

(b) The tolerances for Grade AA, Grade A, and Grade B eggs sold to consumers shall be as follows:

(1) U.S. Consumer Grade AA shall consist of shell eggs which are 80 percent AA quality. Within the maximum tolerance of 20 percent which may be below AA quality, not more than 5 percent may be B quality, C quality or checks in any combination and not more than 0.5 percent leakers or dirties in any combination.

(2) U.S. Consumer Grade A shall consist of shell eggs which are 80 percent A quality or better. Within the maximum tolerance of 20 percent which may be below A quality, not more than 5 percent may be C quality, or checks in any combination, and not more than 0.5 percent leakers or dirties in any combination.

(3) U.S. Consumer Grade B shall consist of shell eggs which are 80 percent B quality or better. Within the maximum tolerance 20 percent which may be below B quality, not more than 10 percent may be checks, and not more than 0.5 percent leakers or dirties in any combination].

4-306.

(a) The Secretary may establish for use on a voluntary basis special grades of shell eggs produced in the State that are of a standard superior to UNITED STATES DEPARTMENT OF AGRICULTURE Grade A shell eggs. The Secretary may adopt rules and regulations (1) prescribing and defining quality and size standards, and establishing special tolerances for the grade of shell eggs, (2) requiring, as a condition precedent to sale, any person who desires to pack special grades for sale to register annually with the Secretary and pay a reasonable registration fee set by the Secretary, (3) devising and charging reasonable fees for seals or other appropriate identifying insignia to be used, as a condition precedent to sale by any person who desires to pack them for sale, and (4) adopting other rules and regulations necessary to effectuate the purposes of this section.

4-307.

No person may sell, offer to sell, or deliver any shell eggs not properly designated in respect to quality and size standard. When shell eggs are sold or offered for sale, the designation shall be plainly and conspicuously shown on the container and in the offer to sell, and if the shell eggs are loose, by a sign placed on or near the eggs. Any shell eggs not designated as UNITED STATES DEPARTMENT OF AGRICULTURE Grade B shall be presumed to be UNITED STATES DEPARTMENT OF AGRICULTURE Grade A in allowing tolerance for quality.