



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
SANITATION BRANCH  
99-945 Halawa Valley Street  
Aiea, Hawaii 96701

In reply, please refer to:  
File:

May 9, 2017

TO: Small egg farm operators, University of Hawaii CTAHR  
FROM: Department of Health, Sanitation Branch  
SUBJECT: Sale of raw shell eggs from small egg farms exempted from USDA approval -*REVISED*

Egg farm operations of 50,000 or more egg laying hens come under jurisdiction of USDA. Those with 3,000 to 50,000 are regulated by FDA. State and counties can choose to regulate operations under 3,000. *Eggs have been recognized as potentially hazardous upon being laid.* Within 36 hours of laying, FDA and USDA require eggs to be washed in potable warm water → sanitized → refrigerated to 45F.

DOH will require small egg operations exempt from FDA and USDA (*operations with less than 3,000 egg laying hens*) to obtain a food establishment (FE) permit for sale of their eggs to the public. An operation distributing eggs through wholesale must obtain an annual FE permit. An operation selling eggs directly to the consumer can obtain either an annual FE or a Temporary/Special Event Food Establishment permit. DOH will not grade eggs, but eggs must be clean and sound for distribution.

To pass inspection for a FE permit, the establishment for processing eggs must have:

- Potable water
- Be properly enclosed
- Adequate amount of refrigeration units

The operation must wash the eggs in potable water, then cool and hold the eggs at or below 45°F.

At the retail site (market, fairs, restaurants, etc):

- Per Hawaii Administrative Rules (HAR), Title 11, Chapter 50, sections §11-50-31(h)(3), §11-50-34(f)(2), eggs must be received and stored at ≤45°F.
- Raw, shell eggs that have not been treated to kill *Salmonella* must be labeled with safe handling requirements: "To prevent illness from bacteria: Keep eggs refrigerated, cook eggs until yolks are firm, and cook foods containing eggs thoroughly" per HAR §11-50-31(a)(7). A sign posted with instructions is acceptable.

If you have any questions, please contact Peter Oshiro at DOH Sanitation Branch at (808) 586-8000 or by email at [peter.oshiro@doh.hawaii.gov](mailto:peter.oshiro@doh.hawaii.gov).