

(ii) Finished dosage units, if reexported, will be in a commercial package, properly sealed and labeled for legitimate medical use in the country of destination.

(iii) Any reexportation be made known to DEA at the time the initial DEA Form 236, Controlled Substances Import/Export Declaration is completed, by checking the box marked "other" on the certification. The following information will be furnished in the remarks section:

(A) Indicate "for reexport".

(B) Indicate if reexport is bulk or finished dosage units.

(C) Indicate product name, dosage strength, commercial package size, and quantity.

(D) Indicate name of consignee, complete address, and expected shipment date, as well as, the name and address of the ultimate consignee in the country to where the substances will be reexported.

(E) A statement that the consignee in the country of ultimate destination is authorized under the laws and regulations of the country of ultimate destination to receive the controlled substances.

(iv) Shipments which have been exported from the United States and are refused by the consignee in the country of destination, or are otherwise unacceptable or undeliverable, may be returned to the registered exporter in the United States upon authorization of the Drug Enforcement Administration. In this circumstance, the exporter in the United States shall file a written request for reexport, along with a completed DEA Form 236, Import Declaration with the Drug Enforcement Administration, Drug Operations Section, Washington, DC 20537. A brief summary of the facts that warrant the return of the substance to the United States along with an authorization from the country of export will be included with the request. DEA will evaluate the request after considering all the facts as well as the exporter's registration status with DEA. The substance may be returned to the United States only after affirmative authorization is issued in writing by DEA.

(c) Notwithstanding the time limitations included in paragraph (a) of this

section, a registrant may obtain a special waiver of these time limitations in emergency or unusual instances; provided that a specific confirmation is received from the Administrator or his delegate advising the registrant to proceed pursuant to the special waiver.

[36 FR 7815, Apr. 24, 1971, as amended at 37 FR 15923, Aug. 8, 1972. Redesignated at 38 FR 26609, Sept. 24, 1973, and amended at 45 FR 74715, Nov. 12, 1980; 51 FR 5319, Feb. 13, 1986; 52 FR 17290, May 7, 1987; 62 FR 13969, Mar. 24, 1997]

#### § 1312.28 Distribution of special controlled substances invoice.

The required five copies of the special controlled substances export invoice, DEA (or BND) Form 236, will be distributed as follows:

(a) Copy 1 shall accompany the shipment and remain with the shipment to its destination.

(b) Copy 2 shall accompany the shipment and will be detached and retained by appropriate customs officials at the foreign country of destination.

(c) Copy 3 shall accompany the shipment and will be detached by the District Director of the U.S. Customs Service at the port of exportation, who shall sign and date the certification of customs on such Copy 3, noting any changes from the entries made by the exporter, and shall then promptly forward Copy 3 to the Drug Control Section of the Administration.

(d) Copy 4 shall be forwarded, within the time limit required in § 1312.27 of this part, directly to the Drug Enforcement Administration, Drug Operations Section, Washington, DC 20537. The documentation required by § 1312.27(b)(4) of this part must be attached to this copy.

(e) Copy 5 shall be retained by the exporter on file as his record of authority for the exportation.

[36 FR 7815, Apr. 24, 1971, as amended at 36 FR 13387, July 21, 1971. Redesignated at 38 FR 26609, Sept. 24, 1973, and amended at 45 FR 74715, Nov. 12, 1980; 51 FR 5319, Feb. 13, 1986; 52 FR 17291, May 7, 1987; 53 FR 48244, Nov. 30, 1988; 62 FR 13969, Mar. 24, 1997]

#### § 1312.29 Domestic release prohibited.

An exporter or a forwarding agent acting for an exporter must either deliver the controlled substances to the