

**THE COMMONWEALTH OF MASSACHUSETTS**

**Department of  
Agricultural Resources**



**POULTRYMANS HANDBOOK**

**A Guide to Massachusetts Laws  
Concerning Eggs, Poultry, and  
the Right to Farm  
and  
USDA Standards  
Describing Egg Quality**

## Section 1

### Egg And Poultry Laws, Dog Laws, and Animal Cruelty Laws

#### Massachusetts General Laws: Chapter 94

##### **§ 117A. Grades and Standards for Certain Farm Products, Establishment. etc.: Brands or Labels, Use Regulated.**

The commissioner of food and agriculture, in this and the five following sections called the commissioner, may establish and promulgate official grades and standards for farm products, except apples, potatoes and milk, produced within the commonwealth for the purposes of sale, and may from time to time amend or modify such grades and standards. Before establishing, amending or modifying any such grades or standards the commissioner shall hold public hearings in such places within the commonwealth as he shall deem proper. Notice of such hearings shall be advertised in a newspaper or newspapers of general circulation within the county where the hearing is to be held for three successive weeks prior thereto, and shall specify the date and place of each hearing and that it is to be held for the purpose of obtaining information with a view to establishing grades or standards for such farm products, if deemed advisable. The commissioner may determine or design brands or labels for identifying such farm products packed in accordance with official grades and standards established as aforesaid, and may cause to be printed said brands or labels and may dispose of or cause the disposition of the same at reasonable prices. A written application to the commissioner requesting permission to use said brands or labels and a written authorization thereof by the commissioner or a duly authorized assistant shall be a condition precedent to the use of such brands or labels. The commissioner may revoke or suspend the right to use such brands or labels determined as aforesaid whenever it appears on investigation and after a subsequent hearing before said commissioner or authorized assistant that such brands or labels have been used to identify such farm products not in fact conforming to the grade or standard indicated.

##### **§ 117B. Notice of Establishment, etc., of Grades, Brands, etc.**

Upon the establishment of such grades or standards and upon the proper determination of brands or labels, all in accordance with the provisions of section one hundred and seventeen A, notice thereof shall be published for three successive weeks in three newspapers stating the grades and standards so established and the brands or labels so determined, and the date on which such establishment or determination is to take effect. The commissioner shall distribute information relative to the grades and standards so established and the brands or labels so determined.

##### **§ 117D. Inspection of Farm Products, etc; Certificates Regulated; To Be Prima Facie Evidence, etc.**

The commissioner may employ inspectors to inspect such farm products marked, branded or labeled in accordance with official grades or standards established and promulgated by the commissioner, for the purpose of determining and certifying the quality and condition thereof and other material facts relative thereto. Certificates issued in pursuance of such inspection and executed by the inspector shall state the date and place of inspection, the grade, standard, condition, and approximate quality of the farm products inspected and any other pertinent facts that the commissioner may require. Such a certificate and all federal certificates relative to the condition or quality of said farm products shall be prima facie evidence in all courts of the commonwealth of the facts required as aforesaid to be stated therein.

##### **§ 117E. Rules and Regulations.**

The commissioner may prescribe rules and regulations for carrying out the purposes of sections one hundred and seventeen A to one hundred and seventeen F, inclusive, including the fixing of fees for inspections.

##### **§ 117F. Powers of Commissioner of Agriculture, etc.**

The commissioner, in person or by deputy, shall have free access at all reasonable hours to any building or other place wherein it is reasonably believed that farm products marked, branded or labeled in accordance with official grades or standards established and promulgated by the commissioner are being marketed or held for commercial purposes. He shall also have the power in person or by deputy to open any bags, crates, or other containers containing said farm products and examine the contents thereof, and may, upon tendering the market price, take samples therefrom.

## **§ 90A. Sale, etc., of Eggs as “Fresh Eggs,” etc.; Eggs with Treated Shells.**

Except as hereinafter otherwise provided, no person shall sell, or offer, expose or advertise for sale, eggs as “fresh eggs”, “strictly fresh eggs”, “nearby eggs” or “new-laid eggs” or eggs described with words of similar import, unless they meet the following specifications when examined by a method known as “candling”, viz.: (1) the shell shall be clean and sound, (2) the air cell shall be not more than one quarter inch in depth and shall be localized and regular in outline, (3) the white shall be firm and clear, (4) the yolk shall not be plainly visible but may be dimly or slightly visible, and (5) there shall be no visible germ development.

Not more than ten per cent of the number of eggs sold at wholesale or offered, exposed or advertised for sale as aforesaid under any such description, and not more than two eggs in each dozen sold at retail or offered, exposed or advertised for sale as aforesaid under any such description may vary from the foregoing specifications but only in the following particulars: (1) the air cell may be not more than three eighths of an inch in depth and may be slightly tremulous, (2) the yolk may be plainly visible and mobile, (3) the white may be reasonably firm, and (4) germ development may be slightly visible; and, in addition, there shall be permitted, in respect to the selling, or offering, exposing or advertising for sale, of eggs at wholesale as aforesaid, a reasonable tolerance established by rules and regulations of the department, authority to establish the same being hereby granted.

No person shall sell, or offer or expose for sale, eggs which have been preserved or protected by treating the shells thereof unless the basket, box or other container in which the eggs are placed shall be plainly marked with letters not less than one half inch in height as “shell-treated” or “shell-protected.” Whoever violates any provision of this section shall be punished by a fine of not more than twenty-five dollars for the first offence, and not more than one hundred dollars for each subsequent offence. The department of agriculture shall enforce the provisions of this section.

## **§ 90B. Standard Sizes in Connection with the Sale and Distribution of Eggs.**

No person shall sell, or offer or expose for sale, eggs unless the carton or other container thereof contains or bears a proper designation or description relating to the size of such eggs, as hereinafter provided, and no person shall advertise eggs for sale at stated prices unless such advertisement contains a proper designation or description relating to the size of such eggs, as hereinafter provided.

Eggs shall be divided into six sizes to be known as “jumbo”, “extra large”, “large”, “medium”, “pullet or small”, and “peewee”. The proper designation of size shall be plainly and conspicuously shown in the sale, or offering or exposing for sale, of eggs and in the advertisement for the sale thereof if the price is stated in the advertisement.

“Jumbo” eggs shall be eggs having an average weight of not less than thirty ounces per dozen with no egg or eggs below the rate of twenty-nine ounces per dozen. A tolerance of not more than four per cent by volume shall be allowed in this classification, but eggs under this tolerance shall weigh not less than at the rate of twenty-eight ounces per dozen.

“Extra Large” eggs shall be eggs having an average weight of not less than twenty-seven ounces per dozen with no egg or eggs below the rate of twenty-six ounces per dozen. A tolerance of not more than four per cent by volume shall be allowed in this classification, but eggs under this tolerance shall weigh not less than at the rate of twenty-five ounces per dozen.

“Large” eggs shall be eggs having an average weight of not less than twenty-four ounces per dozen with no egg or eggs below the rate of twenty-three ounces per dozen. A tolerance of not more than four per cent by volume shall be allowed in this classification, but eggs under this tolerance shall weigh not less than at the rate of twenty-two ounces per dozen.

“Medium” eggs shall be eggs having an average weight of not less than twenty-one ounces per dozen with no egg or eggs below the rate of twenty ounces per dozen. A tolerance of not more than four per cent by volume shall be allowed in this classification, but eggs under this tolerance shall weigh not less than at the rate of nineteen ounces per dozen.

“Pullet or Small” eggs shall be eggs having an average weight of not less than eighteen ounces per dozen with no egg or eggs below the rate of seventeen ounces per dozen. A tolerance of not more than four per cent by volume shall be allowed in this classification, but eggs under this tolerance shall weigh not less than at the rate of sixteen ounces per dozen.

“Peewee” eggs shall be eggs having an average weight of less than eighteen ounces per dozen.

The provisions of this section shall not apply to the sale, or offering or exposing for sale, of eggs at wholesale unless they are packed in cartons or other containers for resale at retail; nor shall they apply to the sale, or offering or exposing for sale, of eggs unsorted as to size, if the cartons or other containers thereof are plainly and conspicuously marked and identified as "not sized", and if any advertisement advertising such eggs for sale at stated prices clearly indicates that such eggs are "not sized".

The commissioner of food and agriculture is hereby authorized, after a hearing, due notice whereof shall have been given, to establish rules and regulations for the enforcement of this section, and the department of food and agriculture shall enforce said provisions.

Whoever violates any provision of this section, or any rule or regulation made thereunder, shall be punished for the first offence by a fine of not more than twenty-five dollars, and for a subsequent offence by a fine of not more than fifty dollars. Whoever obstructs or hinders said commissioner or any of his assistants in the performance of his duties under this section shall be punished by a fine of not more than fifty dollars.

#### **§ 90D. Grades of Eggs Sold at Retail, etc.; Standards of Quality; Marking Containers; Advertising; Enforcement.**

The grades so established shall include grades closely correlated to the United States consumer standards for shell eggs. The standards of quality for the Massachusetts consumer grades of shell eggs shall be grade "AA", "A", "B" or "not graded". The final determination of grades shall be made by "candling". All eggs for sale at retail within the commonwealth shall be in containers so marked or branded, with letters not less than three-eighths of an inch in height. Advertising of eggs offered for sale at retail at a stated price shall include the grades. Eggs described as "farm fresh eggs", "fresh eggs", "strictly fresh eggs", "nearby eggs", or "native eggs" or eggs described with words of similar import shall meet the specifications of section ninety A. The commissioner of food and agriculture and his duly authorized assistants shall determine the responsibility for marking and branding. Any edible egg not conforming to such grades shall be sold as checks, cracks, or stains.

The department of food and agriculture shall enforce the provisions of this section. The commissioner may establish such rules and regulations as may be deemed necessary to carry out the purposes of section ninety C and this section.

#### **§ 90E. Grades of Eggs Sold at Retail, etc.; Penalties.**

Whoever, himself or by his servant or agent, misbrands eggs and sells, distributes, or offers or exposes for sale such misbranded eggs shall be punished for the first offense by a fine of not more than fifty dollars and for a subsequent offense by a fine of not more than two hundred dollars. Whoever obstructs or hinders the commissioner of food and agriculture or any of his duly authorized assistants in the performance of his duties under section ninety D shall be punished by a fine of not less than ten dollars nor more than one hundred dollars.

#### **§ 152A. Sale and Transportation of Live poultry; Licenses; Records; Sanitation.**

No person or business entity shall engage in the business of buying, selling or transporting live poultry unless he shall have first obtained a license therefore from the commissioner of food and agriculture, the fee of which shall be determined annually by the commissioner of administration under the provisions of section three B of chapter seven. Such license shall expire on December thirty-first in the year or part thereof in which such license was issued and may be revoked by the commissioner of food and agriculture for cause and after notice and hearing in the manner provided by chapter thirty A. Such cause shall include, but not be limited to, violations of section one hundred and fifty-two B. All licensees under this section shall keep and maintain, for a period of one year, records of each transaction including dates, names and addresses of both seller and purchaser and number and species of poultry so bought, sold or transported. Said commissioner of food and agriculture may make regulations governing the issuance of such licenses as well as sanitation requirements for all trucks, crates, coops and other conveyances to be so utilized.

**§ 152B. Regulation of Live Poultry Containers and Conveyances; Sanitation; Permit for Entry of Live Poultry into Commonwealth.**

The use of wooden crates, containers or coops in the transportation of live poultry to or from farms is hereby prohibited. No truck, cage, crate, coop or other conveyance may enter a farm or livestock sale establishment for the purpose of delivering or removing live poultry or eggs unless such truck, cage, crate, coop or other conveyance is in a clean and sanitary condition. All such equipment used in conjunction with any market or sale point shall be cleaned and disinfected daily prior to the start of business. All such equipment coming into the commonwealth shall be cleaned and disinfected prior to its entry therein. The owner or operator of such equipment shall maintain and have in his possession a record of all such cleanings and disinfections.

A permit shall be issued by the division of animal health prior to the entry into the commonwealth of any live poultry or other fowl, including day-old chicks and poults. Such permits may be obtained by telephone and shall include the number, species, age of the animals to be transported and the name and address of both source flock and purchaser.

**§ 181. Net Quantity Contained in, and Retail Sale Price of, Food Packages to Be Marked Thereon; Declaration of Identity and Quantity of Commodities Other Than Food.**

Subject to the variations, tolerances and exemptions provided for by section one hundred and eighty-two, no person shall himself or by his agent or servant sell or offer for sale food in package form unless the net quantity of the contents is plainly and conspicuously marked on the outside of the package in terms of weight, measure or numerical count. No person shall himself or by his agent or servant sell or offer for sale at retail any meat, poultry or edible fish, except soft shell clams and oysters, in package form unless there is plainly and conspicuously marked on the outside of such package the price per pound of the contents and the total sales price. The first sentence of this section shall not apply to retail sales of food made from bulk if the quantity is weighed, measured or counted at the time of such sale by the retailer, nor to the sale of milk, cream or buttermilk in glass jars, as provided by section fifteen of chapter ninety-eight.

Any commodity put up or packaged in any manner in advance of sale at retail shall bear on the outside of the package a plain and conspicuous declaration of the identity and the net quantity of the contents. The declaration of identity shall identify such commodity by its common or usual name, description, generic term, or the like, unless such commodity may be easily identified through the wrapper or container. The declaration of quantity shall disclose the net quantity of the commodity. The term "net quantity" as used in this section shall mean the quantity of the commodity in the package, exclusive of wrappers and other material packed with such commodity, except that the declaration of quantity on an aerosol package shall disclose the net quantity of the commodity, including the propellant. The declaration of quantity shall be expressed in terms of such weight, measure or count, or a combination of such weight, measure or count, as are firmly established by general consumer usage and trade custom and convey accurate information relative to the quantity or amount of the commodity. If there is no established consumer usage and trade custom with respect to the terms used in such declaration of quantity, the declaration shall, if the commodity is solely liquid, be in terms of liquid measure; otherwise, in terms of weight, except that if a commodity is packaged in an aerosol container, the commodity, including the propellant, shall be in terms of weight, and if the commodity is cloth or yard goods, the declaration shall be in terms of linear measure.

The director of standards shall enforce this section and sections one hundred and eighty-two to one hundred and eighty-four E, except section one hundred and eighty-four A, inclusive.

**§ 92B. Sale at Retail to Be by Weight.**

All meats, poultry and edible fish, except soft shell clams and oysters, shall be sold at retail only by weight and, except when sold in package form bearing a plain and conspicuous statement of quantity of contents as provided in section one hundred and eighty one, such weight shall be determined at the time of sale. Whoever himself or by his servant or agent violates any provision of this section shall be punished by a fine of ten dollars.

**§ 99B. Use of Word "Native" in Sale or Packaging of Vegetables, Fruit, or Turkeys, Regulated.**

No person shall sell or offer to sell or pack for sale or distribution in the commonwealth fruit, vegetables or turkeys in containers bearing the label or designation "native" nor cause fruit, vegetables or turkeys to be advertised as "native" unless the name of state in which such fruit, vegetables or turkeys were grown appears immediately after the word "native". Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars.

**§ 147A. Regulations for Inspection, etc., of Game, etc.; Penalty.**

The department of public health may make regulations for the inspection of game, poultry, and other meat except that of cattle, sheep or swine, intended for sale or exchange for use as food, and as to the conditions under which such game, poultry and other meat may be handled, stored, sold or exchanged. Whoever violates any provision of such a regulation shall be punished by a fine of not more than fifty dollars.

**§ 139D. Slaughtering by Inhumane Methods Prohibited.**

No slaughterer, packer or stockyard operator shall shackle, hoist, or otherwise bring livestock into position for slaughter by any method which shall cause injury or pain, nor bleed or slaughter any livestock except by a humane method.

**Massachusetts General Laws: Chapter 129**

**§ 1. Definitions.**

“Contagious disease”, such disease as is recognized by the United States Department of Agriculture, animal health division, to be contagious or infectious.

“Domestic animals”, all animals including poultry that are kept or harbored as domesticated animals. Poultry as used in this section shall include chickens, roosters, capons, hens, turkeys, pigeons, guinea fowl, and ducks and geese other than the wild species.

“Inspector”, inspector of animals appointed under section fifteen or sixteen.

**§ 26B. Control of Disease in Purchase, Sale, etc., of Live Poultry and Hatching Eggs; Penalties.**

No person shall buy, sell or transport within or import into the commonwealth hatching eggs, baby chicks or live poultry, except poultry intended for immediate slaughter or for exhibition subject to permit granted by the state department of agriculture, unless such hatching eggs are the produce of flocks which meet, and such baby chicks or live poultry meet or are the first generation progeny of flocks which meet, the minimum requirements for “pullorum passed” or “pullorum clean” grades of poultry, as established by the commissioner of agriculture, or the equivalent thereof. Whoever, himself or by his servant or agent, violates any provision of this section shall be punished for the first offence by a fine of not more than one hundred dollars, and for a subsequent offence by a fine of not less than fifty nor more than two hundred dollars.

**Massachusetts General Laws: Chapter 75**

**§ 21. Fee for Testing Poultry.**

A fee as determined annually by the commissioner of administration under the provision of section three B of chapter seven may be charged for each test of poultry made under section seventeen.

**Massachusetts General Laws: Chapter 101**

**§ 13. Definitions.**

Except as hereinafter expressly provided, the terms “hawker” and “pedler” as used in this chapter shall mean and include any person, either principal or agent, who goes from town to town or from place to place in the same town selling or bartering, or carrying for sale or barter or exposing therefor, any goods, wares or merchandise, either on foot, on or from any animal or vehicle.

**§ 14. Unauthorized Selling, etc., by Hawker or Peddler Penalized.**

A hawker or pedler who sells or barter or carries for sale or barter or exposes therefor any goods, wares or merchandise, except as permitted by this chapter, shall forfeit not more than two hundred dollars, to be equally divided between the commonwealth and the town in which the offence was committed.

## **§ 15. Limit of Application of Chapter.**

The provisions of this chapter relating to hawkers and peddlers shall not apply to wholesalers or jobbers selling to dealers only, nor to commercial agents or other persons selling by sample, lists, catalogues or otherwise for future delivery, nor to any dealer regularly engaged in supplying customers with fuel oil for heating or cooking purposes from a fixed place of business within the commonwealth and who does not customarily solicit direct sales from house to house or by means of outcry, sign or signal, nor to any person who peddles only fish obtained by his own labor or that of his family, fruits, vegetables or other farm products raised or produced by himself or his family, nor to persons selling articles for charitable purposes under section thirty-three, nor to persons licensed under section forty of chapter ninety-four with respect to the sale by them of eggs, or milk, skimmed milk, cream, butter, cheese or other milk products, except frozen desserts as defined in section sixty-five G of said chapter ninety-four.

### **Massachusetts General Laws: Chapter 131**

#### **§ 19A. Importation and Liberation of Certain Wild Birds and Mammals Regulated.**

A person shall not bring or cause to be brought into the commonwealth any live bird or mammal protected by this chapter, or any member of the family sciuridae of the order rodentia or any member of the order lagomorpha or any other member of the group vertebrata, wild by nature, unless he first obtains a permit so to do from the director, provided in the case of a dealer licensed both under clause (4) of section twenty-three and section thirty-nine A of chapter one hundred and twenty-nine that said dealer show evidence that he has secured a licensed buyer to purchase said bird or mammal, other than those listed in section five, or other such vertebrate, which are not excluded from the licensing provisions of said section twenty-three, and which are not on the special exemption list provided for in section twenty-three, nor shall he liberate any bird or mammal or other such vertebrates, nor shall he import into or transport within the commonwealth live foxes except in accordance with the provisions of an outstanding permit issued to him. Upon payment of a fee, the amount of which shall be determined annually by the commissioner of administration under the provision of section three B of chapter seven, the director may issue such permit and may include therein reasonable conditions as to the importation, inspection, transportation, and liberation of such birds and mammals and other vertebrates if he determines that such importations is not detrimental to resident wildlife populations of the commonwealth and provided that any bird or mammal or other such vertebrates to be imported is certified by a person recognized by the director as qualified to diagnose wildlife diseases to be free of any infectious disease or parasites if in his judgment such certification is deemed necessary.

Application for this permit shall be filed with the director not later than ten days in advance of the importation date, and he may at any time for cause revoke such a permit. He may make, alter, amend, or repeal reasonable rules and regulations relative to the issuance of such permit and to the importation, inspection, transportation and liberating of birds and mammals and other such vertebrates.

Nothing in this section shall be construed to allow liberation into the wild of any pheasant or quail unless it shall have been certified by the department of food and agriculture that it has either been individually tested within the preceding six months, or that the parent stock has been tested within one year, and found free of salmonella pullorum as required in the official Massachusetts pullorum passed grade for poultry or of any transmissible poultry disease by the veterinary department of the University of Massachusetts, or shall have been so certified by a corresponding official of another state. The department of food and agriculture shall supply the director with the names and addresses of persons whose individual birds, or their parent stock, have met with the foregoing requirements, whereupon such individual birds and the offspring of such parent stock shall be eligible for release without being subjected to an individual test; provided, that they have not been confined for any period on premises where untested birds or poultry are kept.

Any such bird, mammal or vertebrate which is brought into the commonwealth in violation of this section, or which is so brought under authority of a permit granted hereunder and is found upon inspection to be diseased, may be confiscated by an officer empowered to enforce this chapter and shall be forfeited to the commonwealth and shall be disposed of by the director of law enforcement for the best interest of the commonwealth.

## **Massachusetts General Laws: Chapter 128**

### **§ 8A. Destruction or Control of Foxes and Rodents.**

In order to protect the food supplies, agricultural produce, growing crops, live stock, manufactured goods and buildings, and to safeguard the public health, the commissioner may investigate the life and habits of, and may take necessary measures to destroy or to control, foxes, and rats, mice, woodchucks, and such other rodents not protected by law, as may from time to time be determined by him to be detrimental to one or more of such purposes. In performing such duties he may, by himself or by his authorized agent, with the consent of the owner or tenant, enter upon private premises for any of such purposes at any reasonable time. In order to carry out this section, the commissioner may enter into co-operative arrangements with the United States or any agency thereof, with any department, board or commission of this commonwealth or any political subdivision thereof, or with any association, corporation or individual owning, occupying or possessing any property within the commonwealth. Section forty-three of chapter one hundred and thirty-one shall not apply to the destruction of rodents under this section. Nothing herein shall be construed to authorize the destruction or control of foxes by the use of poison.

## **Massachusetts General Laws: Chapter 140**

### **§ 137. Licenses; Collars.**

A person who at the commencement of a license period is, or who during any license period becomes, the owner or keeper of a dog six months old or over which is not duly licensed, and the owner or keeper of a dog when it becomes six months old during a license period, shall cause it to be registered, numbered, described and licensed until the end of such license period, and the owner or keeper of a dog so registered, numbered, described and licensed during any license period, in order to own or keep such dog after the beginning of the succeeding license period, shall, before the beginning thereof, cause it to be registered, numbered, described and licensed for such period. The registering, numbering, describing and licensing of a dog, if kept in Boston shall be in the office of the police commissioner or if kept in any other town in the office of the clerk thereof.

No town clerk or, in Boston, the police commissioner, shall grant such license for any dog unless the owner thereof provides such town clerk or, in Boston, the police commissioner, either a veterinarian's certification that such dog has been vaccinated in accordance with the provisions of section one hundred and forty-five B, or has been certified exempt from such provision as hereinafter provided, or a notarized letter from a veterinarian that a certification was issued or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

A dog licensing official may grant an exemption from the provisions of section one hundred and forty-five B for any dog which has not yet attained the age of six months, any dog which the local board of health, for a specified period of time, declared exempt upon presentation of a veterinarian's certificate stating that because of an infirmity, or other physical condition or regimen of therapy, that inoculation is thereby deemed inadvisable, or any dog in transit, or dog brought into the commonwealth, temporarily, for the sole purpose of showing in dog shows or exhibition.

The license shall be in the form prescribed by the director, upon a blank to be furnished, except in the county of Suffolk, by the county in which the town is located, and shall be subject to the condition expressed therein that the dog which is the subject of the license shall be controlled and restrained from killing, chasing or harassing live stock or fowls. The owner of any dog may add descriptive words, not over ten in number, upon the license form to indicate the color, breed, weight and special markings of the licensed dog. The owner or keeper of a licensed dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag in a form prescribed by the director, and upon which shall appear the license number, the name of the town issuing such license and the year of issue. Such tags shall be furnished in the same manner as the license blanks, and if any such tag shall be lost the owner or keeper of such dog shall forthwith secure a substitute tag from the town clerk or, in Boston, from the police commissioner, at a cost of ten cents which, if received by a town clerk, shall be retained by him unless otherwise provided by law. This section shall not apply where it is otherwise provided by law, nor shall it apply to a person having a kennel license.



**§ 156. Dog Attacking Person or Certain Animals May Be Killed, When; Cruelty in Killing Negatived, When.**

Any person may kill a dog which suddenly assaults him while he is peaceably standing, walking or riding outside the enclosure of its owner or keeper; and any person may kill a dog found out of the enclosure of its owner or keeper and not under his immediate care in the act of worrying, wounding or killing persons, live stock or fowls, and if any person shall kill or attempt to kill a dog so found, and in the act of worrying, wounding or killing persons, live stock or fowls, he shall not be held liable for cruelty to the dog unless it shall be shown that he intended to be cruel to the dog, or that he acted with a wanton and reckless disregard for the suffering of the dog. Prompt killing of a wounded dog, or prompt report to the owner or to a dog officer of the wounding of the dog, shall be considered evidence of sufficient regard for the suffering of the dog.

**§ 159. Treble Damages if Dog, after Notice, Causes Injury, etc.**

If a dog which the selectman of a town, chief of police of a city or the county commissioners, or upon review, a district court, shall have ordered to be restrained shall wound any person, shall worry, wound or kill any live stock or fowls, the owner or keeper of such dog shall be liable in tort to the person injured thereby in treble the amount of damages sustained by him.

**§ 160. Protecting Domestic Animals from Injury by Dogs.**

The county commissioners of any county, the mayor of any city, the selectman of any town, or their agents thereto authorized in writing may, after written notice to the owner or keeper, enter upon the premises of the owner or keeper of any dog known to them to have worried or killed live stock or fowls, and then and there kill such dog, unless such owner or keeper whose premises are thus entered for the said purpose shall give a bond in the sum of two hundred dollars, with sufficient sureties, approved by the county commissioners, conditioned that the dog shall be restrained for twelve months next ensuing. And if the owner or keeper of the dog declares his intention to give such a bond, said selectmen, chief of police or county commissioners, as the case may be, or his or their agents, shall allow him seven days, exclusive of Sundays and holidays, in which to procure and prepare the same and to present it to them, or to file it with the clerk of the town where the said owner or keeper resides.

**§ 161. Certain Damages by Dogs to Be Paid by the County; Appraisal, etc.**

Whoever suffers loss by the worrying, maiming or killing of his live stock or fowls by dogs, outside the premises of the owners or keepers of such dogs, may, if the damage is done in a city, inform the officer of police of the city who shall be designated to receive such information by the authority appointing the police, and, if the damage is done in a town, may inform the chairman of the selectmen of the town, or, if he is absent or ill, any one of the selectmen, who shall proceed to the premises where the damage was done and determine whether the same was inflicted by dogs, and if so, appraise the amount thereof if it does not exceed fifty dollars. If in the opinion of said officer of police, chairman or selectman, the amount of said damage exceeds fifty dollars, the damage shall be appraised, on oath, by three persons, of whom one shall be such officer of police, chairman or selectman, one shall be appointed by the person alleged to be damaged, and the third shall be appointed by the other two. The said appraisers shall consider and include in such damages the labor and time necessarily expended in the finding and collecting of the live stock or fowls injured or separated and the value of those lost or otherwise damaged by dogs. The said officer of police, chairman or selectman shall return a certificate of the damages found, except in Suffolk county, to the treasurer of the county where the damage was done, within ten days after such appraisal is made. The treasurer shall thereupon submit the same to the county commissioners, who within thirty days shall examine all bills for damages, and may upon their own motion or upon request of an interested party shall summon the appraisers and all parties interested and make such investigation as they may think proper, and shall issue an order upon the treasurer of the county for such amounts, if any, as they decide to be just and shall notify all interested parties of their decision. The treasurer, except in Suffolk county, shall pay all orders drawn upon him in full, for the above purpose, and for the expenses of appraisal out of any money in the county treasury, and payments made therefor shall be charged to the dog fund. The appraisers shall receive from the county three dollars each for every such examination made by them, and also twenty cents a mile one way for their necessary travel.

**§ 161A. When Reimbursement for Damages Not Allowed.**

No owner of live stock or fowls shall be reimbursed for damages inflicted by his own dog or dogs, nor shall he be reimbursed for any damage by any dog if, at the time such damage was inflicted, he was himself the owner or keeper of an unlicensed dog of the age of three months or older. No reimbursement shall be made on account of damages by a dog to deer, elk, cottontail rabbits, northern hares, pheasants, quail, partridge and other live stock or fowls determined by the department of fisheries, wildlife and environmental law enforcement to be wild unless they are kept by, or under permit from, said department, nor unless they shall be kept in proper houses or in suitable enclosed yards. No reimbursement shall be made for damage by a dog to dogs, cats and other pets. Awards shall in no case exceed the fair cash market value of such live stock or fowls.

**§ 162. Reward for Killing Dog Found Injuring Domestic Animals.**

The aldermen or selectmen may offer a reward of not more than twenty-five dollars for the killing of any dog found worrying, maiming or killing live stock or fowls, thereby causing damages for which their owner may become entitled to compensation under section one hundred and sixty-one, or for evidence, which shall determine to the satisfaction of such aldermen or such selectmen who is the owner or keeper of a dog which has been found to have so worried, maimed or killed any live stock or fowls. The county commissioners, except in Suffolk county, shall pay any such reward from the dog fund, upon a certificate signed by the aldermen or selectmen.

**§ 163. Notice to Owner to Kill Such Dog.**

If the alderman or selectmen determine, after notice to parties interested and a hearing, who is the owner or keeper of any dog which is found to have worried, maimed or killed any live stock or fowls, thereby causing damages for which their owner may become entitled to compensation from the dog fund under section one hundred and sixty-one, they shall serve upon the owner or keeper of such dog a notice directing him within twenty-four hours to kill or confine the dog.

**§ 164. Penalty for Not Killing or Confining Such Dog.**

A person who owns or keeps a dog, and who has received such notice and does not within twenty-four hours kill such dog or thereafter keep it on his premises or under the immediate restraint and control of some person, shall be punished by a fine of not more than twenty-five dollars; and any police officer-constable or dog officer may kill such dog if it is found outside of the enclosure of its owner or keeper and not under his immediate care.

**§ 165. Appointment of Persons to Investigate Damages by Dogs.**

The county commissioners, except in Suffolk county, shall appoint one and may appoint not more than four suitable persons, all residents of the county, any one of whom shall, at the request of said commissioners or of the chairman of the selectmen or officer of the police designated as provided in section one hundred and sixty-one investigate any case of damages done by a dog of which the commissioners, chairman or officer shall have been informed as provided in said section; and if he believes that the evidence is sufficient to sustain an action against the owner or keeper of the dog as provided in said section and believes that such owner or keeper is able to satisfy any judgement recovered in such action, he shall bring the action, unless the owner or keeper before action brought pays him such amount in settlement of the damage as he deems reasonable. Such action may be brought in his own name and in the county where he resides, and he shall prosecute it. The persons so appointed shall also have throughout their respective counties the same powers and authority as police officers, constables or dog officers appointed under provisions of section one hundred and fifty-one, acting under sections one hundred and thirty-seven to one hundred and seventy-five, inclusive. All damages received or recovered under this section shall be paid over to the county treasurer and placed to the credit of the dog fund. The county treasurer shall pay out of the dog fund such reasonable compensation as the county commissioners shall allow for services and necessary expenses under this section and the reasonable expense of prosecuting the said actions. The persons appointed hereunder may be removed at any time by the county commissioners.

**§ 166. Person Damaged to Have Choice of Remedy.**

The owner of live stock or fowls which have been worried, maimed or killed by dogs shall have his election to proceed under section one hundred and sixty-one or sections one hundred and fifty-seven to one hundred and fifty-nine, inclusive; but, having signified his election by proceeding in either mode, he shall not have the other remedy.

## **Massachusetts General Laws: Chapter 272**

### **§ 80D. Retail Sales of Baby Chicks, Ducklings, Rabbits, etc.**

No person shall sell, offer for sale, barter or give away as premiums living baby chickens, ducklings or other fowl under two months of age.

No person shall sell, offer for sale, barter, display or give away living rabbits, chickens, ducklings or other fowl which have been dyed, colored or otherwise treated so as to impart to them an artificial color.

Nothing in this section shall be construed to prohibit the sale or display of baby chickens, ducklings or other fowl under two months of age by breeders or stores engaged in the business of selling for purposes of commercial breeding and raising; provided, however, that prior to May first in any year, such ducklings may be sold or purchased only in quantities of twenty-four or more.

This section shall not prohibit, however, the sale or donation of such chickens, ducklings or fowl to schools for use in classroom instruction.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

### **§ 85A. Liability for Killing, etc., Dogs and Other Domesticated Animals and Birds.**

Whoever with wrongful intent kills, maims, entices or carries away a dog or other domesticated animal or bird shall be liable in tort to its owner for three times its value. Any person who removes from the dog of another its license tag, collar or harness, or who, without the authorization of the owner or keeper, holds or harbors a dog or other domesticated animal of another, or who holds or harbors a lost or strayed dog or other domesticated animal for more than forty-eight hours after such animal comes into his possession without reporting or taking it to the police station or dog officer nearest to the place where it was found and informing the police officer or dog officer in charge where such dog or other animal was found, the name, color, age, size and pedigree, as fully as possible, of such animal and the person's own name and address, or who shall cause a dog to wear an imitation or counterfeit of the official tag prescribed by section one hundred and thirty-seven, one hundred and thirty-seven A or one hundred and thirty-seven B of chapter one hundred and forty, shall be punished by a fine of not more than one hundred dollars.

### **§ 88. Search Warrant for Fighting Birds, etc.**

If complaint is made to a court or magistrate authorized to issue warrants in criminal cases that the complainant has reasonable cause to believe that preparations are being made for an exhibition of the fighting of birds, dogs or other animals, or that such exhibition is in progress, or that birds, dogs or other animals are kept or trained for fighting at any place or in any building or tenement, such court or magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant authorizing any sheriff, deputy sheriff, constable or police officer, or special police officer duly appointed by the commissioner of public safety at the request of the Massachusetts Society for the Prevention of Cruelty to Animals or at the request of the Animal Rescue League of Boston, to search such place, building or tenement at any hour of the day or night and take possession of all such birds, dogs or other animals there found, and arrest all persons there present at any such exhibition or where preparations for such exhibition are being made, or where birds, dogs, or other animals are kept or trained for fighting.

### **§ 89. Entry without a Warrant, etc.**

Any officer authorized to serve criminal process, or any special police officer duly appointed by the commissioner of public safety at the request of the Massachusetts Society for the Prevention of Cruelty to Animals, or any municipal officer involved with animal control, may, without a warrant, enter any place or building in which there is an exhibition of the fighting of birds, dogs or other animals, or in which preparations are being made for such an exhibition, and arrest all persons there present and take possession of and remove from the place of seizure the birds, dogs or other animals engaged in fighting, or there found and intended to be used or engaged in fighting, or kept or trained for fighting, and hold the same in custody subject to the order of court as hereinafter provided.

## **§ 91. Judgment of Forfeiture, etc.; Proceedings Thereon.**

After such seizure and removal of such birds, dogs or other animals, application shall be made to a district court for a decree of forfeiture of the same; and if, upon the hearing of such application, notice thereof having been previously given as the court orders, it shall be found that such birds, dogs or other animals, or any of them, at the time of such seizure were engaged in fighting at an exhibition thereof, or were owned, kept, possessed or trained by any person with the intent that they should be so engaged, such birds, dogs or other animals shall be adjudged forfeited and such court shall thereupon, unless an appeal is taken as provided in the following section, issue an order for killing them, which shall be directed to any officer authorized to serve criminal process; and the officer receiving said order shall cause such birds, dogs or other animals to be killed within twenty-four hours thereafter. Birds, dogs or other animals seized as hereinbefore provided, which are not adjudged forfeited, shall be delivered to the owner or person entitled to the possession thereof. Any person shall be allowed to appear as claimant in the proceeding upon the application for a decree of forfeiture.

## **§ 92. Appeal.**

An owner or claimant aggrieved by such judgment may, within twenty-four hours after the entry thereof and before its execution, appeal therefrom to the superior court; and all proceedings upon and after such appeal, including the right of exception, shall conform, so far as may be, to those in criminal cases, except that before such appeal is allowed the appellant shall recognize to the commonwealth in the sum of two hundred dollars, with sufficient sureties, to prosecute his appeal and to pay such expenses of the prosecution as the court may order and such expenses as may be thereafter incurred in the care and keeping of the birds, dogs or other animals claimed by such appellant if final judgment is rendered against them, and to abide the judgment of the court thereon. Upon the final judgment, the birds, dogs or other animals held in custody to abide such judgment shall be disposed of, under the direction of the superior court, in like manner as the court or justice might have disposed of them if no appeal had been taken. During the pendency of the appeal, all birds, dogs or other animals adjudged forfeited shall be kept in custody in a place other than that from which they were taken.

## **§ 93. Expenses of Care, etc., of Birds, etc.**

The necessary expenses incurred in the care and destruction of such birds, dogs and other animals may be allowed and paid in the same manner as expenses in criminal prosecutions.

## **§ 94. Penalty on Owner, etc.**

Whoever owns, possesses, keeps or trains a bird, dog or other animal, with intent that it shall be engaged in an exhibition of fighting, or whoever establishes or promotes an exhibition of the fighting of birds, dogs or other animals shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than one year, or by a fine of not more than one thousand dollars or by both such fine and imprisonment in jail or house of correction.

## **§ 95. Penalty for Being Present at Exhibition, etc.**

Whoever is present at any place, building or tenement where preparations are being made for an exhibition of the fighting of birds, dogs or other animals, with intent to be present at such exhibition, or is present at, aids in or contributes to such exhibition, shall be punished by a fine of not more than two hundred and fifty dollars or by imprisonment for not more than one month, or both.

## **Massachusetts General Laws: Chapter 59**

### **§ 8A. Excise on Certain Farm Machinery, Animals, Fowl, etc.; Assessment; Abatement.**

Any person, not including a corporation, engaged principally in agriculture, who owns farm machinery and equipment, other than motor vehicles and trailers which are exempt under clause Thirty-fifth of section five, or mules, horses, neat cattle, swine, sheep, goats, domestic fowl or mink, which are not exempt under clause Twenty-first of section five, and any individual under eighteen years of age who owns and raises any such animals or fowl in connection with an agricultural youth program, including but not limited to the 4H Clubs and Future Farmers of America, which are not exempt under said clause Twenty-first of section five, shall annually, on or before March first, make a return on oath to the assessors of the town where such machinery and equipment or such animals and fowl are located, setting forth the make, age, model, if any, and purchase price of such machinery and equipment and the number and kind of each class of such animals and fowl owned by him on the next preceding January first.

For the purposes of this section the term "equipment" shall include plastic covered greenhouses used for agricultural, horticultural or floricultural purposes, which are not constructed upon a concrete foundation. If the assessors are satisfied of the truth of the return they shall assess such machinery and equipment and such animals and fowl at the rate of five dollars per one thousand dollars of valuation, as determined by the commissioner of revenue, of such machinery and equipment and of each class and kind of such animals and fowl, and such persons shall be otherwise exempt from taxation on these classes of property under this chapter.

If an owner, as described in the first paragraph, fails to make a return within the time provided therein, the assessors may abate a tax otherwise imposed by this chapter if he provides the assessors with a reasonable excuse for failure to file such return as aforesaid, and if a return is filed on or before October thirty-first of the year to which the tax relates, but no abatement hereunder shall reduce the tax otherwise imposed to an amount less than the sum of the excise imposed by this chapter plus fifty per cent thereof. No tax shall be due if the actual tax due is less than ten dollars.

The excise imposed hereunder shall be committed by the board of assessors to the collector of taxes together with their warrant for the collection thereof in the same manner as real and personal property taxes assessed under this chapter. The collector shall notify the person assessed of the amount of the excise in the manner provided in section three of chapter sixty. For the collection of the excise assessed under this section the collector shall have all the remedies provided by chapter sixty. The excise assessed shall be due and payable on October first of the year assessed, and if not paid on or before November first of the year of assessment, or within thirty days after notification of said excise if said notice is given after October first, shall bear interest as Provided in section fifty-seven of Chapter fifty-nine.

### **Massachusetts General Laws: Chapter 111**

#### **§ 125A. When Farm, or Operation Thereof, Adjudged Nuisance; Action to Abate; Right of Appeal, Procedures.**

If, in the opinion of the board of health, a farm or the operation thereof constitutes a nuisance, any action taken by said board to abate or cause to be abated said nuisance under sections one hundred and twenty-two, one hundred and twenty-three and one hundred and twenty-five shall, notwithstanding any provisions thereof to the contrary, be subject to the provisions of this section; provided, however, that the odor from the normal maintenance of livestock or the spreading of manure upon agricultural and horticultural or farming lands, or noise from livestock or farm equipment used in normal, generally acceptable farming procedures or from plowing or cultivation operations upon agricultural and horticultural or farming lands shall not be deemed to constitute a nuisance.

In the case of any such nuisance a written notice of an order to abate the same within ten days after receipt of such notice shall first be given as provided in section one hundred and twenty-four. If no petition for review is filed as herein provided, or upon final order of the court, said board may then proceed as provided in said sections one hundred and twenty-two, one hundred and twenty-three and one hundred and twenty-five, or in order of the court. If the owner or operator of said farm within said ten days shall file a petition for a review of such order in the district court for the district in which the farm lies, the operation of said order shall be suspended, pending the order of the court. Upon the filing of such petition the court shall give notice thereof to said board, shall hear all pertinent evidence and determine the facts, and upon the facts as so determined review said order and affirm, annul, alter or modify the same as justice may require. The parties shall have the same rights of appeal on questions of law as in other civil cases in the district courts.

## Section 2

### DEFINITIONS and EXPLANATIONS of TERMS USED in CONNECTION with the UNITED STATES STANDARDS of QUALITY

#### Egg Grading Manual-USDA April, 1983

##### Terms Descriptive of the Air Cell

**Depth of Air Cell:** (air space between shell membranes, normally in the large end of the egg)- The depth of the air cell is the distance from the top to its bottom when the egg is held air cell upward.

**Free Air Cell:** An air cell that moves freely towards the uppermost part in the egg as the egg is rotated slowly.

**Bubbly Air Cell:** A ruptured air cell resulting in one or more small separate air bubbles usually floating beneath the main cell.

##### Terms Descriptive of the Condition of the Shell

**Sound:** An egg whose shell is unbroken.

**Check:** An individual egg that has a broken shell or crack in the shell but its shell membranes are intact and its contents do not leak.

**Leaker:** An individual egg that has a crack or break in the shell and shell membranes to the extent that the egg contents are exuding or free to exude through the shell.

**Clean:** A shell that is free from foreign material and from stains or discolorations that are readily visible. An egg may be considered clean if it has only very small specks, stains, or cage marks, if such specks, stains, or cage marks are not of sufficient number or intensity to detract from the generally clean appearance of the egg. Eggs that show traces of processing oil on the shell are considered clean unless otherwise soiled.

**Dirty:** A shell that is unbroken and that has dirt or foreign material adhering to its surface, that has prominent stains, or that has moderate stains covering more than one-thirty-second of the shell surface if localized, or one-sixteenth of the shell surface if scattered.

**Practically Normal:** A shell that approximates the usual shape and is sound and free from thin spots. Ridges and rough areas that do not materially affect the shape and strength of the shell are permitted.

**Abnormal:** A shell that may be somewhat unusual of decidedly misshapen or faulty in soundness or strength or that may show pronounced ridges or thin spots.

##### Terms Descriptive of the Condition of the Yolk

**Outline Slightly Defined:** A yolk outline that is indistinctly indicated and appears to blend into the surrounding white as the egg is twirled.(AA Quality).

**Outline Fairly Well Defined:** A yolk outline that is discernible but not clearly outlined as the egg is twirled.(A Quality).

**Outline Plainly Visible:** A yolk outline that is clearly visible as a dark shadow when the egg is twirled.(B Quality).

##### Terms Descriptive of the Condition of the White

**Clear:** A white that is free from discolorations or from any foreign bodies floating in it. Prominent chazas should not be confused with foreign bodies such as spots or blood clots.(AA,A,B, Quality).

**Firm:** A white that is sufficiently thick or viscous to prevent the yolk outline from being more than slightly defined or indistinctly indicated when the egg is twirled. (AA Quality).

**Reasonably Firm:** A white that is somewhat less thick or viscous than a firm white. A reasonably firm white permits the yolk to approach the shell more closely, which results in a fairly well defined yolk outline when the egg is twirled.(A Quality).

**Weak and Watery:** A white that is weak, thin, and generally lacking in viscosity. A weak and watery white permits the yolk to approach the shell closely, thus causing the yolk outline to appear plainly visible and dark when the egg is twirled.(B Quality).

**Blood Spots or Meat Spots:** Small blood spots or meat spots (aggregating not more than one-eighth inch in diameter) may be classified as B quality. If larger, or showing diffusion of blood into the white surrounding a blood spot, the egg shall be classified as loss. Blood spots shall not be due to germ development. They may be on the yolk or in the white. Meat spots may be blood spots which have lost their characteristic red color or tissue from the reproductive organs.

**Bloody White:** An egg which has blood diffused through the white. Such a condition may be present in new laid-eggs. Eggs with bloody whites are classed as loss.

### **Terms Descriptive of the Germ**

**Practically Free from Defects:** A yolk that shows no germ development but may show other very slight defects on its surface. (AA & A Quality)

**Serious Defects:** A yolk that shows well developed spots or areas and other serious defects, such as olive yolks, that do not render the egg inedible.(B Quality)

**Clearly Visible Germ Development:** Development of the germ spot on the yolk of a fertile egg that has progressed to the point where it is plainly visible as a definite circular area or spot with no blood in evidence. (B Quality)

### **Inedible Eggs or Loss**

**Loss:** An egg that is inedible, leaker, cooked, frozen, contaminated, or containing bloody whites, large blood spots, large unsightly meat spots, or foreign material.

**Inedible Eggs:** Inedible eggs are described in the U.S. standards to include black rots, white rots, sour eggs, eggs with green whites, musty eggs, and moldy eggs. These types of inedible eggs are usually caused by the growth of bacteria or mold on or in the egg. Other types of inedible eggs are those showing blood rings, and those containing embryo chicks (at or beyond the blood ring stage) which result from germ development in fertile eggs. Two additional types of inedible eggs are mixed rots and eggs with stuck yolks.

### **Inedible Eggs That May Be Detected by Candling**

**Stuck Yolk:** Occurs when the yolk membrane becomes attached to the shell membrane. It generally occurs in older eggs that have been left in a fixed position for a long time. When the thick white becomes thin, the yolk floats close to the shell and becomes attached to the shell membrane.

**Blood Due to Germ Development:** Blood caused by development of the germ in a fertile egg to a point where it is visible as definite lines or as a blood ring. Such an egg is classified as inedible.

**Black rots:** Eggs that are generally opaque(with the exception of the air cell) when viewed before the candling light. When broken the contents have a muddy brown appearance and give off a repulsive, putrid odor. The bacteria most frequently causing this type of loss belong to a group named Proteus. However, when any rot is at an advanced stage, it may appear "black" before the candling light.

**Mixed Rot:** (addled eggs)Occurs when the vitelline membrane of the yolk breaks and the yolk mixes with the white. Resulting in a murkiness throughout the interior of the egg when viewed before the candling light.

**Blood Rings and Embryo Chicks:** These are caused by germ development, occurring in fertile eggs held at incubation temperatures. At a rather early stage in incubation(after 24 hours) the embryo develops a circulatory system. If at this stage the embryo dies the blood drains to the outer edge of the germ disc, causing the blood ring. Before the candling light, it appears as a brilliant blood-red circle from one-eighth to three-eighths of an inch in diameter, depending on the stage of development.

## **Inedible Eggs Which Cannot be Detected by Candling**

**Green Whites:** Eggs with green whites can be detected by experienced graders using the standard candling light. This type of loss is caused by the *Pseudomonas* group of bacteria. Like sour eggs, eggs with green whites will fluoresce under the ultraviolet light when broken out. Eggs with green whites may or may not have a sour odor.

**Moldy Eggs:** Eggs that may be detected by observing mold spots on the shell or by mold growth in checked areas of the shell, or by mold growths (the odor of mold or must may or may not be present) inside the egg itself when viewed before the candling light. The use of dirty water for washing eggs and dirty processing oil cooler than the egg, and the storage of the egg in unusually high humidity encourage mold growth and mold penetration through the shell. Advanced stages of mold growth throughout the entire egg might have an appearance similar to that of black rot.

**Musty Eggs:** These types of eggs frequently appear clear and free from foreign material when viewed before the candling light and can generally be detected only by the characteristic musty odor emanating from the egg. Sources of contamination may be a musty odor in the case or the nesting material, or the presence of this odor on the shell itself.

**Sour Egg:** Often difficult to detect by standard candling methods. Generally, eggs in this condition show a weak white and murky shadow around an off-center swollen yolk. The bacteria, causing sour eggs, belongs to a group named *Pseudomonas*. These organisms produce a material which fluoresces under ultraviolet light, giving off a green sheen. The adoption of ultraviolet light in candling (black light) has made the detection of this type of loss easier.

**Cooked Eggs:** Eggs which have been subjected to heat resulting in coagulation of the contents. Cooked eggs, when held before the candling light may be identified by the presence of threadlike shadows in the white indicating a slightly cooked egg, or a dark, opaque appearance indicating complete coagulation of the contents.