

TEA ORDER

under para. 7 of the Smallholder Tea Authority Order

G.N. 58/1968

174/1968

65/1969

219/1971

27/1987

1. Citation

This Order may be cited as the Tea Order.

2. Interpretation

“Project Manager” means the person appointed by the Authority to be its senior executive.

3. Permission

No grower may establish a tea nursery except with the written permission of the Authority, which may attach to such permission such conditions as it considers appropriate.

4.

[Deleted by G.N. 219/1971].

5. Planting material

A grower may use only planting material which has been supplied by the Authority.

6. Standards of soil and plant husbandry

A grower will be required at all times to maintain his tea garden to the standards of soil and plant husbandry laid down from time to time by the Project Manager.

7. Uprooting and destruction

A grower will uproot and destroy tea plants in his garden if required to do so in writing by the Authority.

8. Sale of green leaf

A grower may offer green leaf for sale only to the Authority:

Provided that where a grower already had a green leaf sale agreement with a factory at the time of the establishment of the Authority, he may, with the written approval of the Authority, continue to sell his leaf to the factory so long as his agreement lasts.

9. Discretion to refuse to buy

The Authority may at its discretion refuse to buy green leaf offered.

10. Weighing

Green leaf accepted by the Authority shall be weighed in the presence of the person delivering it, and a receipt shall be issued for the weight of the leaf in kilograms:

Provided that a reduction in weight may be made by the Authority if surface moisture is present on the green leaf.

11. Price

The price to be paid to growers by the Authority for green leaf shall be such as may be from time to time published by notice in the Gazette.

12. Made tea

No person shall—

(a) convert fresh green tea leaf as plucked from the tea bush into made tea by any means except under and in accordance with the terms of the grower's licence issued under this Order by the Authority, or without the authority in writing of the Authority;

(b) sell, exchange, give, offer or expose for sale or otherwise dispose of any made tea manufactured or prepared in contravention of subparagraph (a).

13. Penalties

Any person who contravenes or fails to comply with any of the provisions of this Order shall be liable to a fine of K100 and to imprisonment for 6 months, and in addition, any made tea belonging to him or found in the possession of any person convicted of an offence under paragraph 12 shall be confiscated and destroyed in such manner as the Court may direct:

Provided that this power of the Court shall relate only to the made tea which is the subject of the charge before the Court.