**Section 65.190 Restricted Eggs (Definition, Labeling, Handling, Disposition)**

a) "Restricted eggs" means shell eggs that are checks, dirties, incubator rejects, inedibles, leakers or loss. Except for the producer exemption provided in subsection (c), checks and dirties may be used for human food provided they are processed and pasteurized in an official plant.

b) "Capable of use as human food" means any egg or egg product, unless it is denatured, or otherwise identified as required by Federal regulation, to deter its use as human food (7 CFR 59 (2004)).

c) Within the classifications of eggs defined as restricted eggs, only checks and dirties are capable of use as human food, unless they are destroyed or identified and labeled for animal food. Checks and dirties shall be sold directly or indirectly only to an official plant. However, a producer may sell on his own premises where eggs are produced checks and dirties directly to household consumers, for use by the consumer and the consumer's non-paying guests.

d) Producer-dealers, packers, handlers, distributors, or retailers shall not sell on or off the premises within the State any restricted eggs to any person, including consumers, institutional consumers or employees.

e) Restricted eggs will not be given free, for use as human food, to any person, including but not limited to institutional consumers, charitable organizations, or any employee.

f) Restricted eggs may be designated for animal food only when properly decharacterized or denatured to preclude their use in food for human consumption, and each container or receptacle shall be labeled "Restricted eggs, Not to be used as human food". However, restricted eggs that are not decharacterized or denatured may be moved from one USDA licensed plant to another USDA licensed plant.

g) Inedible and loss eggs must be denatured at the point and time of segregation. If the liquid is removed from the shells, approved denaturant must be placed in the receptacle provided, before the liquid is added. If loss eggs are placed on fillerflats or in flats and fillers, or in any other manner, each layer of eggs must be denatured before another one is started. However, inedible and loss eggs under USDA inspection and control shall be handled in accordance with USDA recommendations.

h) Checks and dirties must be conspicuously labeled at the point and time of segregation with a placard or other device. Full or partial master cases containing checks and dirties must be labeled before transfer to the cooler.

i) Producer-dealers with fewer than 3000 birds, or any producers, regardless of size, who do no candling and grading, are not required to register under the Federal Egg Products Inspection Act. Producer-dealers with fewer than 3000 birds who candle and grade eggs must be licensed by the State and are subject to this Part as it applies to restricted eggs.

(Source: Amended at 43 Ill. Reg. 4799, effective April 15, 2019)