**Section 65.20 Packaging Material, Master Containers,** **Packing Material and Consumer-Size Containers**

a) Eggs sold at retail may be packaged only in new consumer-size containers with the exception that ungraded eggs sold directly by producers to household consumers may be packaged in unmarked new or unmarked good used consumer-size containers.

b) All eggs sold at retail must be prepackaged.

c) Only new or good used master containers may be used for the distribution of eggs. All master containers including plastic and wire baskets must be clean, free of mold and dirt, mustiness, and of odors, and must be of sufficient strength and durability to protect the eggs from damage during normal distribution. Cardboard master containers showing obvious "fatigue" defects, such as, master containers with torn sections exposing contents of the master containers or which have lost their original shape due to warping, bulging, sagging or denting shall not be used.

d) Packing material, including but not limited to flats and fillers, plastic or pulp fillerflats, may be new or used provided they are clean, free from stain and odors, from mold and dirt, from mustiness, thoroughly dry and of sufficient rigidity to prevent damage during handling and distribution.

e) Eggs sold at retail may be prepackaged by handlers only in new consumer-size containers. Polystyrene (shrink wrap) may be used in the prepackaging of eggs offered for sale at the retail level. Wrapping fillerflats or any other open container of eggs in newspaper, butcher paper, or other type of sheet material is prohibited. No retailers will buy loose or bulk eggs and put them into cartons or containers of any kind or sort whatsoever.

f) In accordance with Section 3.7 of the Act, consumer-size containers shall automatically be approved for use if they comply with the labeling requirements (see 8 Ill. Adm. Code 65.30) and protect the eggs from damage during normal distribution. Upon examination, if the Department finds evidence that the container is not protecting the eggs from damage, the packer shall receive written notification either personally, or by registered or certified mail that the containers cannot be used beginning 30 days from the date notice of discontinuance is given by the Department. Consumer-size containers which are found in violation of the labeling requirements cannot be used until correction is made.

(Source: Amended at 7 Ill. Reg. 2311, effective February 14, 1983)