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FILED FEB 18 1997

SENATE FILE 161
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 46)

Passed Senate, ^(p.1217) Date 4-16-97 Passed House, Date 4/28/97 (p.1598)
Vote: Ayes 49 Nays 0 Vote: Ayes 85 Nays 8
Approved May 27, 1997

A BILL FOR

1 An Act modifying the holding temperature required for the storage
2 of eggs sold at retail.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 161

S-3098

1 Amend Senate File 161 as follows:
2 1. Page 1, line 4, by inserting before the word
3 "All" the following: "1."
4 2. Page 1, by inserting after line 23 the
5 following:
6 "2. Notwithstanding subsection 1, eggs gathered
7 for sale at a poultry show from fowl exhibited at the
8 show which show has received financial assistance from
9 the state in prior fiscal years, shall be exempt from
10 the storage temperature and consumer grade quality
11 requirements contained in subsection 1. If eggs are
12 offered for sale at such an exhibit, five hundred
13 dollars is appropriated to the department to reimburse
14 the sponsoring agency of the exhibit for the expenses
15 associated with the exhibit."

By JACK RIFE
MERLIN E. BARTZ

16 S-3098 FILED FEBRUARY 27, 1997
17 ADOPTED 2/27/97 (p.422)

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1 Section 1. Section 196.8, Code 1997, is amended read as
2 follows:

3 196.8 QUALITY.

4 All eggs offered for sale to an establishment must be no
5 lower than United States department of agriculture consumer
6 grade "B". ~~Retailers-selling-eggs-at-retail-must-hold-eggs-at~~
7 ~~a-temperature-not-to-exceed-sixty-degrees-Fahrenheit-or~~
8 ~~sixteen-degrees-Celsius.~~ From the time of candling and
9 grading until they reach the consumer, all eggs designated for
10 human consumption shall be held at a temperature not to exceed
11 forty-five degrees Fahrenheit or seven degrees Celsius ambient
12 temperature. The forty-five degrees Fahrenheit or seven
13 degrees Celsius ambient temperature requirement applies to any
14 place or room in which eggs are stored, except inside a
15 vehicle during transportation where the ambient temperature
16 may exceed forty-five degrees Fahrenheit or seven degrees
17 Celsius, provided the transport vehicle is equipped with
18 refrigeration units capable of delivering air at a temperature
19 not greater than forty-five degrees Fahrenheit or seven
20 degrees Celsius and capable of cooling the vehicle to a
21 temperature not greater than forty-five degrees Fahrenheit or
22 seven degrees Celsius. All shell eggs shall be kept from
23 freezing.

24 EXPLANATION

25 This bill revises the holding temperature required for eggs
26 offered for sale. Currently, Iowa Code section 196.8 requires
27 a maximum temperature for eggs stored prior to retail sale of
28 60 degrees Fahrenheit or 16 degrees Celsius. This differs
29 from the United States Food and Drug Administration and United
30 States Department of Agriculture provisions requiring that
31 storage temperatures for eggs shipped interstate must not
32 exceed 45 degrees Fahrenheit or 7 degrees Celsius. The lower
33 maximum temperature requirement has been imposed on interstate
34 shipping storage based upon the potential for the growth of
35 salmonella enteritidis at higher temperatures. This bill will

1 extend the interstate requirements to eggs shipped intrastate.

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2 follows:

3 196.8 QUALITY.

4 1. All eggs offered for sale to an establishment must be
5 no lower than United States department of agriculture consumer
6 grade "B". ~~Retailers-selling-eggs-at-retail-must-hold-eggs-at~~
7 ~~a-temperature-not-to-exceed-sixty-degrees-Fahrenheit-or~~
8 ~~sixteen-degrees-Celsius.~~ From the time of candling and
9 grading until they reach the consumer, all eggs designated for
10 human consumption shall be held at a temperature not to exceed
11 forty-five degrees Fahrenheit or seven degrees Celsius ambient
12 temperature. The forty-five degrees Fahrenheit or seven
13 degrees Celsius ambient temperature requirement applies to any
14 place or room in which eggs are stored, except inside a
15 vehicle during transportation where the ambient temperature
16 may exceed forty-five degrees Fahrenheit or seven degrees
17 Celsius, provided the transport vehicle is equipped with
18 refrigeration units capable of delivering air at a temperature
19 not greater than forty-five degrees Fahrenheit or seven
20 degrees Celsius and capable of cooling the vehicle to a
21 temperature not greater than forty-five degrees Fahrenheit or
22 seven degrees Celsius. All shell eggs shall be kept from
23 freezing.

24 2. Notwithstanding subsection 1, eggs gathered for sale at
25 a poultry show from fowl exhibited at the show which show has
26 received financial assistance from the state in prior fiscal
27 years, shall be exempt from the storage temperature and
28 consumer grade quality requirements contained in subsection 1.
29 If eggs are offered for sale at such an exhibit, five hundred
30 dollars is appropriated to the department to reimburse the
31 sponsoring agency of the exhibit for the expenses associated
32 with the exhibit.

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Rife, Chair
Behu
D. Black

Agriculture
SSB 46

Succeeded By

(SF) HF 161

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
INSPECTIONS AND APPEALS
BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act modifying the holding temperature required for the storage
2 of eggs sold at retail.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2 follows:

3 196.8 QUALITY.

4 All eggs offered for sale to an establishment must be no
5 lower than United States department of agriculture consumer
6 grade "B". ~~Retailers-selling-eggs-at-retail-must-hold-eggs-at~~
7 ~~a-temperature-not-to-exceed-sixty-degrees-Fahrenheit-or~~
8 ~~sixteen-degrees-Celsius.~~ From the time of candling and
9 grading until they reach the consumer, all eggs designated for
10 human consumption shall be held at a temperature not to exceed
11 forty-five degrees Fahrenheit or seven degrees Celsius ambient
12 temperature. The forty-five degrees Fahrenheit or seven
13 degrees Celsius ambient temperature requirement applies to any
14 place or room in which eggs are stored, except inside a
15 vehicle during transportation where the ambient temperature
16 may exceed forty-five degrees Fahrenheit or seven degrees
17 Celsius, provided the temperature taken inside each egg
18 holding container remains at or below forty-five degrees
19 Fahrenheit or seven degrees Celsius. All shell eggs shall be
20 kept from freezing.

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EXPLANATION

22 This bill revises the holding temperature required for eggs
23 offered for sale. Currently, Iowa Code section 196.8 requires
24 a maximum temperature for eggs stored prior to retail sale of
25 60 degrees Fahrenheit or 16 degrees Celsius. This differs
26 from the United States Food and Drug Administration and United
27 States Department of Agriculture provisions requiring that
28 storage temperatures for eggs shipped interstate must not
29 exceed 45 degrees Fahrenheit or 7 degrees Celsius. The lower
30 maximum temperature requirement has been imposed on interstate
31 shipping storage based upon the potential for the growth of
32 salmonella enteritidis at higher temperatures. This bill will
33 extend the interstate requirements to eggs shipped intrastate.

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TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF INSPECTIONS AND APPEALS

KIM D. SCHMETT, DIRECTOR

JOHN T. SCHAFFNER, DEPUTY DIRECTOR

November 27, 1996

TO: Members of the General Assembly

FR: Kim D. Schmett *KDS*

The Department of Inspections and Appeals is proposing legislation related to functions performed by the Inspections Division. Following is additional information related to the proposed bill:

The bill revises the holding temperature required for all eggs offered for sale under Chapter 196. The responsibility for administration of Iowa Code Chapter 196, Egg Handlers, was transferred to the Department of Inspections and Appeals in 1995.

The current temperature requirement of 60° Fahrenheit/16° Celsius has been in place since before 1976. The Food and Drug Administration and the United States Department of Agriculture require the revised temperature of 45° Fahrenheit/7° Celsius for eggs that are shipped interstate. In order for eggs shipped intrastate to provide the same protections, state law (Section 196.8) needs to be revised accordingly.

The growth of Salmonella enteritidis is a severe health problem in shell eggs held at a temperature greater than 45° F/7° C. Salmonella enteritidis causes headache, abdominal pain, diarrhea, nausea, vomiting, dehydration and fever. The young, elderly, and debilitated are at the greatest risk from Salmonella enteritidis. In some cases, Salmonella enteritidis can cause death.

The major impact of this law will be on wholesale egg processors, who are regulated by this Chapter. Industry has been contacted and will not be taking a position on the proposed change.

There will be no fiscal impact to the Department as a result of this proposed legislation.



SENATE FILE 161

AN ACT

MODIFYING THE HOLDING TEMPERATURE REQUIRED FOR THE STORAGE OF EGGS SOLD AT RETAIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 196.8, Code 1997, is amended read as follows:

196.8 QUALITY.

1. All eggs offered for sale to an establishment must be no lower than United States department of agriculture consumer grade "B". ~~Retailers selling eggs at retail must hold eggs at a temperature not to exceed sixty degrees Fahrenheit or sixteen degrees Celsius.~~ From the time of candling and grading until they reach the consumer, all eggs designated for human consumption shall be held at a temperature not to exceed forty-five degrees Fahrenheit or seven degrees Celsius ambient temperature. The forty-five degrees Fahrenheit or seven degrees Celsius ambient temperature requirement applies to any place or room in which eggs are stored, except inside a vehicle during transportation where the ambient temperature may exceed forty-five degrees Fahrenheit or seven degrees Celsius, provided the transport vehicle is equipped with refrigeration units capable of delivering air at a temperature not greater than forty-five degrees Fahrenheit or seven degrees Celsius and capable of cooling the vehicle to a temperature not greater than forty-five degrees Fahrenheit or seven degrees Celsius. All shell eggs shall be kept from freezing.

2. Notwithstanding subsection 1, eggs gathered for sale at a poultry show from fowl exhibited at the show which show has received financial assistance from the state in prior fiscal years, shall be exempt from the storage temperature and

consumer grade quality requirements contained in subsection 1. If eggs are offered for sale at such an exhibit, five hundred dollars is appropriated to the department to reimburse the sponsoring agency of the exhibit for the expenses associated with the exhibit.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 161, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved May 27, 1997

TERRY E. BRANSTAD
Governor