Dear Potential “Small Egg Producer”:

I am enclosing copies of our WV Egg Marketing Law and WV Marketing of Eggs Rule. The “law” is usually written in general terms, and might say something like “eggs have to be refrigerated,” whereas the “rule” is more specific and might say “eggs have to be refrigerated above freezing and below 45 degrees.” I am also enclosing a label mock-up, to give you an idea on proper labeling.

Also enclosed is an Application for Egg Distributor Certificate of Authorization for “SMALL PRODUCER”. You are required to fill this application out and mail it to us, but you are exempt from the permit fees and inspection fees. Possessing a permit classifies you as an “approved source” and allows the sale of eggs to grocery stores, convenience stores, and restaurants. Selling the eggs without a distributor’s permit or proper labeling will result in the eggs being embargoed (a stop sale).

This letter is written under the assumption you are a small producer, as defined by W. Va. law and regulations. You may contact me at (304) 558-2227 or e-mail me at cdransfield@wvda.us if you have additional questions. Office hours are Monday - Friday, 8:30 a.m. to 4:30 p.m.

In a separate matter, some county Health Department (a separate agency) sanitarians are requiring a Food Establishment Permit to sell eggs at a Farmer’s Market. Please contact your county sanitarian for more information, specifically to determine if your county sanitarian is requiring this permit. A fee is required for the Food Establishment Permit.

Your WVDA permit to market and/or sell eggs is renewable each year. When you receive our renewal permit and you are a small producer, ignore the fee request and late penalty fee request. Simply write on the application SMALL PRODUCER – exempt from fees, including penalty late fees.

Sincerely,

Charles B. Dransfield
Charles B. Dransfield, Compliance Officer
Regulatory & Environmental Affairs Division

CBD/dg

Enclosures:  WV Egg Marketing Law and Rule
Application for Egg Distributor Certificate of Authorization ‘SMALL PRODUCER’
Label Mock-up
Julian Calendar

State Capitol ● 1900 Kanawha Boulevard, East ● Charleston, West Virginia 25305-0170 ● 304/558-3550 ● www.wvagriculture.org

“The Basis of All Wealth is Agriculture”