

the tea trade, with the weight of a silver half dime to the cup. The quality must be equal to standard, but the flavor may be that of a different district, as long as it is equally fit for consumption. As an illustration, a Teenkai may be equal to a Moyune, but a distinctly smoky or rank Fychow or Wenchow of sour character is not considered equal to the first two mentioned.

(b) Tea dust, fannings, siftings, and offgrades, including broken tea (BT), broken mix (BM), and Bohea when so marked and for which there is no specific standard, should be tested for quality, purity, and fitness for consumption in comparison with their respective leaf standards.

§ 1220.62 Testing quality of infused leaf.

In order to test the quality of the infused leaf in comparison with the standard, a second drawing should be made of double weight. Before pouring off the water, examine for an excess of "floaters" (woody stems which remain floating after the leaf is thoroughly infused) to determine whether they are in sufficient quantity to reduce the quality of the infusion below that of the standard. After pouring off the water the infused leaf should be taken out so as to exhibit the lower side which rested against the cup. Should the mass show a larger quantity of exhausted or decayed leaf than the standard, it affords sufficient evidence to be judged inferior in quality and consequently to be rejected.

§ 1220.63 Test for paraffin and similar substances.

If the examiner suspects the presence of paraffin or any similar substance, he should make the following test in comparison with the standard: Spread the tea between two sheets of unglazed white paper. Place thereon a hot iron. The greasy substance, if any, will appear on the paper, and if not equal to the standard the tea would justly be rejected.

§ 1220.64 Tests for impurities.

(a) To examine for impurities the following tests may be used in comparison with the standard:

(1) Read test, with additions and modifications, and the cup test, doubleweight. Place 2 ounces of tea in a sieve 5 or 6 inches in diameter, having 60 meshes to the inch and provided with a top. Sift a small quantity of the dust onto a semiglazed white paper about 8 by 10 inches. The amount of dust placed on the paper should be approximately 1 grain. To get the requisite amount of dust it is sometimes necessary to rub the leaf gently against the bottom of the sieve, but this must not be done until the sieve has been well shaken over the test paper. Pour the dust thus collected from the paper into the scales, weigh out 1 grain, and return this quantity to the same paper, distributing it well over the surface of the paper. Then place the paper on a plain, firm surface, preferably glass or marble, and crush the dust by pushing over it, with considerable pressure, a flat steel spatula about 5 inches long. Do this repeatedly until the tea dust is ground almost to a powder and the particles of coloring matter or other impurities, if any, are spread or streaked on the paper, so as to become more apparent. Brush off the loose dust and examine the paper by means of a simple lens magnifying $7\frac{1}{2}$ diameters. In distinguishing these particles and streaks bright light is essential.

(2) The crushed leaf in either black or green tea appears in such quantity that there is no chance of mistaking the leaf for artificial coloring, facing material, or other impurities.

(3) The test is performed in comparison with the standard, and, if the tea is clearly equal to the standard with respect to artificial coloring, facing matter, or other impurities, the operation need not be repeated. If particles of artificial coloring, facing, or other impurities are found in the sample under comparison with the standard repeat this operation a sufficient number of times to be sure whether or not the tea contains impurities in excess of the standard.

(4) Repeat the operation, using semiglazed black paper instead of the white paper. This black-paper test shows the presence of facing and other impurities, such as talc, gypsum, barium sulfate, clay, and kaolin.

(5) If the tea under examination is found, by the foregoing tests, to contain more impurities than the standard, draw samples from packages representing at least 5 percent of the line in question, and subject each sample to the tests to ascertain whether or not the majority contain impurities in excess of the standard.

(6) The foregoing tests may be applied to tea of all varieties.

(b) Should the examination of the sample by the cup test, double-weight, for scum, sediment, etc., or the Read test, or both, disclose the presence of more impurities than the standard, a pound sample should be sent to the nearest district of the Food and Drug Administration and an analysis made in comparison with the standard to determine whether it contains more impurities than the standard. If the tea in question is found to contain more impurities than the standard, it would properly be rejected as not being equal to the standard in purity.

(c) All extraneous substances are impurities, and the presence of any may be detected in any way found efficient.

§ 1220.65 Tea dust.

Tea dust or broken leaf mixed with other teas or separate, made to imitate gunpowder or other teas, with the use of paste or gum, or any other substance, would justly be rejected.

§ 1220.66 Tolerance for fine tea particles.

Except for teas listed under § 1220.61(b), the amount by weight of fine tea particles that will pass through a wire sieve having 30 openings per linear inch in either direction and made of wire with a diameter of 0.01 inch, must not exceed 4 percent. Before condemning any tea for fine particles in excess of 4 percent, examiners shall sieve at least 4 representative samples, each taken from a different package in a shipment containing four or more packages, or where a lesser number of packages is involved, examiners shall sieve a representative sample from each package.

§ 1220.67 Tea inferior to the standard in any requisite is justly rejected.

Should a tea prove on examination to be inferior to the standard in any one of the requisites—namely, quality, quality of infused leaf, or purity—it would justly be rejected, notwithstanding the fact that it may be superior to the standards in some of the qualifications. No consideration shall be given to the appearance or so-called style of the dry leaf.

Subpart H—Administrative Procedures Based on Examination

§ 1220.70 Action based on result of examination.

(a) If, after examination, the tea is found not be prohibited under the act, a release permit shall at once be granted to the importer, declaring that the tea is not within the prohibition of the Tea Importation Act; but if, on examination, such tea, or merchandise described as tea, is found in the opinion of the examiner, to come within the prohibitions of the law and of the regulations in this part, the importer shall be immediately notified (T.I.S. Cat. No. 6), and the tea, or merchandise described as tea, so returned, shall not be released by the customhouse authorities, unless on a re-examination called for by the importer the return of the examiner shall be found erroneous. Should a portion only of the invoice be passed by the examiner as correct, a permit of delivery shall be granted for that portion and the remainder held as provided in section 6 of the act (29 Stat. 606; 21 U.S.C. 47).

(b) In all cases of rejections by examiners, the importers should be notified of the reason for rejection; that is, whether it be on the ground of quality, character of infused leaf, dust, or admixture with foreign substance.

§ 1220.71 Procedure for protest against findings.

In case the collector of customs, importer, or consignee shall protest against the finding of the examiner, the matter in dispute shall be referred for decision to the United States Board