

# **EMR01 Guidance on legislation covering the marketing of eggs**

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## Scope and relevance

1. This document provides guidance on rules covering the production, marking, transport, grading, packing and onward marketing of eggs which are intended for human consumption (although some may ultimately be used for other purposes).
2. You should read this document from the beginning if you keep any laying hens but may not need to read it all if you have few hens or only sell eggs directly to consumers.
3. This guidance is not an authoritative nor complete statement of the law. The specific UK and EU legislation which is applicable to the production and marketing of eggs and chicks and to which you may wish to refer is listed under section 'Inspections and enforcement'.
4. Animal and Plant Health Agency (APHA) Egg Marketing Inspectors (EMIs) are responsible for enforcing the majority of this legislation.
5. **You should contact your relevant EMI Administrative Centre for further information and guidance** (contact details are provided in section 'Other relevant contact information').

## Notes of the egg industry

1. In order to provide quick reference information, some notes have been produced to help you identify your obligations. The following notes are available within this guidance:
  - egg producers - registration, marketing and stamping requirements
  - producer deliveries - stamping and containers (labelling)
  - collectors and packing centres procedures and requirements

## Explanations of the egg industry

2. In order to provide quick reference information, some information has been produced to help you identify your obligations. The following information is available within this guidance:
  - egg producers - registration, marketing and stamping requirements
  - producer deliveries - stamping and containers (labelling)
  - collectors and Packing Centres procedures and requirements

## Registered producers

1. You will be required to register as a producer with your APHA EMI if you have either or a combination of the following:
  - 350 or more hens
  - 50 or more hens and any of your eggs are marketed at local public market

- **any** of your eggs are marketed to registered packing centres
- 3. Registration is required because of rules covering the Welfare of Laying Hens (a), or the requirement to stamp a producer code on the shell of eggs (b) or general marketing rules (c).
- 4. If you sell your eggs, for example to shops, restaurants or bakeries, they must first be graded as Class A and therefore you must also be approved and authorised as a packing centre.
- 5. Application form [EMR02B is available online](#) or by writing to or telephoning your relevant Administrative Centre (see section 'Location of Egg Marketing Administrative Centres').
- 6. Producers must keep detailed records relating to their hens, feed, egg production and dispatch - enabling eggs and their origins or destination to be verified. See section 'Records (all operators)' for details.
- 7. The notes have been produced to help you identify your obligations.

### Producers who do not need to be registered with an EMI

1. If you have less than 350 hens and all the eggs you produce are sold directly to individual consumers at your farm gate or by door-to-door sales, you will not need to register with an APHA EMI. However, under separate legislation covering disease controls, if you have 50 or more birds (other than wild birds) of any species you **will need** to register with the poultry register. For further information use contact and link information under section 'Other Relevant contact Information'.
2. If you sell some of your eggs at local public markets but have less than 50 hens then you will not need to register with an APHA EMI, but you will need to display labelling required under Food Labelling Regulations (name of the food, your name and address, best before date and advice to consumers to keep eggs chilled) when selling your eggs in this manner.
3. You should also note the definition of local public market and door to door sales provided under the section titled Definitions within England and Wales.
4. The flow chart (see section 'Egg producers' registration, egg marketing and egg stamping requirements') should help you determine whether you need to be registered.

### Collectors (and transporters) of eggs

1. Collectors, who by definition transport ungraded eggs from registered producers to packing centres, food industry or non-food industry, must be registered as a food business operator with their Local Authority (LA).
2. Collectors must retain copies of documents accompanying each consignment of eggs. See section 'Records (all operators)' for details.
3. Collectors may not split transport packaging nor remove labelling from it, they may only deliver eggs in original transport packaging with original labelling

applied. See section 'Movement of ungraded eggs to packing centres' for further information.

4. Other companies involved in the transport of **graded** eggs are also required to be registered as a food business operator with your LA. They must keep detailed records relating to collections and deliveries enabling the tracing of eggs, their origins and destination. See section 'Records (all operators)' for details.

## Packing centres

1. Must be approved separately as food business operators by LA and be authorised by an APHA EMI to grade and pack eggs.
2. Applications must be made using the form EMR02 returning the completed form to your relevant Administrative Centre (for contact details see section 'Location of egg marketing Administrative Centres').
3. Once authorised, packing centres may receive ungraded eggs sourced from producers registered with an APHA EMI. They may also receive graded Class A eggs which may then be repacked by the packing centre.
4. Must, within 10 days of lay:
  - grade, pack, and label eggs (all at the same time)
  - ensure eggs are marked with producer code (whether done by them or producer).
- must keep detailed records of gradings and all egg transactions from production through to delivery, enabling complete traceability and verification of eggs and their origins. See table showing Records (all operators) - for details see section 'Records (all operators)'.

## Wholesalers and distribution depots, retailers and caterers

1. Must be registered as food business operators by LA.
2. May only receive properly packed and labelled Class A eggs.
3. May not re-pack eggs or split packs of eggs intended for re-sale.
4. Must have records available enabling traceability of all foods (including eggs) back to suppliers, or forward to customers (with the exception of the final consumer). See table showing 'Records (all operators)' – for details see section 'Records (all operators)'.
5. Distribution Centres which deliver only to other premises that are part of the same company (for example supermarket or cash and carry distribution centres) are exempted from certain records keeping requirements, since most records can be obtained from the receiving premises.

## Food industry

### Egg processors

1. Must be **approved** by their LA (the competent authority for food industry) as a food business operator for egg products.
2. Approval subject to premises and procedures satisfying the conditions laid down in Section X Chapter II of Regulation 853/2004 (EC) for the production of egg products intended for human consumption.
3. Excludes caterers and mass caterers (restaurants, hospitals, canteens and other similar mass caterers) unless also meeting those requirements and being approved accordingly.
4. Approved Food Industry processors may collect or receive, for processing on their own premises:
  - graded Class A eggs
  - graded Class B eggs
  - ungraded eggs - stamped with producer code
  - unstamped ungraded eggs - only when delivered **directly** from registered producers to the processor under the terms of specific derogations which may be requested from an EMI (to enquire, see contact details at Section 'Location of egg marketing Administrative Centres').
5. Records providing traceability of raw materials and products must be kept according to Food Hygiene Regulations.

### Egg boiling plants

1. Premises which boil whole eggs in shell (i.e. do not break eggs open prior to use or cooking), whether caterers, mass caterers or specialised boiling plants, may only receive Class A eggs.
2. However, it might be possible to obtain **specific approval** as a food business operator for egg products from the relevant LA (the competent authority for food industry).
3. It may then be possible to receive Class B eggs if the premises uses and processes them in compliance with all the relevant Food Hygiene Legislation.
4. Approval is subject to premises and procedures satisfying the conditions laid down in Section X Chapter II of Regulation 853/2004 (EC) for the production of egg products intended for human consumption.

### Disposal of eggs to the non-food industry

1. Eggs which are no longer intended for use as foodstuffs (for human consumption) must be disposed of according to the Animal By-Products Regulations.

2. They may only be marketed as industrial eggs and labelling, movement and use as such is covered in England by both the Eggs and Chicks (England) Regulations and the Animal By-Products Regulations.
3. Further information on disposal of eggs in general (on-site) and about the Animal By-Products Regulations is shown in Section 'Inspections and enforcement including location/contact of Egg Marketing Inspectors'.
4. Only premises approved under the Animal By-Products Regulations are permitted to receive and use or dispose of such industrial eggs, including for example their traditional use for fish-bait (maggot) farming, technical use or their disposal by rendering or composting.
5. Section (Packaging, labelling and documentation) sub-section 'Industrial eggs (eggs for the non-food industry)' details labelling and records requirements.
6. Eggs are normally considered Category 3 waste; however they would be re-categorised to Category 2 where they contain excessive levels of veterinary medicine residues.

## Requirements for registration of producers

1. Producers requiring registration as detailed above (in Section 'Registered producers') must apply to the relevant EMI Administrative Centre using the form [EMR02B](#).
2. All producers required to register are also obliged to comply with relevant criteria for the four recognised methods of production which are explained in detail under section 'Production methods: unit design criteria'.
3. Rules for organic production are covered separately by individual certifying bodies within the UK.
4. Labelling requirements for egg dispatched from producers are covered under section 'Packaging, labelling and documentation'.
5. Records keeping requirements are covered under section 'Records (all operators)' for details.

## Requirements for authorisation of packing centres to pack eggs

1. Packing centres must also apply to the relevant EMI Administrative Centre for authorisation to pack eggs. Applications must be made using the form [EMR02](#) or by contacting the relevant Administrative Centre (see section 'Location of egg marketing Administrative Centres').
2. Packing Centres must be approved by LA as food business operators and must meet requirements concerning hygiene, records and HACCP processes.
3. Packing centres must have appropriate technical equipment as follows:
  - suitable candling equipment either permanently staffed or automated
  - devices for measuring the air space in eggs

- suitable weight-grading equipment
  - suitable equipment for marking (stamping) eggs.
4. Once authorised, packing centres are provided with their individual packing centre code which must be used on all labelling of graded eggs leaving their premises.

## Movement of ungraded eggs to packing centres

1. Ungraded eggs which are delivered to packing centres for grading must still be in their original transport packaging with original labelling applied.
2. Each transport packaging (container) of ungraded eggs must only contain eggs from one producer - such containers may not comprise ungraded eggs from different producers.
3. Where a collector or packer who has taken eggs from a producer, wishes to split consignments of **ungraded eggs** in order to supply different Packing Centres for grading, they must not dismantle individual containers or transport packaging - these must remain intact until grading at the destination Packing Centre.
4. However, separate consignments made up of intact individual containers may be sent to different packing centres. When this occurs, the packing centre which grades the eggs must then retain the labelling applied to the transport packaging, in lieu of the original documentation accompanying the full consignment (because the original documentation covering the entire original consignment cannot accompany all parts, once split-up).

## Movement of graded eggs to a packing centre for final packing

1. The movement of weight selected eggs is no longer permitted, as eggs must be fully graded, packed and labelled immediately they are removed from original transport packaging.
2. Where packing centres wish to send eggs to other packing centres, those eggs must be either:
  - ungraded, in the original unaltered transport packaging with original labelling applied, or
  - be fully graded, marked with obligatory producer code, packed and labelled as Class A which may be in any size of pack (including for example wrapped pallets). Where eggs are sent ungraded as at (a) above, they must still be graded, marked, packed and labelled by the receiving packing centre within the overall time limits prescribed, i.e. ten days from lay. Where eggs are sent graded, they may be re-packed for further marketing by the receiving packing centre, into normal Class A packs. There is no requirement for re-packing

information and this removes the need for the movement of weight-selected ungraded eggs.

## Marking (stamping) of eggshells

1. Where marking (stamping) of eggs is required, this may be done by either the producer prior to dispatch, or by the first packing centre which is obliged to grade, mark, pack and label all eggs.
2. Eggs must be marked with the producer code (issued to producers upon registration) when they are:
  - sold as Class A
  - sold as Class B (**unless specific exemptions apply\***)
  - when eggs are transported across EU Member State's borders (**unless exemptions apply\***)
  - sold at a local public market (unless the producer has 50 hens or less).
3. Marking may be done using direct stamping or other printing equipment, using food-grade ink and hygienic processes.
4. The producer code e.g. 3UK99999 is made up of:
  - A single number suffix giving the method of production (0 = Organic, 1 = Free Range, 2 = Barn, 3 = Eggs from Cages Hens), then two letters (the ISO code) giving the country of production and then series of numbers sometimes with letter which indicate the specific farm where the eggs produced.
  - These codes are unique within the EU to each farm, not transferable and are issued only upon full registration.
  - \*Details of any exemptions which may apply can be checked with the relevant EMI Administrative Centre ((contact details are provided in section 'Other relevant contact information').).

## Quality grading and storage of eggs

1. Class A eggs shall have the following quality characteristics:
  - shell and cuticle: normal shape, clean and undamaged
  - air space: height not exceeding 6mm, stationary, however, for eggs to be marketed as "extra" it may not exceed 4mm
  - yolk: visible on candling as a shadow only, without clearly discernible outline, slightly mobile upon turning the egg, and returning to a central position
  - white: clear translucent
  - germ: imperceptible development
  - foreign matter: not permissible
  - foreign smell: not permissible.
2. Class A eggs shall not be washed or cleaned, before or after grading (no exceptions apply in the UK).

3. Class A eggs shall not be treated for preservation or chilled in premises or plants where the temperature is artificially maintained at less than 5°C, except that chilled transport for **less than** 24 hours or keeping on retail premises/annexes for **less than** 72 hours is acceptable.
4. Eggs must be kept clean, dry and out of direct sunshine at all times.
5. Certain Class A eggs meeting more stringent standards may be marketed as extra or extra fresh. See section 'Additional labelling permitted for Class A packs' eggs for further information.
6. Whilst eggs should not be chilled during marketing, to minimise risk to quality and safety that may arise due to temperature variations, eggs **should** be kept chilled once purchased by the final consumer to maximise quality.

## Weight grading

1. Class A eggs must be sold according to weight.
2. The weight gradings are as follows:
  - XL - VERY LARGE eggs weighing 73g or more
  - L - LARGE 63g up to (but not including) 73g
  - M - MEDIUM 53g up to (but not including) 63g
  - S - SMALL below 53g.
3. The letters or full term may be used separately or individually.
4. See also additional labelling permitted for Class A eggs (section 'Quality grading and storage of eggs') for further information about other terms that may be used in addition to weight gradings and further information about selling eggs under alternative terms such as eggs of different sizes.

## Packaging, labelling and documentation

### Ungraded eggs

1. Must have a label applied onto transport packaging by the producer which shows the:
  - Name and address of producer
  - Registered producer code
  - Number of eggs
  - Laying date(s) or period
  - Date of dispatch from producer.
2. The original transport packaging and labelling must not be removed from ungraded eggs until those eggs are to be immediately graded, marked and packed at a packing centre. In addition, documentation, containing the information shown above, must accompany each overall consignment of eggs from producers, which must be retained by the packing centre which grades each consignment. All intervening operators who handle consignments must retain a copy of this documentation.

## Graded Class A

1. Eggs, must immediately after grading, be placed in packs and be labelled with the following information:
  - the quality class A (the term Fresh may be used as well)
  - the weight grading (see weight grading above about mixed-weight packs)
  - the best before date (a maximum of 28 days after laying)
  - method of production
  - advice to the consumer to keep eggs chilled after purchase
  - explanation of the code stamped on eggs
  - packing Centre Code
  - name of product, meaning eggs (required by Council Directive 2000/13)
  - name and address of packager or seller (required by Council Directive 2000/13)
  - the number of eggs - unless it is easy to determine the number of eggs within the pack (Council Directive 2000/13).
2. Other indications or claims may be made, providing that they are not likely to mislead the purchaser and these are covered in the next section.

## Loose sales, by retailers, of graded Class A eggs

1. Eggs not in packs may be made to the final consumer when they are accompanied by labelling providing the details shown above in section 'Graded Class A' above, along with any other additional terms that may be used.

## Additional labelling permitted for Class A packs

1. With respect to **Weight**:
  - additional terms, which may not be misleading, can be used when selling eggs under the specified weight gradings
  - instead of selling eggs under the specific weight gradings (sizes) given above, it is also permissible to sell packs of Class A eggs of different sizes which must show on the pack
    - the minimum net weight of the eggs, in grams, along with:
      - the indication Eggs of different sizes, or
      - an equivalent term.
  - there must be a mixture of sizes (weight gradings) in each pack.
2. With respect to using the term **Extra** or **Extra Fresh**:
  - reference may only be made to extra or extra fresh when eggs are sold in packs and:
    - eggs are graded, marked and packed within four days of lay
    - the air cell in eggs is no more than 4mm in height

- the laying date is shown on packs.
- the term extra or extra fresh may only be shown on packs until the ninth day after lay. This nine-day time limit and the laying date shall be shown clearly on packs.
- 3. With respect to **feed claims**:
  - reference may be made to cereals in general provided that 60% in weight of the feed formula given to hens is cereal and that no more than 15% is cereal by-products.
  - Without prejudice to that provision, reference may be made to:
    - one specific cereal provided that it is at least 30% of the feed formula
    - reference may be made to more than one specific cereal provided each is at least 5% of the feed formula.

## Additional labelling permitted for Class A packs (continued)

1. With respect to **origin**:
  - origin claims (for example eggs coming from a specific area or region) may only be made where those eggs were produced within that area or region. Records required as standard are now suitable for this purpose.
2. With respect to **any other additional claims or statements**:
  - other claims or statements may be made only when they may not be misleading to the consumer and can be substantiated as being accurate.
3. For stock rotation and control purposes:
  - display until or sell by dates are not required on packs of eggs, however, there is an obligation to ensure eggs are sold to the consumer within 21 days of lay, so retailers may prefer to have such additional stock control dates on their packs.
4. It is recommended that the suitability of all pack designs, net weights and indications used are checked with your EMI prior to production.

## Graded Class B

1. Class B eggs which may only be delivered to the food industry or to the non-food industry, must be labelled as follows, with:
  - the dispatching packing centre's packing centre code
  - Class B or B
  - the packing date.
2. Where eggs (including those previously graded as Class B) are to be sent to the non-food industry, industrial egg labelling and accompanying documentation will be required as described under industrial eggs, below.

## Industrial eggs (eggs for the non-food industry)

1. All eggs destined for non-food use are covered by the Animal By-Products Regulations. Labelling must be on a red band or label affixed to the container with the following information shown:
  - the words industrial eggs in capital letters 2cm high
  - the words unsuitable for human consumption in letters at least 8mm high
  - the name and address of the operator for whom the eggs are intended
  - the name and address of the operator which has dispatched the eggs.
2. Animal By-Products Regulations (under Annex II Chapter 1 Paragraph 2) requires the category of the animal by-product to be shown on labelling, meaning Category 3.
3. Animal By-Products Regulations also **require** documentation to accompany consignments of eggs sent for disposal or industrial use. This documentation must have the following information:
  - the date on which the material was taken from the premises
  - the description of the material, including the information referred to in Chapter I, the animal species for Category 3 material and processed products derived there from destined for use as feed material and, if applicable, the ear-tag number
  - the quantity of the material
  - the place of origin of the material
  - the name and the address of the carrier
  - the name and the address of the receiver and, if applicable, its approval number, and
  - if appropriate:
    - the approval number of the plant of origin, and
    - the nature and the methods of the treatment.

### Production methods: Unit design criteria

1. Certain derogations apply to some existing production units, details of which are not given here for simplicity, but may be obtained from the relevant Egg Marketing Administrative Centre (See section 'Location of egg marketing Administrative Centres').
2. This guidance applies to all **new** units.
3. Where there are alternative ways of providing any required element any combination is acceptable so long as the total requirement is provided.

### Free Range and Barn: Internal criteria

1. Where eggs are to be marketed as **Free Range** or **Barn**, the following **internal design criteria** apply to the units.

- There may be additional internal design criteria for certain **Organic** (Free Range) standards.
- Establishments producing Free Range or Barn eggs, which have less than 350 hens in total, do not need to comply in full with the requirements marked with this symbol: ¥
  - Stock density/Usable area - Maximum nine hens per square metre of usable floor area
  - Litter - minimum 250sqcm per hen and must cover 1/3rd of the ground surface ¥ (see note above)
  - Remaining floor surface - must support hens" forward facing claws on each foot ¥ (see note above)
  - Multi-level units - additional levels may contribute to unit capacity where:
    - hens are able to move freely between levels
    - there are no more than four levels (including the floor) ¥ (see note above)
    - headroom above each level is 45cm
    - drinking and feeding facilities are distributed to allow equal access for all hens
    - levels are arranged to prevent droppings falling on hens below.
  - Perching must:
    - provide 15cm of perch length per hen
    - not be mounted above litter ¥ (see note above)
    - be at least 30cm apart horizontally and 20cm from any wall ¥ (see note above)
    - have no sharp edges
  - Feeders – either
    - continuous linear troughs - 10cm length per hen
    - circular feeding troughs - 4cm outside length per hen
  - Drinkers – either
    - continuous troughs - 2.5cm length per hen
    - circular drinking troughs - 1cm outside length per hen
    - one nipple or cup per ten hens
  - Nest boxes – either
    - Individual nests - one nest per seven hens
    - Group nests - 1sqm of nest space per 120 hens.

### Free Range: External criteria

1. Where eggs are to be marketed as **Free Range** the following **external criteria** apply to the units. There may be additional criteria for certain **Organic** standards.
- Pop-holes providing access to range must:
    - be placed along the entire length of each unit

- be at least 35cm high and 40cm wide
- provide a total opening width of 2m per 1,000 hens.
- Any other fencing or restrictions outside the unit must not inhibit the hens' ability to access the range area.
- The range area (open air run) provided for hens must:
  - be accessible to the hens continuously during daytime
  - provide at least 1Ha per 2,500 hens (4sqm per hen) at all times
  - where 10m<sup>2</sup> per hen is available in total, paddock rotation is permitted when hens have access to the whole available area during their life and at least 1Ha per 4,000 hens (2.5sqm per hen) is provided at any one time
  - be mainly covered in vegetation (cropping is not permitted on range area, whilst woodland and authorised livestock grazing is permitted)
  - not exceed 150m from the nearest pop-hole - unless sufficient shelters are placed throughout the entire range area and at least four shelters per Ha are provided, whereupon the range area may extend to 350m from the nearest pop-hole
  - hens may be confined to their unit for a limited period only during early morning hours to enable good husbandry and farming practice to be maintained.

## Enriched cages

1. Where eggs are to be marketed as **eggs from caged hens** and using the additional term **enriched cages**, these enriched cages must provide:
  - Floor:
    - space providing at least 750sqcm area per hen
    - 600sqcm of which shall be usable (i.e. be at least 30cm wide with a floor slope not exceeding 14%, with headroom of at least 45cm)
    - A total area per cage of 2,000sqcm
  - Height:
    - at least 20cm high above non-usable area (above nest box for example)
    - at least 45cm above usable area
  - a nest, the floor of which may not be wire mesh
  - litter area, such that pecking and scratching are possible
  - perches providing 15cm per hen
  - drinkers - a drinking system appropriate to the size of group:
    - where nipples or cups are used at least two within reach of each hen
  - feed troughs - at least 12cm length per hen with unrestricted access
  - claw-shortening devices which are suitable
  - there must also be a minimum aisle width of 90cm between tiers of cages and at least 35cm between the floor of the building and the bottom tier of cages.

## Hygiene enforcement at production sites

1. Since 2008 EMIs have been authorised to carry out hygiene inspections at layer production sites. The role of the Inspectors are to ensure that various aspects of the production units, surrounding area and storage areas of egg etc are maintained hygienically to ensure that any risk to human health by the eggs are minimised. Once a hygiene visit has been conducted and standards are regarded as satisfactory ongoing assessments will be made to ensure that standards are maintained.

## Salmonella National Control Programme

1. The Control of Salmonella in Poultry Order 2007 came into force on 28 January 2008. This established the National Control Programme for Salmonella in Layers which is administered by APHA.
2. All producers with 350 or more laying hens need to carry out environmental sampling for salmonella. Those producers with 350 to 1,000 birds will carry out operator samples throughout the year. EMIs will carry out regular audits to ensure that sampling has been carried out within the prescribed timelines and that records have been maintained.
3. Producers with 1,000 birds plus will also have regular audits by EMIs and in addition they will also have an annual official test carried out by an inspector. This is chargeable by APHA.
4. Producers should consult their local veterinary practice or one of the approved laboratories on the Defra website to obtain sampling kits.
5. Sampling needs to be carried out when the birds are between 154 and 182 days old. Further sampling then needs to be carried out at intervals of 105 days or less. Failure to sample within these timeframes or to maintain proper records can lead to variable administrative penalties. In addition, if it is deemed that an offence has been committed and a penalty notice is applicable producers can be fined various amounts ranging from £100 to £4,500. These penalties can also involve an immediate test being conducted by an Inspector - this being charged for by APHA. Restrictions on the sale of eggs will then be imposed until the salmonella test results are known to be negative.
6. If there is **any** doubt about the sampling procedure or any aspects of the NCP for Salmonella in layers, producers should contact their local EMI.
7. [Further information is available.](#)

## Records (all operators)

1. The following provides guidance on records keeping requirements for anyone involved in marketing eggs intended for human consumption.

2. The majority of records shown are required under the Regulations concerned with Egg Marketing, however, certain other Regulations require the same or similar records to be kept and reference to these are made within the table.
3. Where invoices, delivery notes or other forms of documentation provide all of the required information they may be kept and presented upon request as records.
4. You may be asked to provide records to Authorised Officers and in general you will be required to do so upon first request.

**Notes: All records described here must be kept by production method and day.**

### **Producers: Production of ungraded eggs**

- Date of placing hens in laying unit
- Age of hens when placed in unit
- Number of hens placed in unit
- Date when hens are culled (depleted)
- Number of hens culled (depleted)
- Any mortalities in each unit (note 4)
- Daily egg production (all sales)
- Use of veterinary medicines (note 2)
- Farm gate and any other sales direct to the final consumer (See note 5)

### **Where feed claims are made**

All records must show the:  
use of the feed claim

- quantity of feed
- type of feed supplied or mixed (Note 2)
- source of feed (Note 1)
- date of delivery of feed

### **Where one production site has different methods of production operating**

- Separate records for each unit (hen house).

### **Marketing of ungraded eggs**

- Daily number of ungraded eggs dispatched or purchased (Note 1)
- Together with the name and address of recipient or purchaser

### **Marketing of graded eggs**

- Traceability of eggs back to suppliers and forward to customers (Note 1).

## **Marketing of industrial eggs or eggs no longer fit for human consumption**

- Date of dispatch or receipt of industrial eggs
- Description of consignment
- Quantity
- Name and address of carrier
- Name, address and approval number of recipient
- Retain copy of document sent with all movements of industrial eggs under ABPRs.

## **Notes: Collectors**

### **Marketing of ungraded eggs**

- Daily number of ungraded eggs dispatched or purchased (Note 1)
- Together with the name and address of recipient or purchaser
- Together with receiving packing centre code
- Together with the producer details (Name, address) laying date(s) (Note 1)
- Daily record of ungraded eggs received by producer (name, address and producer code)
- Accompanying documentation for ungraded eggs (Keep original)

### **Marketing of graded eggs**

- Traceability of eggs back to suppliers and forward to customers (Note 1)

## **Marketing of industrial eggs or eggs no longer fit for human consumption**

- Date of dispatch or receipt of industrial eggs
- Description of consignment
- Quantity
- Name and address of carrier
- Name, address and approval number of recipient
- Retain copy of document sent with all movements of industrial eggs under ABPRs.

## **Notes: Packing centres**

### **Marketing of ungraded eggs**

- Daily number of ungraded eggs dispatched or purchased (Note 1)
- Together with the name and address of recipient or purchaser
- Together with receiving packing centre code
- Together with the producer details (Name, address) laying date(s) (Note 1)
- Daily record of ungraded eggs received by producer (name, address and producer code)
- Together with laying date(s) (Note 1)

- Accompanying documentation for ungraded eggs (Keep original)

### Marketing of graded eggs

- Grading records for eggs, giving quantities graded to class A by weight, and sold to class B
- Daily number of graded class A eggs sold, by weight grading, showing the name & address of purchaser(s) (Note 1)
- Daily number of graded Class B eggs sold showing the name and address of purchaser(s) (Note 1)
- Weekly physical stock
- Daily record of quantities of graded eggs received
- Together with originating packing centre code and best before date
- Traceability of eggs back to suppliers and forward to customers (Note 1)

### Notes: Wholesale, distributors, retailers & Caterers

#### Marketing of graded eggs

- Traceability of eggs back to suppliers and forward to customers (Note 1)

#### Marketing of industrial eggs or eggs no longer fit for human consumption

- Date of dispatch or receipt of industrial eggs
- Description of consignment
- Quantity
- Name and address of carrier
- Name, address and approval number of recipient
- Retain copy of document sent with all movements of industrial eggs under ABPRs.

Note 1 – Also required traceability requirements of article 18 of regulation (EC) 178/2002

Note 2 – Required by the Hygiene Regulation 852/2004

Note 3 – Required by the Animal By Products Regulations 1774/2002

Note 4 – required council directive 98/58/EC; keep for 3 years

Note 5 - as part of the records sales required by article 20.1.d of commission Regulation 567/2007 for all the registered producers

### Definitions within England

**‘Door-to-door selling’** - has been defined in the Eggs and Chicks (England) Regulations 2009 Part 1(3) as “door-to-door selling” means a sale which is made during an unsolicited visit by a producer to the final consumer's home, or to the home of another person, or to the final consumer's place of work.

The terms 'local public market' and 'region of production' are defined in the Eggs and Chicks (England) Regulations 2009 as follows:

A **local** public market means:

1. A public market which is held:
  - in the locality (see below) of the production site and any adjoining locality (see below), or
  - within 60 miles of the production site whichever is the greater
2. Where a **public market**:
  - means:
    - a market held on public land to which the public have a right of access and for which any necessary notice has been given to the LA under section 37(2) of the Local Government (Miscellaneous Provisions) Act 1982
    - a market run by statutory or LA
    - a market created by charter or by legislation, or
    - any other long established legally recognised market
  - but excludes itinerant sales such as at the roadside (e.g. from lay-bys) and 'car-boot' sales unless they fall within the paragraph above
3. **region of production** means the election area of the production site used for European election purposes as established by the European Parliamentary Elections Act 2002. The region of production will also include the area within 60 miles of the production site where the European election boundary falls within 60 miles of the production site.
4. **locality** means - the area comprised within the boundary of:
  - a metropolitan county named in Part I or a non-metropolitan county named in Part II of Schedule 1 to the Local Government Act 1972 (as amended)
  - the Isles of Scilly, which shall be regarded as one locality
  - Greater London, as defined in section 2(1) of the London Government Act 1963 (as amended).

Similar principles are expected to be applied across Wales EMIs.

## Inspections and enforcement including location or contact of Egg Marketing Inspectors

1. EMIs are part of APHA (a government executive agency) which is responsible for enforcing most Regulations in relation to the marketing of eggs within England and Wales.
2. A requirement of legislation is that any premises with obligations under those Regulations will be inspected. These inspections are normally unannounced and the frequency and duration of inspections is based upon risk analysis accounting for the value and volume of eggs marketed and the compliance history of the premises. Other random inspections to ensure the risk-basis is working correctly are also carried out.

3. Enforcement action is only taken when necessary and is taken according to the nature and scale of any infringements. Initially Inspectors will provide advice and guidance, but if appropriate to achieve compliance, increasingly formal steps are taken, ensuring that matters are dealt with proportionately and effectively.
4. Since most staff time is spent on inspections, it is recommended that the first point of contact for general enquiries should be the relevant Egg Marketing Administrative Centre (contact details are in section 'Location of egg marketing administrative centres').
5. The **UK and EU Legislation** which is referred to in this document and is applicable in any way to eggs and chicks is listed here, noting that these Regulations may have been amended (but this is not specifically shown here). All Regulations any amendments (which are not listed here) should be read together for completeness:

**S.I. Number 2162 of 2009 - The Eggs and Chicks (England) Regulations 2009**

**Welsh Legislation Ref**

**S.I. Number 793(W.71) - The Eggs and Chicks (Wales) Regulations 2009**

EU - Council Regulation (EC) No 1308/2013

EU - Commission Regulation (EC) No 589/2008 (as amended)

EU - Commission Regulation (EEC) No 617/2008

**S.I. Number 1499 of 1996 - Food Labelling Regulations 1996**

EU - Directive 2000/13/EC

**S.I. Number 14 of 2006 - Food Hygiene (England) Regulations 2006**

EU - Regulation (EC) No 178/2002

EU - Regulation (EC) No 852/2004

EU - Regulation (EC) No 853/2004

EU - Regulation (EC) No 854/2004

**S.I. Number 3100 of 2003 - The Registration of Establishments (Laying Hens) (England) Regulations 2003**

EU - Commission Directive 2002/4/EC

**S.I. Number 1870 of 2000 - The Welfare of Farmed Animals Regulations 2000**

EU - Council Directive 1998/58/EC

EU - Council Directive 1999/74/EC

**S.I. Number 881 of 2011 - The Animal By-Products (Enforcement) England Regulations 2013**

**S.I. Number 2377 of 2011 - The Animal By-Products (Enforcement)(No 2) Wales Regulations 2011**

EU - Regulation (EC) No **1069/2009** and **141/2011**.

This is not a definitive list of Legislation. All subject to amendments (where made) not listed here.

## Location of Egg Marketing Administrative Centres

Forward any application(s)/paperwork or address any queries to the appropriate Egg Marketing Administrative Centre shown below.

If your premises is in **England**, your Administrative Centre is:

Egg Marketing Business Support  
Customer Service Centre  
Animal and Plant Health Agency  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP  
Telephone: 03000 200 301  
Email [CSCOneHealthEggmarketing@apha.gov.uk](mailto:CSCOneHealthEggmarketing@apha.gov.uk)

If your premises is in **Wales**, your Administrative Centre is:

Egg Marketing  
APHA  
Penrallt Offices  
Caernarfon  
Gwynedd  
Wales  
LL55 1BN  
Telephone: 0300 303 8268

## Other relevant contact information

### Poultry Registration

1. Producers who have poultry of **any kind** must register with the Poultry Register separately.
2. This is regardless of how hen eggs are marketed, or whether welfare conditions apply or whether they must register with an EMI.
3. Further information is available at:

#### [Register as a keeper of less than 50 poultry or other captive birds](#)

How to register if you keep up to 49 birds, including any you keep as pets.

[Register as a keeper of 50 or more poultry or other captive birds](#) How to register if you keep 50 or more birds, including any you keep as pets.

[Register as a bird keeper](#) You must register within one month of keeping poultry or other captive birds at any premises in England or Wales

Email [customer.registration@apha.gov.uk](mailto:customer.registration@apha.gov.uk) or call on 03000 200 301. Lines are open 8:30am to 5:00pm Monday to Friday.

Postal Address:

Animal and Plant Health Agency (APHA)  
Cardiff Customer Service Centre  
Poultry Data Team  
Cromlin West  
Cardiff Edge Business Park  
Longwood Drive  
Whitchurch  
Cardiff  
CF14 7YU

## Disposal of waste eggs: The Animal By-Products (ABP) Regulations

1. The disposal of any surplus or waste eggs is controlled under the Animal By-Products Regulations. These control any eggs which are not sent for processing within the food or non-food industry.
2. Waste eggs (whether whole or parts thereof) may not be disposed of as general waste in any way, nor spread on land. [Waste eggs may only be disposed of in accordance with the Animal By-Products Regulations.](#)
3. In general, every part of an egg is considered at least as Category 3 waste and can be Category 2 waste placing additional requirements on the disposal. [Article 10\(p\) of Regulation 1069/2009](#)
4. [ABP categories explained and disposing of ABPs.](#)
5. Therefore, waste eggs must be disposed of at premises approved under the Animal By-Products Regulations (which may include individual approved incinerators on the site producing the waste eggs).
6. Further details can be found at GOV.UK or from the APHA helpline number 03000200301 or:
  - See the [Animal By-Products Regulations \(EU\)](#)
  - Catering waste is classified as a Category 3 ABP, as defined in [Article 10\(p\) of Regulation 1069/2009](#), See [advice about disposing of food and former foodstuffs](#)

[ABPs you can use](#) and [Using bakery products.](#)

# Egg producers' registration, egg marketing and egg stamping requirements

## Producer deliveries: Stamping and containers

### Member state of Production

- Producer to Collector Labelled containers (Stamping optional)
- Producer to Packing centre Labelled containers (Stamping optional)
- Producer to food industry Labelled containers (Stamping optional)
- Producer to non-food industry red label industrial eggs

### Producer to collector stamped eggs and labelled containers

- Producer to packing centre stamped eggs and labelled containers
- Producer to food industry labelled containers (Stamping optional)\*
- Producer to non-food industry Stamped eggs and Red label industrial eggs

\*If collected by approved food industry operators who assume responsibility for these deliveries.

## Collectors and packing centres: Procedures and requirements

### A collector or packing centre sending entire batch from a producer to (Other) packing centre

- Only intact farm containers with unaltered labels
- Retain original producer document (no longer relevant for a split batch) versus copies of containers labels
- Records of ungraded eggs purchases and sales including the date of lay and producer.

### Packing Centre receiving all containers of entire batch from an egg producer

- Do not remove labels until point of grading, stamping and packing.
- Retain original producer documents
- Records, ungraded egg purchases, including the date and lay and producer

### Collector or egg packing centre splitting batch from producer, some containers to different packing centres

- Only intact farm containers with unaltered labels
- Keep copies of labels versus documents
- Records of ungraded eggs purchases and sales including the date of lay and producer.
- Packer receiving some containers of split batch from producers

## Packer receiving all containers of entire batch from producers

- Do not remove labels until point of grading, stamping and packing.
- Retain container labels versus documents
- Records, ungraded egg purchases, including the date and lay and producer

This guidance has been produced by APHA Egg Marketing.

So that any enquiries you may have are dealt with quickly by staff familiar with your location and businesses, all enquiries should be directed to

[CSCOneHealthEggMarketing@apha.gov.uk](mailto:CSCOneHealthEggMarketing@apha.gov.uk)



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### Using and sharing your information

How we use your personal data is set out in the Egg Marketing Inspectorate privacy notice: <https://www.gov.uk/government/publications/animal-and-plant-health-agency-privacy-notices/egg-marketing-inspectorate-privacy-notice>.

APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Government

and Food Standards Agency to safeguard animal and plant health for the benefit of people, the environment and the economy.

