

**AMENDMENT TO RULES COMMITTEE PRINT**  
**119-22**  
**OFFERED BY MR. HARRIGAN OF NORTH**  
**CAROLINA**

At the end of subtitle D of title XII, add the following:

1 **SEC. \_\_\_\_ . INAPPLICABILITY OF CERTAIN SHELL EGG RULE**  
2 **PROVISIONS TO SURPLUS BROILER HATCH-**  
3 **ING EGGS SOLD TO EGG BREAKERS.**

4 (a) INAPPLICABILITY OF CURRENT RULE.—Effective  
5 beginning on the date of the enactment of this Act, section  
6 118.4(e) of title 21, Code of Federal Regulations (or suc-  
7 cessor regulations) shall not apply with respect to surplus  
8 broiler hatching eggs that are intended to be sold to an  
9 egg breaker for purposes of processing such eggs as liquid  
10 egg products subject to regulation under the Egg Products  
11 Inspection Act (21 U.S.C. 1031 et seq.).

12 (b) REVISED RULE REQUIRED.—Not later than 180  
13 days after the date of the enactment of this Act, the Sec-  
14 retary of Health and Human Services, acting through the  
15 Commissioner of Food and Drugs, and in consultation  
16 with the Secretary of Agriculture, shall issue a rule revis-  
17 ing section 118.4 of title 21, Code of Federal Regulations

1 (or successor regulations), to allow for surplus broiler  
2 hatching eggs to be held at such temperature and for such  
3 period of time at such temperature, so as to be compatible  
4 with conditions for hatching chicks and to allow for the  
5 sale of such eggs to egg breakers for the purposes de-  
6 scribed in subsection (a).

7 (c) DEFINITIONS.—In this Act:

8 (1) The terms “egg” and “egg product” have  
9 the meanings given such terms in section 4 of the  
10 Egg Products Inspection Act (21 U.S.C. 1033).

11 (2) The term “egg breaker” means a facility in  
12 the commercial sector that processes eggs by break-  
13 ing the eggs out of their shells and selling the result-  
14 ing liquid egg product in bulk to food manufactur-  
15 ers.

16 (3) The term “broiler hatching egg” means an  
17 egg intended for use by broiler hatcheries for the  
18 production of baby chicks.

19 (4) The term “broiler hatchery” means a facil-  
20 ity where fertilized eggs from broiler breeder chick-  
21 ens are incubated and hatched into day-old chicks,  
22 which are then raised on farms to produce meat as  
23 broiler chickens.

