



Office of the  
Deputy Administrator  
Livestock, Poultry,  
and Seed Program

1400 Independence Avenue, SW.  
Room 2096-S, STOP 0249  
Washington, DC 20250-0249

May 20, 2015

## NOTICE TO THE TRADE

The U.S. Department of Agriculture (USDA) regulations state that qualified personnel will be assigned to perform grading service activities during the established operating schedule in an official shell egg processing facility. Occasionally, in extreme situations that are beyond USDA's control, such as the current crisis facing the shell egg industry due to the continued spread of highly pathogenic avian influenza (HPAI), it may become necessary to briefly suspend the requirement that a USDA grader be present when officially identified product is processed and packaged. As biosecurity concerns continue to increase, especially involving temporarily assigned USDA personnel performing relief assignments in areas affected by the HPAI virus, it may not always be possible to provide assurances that satisfy a company's intensified biosecurity protocols. In these cases, management for an official shell egg facility has the option to request to process and package shell eggs in containers identified with the USDA grademark without the presence of a USDA grader. When authorized by the Federal-State Supervisor or a Livestock, Poultry, and Seed Regional Office representative, the processor must agree not to ship containers identified with the USDA grademark until a stationary lot grading is completed to assure conformance with the declared USDA Grade Standard.

To qualify for the stationary lot grading, the shell egg processor must be capable of providing records (manual or computer generated) demonstrating compliance with the Regulations Governing the Voluntary Grading of Shell Eggs (7 CFR Part 56) during the USDA grader's absence. Specifically, conformance with minimum operating parameters (i.e. wash water temperature(s), final rinse water temperature, compliance with sanitizing requirements, hygienic processing practices, and the volume and identity of eggs packaged for isolation of the stationary lot(s)).

Upon verification by the USDA grader that eggs packaged under such circumstances were processed in accordance with regulatory standards, the stationary lot grading will be performed. Eggs determined as meeting the declared U.S. Grade Standard are eligible for distribution in commerce. Product that does not meet the declared U.S. Grade Standard must be retained. The above procedure provides industry the opportunity to prevent disruption of the processing of shell eggs identified with the USDA grademark during times of increased disease activity when biosecurity concerns prevent temporary staffing by relief personnel not normally assigned to the processing facility.

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