



Retail Egg Replacement

The *Texas Department of Agriculture (TDA)* has provisions for retail replacement of damaged eggs. TDA adopted Texas Administrative Code, Section 15.11 concerning Retail Egg Replacement on July 3, 2009. The section provides requirements under which retailers may develop and submit to TDA for approval, procedures to replace broken or unsound eggs within a carton.

Key aspects of the rule include the following:

- ❑ **Retailers may replace missing or broken eggs if they use identical eggs for replacement.** The replacement eggs must be from the same packer, be of the same grade and size, have the same expiration date, and be of the same brand.
- ❑ **Replacement eggs must have had no contact with cracked eggs or spilled content and must be visibly clean.** Cartons or containers with spilled egg contents may not be used for replacement. Replacement cartons must be from the original packer.
- ❑ **Replacement must be done in the refrigerated case or in an area at or below 45 degrees Fahrenheit.** The replacement area must be clean and free of contaminants and a cart or table approved for food preparation must be used. Replacement must be done in compliance with TAC Title 25, Part 1, §§229.161-229.171 (relating to Texas Food Establishments).
- ❑ **A written procedure for egg replacement must be submitted to TDA for approval.** All employees of the retailer who replace eggs must be trained on that procedure and records of training are to be kept at the retail establishment.
- ❑ **Records must be kept on site for all eggs replaced in the previous 90 days.** Records shall include the date of replacement, name of employee doing the replacement, name of packer and Texas egg license number on the carton replaced, and the number of dozen replaced. All required records shall be provided upon request to the department during normal business hours.

Information on the Egg Law program can be found on TDA's website at TexasAgriculture.gov or by calling 1-800-TELL-TDA (800-835-5832). Written procedures for egg replacement should be directed to the TDA, Agriculture and Consumer Protection Division, Egg Law Program, P.O. Box 12847, Austin, Texas 78711, or via e-mail to EggQuality@TexasAgriculture.gov.