

CHAPTER 119  
HB 1186 - FINAL VERSION

5Mar2026... 0613h

2026 SESSION

26-2553  
08/06

HOUSE BILL

***1186***

AN ACT relative to the sale and labeling of eggs.

SPONSORS: Rep. Barbour, Hills. 35; Rep. J. Aron, Sull. 4; Rep. Bixby, Straf. 13; Rep. Comtois, Belk. 7; Rep. Kenny, Hills. 13

COMMITTEE: Environment and Agriculture

---

AMENDED ANALYSIS

This bill recodifies the subdivision relative to the sale of eggs to reflect modern methods of sorting, labeling, and grading eggs. This bill also requires egg producers who sell from their home or farmstand to label their eggs and exempts such egg producers from requirements for sorting, selling, and grading eggs.

-----

Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struckthrough.~~]  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 119  
HB 1186 - FINAL VERSION

5Mar2026... 0613h

26-2553  
08/06

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT relative to the sale and labeling of eggs.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 119:1 Definitions; Sale of Eggs. RSA 428:22-29 is repealed and reenacted to read as follows:

2 428:22 Definitions. Terms used in this subdivision shall be interpreted as stated unless the language  
3 or context clearly indicates otherwise.

4 I. "Adulterated" means a shell egg or shell egg packaging that bears or contains an added  
5 substance which may render it injurious to human health; consists in whole or in part of any filthy, putrid or  
6 decomposed substance or if it is otherwise spoiled or unfit for use as or contact with human food; has  
7 been subject to incubation; has been prepared, packaged or held under unsanitary conditions whereby it  
8 may have become contaminated with filth or otherwise rendered injurious to human health.

9 II. "Commercial egg producer" means any person who ships and/or sells eggs to a distributor,  
10 egg dealer, wholesaler, or retail chain.

11 III. "Shell egg" means hens' egg.

12 IV. "Person" means any person, firm, partnership, corporation, or association.

13 V. "Nest run egg" means shell eggs collected from hen houses, prior to being washed, sized,  
14 graded, and packaged for sale.

15 428:23 Labeling.

16 I. All egg producers in this state shall follow truth-in-labeling standards.

17 II. Every producer shall include their business, farm, or personal name, an address or website,  
18 and a phone number on any egg carton sold.

19 III. If a producer uses reused cartons, producers shall inform customers that the eggs inside are  
20 not graded and that the size indicated on the carton does not apply to the eggs being sold.

21 IV. The packaging of all shell eggs sold, delivered or donated to consumers, retailers, food  
22 service facilities, dealers, or wholesalers within the state shall identify the producer's name and contact  
23 information.

24 V. All shell eggs sold, delivered or donated to consumers, retailers, food service facilities,  
25 dealers, or wholesalers within the state that are labeled or marketed by size via markings on individual  
26 shell eggs or packaging shall meet the United States Department of Agriculture standards for size,  
27 determination methods and labeling. Shell eggs that are not sized shall not include markings, labeling, be  
28 marketed or placed in packaging that implies size.

29 VI. All eggs sold, delivered or donated to consumers, retailers, food service facilities, dealers, or  
30 wholesalers that are labeled or marketed as grades AA, A, or B via markings on individual shell eggs or  
31 packaging shall meet the United States Department of Agriculture standards for grades, determination

**CHAPTER 119**  
**HB 1186 - FINAL VERSION**  
**- Page 2 -**

1 methods and labeling. Shell eggs that are not graded shall not include markings, labeling, be marketed or  
2 placed in packaging that implies grade.

3 428:24 Refrigeration.

4 I. All shell eggs sold, delivered or donated to consumers, retailers, food service facilities, dealers,  
5 or wholesalers shall be held at a maximum ambient temperature of 45°F immediately following packing.

6 II. All nest run eggs to be sold, delivered or donated to consumers, retailers, food service  
7 facilities, dealers, or wholesalers shall be held at a maximum ambient temperature of 55°F immediately  
8 after collection.

9 428:24-a Exemption for Certain Producers. Producers who sell exclusively from their residence, farm  
10 store or stand, or to local stores and/or establishment shall label their eggs in accordance with RSA  
11 428:23, but otherwise shall not be subject to RSA 428:22 through RSA 428:24 and RSA 428:25 through  
12 RSA 428:29.

13 428:25 Prohibitions.

14 I. No person, processor, packer, distributor/wholesaler, retailer or food service facility shall sell,  
15 deliver, donate or use shell eggs or packaging that do not meet the requirements of these regulations.

16 II. No person, processor, packer, distributor/wholesaler, retailer or food service facility shall sell,  
17 deliver, donate or use adulterated shell eggs or packaging.

18 428:26 Rulemaking; Assistants. The commissioner of agriculture, markets, and food shall have  
19 general authority to administer this subdivision and shall adopt rules, pursuant to RSA 541-A, for carrying  
20 out its provisions. He or she may appoint agents to assist them and fix their salaries within the amount  
21 appropriated therefore, subject to the rules of the state personnel commission. He or she shall, in person,  
22 or by their deputy or agent, have free access at all reasonable hours to any place, building, or vehicle in  
23 which eggs are sold, offered, or exposed for sale, or exchanged or distributed at retail, or wholesale. He  
24 or she shall also have power in person or by their deputy or agent to open any package or container and  
25 may upon tendering the market price take such container and its contents or sample therefrom.

26 428:27 Hearings. When the commissioner of agriculture, markets, and food learns of any violation of  
27 any of the provisions of this subdivision, he or she shall cause notice of such violations, together with the  
28 copy of their findings, to be given the person or persons concerned. Persons so notified shall be afforded  
29 a hearing under rules adopted by the commissioner under RSA 541-A.

30 428:28 Penalties.

31 I. Any person who, acting alone or by their servant or agent, violates any provision of this  
32 subdivision or rule adopted under this subdivision shall be guilty of a misdemeanor. For any subsequent  
33 offense, a person shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other  
34 person.

35 II. Any person who violates any provision of this subdivision or any rule adopted or order issued  
36 under this subdivision shall, in addition, be liable for a civil forfeiture not to exceed \$5,000 for each  
37 violation, for each day of a continuing violation, which may be collected in a civil action or in connection  
38 with an action for injunctive relief brought by the attorney general.

**CHAPTER 119**  
**HB 1186 - FINAL VERSION**  
**- Page 3 -**

1           III. Any person who violates any provision of this subdivision, or any rule or order of the  
2 commissioner, shall be subject to the imposition of an administrative fine levied by the commissioner, not  
3 to exceed \$1,000 for each violation.

4           428:29 Stop Sale, Use or Removal Orders. When the commissioner or their authorized agent has  
5 reasonable cause to believe eggs are being distributed in violation of this subdivision, or of any rules  
6 adopted pursuant to this subdivision, he or she may issue and serve a written "stop sale, use or removal"  
7 order upon the owner or custodian of any such eggs. The eggs shall not be sold, used or removed until  
8 the provisions of this subdivision have been complied with, and the eggs have been released by the  
9 commissioner, or the violation has been otherwise disposed of as provided in this subdivision by a court of  
10 competent jurisdiction.

11           119:2 Repeal. RSA 428:29-a, relative to stop sale, use, or removal orders regarding the sale of eggs,  
12 is repealed.

13           119:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 05, 2026  
Effective Date: August 04, 2026

**CHAPTER 119**  
**HB 1186 - FINAL VERSION**