

Senate Engrossed

~~technical correction; obstructing governmental operations~~  
(now: egg-laying hens; housing size standards)

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

# SENATE BILL 1721

AN ACT

AMENDING SECTION 3-710, ARIZONA REVISED STATUTES; RELATING TO HEN HOUSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 3-710, Arizona Revised Statutes, is amended to  
3 read:

4 3-710. Powers and duties; state preemption; egg promotion  
5 program

6 A. The department may acquire and distribute to interested persons  
7 useful information relative to preparing for market, handling, purchasing,  
8 transporting, storing and marketing eggs and egg products, including  
9 demonstrating how to classify eggs and egg products in accordance with the  
10 uniform standards and grades prescribed pursuant to this chapter.

11 B. The department may issue in booklet form copies of this article  
12 containing complete descriptive terms as to shell, aircell, white, yolk  
13 and germ, and may change definitions of terms and grades as they are made  
14 and promulgated by the United States department of agriculture.

15 C. On request of the United States government, and others, the  
16 director may negotiate and sign cooperative agreements to provide  
17 inspection and grading services and charge and receive payment for the  
18 reasonable cost of such services. The monies received for such services  
19 shall be deposited in the state egg inspection trust fund established by  
20 section 3-717.

21 D. When the production of papers, books and records relating to any  
22 matter under investigation is deemed advisable, the director may apply to  
23 the superior court in any county for an order requiring the production of  
24 the papers, books and records. If the court is satisfied that the papers,  
25 books and records are pertinent to the matter under investigation, their  
26 production shall be ordered.

27 E. A complaint filed with the department charging a noncompliance  
28 with or violation of any provision of this article shall be in writing and  
29 signed by the complainant.

30 F. The supervisor and inspectors shall enforce this article in  
31 conformity with rules adopted by the director. The refusal of an officer  
32 authorized under this article to carry out the orders and directions of  
33 the director in ~~the enforcement of~~ ENFORCING this article or prosecutions  
34 under this article is neglect of duty. The director shall make and  
35 enforce such rules as the director deems necessary to carry out this  
36 article.

37 G. An inspector may enter and inspect any place or conveyance  
38 within this state over which the inspector has supervision where eggs are  
39 produced, candled, incubated, stored, packed, delivered for shipment,  
40 loaded, shipped, transported or sold, and may inspect all invoices and  
41 eggs and the cases and containers of the eggs and equipment found in the  
42 places or conveyances, and may take for inspection representative samples  
43 of the invoices, eggs and cases or containers for the purpose of  
44 determining whether or not any provision of this article has been  
45 violated.

1 H. An inspector, while enforcing this article, may seize and hold  
2 as evidence an advertisement, sign, placard, invoice, case or container of  
3 eggs or egg products or all or any part of any pack, load, lot consignment  
4 or shipment of eggs or egg products packed, stored, delivered for  
5 shipment, loaded, shipped, transported or sold in violation of any  
6 provisions of this article.

7 I. The department may prescribe minimum standards for egg  
8 processing plants and sanitary standards for processing shell eggs. The  
9 department shall establish these standards by rule. Chemicals used in egg  
10 processing plants, sanitizers used in egg processing, egg soaps, egg oil  
11 and other substances used in processing shell eggs are subject to the  
12 approval of the director.

13 J. The director shall adopt rules for poultry husbandry and the  
14 production of eggs sold in this state. This subsection does not apply to  
15 egg producers operating or controlling the operation of an egg ranch that  
16 has fewer than twenty thousand egg-laying hens producing eggs.

17 K. Consistency of poultry husbandry practices for the production of  
18 eggs is a statewide matter. The regulation of poultry husbandry practices  
19 related to the production of eggs is not subject to further regulation by  
20 a county, city, town or other political subdivision of this state.

21 L. The director may:

22 1. Establish an egg promotion program to provide certification,  
23 inspection and grading services and may prescribe, by rule, fees for those  
24 services. ~~Except as provided in paragraph 3 of this subsection,~~ Monies  
25 collected from the fees shall be deposited, pursuant to sections 35-146  
26 and 35-147, in the state egg inspection trust fund established by section  
27 3-717.

28 2. Adopt rules to administer the egg promotion program, including  
29 participation guidelines, use requirements for department trademarks and  
30 certification marks and other rules the director deems necessary.

31 3. Conduct inspections to ensure compliance with the trademark and  
32 certification mark rules adopted pursuant to this subsection. The monies  
33 collected from fees for an inspection conducted pursuant to this paragraph  
34 shall be deposited, pursuant to sections 35-146 and 35-147, in the state  
35 egg inspection trust fund established by section 3-717.

36 M. NOTWITHSTANDING ANY OTHER LAW, RULES ADOPTED PURSUANT TO THIS  
37 SECTION MAY NOT REQUIRE OR PRESCRIBE MINIMUM HOUSING SIZE STANDARDS FOR  
38 EGG-LAYING HENS.