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# ARKANSAS DEPARTMENT OF AGRICULTURE

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## **Livestock and Poultry Division Waiver of Egg Container requirements**

Consistent with recent guidance from the Food and Drug Administration, the Livestock & Poultry Division is waiving the requirements of the Arkansas Egg Marketing Act, Ark. Code Ann. § 20-58-201 et seq., and the Regulations Enforcing the Arkansas Egg Marketing Act prohibiting the sale by retail food establishments of shell eggs in cartons or flats without labels, provided the following circumstances are present:

- The retail food establishment displays clearly at the point of purchase (for example, on a counter card, sign, tag affixed to the product, or some other appropriate device) the following information:
  - o Statement of identity,
  - o The name and place of business of the manufacturer, packer, or distributor, and
  - o Safe handling instructions for shell eggs that have not been processed to destroy all viable *Salmonella*.
- If shell eggs from multiple suppliers are offered for sale at the same time and in the same location, it is clear to consumers which point of sale labeling applies to which of the shell eggs that are offered for sale.
- The shell eggs are sold by the complete carton or flat (for example, 30 eggs are sold in a flat designed to hold 30 eggs).
- There are no nutrition claims at the point of purchase for the shell eggs.

***This waiver was originally put in place on April 6, 2020, to be effective until April 16, 2020. This waiver will now remain in effect until further notice.***