

**INSTRUCTIONS FOR APPLICATION
FOR APPROVAL AS A COMMERCIAL GAUGER
AND/OR ACCREDITATION AS A COMMERCIAL LABORATORY
BY U.S. CUSTOMS AND BORDER PROTECTION**

The following information is pertinent to the application process as defined in Part 151.12 and Part 151.13 of the U.S. Customs and Border Protection (CBP) Regulations (19 CFR 151.12 and 19 CFR 151.13). **Your attention is directed to the following sections of the CBP Regulations:**

Section 151.12(d), which describes the commodity brochures for which laboratory accreditation can be sought; and 151.13(c) which describes the approved measurement methods for gauging.

Sections 151.12(f)(3)(iv) and 151.13(d)(3)(ii) which describes the evaluation of technical and operational requirements.

An application package for CBP accreditation and/or approval **must** contain the following information as described in Section 151.12(f) and 151.13(d) using CBP Form 6478 and other relevant templates:

- ❑ The applicant's legal name and the address of its principal place of business and any other facility out of which it will work;
- ❑ Detailed statements of ownership and any partnerships, parent-subsidary relationships, or affiliations with any other domestic or foreign organizations, including, but not limited to, importers, other commercial laboratories, producers, refiners, CBP brokers, or carriers;
- ❑ A statement of financial condition (i.e., statement from a Certified Public Accountant or notarized statement)
- ❑ If a corporation, a copy of the articles of incorporation and the names of all officers and directors, including the names of all officers and directors;
- ❑ The names, titles, and qualifications of each person who will be authorized to sign or approve analysis reports and or gauging reports on behalf of the commercial laboratory and/or gauger;
- ❑ A complete description of the applicant's facilities, instruments, and equipment;
- ❑ An express agreement that if notified by CBP of pending accreditation (approval) to execute a bond in accordance with part 113, CBP Regulations (19 CFR part 113), and submit it to the CBP port nearest to the applicant's main office. The limits of liability on the bond will be established by the CBP port in consultation with the Executive Director, Laboratories and Scientific Services Directorate. In order to retain CBP accreditation and/or approval, the laboratory and/or gauger must maintain an adequate bond, as determined by the Port Director;
- ❑ A listing of each commodity group for which laboratory accreditation is being sought (if applicable) and, if methods are being submitted for approval which are not

specifically provided for in a Commodity Group Brochure and the CBP Laboratory Methods Manual, a listing of such methods:

<http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>

- ❑ A listing by commodity group of each method according to its CBP Laboratory Method Number for which the laboratory is seeking accreditation;
- ❑ An express agreement to be bound by required obligations, (using the commercial gauger and laboratory Agreement form); and,
- ❑ A nonrefundable pre-payment equal to 50 percent of the fixed accreditation and/or approval fee, as published in the Federal Register and CBP Bulletin, to cover preliminary processing costs. Further, the applicant agrees to pay CBP within 30 days of notification of preliminary accreditation and/or approval the associated charges assessed for accreditation (approval), i.e., those charges for actual travel and background investigation costs, and the balance of the fixed accreditation (approval) fee.

Sections 151.12(h)(1)(i), 151.13(d)(1)(ix) and the summary information, regarding the statement of fee schedule and clarification which describes the requirements fees for approval and accreditation:

For Laboratories

General Accreditation Fee	\$ 750
Additional Commodities Group Fee	\$ 200

For Gaugers

General Approval Fee	\$ 400
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The initial variable fee schedules for accrediting/reaccrediting laboratories and approving/reapproving gaugers are approximately \$ 1,000 for travel per visit and \$ 1,700 per background investigation.

The non-refundable pre-payment equal to 50 percent of the initial fixed accreditation and/or approval fee(s) must accompany your application. Checks must be made out to U.S. Customs and Border Protection. Please note that the balance of the initial fixed fees for accreditation and/or approval and the associated initial variable fees for approval and/or accreditation (travel, background investigation) will be requested before accreditation and/or approval is granted.

Authorized Signatory Background Information Form (BI) which must be completed by **all** company officers, owners and personnel that will be performing CBP work and/or signing a CBP report. The BI form is used to facilitate mandatory background investigations performed by the Bureau of Immigration and Customs Enforcement. These documents must be included with your application.

The Commercial Gauger (Laboratory) Agreement must be signed by a company officer or owner.

If your company does not already maintain a valid Type 5 (Public Gauger) Bond with CBP, you will be notified at the appropriate time of when to initiate CBP bond procedures. CBP Form 301 – “Customs Bond”, and CBP Form 5106 – “Importer ID, Input Record,” are used for these purposes.

Please ensure that you have read and understand the requirements in Part 151.12 and Part 151.13 of the CBP Regulations (19 CFR 151.12 and 19 CFR 151.13) and forward your application package to the following address:

U.S. Customs and Border Protection
Laboratories and Scientific Services Directorate
1331 Pennsylvania Avenue NW
Suite 1500 North
Washington D.C. 20229
Attn: Commercial Gauger and Laboratory Program Manager

All required application information and the appropriate fees must be received in order to process your application.

Information concerning the Commercial Gauger and Laboratory Program can be found on the U.S. Customs and Border Protection web site at <http://www.cbp.gov/about/labs-scientific-svcs>. Please direct any questions to CBPGaugersLabs@cbp.dhs.gov.