

**TITLE 21      AGRICULTURE AND RANCHING**  
**CHAPTER 34   DAIRY AND EGG PRODUCERS**  
**PART 8        GRADES, STANDARDS, AND REPORTS FOR SHELL EGGS**

**21.34.8.1      ISSUING AGENCY:** New Mexico State University, New Mexico Department of Agriculture  
[7/1/97; 21.34.8.1 NMAC - Rn & A, 21 NMAC 34.8.1, 05/29/09]  
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**21.34.8.2      SCOPE:** All producers, dealers and retailers of shell eggs sold or offered for sale in New Mexico.  
[7/1/97; 21.34.8.2 NMAC - Rn, 21 NMAC 34.8.2, 05/29/09]

**21.34.8.3      STATUTORY AUTHORITY:** Granted to the board of regents of New Mexico state university, under the Egg Grading Act, Chapter 25, Article 6, Sections 1 through 16, New Mexico Statutes Annotated, 1978 Compilation.  
[7/1/97; 21.34.8.3 NMAC - Rn, 21 NMAC 34.8.3, 05/29/09]

**21.34.8.4      DURATION:** Permanent  
[7/1/97; 21.34.8.4 NMAC - Rn, 21 NMAC 34.8.4, 05/29/09]

**21.34.8.5      EFFECTIVE DATE:** July 1, 1997  
[7/1/97; 21.34.8.5 NMAC - Rn, 21 NMAC 34.8.5, 05/29/09]

**21.34.8.6      OBJECTIVE:** This part establishes the grades and standards for shell eggs and reports covering information on eggs sold in New Mexico.  
[7/1/97; 21.34.8.6 NMAC - Rn, 21 NMAC 34.8.6, 05/29/09]

**21.34.8.7      DEFINITIONS:**  
A. "Board of regents" means the board of regents of New Mexico state university.  
B. "Department" means the New Mexico department of agriculture.  
C. "Ungraded eggs" means eggs as they come from the production facility without having been washed, sized and/or candled for quality.  
[7/1/97; 21.34.8.7 NMAC - Rn, 21 NMAC 34.8.7, 05/29/09]

**21.34.8.8      [RESERVED]**

**21.34.8.9      GRADES AND STANDARDS FOR SHELL EGGS SOLD IN NEW MEXICO:**  
A. All eggs sold or offered for sale under 25-6-5, NMSA 1978, shall be graded and properly labeled as to size and standards of quality.  
B. All sizes and standards shall conform with United States department of agriculture standards for consumer grades of shell eggs, excepting those sold as ungraded. Ungraded eggs shall be conspicuously labeled as "ungraded eggs," and shall conform with the provisions pertaining thereto set forth in 25-6-7, NMSA 1978.  
[7/1/97; 21.34.8.9 NMAC - Rn, 21 NMAC 34.8.9, 05/29/09]

**21.34.8.10     REPORTS COVERING INFORMATION ON EGGS SOLD IN NEW MEXICO:**  
A. The board of regents may require any person who purchases, receives or sells eggs from any source, to file with the department a statement giving the name and address of the party from whom such eggs were obtained, the quantity of each shipment, the date of purchase and any other information deemed essential.  
B. Any person may be required to notify an inspector of the department immediately upon receipt of shipment of eggs or before sale of eggs.  
[7/1/97; 21.34.8.10 NMAC - Rn, 21 NMAC 34.8.10, 05/29/09]

**21.34.8.11     [RESERVED]**

**HISTORY OF 21.34.8 NMAC:**

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

Regulatory Order No. 1, New Mexico Egg Grading Act, filed 7/22/63 (not filed with SRC).

NMDA Rule No. DOA 73-6, Regulatory Order No. 3, Grade, Standards, Reports, filed 5/15/73.

History of Repealed Material: [RESERVED]