

(2) "Distributor" does not include any person who purchases shell eggs either exclusively as a retailer or exclusively for use in a food service facility or exclusively both as a retailer and as a food service facility.

(e) "Food service facility" means any person who operates a facility where eggs are used in the preparation of food and who does not distribute eggs to a food service facility owned by that person.

(f) "RETAILER" MEANS ANY PERSON WHO SELLS SHELL EGGS TO A CONSUMER AND WHO DOES NOT DISTRIBUTE EGGS TO A RETAIL OUTLET OWNED BY THAT PERSON.

(G) "Shell eggs" means raw OR TREATED CHICKEN eggs THAT ARE STILL IN THE SHELL AND INTENDED [produced by chickens] for human consumption.

[(g) "Retailer" means any person who sells shell eggs to a consumer and who does not distribute eggs to a retail outlet owned by that person.]

(H) "TREATED EGG" MEANS A CHICKEN EGG THAT HAS BEEN SUBJECTED TO A PROCESS THAT ALTERS THE EGG WHILE STILL IN THE SHELL.

4-302.

[No] A person may NOT DONATE, sell, advertise, offer, or in any manner represent for sale shell eggs to any person unless the shell eggs meet standards of quality, grade, and size classification as provided in this subtitle.

4-303.

(a) The Secretary may adopt rules and regulations limiting OR REQUIRING the use of any term used when shell eggs are offered or exposed for sale, sold, DONATED, or advertised [except grade or size or weight classifications provided by statute].

[(b) The term "fresh" or the term "Maryland fresh", for shell eggs produced in the State, may be used in addition to the applicable grade and size designation, except for shell eggs below A quality. The Secretary shall adopt rules and regulations setting the standards for "Maryland fresh" eggs. Candling or any other method approved by the Secretary shall be used when making a final determination of whether shell eggs meet the standard of quality.]

(B) A PERSON MAY NOT DONATE, SELL, OFFER FOR SALE, OR DELIVER ANY SHELL EGGS THAT ARE NOT LABELED ACCORDING TO REGULATIONS ADOPTED BY THE SECRETARY.

4-304.

The size or weight classification for individual shell eggs in the State shall be the same as the official United States Department of Agriculture weight classes for shell eggs for the following classifications: jumbo, extra large, large, medium, small, and pee wee. The Secretary shall adopt rules and regulations prescribing the weights permitted in this subtitle. The net weight of shell eggs does not include the weight of any container.