# businesscompanion

# trading standards law explained

# Retail sale and labelling of eggs

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Key legislation

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

#### This guidance is for England and Wales

All eggs sold by retailers must be stamped with a specific code.

There are labelling requirements for eggs; those sold in boxes require a greater level of detail than those sold loose in trays.

This guidance applies only to hens' eggs being sold to consumers by retail. Eggs from other species of birds are not subject to marketing standards but still have to follow general labelling requirements such as the best-before date and naming the species that produced the eggs.

# Markings stamped on eggs

All eggs sold at retail level must be stamped with a code stating the farming method, the country of origin (UK), and the individual code for the production site.

The farming method codes are as follows:

- 0: organic
- 1: free range
- 2: barn
- 3: caged hens

A typical egg may be stamped, for example, 3UK12345, which means:

- 3: caged hens
- UK: country of origin
- 12345: production site code

Organic free-range eggs would be stamped, for example, 0UK12345.

# Method of farming

The method of farming relating to the stamped code can also be indicated using the wording below, as applicable:

- · 'Organic eggs'
- 'Free range eggs'
- 'Barn eggs'
- 'Eggs from caged birds'

If the eggs have not been produced in accordance with the methods set out for free-range eggs or barn eggs, then they are automatically classed as eggs from caged hens.

# Labelling accompanying eggs at retail level

There are some differences between the labelling required for packed and loose eggs sold at retail.

Packed eggs must be labelled with, and loose eggs sold from trays must be accompanied by, the following information:

- quality grade (grade A for retail)
- weight grade
- farming method with number code (see above). These markings may be added to the production site code. The information, including the production site code, can be explained on a separate notice for clarification
- best-before date in the format 'Best before: day / month / year' (maximum 28 days from date of laying)
- the storage instruction 'Keep refrigerated after purchase'
- explanation of the code stamped on the eggs (as in the example above)

Packed eggs must also be labelled with the following:

- name of product ('eggs')
- number of eggs (unless this can be easily determined from outside the package)
- name and address of packer or seller
- packing centre code

Where eggs of different sizes are packed together, as well as the above they must be labelled with the

minimum net weight of the eggs in that pack and either:

- an indication of the sizes of eggs in the pack or
- the declaration 'eggs of different sizes'

For all types of packed eggs, the pack may also be labelled with the following information:

- selling price
- packing and/or laying date
- trader name, advertising or statements designed to improve egg sales (providing the information is not misleading)
- information as to the origin of the eggs
- information as to how the hens were fed

Eggs can only be packed into boxes by a registered packing centre. Unmarked boxes may be provided for customers' convenience for sales of loose eggs.

#### 'Best before' dates

Eggs, whether loose or packed, must be marked with a best-before date (see 'Labelling accompanying eggs at retail level' above), which is legally known as a date of minimum durability. The best-before date must be no longer than 28 days from the date of laying and retailers must sell eggs within 21 days of laying.

There is no legal requirement to have a sell-by or display-until date on eggs, but it may help you to ensure that eggs are sold within the 21 days. Where no sell-by / display-until date is shown, it is best practice to remove eggs from sale seven days before their best-before date.

# Weight grades of eggs

Only the following weight grades are permitted for eggs; no other terms may be used to describe the weights of eggs on retail sale:

'XL' or 'Very Large': 73 g upwards

'L' or 'Large': 63-73 g'M' or 'Medium': 53-63 g'S' or 'Small': below 53 g

#### **Storage**

- eggs should be kept chilled to a temperature between 5 °C and 17 °C
- eggs should be kept out of direct sunlight and away from other goods that might flavour them, such as onions or washing powder
- stock must be rotated to ensure that it remains within the stated weight and quality grade
- visibly cracked eggs should not be sold

## Extra / extra fresh

Packs may be labelled as 'extra' or 'extra fresh' until nine days after laying.

# **Eggs sold directly to consumers**

For the sale of eggs by the producer directly to the consumer - for example, from the farm gate - please see 'Egg producers selling directly to consumers'.

## **Trading Standards**

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

## In this update

Removed references to owning hens, which is covered in 'Egg producers selling directly to consumers'.

Last reviewed / updated: February 2024

# Key legislation

- assimilated Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin
- <u>assimilated Regulation (EC) No 589/2008</u> laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs
- Eggs and Chicks (England) Regulations 2009
- Eggs and Chicks (Wales) Regulations 2010
- assimilated Regulation (EU) No 1169/2011 on the provision of food information to consumers
- Food Information Regulations 2014
- Food Information (Wales) Regulations 2014

#### Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links may only show the original version of the legislation, although some amending legislation is linked to separately where it is directly related to the content of a guide. Information on changes to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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