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Private Label Licensing Information for OCIA-Certified Processors/Handlers

Concept: Under the NOP and OCIA International Standards, the name of the certified facility that processed/handled the product last must be listed on the label. OCIA has created a registration category for situations where organizations can have their labels affixed to product at an OCIA-certified facility without the name of the OCIA-certified facility on the label. In all private label situations, the OCIA-certified Processor/Handler is the only facility that is allowed to use or apply the OCIA registered trademarks, names and/or seals. The Private Label Registrant cannot use or apply the seal themselves.

Savings: Private Label Registration does not require all Private Label Registrants to be certified by OCIA International. The only fee required from the OCIA-certified Processor/Handler is the private label registration fee. The Private Label Registrants will not have to be inspected. Additionally, user fees are not required from the Private Label Registrants. They will only be collected on the sale of the product by the OCIA-certified Processor/Handler or from their fees that are received from the Registrant. The registration fee is as follows:

1. **Direct Associates:** \$300 annual fee is charged to the OCIA-certified Processor/Handler who handles Private Label Registrants. The fee will allow for up to 10 private labels per certification (i.e. if 6 Private Label Registrants are used, this will still only be a \$300 fee).
2. **Chapter Members:** \$100 annual fee is charged to the OCIA-certified Processor/Handler who handles Private Label Registrants. The fee will allow for up to 10 private labels per certification (i.e. if 6 Private Label Registrants are used, this will still only be a \$100 fee).

Label Information: “Certified Organic by OCIA” must be noted on label according to applicable organic standard requirements. In the case of the National Organic Program, this statement must be placed under the name of the Private Label Registrant without any additional information between.

Required Documentation: The basis for organic certification is the idea that product can be tracked from “field to fork” with an “audit trail.” The documentation required for Private Label Registration is proof that an OCIA-certified Processor/Handler, who also maintains the audit trail, handles all aspects of production. This minimizes the need for an annual on-site inspection. OCIA documentation necessary for Private Label Registration from the OCIA-certified Processor/Handler includes the following:

1. *Private Label Licensing Agreement;*
2. *Private Label Registrant Form;*
3. Copies of all labels from the Registrant which will include the name, seal, or logo of OCIA International; and

4. A letter explaining the business relationship between and responsibilities of, the OCIA-certified Processor/Handler and the company whose name is on the label. Supporting documentation should be included with the letter.

The OCIA-certified Processor/Handler is responsible for collecting this information from each of the Private Label Registrants and submitting it with the certification application annually. This same information must be submitted for every Private Label Registrant for whom products are labeled. Additionally, the OCIA-certified Processor/Handler must complete and submit a "Private Label Licensing Application" along with the appropriate fees.

Re-registration: Private Label Registration is an annual process and the required documentation must be collected annually from each Private Label Registrant and the application must be submitted annually for inclusion in the organic application.

Maintenance: In order to maintain certification, the OCIA-certified Processor/Handler needs to submit all changes to labels, control/management, operation ownership, and/or to relationship between the parties as they occur. This information may be verified during the annual certification review.

Determining Eligibility: The Private Label Registration system is only available for specific situations. Essentially, the OCIA-certified Processor/Handler must conduct all purchasing, handling, and processing of the organic product and must package and label the product for the Registrant. If the Registrant is ever in control or ownership of the product prior to receipt in the final consumer package, Private Label Registration is not an option and the facility must become certified as a Broker/Trader or Processor. Please see the following chart for assistance in determining eligibility:

Determining Responsibilities:

1. Whose name appears on the label, the Private Label Registrant or the OCIA-certified Processor/Handler? If the OCIA-certified Processor/Handler is identified as the processor of the final consumer product, Private Label Registration is not necessary. If the Private Label Registrant is the only facility identified on the label and the Registrant is not currently certified with OCIA, Private Label Registration is required.
2. Who purchases, owns, and controls the choice of ingredients, the Private Label Registrant or the OCIA-certified Processor/Handler? If the Private Label Registrant ever purchases, owns, or controls the choice of ingredients, they are not eligible for Private Label Registration and must become certified with OCIA to use the OCIA name, seal, or logo.
3. Who controls the manufacturing process, the Private Label Registrant, or the OCIA-certified Processor/Handler? If the Private Label Registrant controls the manufacturing process, then Private Label Registration is not available. The OCIA-certified Processor/Handler must control all aspects of the manufacturing process, including labeling, for Private Label Registration.
4. Does the OCIA-certified Processor/Handler maintain all ingredient and processing records? The OCIA-certified Processor/Handler must maintain this information so that it can be verified during the inspection process. If the OCIA-certified Processor/Handler does not maintain this information, Private Label Certification will not be allowed.

If you have any questions about Private Label Registration or would like assistance in determining eligibility for this program, please contact the OCIA International Office.