

of Tea Appeals, designated by the Secretary of Health and Human Services, and if such board shall, after due examination, find the tea in question to be equal in purity, quality, and fitness for consumption, as compared with the proper standards, a permit shall be issued by the District Director of Customs for its release and delivery to the importer; but if, upon such final re-examination by such board, the tea shall be found to be inferior in purity, quality, and fitness for consumption, as compared with the said standards, the importer or consignee shall give a bond, unless he has previously done so, with security satisfactory to the District Director of Customs, to export said tea out of the limits of the United States within a period of 6 months after such final re-examination; and if the same shall not have been exported within the time specified, the District Director of Customs, at the expiration of that time, shall cause the same to be destroyed.

**§ 1220.72 Procedure by importer for review.**

(a) If the importer desires teas rejected by the examiner to be reviewed by the United States Board of Tea Appeals, as provided in section 6 of the said act, he shall, within 30 days after he has been notified of such return, file a written application with the collector in the form T.I.S. Cat. No. 20. The District Director of Customs will thereupon forward such application to the United States Board of Tea Appeals, designated by the Secretary of Health and Human Services for review of the matter in dispute, and the proceedings shall be according to section 8 of the act.

(b) The re-examination of the tea samples must be restricted to the samples put up and sealed by the examiner at ports where qualified tea examiners are stationed, or by the chief officer of the customs, if there is no qualified tea examiner so stationed, in the presence of the importer or consignee, if he so desires. In either case the samples should be transmitted to the United States Board of Tea Appeals by the tea examiner, together with a copy of the finding of the examiner, setting forth the cause of condemnation.

(c) These samples for re-examination should weigh at least 1 pound, and should be put up in tins securely labeled (T.I.S. Cat. No. 21) and well wiped and seasoned. Half of such samples shall be utilized for the examination by the Board of Tea Appeals and for return to the port of entry with the decision, as heretofore, and the remaining half pound, if the tea be rejected by said board, shall be distributed among the various examiners for their information and guidance.

(d) Teas rejected by team examiners and rejections affirmed by the United States Board of Tea Appeals cannot be re-examined.

**§ 1220.73 Rejected tea.**

Rejected tea can only be released or withdrawn for exportation, for transportation and exportation, or for manufacturing purposes under the Tea Importation Act (35 Stat. 163; 21 U.S.C. 41), as the case may be.

**§ 1220.74 Exportation of rejected teas.**

(a) Teas to be exported for the reason that they are within the prohibition of the statute will be entered for exportation on Customs Form No. 7515, and bond on Customs Form No. 7557 shall be given for their exportation in a penal sum equal to double the value of the tea, provided consumption entry bond (Form No. 7551 or Form No. 7553) was not previously given.

(b) Whenever a bond is given to export any condemned tea in pursuance of the act, it will be canceled upon the filing of an outward bill of lading and a duly authenticated certificate of clearance from the customs officer supervising the lading thereof, as in the case of rejected foods and drugs (T.D. 28841), and all accrued charges must be paid before issuance of permit for exportation.

(c) At interior ports the export entry shall be made for transportation and immediate exportation in bond.

**§ 1220.75 Reimportation of exported teas forbidden.**

(a) No imported teas which have been rejected by an examiner, or by the United States Board of Tea Appeals, and exported under the provisions of this act, shall be reimported into the