



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3167

Introduced 2/19/2016, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

410 ILCS 615/3.21a new	
410 ILCS 615/3.29a new	
410 ILCS 615/6	from Ch. 56 1/2, par. 55-6
410 ILCS 615/15	from Ch. 56 1/2, par. 55-15

Amends the Illinois Egg and Egg Products Act. Defines "lot consolidation" and "registered lot consolidator". Provides that no eggs may be offered for sale for consumer use 45 days or more after candling (rather than after the original 30-day candling date). Extends the expiration date labeling requirement for grade A and AA eggs to no later than 45 days after candling. Removes provisions concerning the repackaging of eggs for sale to consumers. Provides that eggs may be repackaged only when the retailer performs a lot consolidation where the lot consolidation is performed by or under the supervision of a registered lot consolidator. Adds provisions concerning the training and registration of lot consolidators. Requires that stores wishing to consolidate egg lots retain a physical copy of the registered lot consolidator's registration document and maintain Egg Lot Consolidation Log form. Provides that eggs shall be consolidated in a manner consistent with the specified training, every lot consolidation shall be documented using an Egg Lot Consolidation Log form, and that registered lot consolidators shall work at one physical location only.

LRB099 20763 MJP 45427 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

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 amended
5 by changing Sections 6 and 15 and by adding Sections 3.21a and
6 3.29a as follows:

7 (410 ILCS 615/3.21a new)

8 Sec. 3.21a. "Lot consolidation" means the removal of
9 damaged eggs from consumer labeled cartons and replacement of
10 the damaged eggs with eggs of the same grade, size, sell-by
11 date, brand, lot, and source.

12 (410 ILCS 615/3.29a new)

13 Sec. 3.29a. "Registered lot consolidator" means a person
14 who has successfully completed a training course in lot
15 consolidation approved by the Department and who is registered
16 with the Department.

17 (410 ILCS 615/6) (from Ch. 56 1/2, par. 55-6)

18 Sec. 6. Candling; labeling; sales by producers; retail
19 sales; temperature requirements. All eggs sold at retail or
20 purchased by institutional consumers must be candled for
21 quality and graded for size.

1 A producer may sell on his own premises where eggs are
2 produced, direct to household consumers, for the consumer's
3 personal use and that consumer's non-paying guests, nest run
4 eggs without candling or grading those eggs.

5 All eggs designated for sale off the premises where the
6 entire flock is located, such as at farmers' markets, and at
7 retail or for institutional use must be candled and graded and
8 held in a place or room in which the temperature may not exceed
9 45 degrees Fahrenheit after processing. Nest run eggs shall be
10 held at 60 degrees Fahrenheit or less at all times. During
11 transportation, the egg temperature may not exceed 45 degrees
12 Fahrenheit.

13 Hatcheries buying eggs for hatching purposes from
14 producers under contract may sell their surplus eggs to a
15 licensed packer or handler provided that the hatchery shall
16 keep records which indicate the number of cases sold, the date
17 of sale and the name and address of the packer or handler
18 making the purchase.

19 All eggs candled or candled and graded outside the State
20 must meet Federal standards before they can be sold or offered
21 for sale in the State. No eggs may be offered for sale for
22 consumer use 45 days or more after the date of candling ~~after~~
23 ~~the original 30-day candling date.~~

24 Each container of eggs offered for sale or sold at
25 wholesale or retail must be labeled in accordance with the
26 standards established by the Department showing grade, size,

1 packer identification, and candling date, and must be labeled
2 with an expiration date, or other similar language as specified
3 by USDA standards, that is not later than 45 ~~30~~ days from the
4 candling date for grade A eggs and not later than 45 ~~15~~ days
5 after the candling date for grade AA eggs.

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

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

11 All advertising of shell eggs for sale at retail for a
12 stated price shall contain the grade and size of the eggs. The
13 information contained in such advertising shall not be
14 misleading or deceptive. In cases of food-borne disease
15 outbreaks in which eggs are identified as the source of the
16 disease, all eggs from the flocks from which those
17 disease-causing eggs came shall be identified with a producer
18 identification or flock code number to control the movement of
19 those eggs.

20 (Source: P.A. 96-1310, eff. 7-27-10.)

21 (410 ILCS 615/15) (from Ch. 56 1/2, par. 55-15)

22 Sec. 15. Samples; packing methods.

23 (a) The Department shall prescribe methods in conformity
24 with the United States Department of Agriculture
25 specifications for selecting samples of lots, cases or

1 containers of eggs or egg products which shall be reasonably
2 calculated to produce fair representations of the entire lots
3 or cases and containers sampled. Any sample taken shall be
4 prima facie evidence in any court in this State of the true
5 condition of the entire lot, case or container of eggs or egg
6 products in the examination of which the sample was taken.

7 It shall be unlawful for any handler or retailer to pack
8 eggs into consumer-size containers other than during the
9 original candling and grading operations unless the retailer
10 performs a lot consolidation where the lot consolidation is
11 performed by or under the supervision of a registered lot
12 consolidator.÷

13 (b) A person may become registered to consolidate egg lots
14 after having attended a training course approved by the
15 Department. Training courses shall be approved by the
16 Department if the course includes training on the following:

17 (1) Laws governing egg lot consolidation:

18 (A) same lot code;

19 (B) same source;

20 (C) same sell-by date;

21 (D) same grade;

22 (E) same size;

23 (F) same brand;

24 (2) temperature requirements;

25 (3) egg is a hazardous food (FDA Guidelines);

26 (4) sanitation;

1 (5) registration requirements;

2 (6) egg quality (USDA guidelines);

3 (7) original packaging requirements, (replacement
4 cartons shall not be utilized); and

5 (8) Egg Lot Consolidation Log forms.

6 Training materials and topics shall be submitted in writing
7 to the Department at least 90 days prior to the proposed
8 training date. The Department shall review and approve the
9 training material within 30 days of submittal.

10 (c) A registered lot consolidator registration is valid for
11 a period of one year from the completion of the approved
12 training.

13 The fee for a registered lot consolidator registration is
14 \$50. The fee shall be included with the registered lot
15 consolidator registration form when the form is submitted to
16 the Department.

17 Registration under this subsection (c) is independent of
18 any other license and shall follow the individual.

19 (d) Each store location wishing to consolidate egg lots
20 shall maintain a physical copy of the registration document of
21 the store's registered lot consolidator.

22 Each store shall maintain an Egg Lot Consolidation Log
23 form. This form shall be maintained by the store at the
24 physical location the eggs were consolidated for a period not
25 less than 30 days past the last sell-by date on the cartons
26 consolidated. The Egg Lot Consolidation Log form shall be

1 provided by the Department.

2 (e) Eggs shall be consolidated in a manner consistent with
3 training materials required by subsection (b). Each lot
4 consolidation shall be documented using an Egg Lot
5 Consolidation Log form. A registered lot consolidator shall
6 work at one physical store location only.

7 ~~(a) The loose eggs to be so transferred are in master~~
8 ~~case stamped no more than 5 days previous indicating that~~
9 ~~the size and quality have been verified.~~

10 ~~(b) The process of transferring is done in a licensed~~
11 ~~establishment.~~

12 ~~(c) (Blank).~~

13 ~~(d) The loose eggs to be transferred are reprocessed in~~
14 ~~the same manner as nest run eggs and each egg is recandled~~
15 ~~for quality and regraded for size in an establishment~~
16 ~~recognized as a competent grading facility by the Director~~
17 ~~or his authorized representative.~~

18 ~~(e) (Blank).~~

19 ~~If procedures described in paragraph (a) or (b) of this~~
20 ~~Section are executed, the mandatory labeling as it appears on~~
21 ~~the master cases with respect to name, address, grade, size and~~
22 ~~candling date must be identical to the labeling on the~~
23 ~~consumer size containers into which the eggs are transferred~~
24 ~~except that the name and address may be changed, provided that~~
25 ~~the words "packed for", "packed by" or words of similar import~~
26 ~~do not appear.~~

1 (Source: P.A. 92-677, eff. 7-16-02.)