

**§ 1220.8 Tea packages and contents shall constitute a unit.**

Tea packages and contents shall be treated as a unit, and no separation of tea from its covering can be allowed, for either exportation or destruction, except under the two following conditions:

(a) In cases of importations of tea containing an excessive quantity of dust and siftings, the tea may be sifted and admitted to entry if found up to the standard, and the dust and siftings may also be admitted if found up to the standard or, if no standard exists, if found up to the respective leaf standard. If not up to the standard, or respective leaf standard when no standard exists, the dust and siftings must be exported or destroyed under Government supervision.

(b) If, by reason of damage, a tea otherwise equal in quality to the standard has been rejected, the damaged portion may be removed and exported or destroyed under custom's supervision, and the sound remainder resubmitted for examination and admitted to entry if found up to the standard.

**§ 1220.9 Duties of supervising tea examiner.**

(a) The supervising tea examiner is charged with the immediate supervision of all matters relating to the enforcement of the Tea Importation Act, and particularly the securing of uniformity in the treatment of imported teas at all the points of examination. He is also to perform such duties in connection with tea under the Federal Food, Drug, and Cosmetic Act as may be assigned to him.

(b) For the purpose of securing uniformity in the treatment of teas each tea examiner will send to the supervising tea examiner one-half pound samples of the teas rejected by him, also such other samples of teas as the supervising tea examiner may direct. To each sample a label (T. I. S. Cat. No. 2) shall be affixed.

(c) The examiner of tea at each port where a qualified tea examiner is stationed shall prepare and forward to the supervising tea examiner and to the chairman of the United States Board of Tea Appeals, as soon as practicable after the close of each month, a report

(T. I. S. Cat. No. 3), showing details as to every shipment of tea examined by the tea examiner. This information the tea examiner should compile from his report of "Teas Imported and Examined" (T. I. S. Cat. No. 4) which should always be kept up to date.

**Subpart B—Shipment and Storage****§ 1220.10 Teas destined for interior ports.**

Imported teas entered at an exterior port destined for immediate transportation to an interior port shall be forwarded without detention.

**§ 1220.15 Warehouses for storage of tea.**

(a) Warehouses for the storage of tea will be designated by the District Director of Customs and the proprietor thereof will be required to give a bond in the form prescribed (Customs Form No. 3581). Teas not stored in such designated warehouses will be placed in general order store or in public store pending examination and release on proper permit. In the absence of proper storage facilities at customhouses, teas may be retained in locked cars as constructive warehouses, under proper supervision, pending examination.

(b) The importer's premises may be designated as warehouses for the storage of tea on the filing of the bond provided for by the regulations in this part, but whenever, in the discretion of the District Director of Customs, it shall be considered desirable, a storekeeper shall be assigned to the supervision of such premises at the importer's expense while the teas shall remain under bond therein.

**§ 1220.16 Method of storing in warehouse.**

(a) When tea under examination is stored in any warehouse it must be so placed as to be separate from other merchandise and so as to allow convenient supervision by customs officers and officers of the Department of Health and Human Services. At ports where there are no bonded warehouses, class 2 or 3, the chief customs officer of the port will, when necessary, procure suitable premises for the temporary storage of any tea reaching his port.

The repacking of tea in warehouse for export purposes is not allowed.

(b) All expenses of storage, cartage, and labor must be paid by the importer.

**§ 1220.17 Removal of tea from warehouse.**

No tea shall be delivered to the importer or removed from warehouse for any purpose before the examination required by the Tea Importation Act.

**Subpart C—Customs Requirements**

**§ 1220.20 Examination of packages.**

Chief officers of customs may order such an examination of packages containing tea as will satisfy them that no dutiable goods are packed therein. For this purpose the customary designation should be made of packages for examination in public store.

**§ 1220.21 Tea blended, mixed and repacked for export.**

Tea importers desiring to import teas into the United States to be blended, mixed, and repacked for export can do so by bonding a warehouse under the provisions of section 311 of the Tariff Act of 1930 (46 Stat. 691; 19 U.S.C. 1311), upon compliance with §§ 19.13 to 19.15, inclusive, of the Customs Regulation of 1943 (19 CFR 19.13–19.15), giving bond on Customs Form No. 3583. All teas placed in bonded manufacturing warehouses must be exported.

CROSS REFERENCE: For customs regulations governing manufacturing warehouses, see 19 CFR 19.13–19.16.

**§ 1220.22 Unclaimed teas.**

Unclaimed teas should be taken possession of by District Directors of Customs the same as other unclaimed goods and placed in "general order", but not sold at the expiration of the year unless declared fit for consumption by a designated tea examiner.

CROSS REFERENCE: For U.S. Customs Service regulations governing disposition of merchandise unclaimed or in warehouse beyond the time fixed by law, see 19 CFR part 127.

**Subpart D—Sampling Procedures**

**§ 1220.30 Taking of samples at ports where tea examiner is stationed.**

The examination of teas at ports where a duly qualified tea examiner is stationed shall be made by means of samples drawn by the sampler from packages designated by the tea examiner. The importer, when his teas are ready for sampling, shall submit in duplicate to the tea examiner a chop list and release permit (T.I.S. Cat. No. 1) of the several lines included in the invoice, and the tea examiner shall select for examination packages representing the different lines.

**§ 1220.31 Taking of samples at ports where there is no tea examiner.**

(a) In case an entry of imported tea shall be made at a port or subport where no tea examiner is stationed the importer should prepare the chop list and release permit (T. I. S. Cat. No. 1) in triplicate and forward them to the chief officer of the customs at the port of entry.

(b) Samples shall be obtained by such officers, together with the original and one copy of the chop list and release permit (T. I. S. Cat. No. 1), and shall be forwarded to the nearest qualified tea examiner for his report and return. Samples sent for the purpose of examination from ports of importation to ports where tea examiners are located shall be packed in clean tin cans, free from odor, fitted with tight covers, and of a capacity to hold about 4 ounces avoirdupois of tea. Each can shall be properly labeled (T. I. S. Cat. No. 5).

**§ 1220.32 Result of examination; form of report.**

(a) The examination and report upon such samples shall be made in accordance with the provisions of section 7 of the Tea Importation Act (29 Stat. 606; 21 U.S.C. 46), and the result of this examination shall be noted on the invoice by the tea examiner before he returns the invoice to the collector of customs. The tea examiner at the same time should make his returns on the original copy of the chop list and release permit (T. I. S. Cat. No. 1), which, after being duly signed by him, should be