

TITLE 3. FOOD AND AGRICULTURE

CORRECTED NOTICE OF A REQUESTED HEARING

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) has proposed to adopt section 1350 and amend section 1354 of Subchapter 3, Chapter 1, Division 3, of Title 3 of the California Code of Regulations. The proposal was published in the *California Regulatory Notice Register* on July 6, 2012 [Register 2012, No. 27-Z] but no hearing was scheduled. The Department has received a request for a public hearing; therefore, the hearing will be held in accordance with Government Code section 11346.8 for the proposal relating to the regulation of persons registered with the Department to engage in business in California as an egg producer or egg handler, and any registered out-of-state egg handler or producer selling eggs in California.

Food and Agricultural Code section 407 authorizes the Department to adopt such regulations that are reasonably necessary to carry out the provisions of the Food and Agricultural Code which it is authorized to administer or enforce. Sections 27521, 27531, 27533, 27541, 27573 and 27637 of the Food and Agricultural Code authorize the Department to regulate, in part, the marketing of shell eggs sold to consumers to assure that healthful and wholesome eggs of known quality are sold in the state. This proposal amends the requirements for the marketing of eggs in California by adopting section 1350 (Shell Egg Food Safety) and amending section 1354 (Marking Requirements) of Subchapter 3, Chapter 1, Division 3, of Title 3 of the California Code of Regulations, to ensure that eggs are produced in a uniform manner to ensure the quality and safety of shell eggs sold for human consumption.

The Department is publishing this corrected notice due to a change in the hearing date for the previously noticed public hearing in Sacramento, CA [Register 2012, No. 38-Z]. The Sacramento hearing date has been changed from October 2, 2012 to October 15, 2012.

October 4, 2012 1:30 p.m. – 4:30 p.m. Department of Food and Agriculture District Office 1910 South Archibald Avenue, Suite Y, Ontario, CA 91761 Conference Call-In Info: 866-762-9676 Participant Code: 5493774#	October 15, 2012 10:00 a.m. – 2:00 p.m. Department of Food and Agriculture 1220 N Street, First Floor Auditorium, Sacramento, CA 95814 Conference Call-In Info: 866-762-9676 Participant Code: 5493774#
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Please note: The Department may adjourn the hearing(s) prior to the posted time if all public testimony has been received and/or no person is present that wishes to provide testimony.

Public Comments

Any interested person, or his or her duly authorized representative, may appear and be heard and provide written and/or oral testimony. Written comments may be faxed or emailed by 5:00 p.m., the day of the hearing to the contact person named in this Notice. All written comments received during the original 45-day public comment period ending August 20, 2012, or the additional 15-day public comment period ending September 15, 2012, or at the public hearings, will become a part of the Department's official rulemaking file.

Contact Persons

Inquiries or comments concerning the substance of the proposed regulations are to be addressed to:

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Email: tony.herrera@cdfa.ca.gov

The backup contact person is:

Nancy Grillo, Regulation/Legislation Coordinator, Department of Food and Agriculture, Animal Health and Food Safety Services, 1220 N Street, Sacramento, CA 95814; Telephone: (916) 900-5033 Fax: (916) 900-5332
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Website Access

Materials regarding this proposal can be found at <http://www.cdfa.ca.gov/ahfss/regulations.html>