



Arizona Department of Agriculture

1110 W. Washington Street, Suite 450, Phoenix, Arizona 85007 | P: (602) 542-0884 F: (602) 542-4194

Mailing Address: 1802 W. Jackson Street, #78, Phoenix, AZ 85007

UPDATE 9/14/2022 (VER2.0)

ARIZONA ADMINISTRATIVE RULE CHANGE ANIMAL HUSBANRY STANDARDS / CAGE FREE TRANSITION

Due to the national egg shortage caused by Avian Influenza, the Department will not enforce the newly adopted standards listed in A.A.C. R3-2-907 until January 1, 2023. The secondary implantation date for the cage free requirement remains the same, January 1, 2025.

Enforcement of the rule will start at January 1st, 2023.

DISTRIBUTORS PLEASE SHARE THIS INFORMATION WITH YOUR SUPPLIERS OF EGGS AND EGG PRODUCTS.

EGG AND EGG PRODUCT PRODUCERS NEED TO BE REGISTERED WITH THE DEPARTMENT.

EACH PLANT MUST BE REGISTERED SEPERATLY WITH THE PLANT NUMBER. THIS REGISTRATION IS FOR THE CAGE SIZE / CAGE FREE DATABASE THIS REGISTRATION IS INDEPENDENT FROM ANY LICENSE REQUIREMENT.

**REGISTRATION IS A TWO PART PROCESS
VERIFICATION OF THE EGG SUPPLY
VERIFICATION AT THE TIME OF PROCESSING**

THERE MAY BE DELAYS IN THE DISTRIBUTION OF YOUR EGGS AND EGG PRODUCTS IF YOUR PLANT NUMBER IS NOT REGISTERED

Change to the cage size requirements for shell eggs and egg products that are sold in Arizona.

WHAT HAS CHANGED

Beginning October 1, 2022,(now enforced January 1st, 2023) all eggs and egg products sold in ARIZONA shall be from hens that are housed in accordance with the UEP Animal Husbandry Guidelines and provided with no less than one square foot of usable floor space per egg- laying hen.

Beginning no later than January 1, 2025, all eggs and egg products sold in ARIZONA shall be from hens housed in a cage-free manner.

A.R.S. § 3-710.

J. The director shall adopt rules for poultry husbandry and the production of eggs sold in this state. This subsection does not apply to egg producers operating or controlling the operation of an egg ranch that has fewer than twenty thousand egg-laying hens producing eggs.

Affected sections of the Arizona Administrative Code (A.A.C.)

R3-2-901. Definitions

R3-2-903. Sampling: Schedule and Methods for Evidence

R3-2-905. Inspection Fee Rate

R3-2-906. Violations and Penalties

R3-2-907. Poultry Husbandry; Standards for Production of Eggs and Biosecurity Requirements

Small producers with less than twenty thousand egg-laying producing hens are exempt from this cage size requirement standard.

How to comply with the requirements:

Distributors that are reselling eggs/egg products within Arizona please contact your suppliers to inform them of this change.

Additional information for distribution centers. All egg and egg products that you receive should be accompanied by a certificate showing compliance with this rule.

If your warehouse receives out of state eggs and egg products that are not compliant with this rule for distribution outside of Arizona. Those eggs and egg products have to be stored separate from eggs and egg products that are intended for Arizona distribution. Additional certification service for your warehouse may be available upon your request.

Manufacturers / Retail stores

All eggs and egg products purchased by your company for retail sales or manufacturing are subject to this rule and are required to be in compliance with the cage size requirement.

What eggs/egg products are covered by this rule:

"Eggs"

Means eggs that are in the shell and that are from chickens.

"Egg products"

(a) Means eggs, in raw or pasteurized form, that are removed from the shell in a liquid, frozen, dried, or freeze-dried state, but are not fully cooked.

(b) May consist of whole eggs, yolks, whites, or any blend of yolk and white, with or without additives, if eggs are the main ingredient.

Producers

Beginning no later than January 1, 2023, in order to sell eggs or egg products within the state, a business owner or operator must have a certificate from the Supervisor certifying that the eggs or egg products are produced in compliance with subsections (C) through (F), or are exempt under subsection (G). The Supervisor will certify that eggs and egg products are produced in compliance with subsections (C) through (G) if the eggs or egg products are accompanied by documentation from a government or private third-party inspection and continuous process verification service that the Supervisor

deems acceptable establishing that the eggs or egg products were produced in compliance with this Section. The immediate container of eggs and egg products shall be plainly and conspicuously marked with the words "ARS 710J" in bold-faced type not less than one-eighth inch in height; or in another manner pre-approved by the department.

Certification

Business owner or operator must have a certificate in order to sell eggs and egg products in Arizona. A certificate can be obtained by providing the Department documentation of compliance with the rule. Documentation is required for individual barns, and continuous process verification service.

Barns

A current audit of the barns that certifies compliance with the cage size or that the barn is cage-free with the density no less than one square foot of usable floor space per egg-laying hen. This audit has to meet the minimum requirement of the UEP standard or equivalent. The auditing services can be government or an independent private third-party.

Process verification

A continued processing verification at the time of packaging is required to obtain a certificate. This certification service can be provided by government or an independent private third-party that is acceptable to the Department.

Labeling

The immediate container of eggs and egg products shall be plainly and conspicuously marked with the words "ARS 710J" in bold-faced type not less than one-eighth inch in height; or in another manner pre-approved by the department. The additional labeling requirements may be printed at the time of packaging.

For alternate markings or the use of the Official Plant number used as a pre-approved manner certain requirements have to be met and determined on an individual basis.

One example where the use of an alternate marking may be acceptable.

- 100% of the barns are in compliance an independent processing verification protocol is establish that verifies compliance with the packaging process.

Every Producer/Processor has to be registered with the Department

Arizona will not routinely go to out of state facilities to conduct the routine verification, the verification and registration is the responsibility of the producer/processor/distributor. The Department may conduct verification visits of the producer/processors program.

The Department will ask for **proof that the space requirements** are met, this can be done by supplying us with a 3rd party audit of your barns. An inline facility wouldn't have to register each barn individually, so only one registration for this P number. Individual barns that sell offline nest to other facilities, will have to be registered individually, so that those eggs can be verified to come from compliant barns at further packaging.

The Department will ask how the **continued verification by a 3rd party at the time of packaging** is done. This includes the name and contact of that company providing the service. This can be a government agency or a private 3rd party. The process has to verify that all the eggs and egg products that are packaged for Arizona meet the new requirements. This also includes eggs and products from offline production.

How to obtain a certificate from the Department

Registration can be done by emailing a request and supplying the verification documents to - ARIZONA-CAGEFREE@AZDA.GOV

After a certificate of compliance is issued it will be emailed to the requestor. The Department established an online portal where registrations can be verified.

This online portal allows 3rd parties to check if their suppliers meet the Arizona requirement and registration. This portal is also meant for plants that purchase offline eggs to verify the eligibility of the eggs to be packaged for Arizona.

This registration portal can be found at

<https://apps.azda.gov/asd/cage-free/public-search>

Implementation date.

For **shell eggs**, the (packaging) Julian date will be the cut-off. All shell eggs produced on or before December 31 Julian date 365 that don't meet the cage size requirement may still be sold in AZ, regardless of the expiration date. Any shell eggs packaged on January 1 Julian date 001 must meet the cage size requirement.

For **egg products**, the cut-off will be when the product got to the final distributor, for example any egg products that arrive at the grocery store distributing center on or after January 1st must be in compliance with the cage size requirements.

For questions about the rule please email them to:

ARIZONA-CAGEFREE@AZDA.GOV

Or contact,

Roland S. Mader
Administrator Dairy / Egg programs
Arizona Department of Agriculture
1688 W. Adams
Phoenix, AZ, 85007
Office: 602-542-0884
rmader@azda.gov