



# Food Safety Fact Sheet

## Selling Eggs without a License

Egg Handout: Selling Eggs without a License, May 2016

The Kansas Department of Agriculture (KDA) is responsible for enforcing the Kansas Egg Law. The Kansas Egg Law requires a license for many types of egg sales. However, a license may not be required for sales of ungraded eggs from your own flock directly to the end consumer. There are two different flock size categories for this exemption: 50 or fewer hens and 51 to 250 hens.

- If you sell ungraded eggs from your flock of 51 to 250 hens you must:
  - Clean and wash your eggs
  - Prepackage your eggs
  - Label your egg carton/container “Ungraded”
  - Label your egg carton/container with your name and address
  - Make sure that cartons are not reused unless all brand markings and other identification is obliterated and the carton is free of foreign materials
  - Sell only directly to consumers
  - Maintain your eggs at a temperature of 45° Fahrenheit or below
- If you sell ungraded eggs from your flock of 50 or fewer hens directly to the end consumer, you are exempt from all requirements. However, if you package ungraded eggs in a used egg container and have not obliterated the markings then you are representing your eggs as graded. Representing your eggs as graded may subject you to the requirements of the Kansas Egg Law including licensing and paying the egg inspection fee. KDA also strongly recommends that you maintain your eggs at a temperature of 45° Fahrenheit or below for safety reasons.

The Kansas Food, Drug, and Cosmetic Act gives KDA jurisdiction over all food being produced or sold in Kansas. KDA will investigate any complaints that food is not safe or not in compliance with Kansas law.

Please contact KDA by email ([fsl@kda.ks.gov](mailto:fsl@kda.ks.gov)), phone (785-564-6767), or fax (785-565-6779) if you have any questions.