same whether the same are imported from the mainland United States or foreign countries or of local production, and the exact grade or quality and size or weight and date such eggs were graded.

(b) The word local shall be used to designate eggs produced in the territory of Guam.

(c) In the case of eggs imported from mainland United States or foreign countries, regardless of the person producing the same, each egg so imported shall be marked by the importer in clear and plain letters, of not less than twelve (12) point type, the letters "U.S.," if such egg was produced in the mainland United States, or the name of the country, if such egg was produced in a foreign country, before such eggs may be removed from any dock or landing until the consignee thereof has been furnished with a certificate issued by the Department certifying that the eggs contained in the shipment in which such eggs arrived are marked as provided in this Section.

(d) Anybody importing eggs into the Territory for sale shall obtain a permit from the Department of Agriculture, stating the country of origin, the volume of eggs to be imported and other pertinent data as may be prescribed by the Department.

§11108. Standards for Quality of Individual Shell Eggs. (a) Standards for Quality of Individual Eggs With Unbroken Shell:

(1) **AA Quality.** The shell must be clean, unbroken and practically normal. The air cell must not exceed 1/8 inch in depth and must be practically regular. 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 and must be practically regular. The white must be clean and 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 and may be slightly abnormal and may show slight stains but no adhering dirt or foreign material, provided, that they do not appreciably detract from the appearance of the egg. When the stain is localized, approximately 1/32 of the shell surface may be slightly stained, and when the stained areas are scattered approximately 1/16 of the shell surface may be slightly stained. The air cell must not exceed 3/8 inch in depth, may show unlimited movement, and may be free and bubbly. The white must be clear and may be slightly weak so that the yolk outline is 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 Quality.** The shell must be unbroken, may be abnormal and may have slightly stained or slightly soiled areas that do not cover more than 1/4 of the shell surface. Eggs having shells with prominent stains or adhering foreign materials are not permitted. The air cell may be over 3/8 inch in depth and may be free and 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 and flattened, and may show clearly visible germ development but no blood due to such development. It may show other serious defects that do not render the egg inedible. Small spots or blood clots may be present.

(b) Standards for Quality of Individual Eggs With Dirty Unbroken Shells:

(1) **Light Dirty.** A shell which is free from adhering foreign material or prominent stains, which has not more than 1/4 of the shell surface slightly stained or slightly soiled. Eggs with light dirty shell shall be classed as C quality.

(2) **Dirty.** A shell which has adhering dirt or foreign material or which has prominent stains or slightly stained or slightly soiled areas covering more than 1/4 of the shell surface.

(c) Standards of Quality of Individual Eggs With Broken Shell:

(1) **Check.** An individual egg with clean or light dirty shell that has an open break or crack in the shell but with its shell membrane intact and with no leakage of the shell contents.

(2) **Leaker.** An individual egg that has an open crack or break in the shell and shell membranes to the extent that the egg contents are exuding or free to exude through the shell. An egg which has a portion of the shell missing (in excess of an area 1/4 inch square) is considered a leaker even though the shell membrane is intact.

§11109. Standards for Consumer Grades for Shell Eggs. (a) Consumer Grade AA shall consist of eggs which are eighty percent (80%) AA quality. Within the maximum tolerance of twenty percent (20%) which may be below AA quality, not more than five percent (5%) may be B quality, C quality or checks in any combination and not more than 0.5 percent leakers or dirties in any combination.

(b) Consumer Grade A shall consist of eggs which are eighty percent (80%) A quality or better. Within the maximum tolerance of twenty percent (20%) which may be below A quality, not more than five percent (5%) may be C quality or checks in any combination, and not more than 0.5 percent leakers or dirties in any combination.

(c) Consumer Grade B shall consist of eggs which are eighty percent (80%) B quality or better. Within the maximum tolerance of twenty percent (20%) which may be below B quality, not more than ten percent (10%) may be checks, and not more than 0.5 percent leakers or dirties in any combination.

(d) Additional tolerances:

(1) In lots of two (2) or more cases no individual case may fall below seventy percent (70%) of the specified quality.

(2) In lots of two (2) or more cartons, no individual cartons may contain less than eight (8) eggs of the specified quality and no individual carton may contain less than ten (10) eggs of the specified quality and the next lower quality. The remaining two (2) eggs may consist of a combination of qualities below the next lower quality (i.e., in lot of Grade A not more

than two (2) eggs of the qualities in individual cartons within the sample may be C or checks).

§11110. Weight Classes. (a) The weight classes for Consumer Grades for shell eggs shall be as indicated in Table I of this Section and shall apply to all Consumer Grades.

(b) A lot average tolerance of 3.3 percent for individual eggs in the next lower weight classes is permitted as long as no individual case within the lot exceeds five percent (5%).

§11111. Sales of Various Kinds and Qualities of Shell Eggs. (a) **Sale of Bad Eggs.** No person shall sell, or offer to sell, or expose for sale any eggs unfit for human food unless the same are broken in shell and then denatured so that they cannot be used for human food. For the purposes of this part an egg shall be deemed unfit for human food if it be addled or moldy, if it contains black spot, black rot, white rot or blood rings; if it has adherent yolk or a bloody or green white (albumen), or if it consists in whole or in part of a filthy, decomposed or putrid substance.

(b) **Sale of Incubated Eggs.** Shell eggs which have been incubated shall not be sold, offered for sale or advertised for sale for human consumption.

(c) **Sale of Shell-Treated Eggs.** Shell eggs which have been processed, preserved or shell-treated shall not be sold or offered for sale without being plainly identified or marked by suitable sign or label that such eggs are processed, shell-treated or shell protected, as the case may be.

(d) **Sale of Eggs Below the Standard of Consumer Grade B.** Shell eggs below the standard of consumer Grade B shall not be sold, offered for sale or advertised for sale for human consumption without first obtaining a permit from the Department of Agriculture.

§11112. Temperature and Relative Humidity Requirements. Any person, storing, marketing, processing and transporting shell eggs for human consumption shall keep at all times eggs at a temperature of at least 45_ (degrees Fahrenheit) and a relative humidity between seventy percent (70%) and eighty percent (80%).

§11113. Seller's Invoice. Every person in selling eggs to a retailer shall furnish to such retailer an invoice showing the exact grade or quality and the size or weight classes of such eggs according to the standards prescribed

by the Director. A copy of such invoice shall be kept on file by the person selling and by the retailer at their respective places of business for a period of sixty (60) days, and shall be available for inspection at any reasonable time by an inspector or representative from the Guam Department of Agriculture.

§11114. Advertisement of Eggs and Price. It shall be unlawful to advertise in newspaper or by sign, handbill, placard or otherwise the price at which eggs are offered for sale without plainly indicating in conjunction with price, the full and correct designation of grade, size of the eggs according to the standards in this Chapter, the country of origin of eggs, and of shell treatment if applicable. The designations shall be in bold face type or other conspicuous letters which shall be at least one-half (1/2) the size of the figures used to designate the price of eggs.

§11115. Provisions for Enforcement, Prosecution. (a) **Authorization for Inspection.** Any authorized officer of the Department of Agriculture may enter and inspect any place or conveyance where any eggs are produced, candled, graded, stored, packed, delivered for shipment, loaded, shipped, transported, offered for sale or sold and may inspect all such eggs and the containers thereof and equipment found in such places or conveyances and may take for inspection samples of such eggs and containers.

(b) **Authorization for Stop-Sale.** The Director of the Guam Department of Agriculture upon determining that provisions of 11-205, or the rules and regulations promulgated under authority of this Act, are being violated, may place Stop-Sale Notices on all eggs being sold or offered for sale at retail in violation of the provisions of this Act or Regulation.

Eggs upon which Stop-Sale Notices have been issued shall not be sold, offered for sale, transferred or otherwise disposed of until such Stop-Sale Notices have been cancelled or removed by an authorized officer of the Department of Agriculture.

§11116. Inspection and Classification of Shell Eggs.

(a) **Designation of Inspector.** The Department of Agriculture may designate any competent employee as an inspector to inspect or classify shell eggs in accordance with these Rules and Regulations.

(b) **Fees, Inspection and Certification.** Such inspectors shall be authorized to inspect or classify shell eggs at the

request of persons having financial interest in such shell eggs and to ascertain and certify to such persons the grade, classification, quality or condition thereof and other pertinent facts. The Department is authorized to levy, assess and collect fees for such services when they are performed by inspectors of the Department.

(c) An application for appeal grading may be made by any interested party who is dissatisfied with any determination stated in the grading certificate, if the identity of the samples, or the product, has not been lost; and such application for appeal grading may be made orally (in person or by telephone) or in writing, within twenty-four (24) hours of the original grading.

§1117. Fees and Charges. (a) **Fees and Inspections.** Fees and charges for any grading service shall be paid by the interested party making the application for such grading service; and if so required by the inspector such fees and charges shall be paid in advance.

(b) Fee Basis:

(1) Unless otherwise provided in this part, the fees to be charged and collected for any services (other than for appeal grading) performed, in accordance with this part, shall be on an hourly basis and shall be based on the applicable rate specified in this Section.

(2) Fees for grading services shall be based on the time required to perform the services. The hourly charge shall be Three Dollars Fifty Cents (\$3.50) and shall include the actual time required to perform the grading, writing time, travel time and any clerical costs involved in issuing a certificate.

(c) **Fees for Appeal Grading.** The fee to be charged for any appeal grading shall be based on the hourly rates specified in 8 GAR §11107(b). If the result of the appeal grading discloses that a material error was made in the original grading, no fee will be charged.

(d) **Fees for Certificates.** The original and one (1) copy of each grading certificate will be furnished without additional charge to an applicant for each lot inspected. Additional copies will be charged for at the rate of Two Dollars (\$2.00) for each set of four (4) or fewer copies.

§1118. Department Not Required to Inspect. Nothing in this Regulation shall be construed as requiring the Department to render the inspection service authorized hereby.

8 GAR FOOD & AGRICULTURE
DIV. 2 - PLANT INDUSTRY

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TABLE I. Summary of Consumer Grades for Shell Grades

Consumer Grade	Quality Required	Percent	Tolerance Permitted	Quality
Grade AA	80 percent AA	Up to 20 Not over 5 Not over 0.5	B, C, or Check Leakers or dirties	A
Grade A	80 percent A or better	Up to 20 Not over 5 Not over 0.5	C or Checks Leakers or dirties	B
Grade B	80 percent B or better	Up to 20 Not over 10 Not over 0.5	Checks Leakers or dirties	C

In lots of two (2) or more cases or cartons, see Table II of this Section for tolerance for an individual case or carton within a lot.

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TABLE II. Tolerance for Individual Case or Carton Within a Lot

Consumer Grade	Quality	Case Minimum Quality (Percent)	Carton Minimum Quality (No. of Eggs)
AA		70	8 eggs AA
Grade AA	A	20	2 eggs A
	B, C, or Checks	10	2 eggs B, C, or Checks
Grade A	A	70	8 eggs A
	B	20	2 eggs B
	C or Checks	10	2 eggs C or Checks
Grade B	B	70	8 eggs B
	C	10	2 eggs C
	Checks	20	2 eggs Checks

8 GAR FOOD & AGRICULTURE
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TABLE I. Weight Classes for Consumer Grades for Shell Eggs

Min. Net Wt. Weight Classes	Min. Net Wt. Per Dozen	For Ind. Eggs Per 30 Dozen	Min. Net Wt. at rate per dozen
	(ounces)	(pounds)	(ounces)
Jumbo	30	56	29
Extra Large	27	50.5	26
Large	24	45	23
Medium	21	39.5	20
Small	18	34	17
Pee Wee	15	28	--