

# Montana Code Annotated 2021

TITLE 81. LIVESTOCK

CHAPTER 20. POULTRY AND EGGS

Part 2. Eggs

## Certificate Of Candling Or Packing

**81-20-204. Certificate of candling or packing.** A person buying eggs for resale at retail, except persons or firms who do not buy and sell more than 25 cases of eggs per month, shall candle all eggs offered to the person that have not been candled under supervision of a licensed egg grader and shall refuse to buy eggs unfit for human food as defined in **81-20-205**. Rejects must be returned to the producer, if possible, or, if requested, the candling must be done in the presence of the producer. A certificate must be placed in or on every case of eggs, if candled and graded, in a manner that permits its easy reading and must state the exact grade and size, the date of candling or other date approved by the department, and the name and address of the packer. If the eggs are not candled or graded, the certificate should state "not candled or graded", the name of the dealer, and when packed. The certificate must be printed in letters large enough to be easily read.

**History:** En. Sec. 5, Ch. 189, L. 1931; re-en. Sec. 2634.5, R.C.M. 1935; amd. Sec. 2, Ch. 151, L. 1939; amd. Sec. 3, Ch. 141, L. 1977; R.C.M. 1947, 3-2305; amd. Sec. 2700, Ch. 56, L. 2009.

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## Egg -- When Defined As Unfit For Human Food

**81-20-205. Egg -- when defined as unfit for human food.** (1) Eggs hereinafter defined shall be deemed unfit for human food:

- (a) "Addled" or "white rot" means an egg that is putrid or rotten.
  - (b) "Adherent yolk" means an egg in which the yolk has become fastened to the shell.
  - (c) "Black rot" means an egg which has deteriorated to such an extent that the whole interior presents a blackened appearance.
  - (d) "Blood ring" means an egg in which the germ has developed to such an extent that blood is formed.
  - (e) "Blood spot" is a spot of blood adhering to the yolk of an egg.
  - (f) "Bloody white" means an egg with a general reddish appearance due to blood mixed through it and which egg may show spots of blood floating in the white.
  - (g) "Incubated eggs" shall include eggs which have been subjected to incubation, whether natural or artificial, for more than 48 hours, and it shall be unlawful to offer for sale incubated eggs unless branded or stamped with the word "incubated".
  - (h) "Meat spot" means that the egg has a speck of foreign matter adhering to the yolk or floating in the white.
  - (i) "Moldy" means an egg which, through improper care, has deteriorated so that mold spores have formed within the egg.
- (2) An egg that is smashed or broken so that the contents are leaking is unfit for human food.
- (3) Eggs which are otherwise unwholesome or adulterated as such term is defined pursuant to the Federal Food, Drug, and Cosmetic Act and rules promulgated under authority of this part are unfit for human food.

**History:** En. Sec. 6, Ch. 189, L. 1931; re-en. Sec. 2634.6, R.C.M. 1935; amd. Sec. 3, Ch. 151, L. 1939; amd. Sec. 2, Ch. 176, L. 1969; R.C.M. 1947, 3-2306.

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## Notice To Purchaser Of Grade Of Eggs

**81-20-206. Notice to purchaser of grade of eggs.** It is unlawful for a person to sell, offer, or expose for sale at wholesale or retail any eggs for human consumption without notifying the person purchasing or intending to purchase the eggs of the exact grade or quality and size or weight of the eggs, according to the standards prescribed by the department of livestock, by stamping or printing on the container of the eggs the grade or quality and size or weight. If the eggs are offered for sale in bulk, a placard or sign printed in letters 2 inches high must be displayed in a conspicuous place at the point where the eggs are offered or exposed for sale giving the grade, quality, size, weight, and date of grading. This part does not affect the sale of eggs by a producer when the consumer purchases the eggs at the place of production or at a farmer's market as defined in **50-50-102**.

**History:** En. Sec. 8, Ch. 189, L. 1931; re-en. Sec. 2634.8, R.C.M. 1935; amd. Sec. 5, Ch. 151, L. 1939; amd. Sec. 1, Ch. 71, L. 1973; amd. Sec. 3, Ch. 310, L. 1974; R.C.M. 1947, 3-2308; amd. Sec. 2, Ch. 94, L. 2013.