

EXHIBIT H

Cal. Admin. Code tit. 3, § 1350

Barclays Official California Code of Regulations [Currentness](#)

Title 3. Food and Agriculture

Division 3. Economics

Chapter 1. Fruit and Vegetable Standardization

▢ Subchapter 3. Eggs ([Refs & Annos](#))

→→ § 1350. Shell Egg Food Safety.

(a) In accordance with [Food and Agricultural Code section 27521\(a\)](#), to assure that healthful and wholesome eggs of known quality are sold in California, commencing July 1, 2013, any egg producer or egg handler as defined in [sections 27510](#) and [27510.1 of the Food and Agricultural Code](#), shall ensure all flocks with a hatching date after July 1, 2013 comply with the requirements of this section.

(b) Registered egg producers or egg handlers whose shell eggs are processed with a treatment such as pasteurization to ensure safety, shall be exempt from the requirements of this section. A “treatment” or “treated” means a technology or process that achieves at least a 5-log destruction of SE for shell eggs as defined in [21 CFR section 118.3](#).

(c) Registered egg producers or handlers with 3,000 or more laying hens shall incorporate all of the provisions specified in subsections (c)(1), (2), and (3) in their facility operations:

(1) Implement *Salmonella enterica* serotype Enteritidis (SE) prevention measures in accordance with the Food and Drug Administration, Department of Health and Human Services' requirements for the production, storage, and transportation of shell eggs as specified in 21 CFR Part 118;

(2) Implement a SE environmental monitoring program which includes testing for SE in “chick papers,” (the papers in which chicks are delivered) and the house environment when the pullets are 14-16 weeks of age, 40-45 weeks of age, 4-6 weeks post-molt, and pre-depopulation; and

(3) Implement and maintain a vaccination program to protect against infection with SE which includes at a minimum two attenuated live vaccinations and one killed or inactivated vaccination, or a demonstrated equivalent SE vaccination program approved by the Department.

(d) Commencing January 1, 2015, no egg handler or producer may sell or contract to sell a shelled egg for human consumption in California if it is the product of an egg-laying hen that was confined in an enclosure that fails to comply with the following standards. For purposes of this section, an enclosure means any cage, crate, or other structure used to confine egg-laying hens:

(1) An enclosure containing nine (9) or more egg-laying hens shall provide a minimum of 116 square inches of floor space per bird. Enclosures containing eight (8) or fewer birds shall provide a minimum amount of floor space per bird as follows, using formula $322 + [(n-1) \times 87.3]/n$, where “n” equals the number of birds:

Number of Birds

Square Inches Per Bird

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1	322
2	205
3	166
4	146
5	135
6	127
7	121
8	117

(2) The enclosure shall provide access to drinking water and feed trough(s) without restriction.

Note: Authority cited: [Sections 407, 27531 and 27533, Food and Agricultural Code](#). Reference: [Sections 27510, 27510.1, 27518, 27521, 27541 and 27573, Food and Agricultural Code](#).

HISTORY

1. New section filed 5-6-2013; operative 7-1-2013 (Register 2013, No. 19).

3 CCR § 1350, 3 CA ADC § 1350

This database is current through 1/17/14 Register 2014, No. 3

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