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trading standards law explained

Egg producers selling directly to consumers

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Key legislation

Although the United Kingdom left the European Union (EU) in 2021, certain pieces of legislation (known as 'assimilated law') continue to apply until such time as they are replaced by new UK legislation, revoked or permitted to expire. This means that our guidance still contains references to legislation that originated from the EU.

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland

Eggs sold directly to the consumer from a farm, by door-to-door delivery, or from a market or boot sale do not need to be weight graded or stamped, but must be labelled with a best-before date, a statement that eggs should be kept refrigerated after purchase, and (in certain circumstances) the production site's name and address or individual code. Additionally, your eggs must be marked with the method of production, your producer code and the country of origin.

These requirements do not apply to graded or cracked eggs. There are specific provisions for the labelling of free-range eggs and barn eggs.

To sell your own eggs directly, you will usually have to be inspected by the Scottish Government Poultry Unit.

You must also register your flock on the Scottish Kept Bird Register (SKBR).

This guidance relates to eggs from hens. Eggs from other species of birds are not subject to marketing standards, but still have to follow general labelling requirements such as the best-before date and naming the species that produced the eggs.

Registration as an egg production site

If you sell your own eggs at a farmers' market or car boot sale, for example, you must register with the Scottish Government Poultry Unit as an egg production site. When you register, the Poultry Unit will issue you with a producer code; this needs to be marked on the eggs you sell.

For more information about registration, contact the Poultry Unit on 0300 244 9972 or via email at eggsandpoultrymailbox@gov.scot.

If all of the following apply, you are not required to register as an egg production site, and labelling requirements are reduced (see 'Exemption' below):

You do not:

- send any of your eggs for grading at a registered egg packing centre
- have 50 or more hens and sell ungraded eggs at a local public market
- have 350 or more hens

The above will apply to most farm-gate sellers (those who only sell eggs from their home).

If you are selling eggs for human consumption, you will need to be registered as a food business; please contact your local council for further information.

Registering your flock

In addition to registering as an egg production site, all keepers of poultry and most other captive birds are required to register their flocks on the Scottish Kept Bird Register. This requirement came into force on 1 October 2024; previously, only flocks with 50 or more birds were required to be registered. See 'Registration and records of poultry and other captive birds' for more information.

Labelling requirements

A best-before date must be given (see below).

Appropriate storage information (such as 'keep chilled after purchase') should be provided.

Eggs must be individually stamped with a code that states the producer code and farming method. A notice must be displayed explaining the meaning of the letters and numbers that form the code stamped on the egg.

The farming method codes are as follows:

- 0: organic
- 1: free-range
- 2: barn
- 3: caged hens

A typical egg may be stamped, for example, 3UK12345, which means:

- 3: caged hens
- UK: country of origin
- 12345: producer code

An exemption to the requirement to stamp applies for producers with a flock of fewer than 50 birds, but in these circumstances the producer's name and address must be provided on a notice.

Eggs sold directly to the consumer from a farm, by door-to-door delivery, or from a market or boot sale cannot be marked or advertised with a weight grade or class. For more information on this and other labelling requirements, please see 'Retail sale and labelling of eggs'.

Exemption

The only exception to the above labelling requirements is where the eggs on sale are produced on the premises from which they are being sold. In this case, the eggs need not be weight-graded or marked with any information; however, a best-before date must be given.

'Best before' dates

Eggs, whether loose or packed, must be marked with a best-before date.

It must be in the format 'best before', followed by the day and month, in that order; you may add the year if you wish. The best-before date must be a maximum of 28 days after the date of lay.

When applying the best-before date, consideration should be given to any thin-shelled eggs and the storage of eggs in high ambient temperatures. The best-before date does not have to be stamped on to the egg, but it must at least be supplied with it.

Retailers must sell eggs within 21 days of laying. There is no legal requirement to have a sell-by or display-until date on eggs, but it may help you to ensure eggs are sold within the 21 days. Where no sell-by / display-until date is shown, it is best practice to remove eggs from sale seven days before their best-before date.

Method of farming

The method of farming, relating to the stamped code, can be indicated using the wording below, where applicable:

- free-range eggs
- barn eggs
- eggs from caged birds

These descriptions also apply if you wish to voluntarily describe your eggs when selling from your premises

or door-to-door.

If the eggs have not been produced in accordance with the methods set out for free-range eggs or barn eggs, they are automatically classed as eggs from caged hens.

Laying hens cannot be kept in cages that only meet the requirements of the 'conventional cage' system. More information about this is available in the Scottish Government's *Guidance for the Welfare of Laying Hens and Pullets* (please refer to the section headed 'Enriched cage systems: additional housing requirements').

Free-range

Eggs described as 'free-range' must be produced in poultry establishments in which the hens have:

- continuous daytime access to open-air runs
- shelter from adverse weather conditions and predators

The establishment must also be sufficiently large, given the stocking density and nature of the ground. In addition, there are requirements in relation to the hens' housing and fittings.

Barn

Barn eggs must be produced in a poultry establishment where the hens:

- are provided with at least 15 cm perch space per hen
- there is at least 750 cm^2 of cage area per hen, 600 cm^2 of which must be usable
- the establishment complies with requirements relating to the hens' housing and fittings

If you need further advice about the other descriptions of methods of farming, or the hens' housing requirements, please contact the Poultry Unit on 0300 244 9972 or via email at eggsandpoultrymailbox@gov.scot.

Storage

In order to keep the eggs you sell in good condition when storing them, they must be kept:

- chilled and protected from changes to, and extremes of, temperature; between 5 °C and 17 °C is suitable
- dry, out of direct sunlight and away from other goods that might flavour them, such as onions or washing powder

You should also consider:

- handling them as little as possible, as small cracks will cause the eggs to deteriorate and lose weight
- taking care when storing trays on top of each other, as this may cause the eggs to crack

Inspections

The Scottish Government Poultry Unit's egg marketing inspectors inspect all premises in Scotland where hens eggs are produced, graded, packed, imported and/or sold. This is to ensure that the eggs being produced and sold meet marketing standards. Further information on inspections can be found on the Rural Payments and Services website.

Trading Standards

For more information on the work of Trading Standards services - and the possible consequences of not abiding by the law - please see 'Trading Standards: powers, enforcement and penalties'.

> In Scotland, food labelling laws are not generally enforced by Trading Standards services, but rather by Environmental Health. However, we have included In-depth Guides on food for Scotland in order to provide more comprehensive guidance.

In this update

General detail added, including information about the Scottish Government Poultry Unit.

Last reviewed / updated: June 2025

Key legislation

- assimilated Regulation (EC) No 853/2004 *laying down specific hygiene rules for food of animal origin* (Annex III, section X)
- Animal Health and Welfare (Scotland) Act 2006
- Eggs and Chicks (Scotland) (No. 2) Regulations 2008
- assimilated Regulation (EC) No 589/2008 *laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs*
- Welfare of Farmed Animals (Scotland) Regulations 2010
- assimilated Regulation (EU) No 1169/2011 *on the provision of food information to consumers*
- Food Information (Scotland) Regulations 2014

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources'

tab.

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