



Western Australia

MARKETING OF EGGS ACT 1945

Egg Grading and Packing Code 1989

Section 31AA of the *Marketing of Eggs Act 1945* which gives effect to this Code expired on 2 Jul 2005 (see s. 41(1) and Order published in *Gazette* 28 Jun 2005 p. 2896).

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Egg Grading and Packing Code 1989

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MARKETING OF EGGS ACT 1945

Egg Grading and Packing Code 1989

1. Citation

This Code may be cited as the *Egg Grading and Packing Code 1989*.

2. Commencement

This Code shall come into operation on the date of publication in the *Gazette*.

3. Application

This Code is the relevant code under the *Marketing of Eggs Act 1945* for the grading, marking and packing of eggs for sale.

4. Interpretation

In this Code unless the context otherwise requires —

“**clean**” means clean or reasonably free from dirt, foreign matter or stain;

“**eggs**” means hen eggs produced in Western Australia to be sold or intended for sale for human consumption in Western Australia, or in any other State of Australia and includes hen eggs imported into Western Australia and which are to be sold or intended for sale in Western Australia;

“**Schedule**” means the Schedule to this Code.

5. Eggs unfit for human consumption

Any egg which contains meat or a blood spot or which, in the opinion of an inspector, is not fit for human consumption shall be deemed to be unfit for human consumption.

6. Eggs to be graded, marked and packed

- (1) All eggs shall be graded, marked and packed in accordance with this Code prior to sale.
- (2) The requirements of subclause (1) do not apply in relation to eggs —
 - (a) that are intended to be sold or delivered to the Board; or
 - (b) that are intended to be sold to a purchaser who is licensed to grade eggs under the *Marketing of Eggs Regulations 1945*,

until such time as those eggs are delivered to the Board or that purchaser, as the case may be.

7. Grades of quality

Eggs shall be graded according to their quality as “First Quality” or “Second Quality”.

8. Standard of “First Quality” eggs

A “First Quality” egg shall comprise an egg —

- (a) the shell of which is clean, uncracked and free from stain;
- (b) the shell of which is not thin or misshapen;
- (c) which, when candled, appears —
 - (i) free of bloodspots or any inclusions whatsoever;
 - (ii) to have a yolk which is translucent and only faintly visible;

- (iii) to have a white which is translucent and firm;
and
- (iv) to have an air cell which is slightly tremulous
and is not more than 5 mm in depth; and
- (d) which has not been subjected to incubation.

9. Standard of “Second Quality” eggs

A “Second Quality” egg shall comprise an egg, not being a “First Quality” egg, but which has not been adjudged unfit for human consumption under clause 5 and —

- (a) which is free from foreign matter, or excreta, adhering to the shell;
- (b) which is not affected by rot of any description;
- (c) the shell membranes of which are intact;
- (d) which, when candled, is free from bloodspots or any inclusions whatsoever; and
- (e) which has not been subjected to incubation.

10. Weight grading of eggs

In addition to being graded as “First Quality” or “Second Quality”, eggs shall be graded by weight as follows —

- (a) Grade 1 (a) which shall be known as “First Grade 68 gram Hen” and which shall consist of “First Quality” eggs each of which weighs not less than 68 g;
- (b) Grade 1 (b) which shall be known as “First Grade 60 gram Hen” and which shall consist of “First Quality” eggs each of which weighs not less than 60 g but less than 68g;
- (c) Grade 1 (c) which shall be known as “First Grade 53 gram Hen” and which shall consist of “First Quality” eggs each of which weighs not less than 53 g but less than 60g;

c. 11

- (d) Grade 1 (d) which shall be known as “First Grade 48 gram Hen” and which shall consist of “First Quality” eggs each of which weighs not less than 48 g but less than 53 g;
- (e) Grade 1 (e) which shall be known as “First Grade 45 gram Hen” and which shall consist of “First Quality” eggs each of which weighs not less than 45 g but less than 48 g; and
- (f) Grade 2 which shall be known as “Second Grade Hen” and which shall consist of “First Quality” eggs each of which weighs less than 45 g, or of “Second Quality” eggs, or both.

11. Marking of eggs

Graded eggs shall be marked as follows —

- (a) each “First Grade Hen” egg shall be marked with the grading licence number allocated to the person grading the egg under the *Marketing of Eggs Regulations 1945* and in accordance with the description relating to item 1 in the Schedule; and
- (b) each “Second Grade Hen” egg shall be marked in the form of item 2 in the schedule and in accordance with the description relating to that item.

12. Marking of packages

- (1) The package in which eggs, other than those graded and packed by the Board, are sold shall bear a label or other marking specifying the following particulars —
 - (a) the identity of the person who graded and packed the eggs;
 - (b) the grade of quality and weight of those eggs.

- (2) The package in which “First Quality” eggs graded and packed by the Board are sold shall bear a label or other marking specifying the following particulars —
 - (a) the appropriate trading name of the vendor; and
 - (b) the weight grade of those eggs.
- (3) The package in which “Second Quality” eggs graded and packed by the Board are sold shall bear a label or other marking specifying the following particulars —
 - (a) the appropriate trading name of the vendor; and
 - (b) the grade of quality and weight of those eggs.

13. Mixing or contamination of eggs

- (1) Eggs which have not been marked in accordance with this Code shall not be packed in the same package as eggs so marked.
- (2) Eggs, whether intended for cold storage or not, shall not be packed in any package which is unclean or which is contaminated by contact or otherwise with any deleterious substance.

14. Eggs for export

Notwithstanding the provisions of this Code, eggs graded, marked or packed for export in conformity with any law of the Commonwealth and in accordance with the requirements of the Commonwealth Department of Primary Industry shall be deemed to be graded, marked or packed in accordance with this Code.

Schedule

[clause 11]

1. “First Grade Hen” eggs

001

Description — the numerals, being the grading licence number allocated under the *Marketing of Eggs Regulations 1945* to the person grading the egg, shall be 12 point gill sans medium.

2. “Second Grade Hen” eggs

2

001

Description — the upper numeral signifying “Second Quality” and the lower numerals indicating the grading licence number allocated under the *Marketing of Eggs Regulations 1945* to the person grading the egg shall be 12 point gill sans medium.

Notes

- ¹ This is a compilation of the *Egg Grading and Packing Code 1989*. The following table contains information about that Code.

Compilation table

Citation	Gazettal	Commencement
<i>Egg Grading and Packing Code 1989</i>	8 Dec 1989 p. 4495-96	8 Dec 1989

Section 31AA of the *Marketing of Eggs Act 1945* which gives effect to this Code expired on 2 Jul 2005 (see s. 41(1) and Order published in *Gazette* 28 Jun 2005 p. 2896)
