**Section 65.170 Retail Egg Inspection**

a) When an inspector selects inspection samples to ascertain compliance with the Egg and Egg Products Act and this Part as they apply to grade and size of shell eggs, such samples shall be taken from either the holding area or display area.

b) If a disproportionate number of checks and leakers are found indicating the lack of reasonable store surveillance of the egg display, the inspector will issue a violation notice. In determining if a violation exists, the inspector will consider the damage possibly inflicted by the store's patrons, past inspection history indicating previous lack of surveillance of the egg display, and whether the number of checks and leakers exceed minimum federal egg grading standards (7 CFR 56 (2004)).

(Source: Amended at 29 Ill. Reg. 14774, effective October 1, 2005)