

1 AN ACT concerning farm products.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Egg and Egg Products Act is  
5 amended by changing Sections 6 and 10 as follows:

6 (410 ILCS 615/6) (from Ch. 56 1/2, par. 55-6)

7 Sec. 6. Candling; labeling; sales by producers; retail  
8 sales; temperature requirements. All eggs sold at retail or  
9 purchased by institutional consumers must be candled for  
10 quality and graded for size.

11 ~~A--producer--may--sell,--direct--to--a--household--consumer--for~~  
12 ~~that--consumer's--personal--use--and--that--consumer's--non--paying~~  
13 ~~guests,--eggs--produced--by--a--producer's--own--birds--without~~  
14 ~~candling--or--grading--the--eggs.~~

15 A producer may sell on his own premises where eggs are  
16 produced, direct to household consumers, for the consumer's  
17 personal use and that consumer's non-paying guests, nest run  
18 eggs ~~classified--as--cheeks--and--dirties~~ without candling or  
19 grading those eggs.

20 All eggs designated for sale at retail or for  
21 institutional use must be candled and graded and held in a  
22 place or room in which the temperature may not exceed 45  
23 degrees Fahrenheit after processing. Nest run eggs shall be  
24 held at 60 degrees Fahrenheit or less at all times. During  
25 transportation, the egg temperature may not exceed 45 degrees  
26 Fahrenheit.

27 Hatcheries buying eggs for hatching purposes from  
28 producers under contract may sell their surplus eggs to a  
29 licensed packer or handler provided that the hatchery shall  
30 keep records which indicate the number of cases sold, the  
31 date of sale and the name and address of the packer or

1 handler making the purchase.

2 All eggs candled or candled and graded outside the State  
3 must meet Federal standards before they can be sold or  
4 offered for sale in the State. No eggs may be offered for  
5 sale for consumer use after the 30th day following the  
6 original candling date. ~~All--eggs--candled--or--candled--and~~  
7 ~~graded--must--be--recandled--and--regraded--if--not--sold--at--retail~~  
8 ~~within--30--days--of--the--original--candling--date.~~

9 Each container of eggs offered for sale or sold at  
10 wholesale or retail must be labeled in accordance with the  
11 standards established by the Department showing grade, size,  
12 packer identification, and candling packing date, and may be  
13 labeled with an expiration date, or other similar language as  
14 specified by USDA standards, that is not later than 30 days  
15 after the candling packing date for grade A eggs and not  
16 later than 15 days after the candling date for grade AA eggs.  
17 ~~The--date--of--candling--and--an--expiration--date--not--later--than--30~~  
18 ~~days--after--the--date--of--packing--must--appear--in--lettering--on~~  
19 ~~the--container--in--which--the--eggs--are--offered--for--sale.--Eggs~~  
20 ~~identified--as--grade--AA--shall--have--an--expiration--date--not~~  
21 ~~later--than--15--days--after--the--date--of--packing.~~

22 The grade and size of eggs must be conspicuously marked  
23 in bold face type on all consumer-size containers.

24 The size and height of lettering or numbering requirement  
25 shall be set by regulation and shall conform as near as  
26 possible to those required by Federal law.

27 All advertising of shell eggs for sale at retail for a  
28 stated price shall contain the grade and size of the eggs.  
29 The information contained in such advertising shall not be  
30 misleading or deceptive. In cases of food-borne disease  
31 outbreaks in which eggs are identified as the source of the  
32 disease, all eggs from the flocks from which those  
33 disease-causing eggs came shall be identified with a producer  
34 identification or flock code number to control the movement

1 of those eggs.

2 (Source: P.A. 89-154, eff. 7-19-95.)

3 (410 ILCS 615/10) (from Ch. 56 1/2, par. 55-10)

4 Sec. 10. Inspection fee. The Director shall set, by  
5 regulation, a per case inspection fee which shall cover the  
6 administrative and inspection costs of the program required  
7 by the Act. In no case shall the rate exceed 6¢ per each 30  
8 dozen eggs or fraction thereof.

9 The inspection fee as set shall be imposed upon eggs  
10 bearing a designated size and grade sold or offered for sale  
11 in Illinois. The first handler in Illinois who packs and  
12 sells the eggs must pay the prescribed inspection fee on  
13 those eggs. If eggs are shipped into Illinois, the handler  
14 who invoiced the eggs to Illinois must pay the fee. ~~The fee~~  
15 ~~shall be paid by the handler at the point of candling and~~  
16 ~~grading.~~ When the handler sells the eggs, the inspection fee  
17 shall be charged in addition to the sale price of the eggs  
18 and shall be remitted to the seller by the purchaser. Each  
19 sales invoice shall indicate the amount of inspection fee for  
20 the transaction. Eggs sold and shipped out of the State of  
21 Illinois by Illinois packers are exempt from the inspection  
22 fee.

23 The inspection fee shall be paid only once on the same  
24 quantity of eggs so long as those eggs maintain their  
25 identity by remaining in their original case, carton or  
26 package. All inspection fees shall be paid into the  
27 "Agricultural Master Fund" to the credit of a special account  
28 designated as the "Auxiliary Egg Inspection Fund". All  
29 amounts credited to the "Auxiliary Egg Inspection Fund" shall  
30 be used for the enforcement of the provisions of this Act.  
31 The method and manner of collecting the inspection fee  
32 levied, whether it be by the use of stamps, monthly reporting  
33 and collecting from dealers or any other method shall be

1 prescribed by the Director of Agriculture, pursuant to rules  
2 and regulations adopted for this purpose as authorized under  
3 the provisions of this Act.

4 (Source: P.A. 89-154, eff. 7-19-95.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.