



AMERICERT INTERNATIONAL

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AMERICERT CERTIFIED COPACKER PRIVATE LABEL AGREEMENT:

V071724

To be used when an Americert certified operation contracts with a brand owner to produce or label products under the brand owner’s name. This form is to be completed by the brand owner, signed by both parties and submitted to Americert by the Americert certified operation acting as a copacker.

Section A: Basic Information

1. The copacker operation who is certified organic by Americert is: _____.

2. The brand owner who is contracting with the Americert certified copacker to produce, package or label products under the brand owner’s name is:
_____.

3. A general description of the products to be handled, produced, or packed into the Americert certified operation’s brand name or packaging (e.g. blueberries, produce, supplements & vitamins, etc) is as follows:
_____.

4. Will the labels and packaging for the products listed above in question A (3) carry the phrase “Certified Organic by Americert International”? Yes No

If you answered “Yes” to Question 4, please complete Section B below. If you answered “No”, skip to Section C and complete that section.

Section B: Labels and packaging which carry the phrase “Certified Organic by Americert International”:

1. I agree that the only products that will be packed into labeling or packaging that carries the phrase “Certified Organic by Americert International” are those are listed in the response to Question A(3) above. Yes No N/A

2. I agree that the products listed in question A(3) above and which will carry the phrase “Certified Organic by Americert International” will only be processed, packaged, or labeled by the listed copacker and only at the address for that copacker listed on the Americert issued organic certificate for that operation. Yes No N/A

3. If, for any reason, the brand owner ends its copacker relationship with the Americert certified copacker, or is informed that the Americert certified copacker has surrendered its certification or had its certification suspended or revoked, the brand owner will immediately cease using labels and packaging listed in response to question A (3) above which carries the phrase “Certified Organic by Americert International”.
 Yes No N/A

4. As a brand owner I acknowledge the fact that labels which carry the phrase “Certified Organic by Americert International” can only be used if the specific copacker used is certified by Americert International or the brand owner is certified organic by Americert International. If the brand owner ends its relationship with the Americert certified copacker, it will not be able to use labels which carry the phrase “Certified Organic by Americert International” unless the brand owner obtains organic certification from Americert as a brand owner/ distributor. In no circumstance will Americert permit the use of its name on a label when Americert does not certify the copacker or the brand owner. Yes No
 N/A

5. If the brand owner is certified organic, it shall inform its certifying agent of this Private Label Agreement, and either have the products listed in question A (3) added to its certificate (including brand name) or have its certifying agent confirm in



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writing that it has approved the packing of the products listed in the agreement as organic products and the use of the labels approved by Americert. Yes No N/A

6. The brand owner agrees that it has no right to use any Americert approved label or packaging which is represented as "Certified Organic by Americert International" (or an equivalent representation) unless such product was produced, handled and packaged in compliance with a private label agreement approved by Americert International or unless the brand owner is certified organic by Americert International.

Yes No N/A

Section C: Labels and packaging which carry the phrase "Certified Organic by" the Brand Owner's Certifying Agent:

1. The brand owner shall ensure that for products described in response to question A(3) above, that it will obtain and submit to Americert proof that its certifying agent has approved each such label or package. Yes No N/A

2. The brand owner shall inform its certifying agent of this Private Label Agreement, and either have the products listed in question A (3) added to its certificate (including brand name) or have its certifying agent confirm in writing that it has approved the packing of the products listed in the agreement as organic products using labels or packaging approved by the certifying agent. Yes No N/A

3. Who is the brand owner's certifying agent? _____.

The parties signing below agree to be bound by the terms of this agreement.

Name of the BRAND OWNER'S Authorized Representative: _____

Signature: _____ Date Signed: _____

Name of the COPACKER'S Authorized Representative: _____

Signature: _____ Date Signed: _____