December 16, 2024

Subject: Enforcement of Arkansas Egg Marketing Act

Act 598 of 2023 amended the Arkansas Egg Marketing Act of 1969 by adding subsection (e) to Ark. Code Ann. § 20-58-207. This new provision prohibits egg retailers from removing eggs from the container in which they were received and placing them into a different container. In accordance with this change, the Arkansas Livestock and Poultry Commission promulgated a rule that mirrors this prohibition. *See* 2 CAR § 157-103(c).

These changes came about in response to compliance concerns across the state regarding food safety, traceability, and retail inspections. Each egg container is labeled to protect the consumer and guarantee it meets the label’s authenticity. Eggs are also marked with its origin so that in the event of an illness, the egg’s source can be determined.

Eggs that may be damaged or otherwise not fit for consumption can be replaced and moved from a like container if they follow the state and federal standards on label information, color, grade, cleanliness, size, date and quality.

Egg retailers should review “United States Standards, Grades, and Weight Classes for Shell Eggs AMS 56” to ensure compliance with federal requirements, specifically §56.200-§56.211 and §56.215-§56.217.