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Private Label Licensing Information for Private Label Registrants

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 affix their labels to product at an OCIA-certified facility without the name of that 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 certification with OCIA International. The only fee required is the actual registration fee, which is assessed to the OCIA Certified Processor/Handler that is certified with OCIA International. Inspections of the Private Label Registrants are not required. Additionally, user fees are not required from the Private Label Registrants, as they will be collected on the sale of the product by the certified OCIA Certified Processor/Handler or from their fees that they receive from the registrant. The registration fee is as follows:

1. **Direct Associates:** \$300 annual fee for up to 10 Private Label Registrants (brands) to be covered under the OCIA-certified Processor/Handler's certification (i.e. if 6 Private Label Registrants are used, this will still only be a \$300 fee). There is a \$50 fee for the review of each additional single-ingredient product/label and \$100 fee for the review of each multi-ingredient product/label outside of the annual renewal cycle. OCIA will invoice the total fee to the OCIA-certified operation after the review is complete.
2. **Chapter Members:** \$100 annual fee for up to 10 Private Label Registrants (brands) to be covered under the OCIA-certified Processor/Handler's certification (i.e. if 6 Private Label Registrants are used, this will still only be a \$100 fee). There is a \$50 fee for the review of each additional single-ingredient product/label and \$100 fee for the review of each multi-ingredient product/label outside of the annual renewal cycle. OCIA will invoice the total fee to the OCIA-certified operation after the review is complete.

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 Labeling Licensing Annual Application*;
3. *Private Label Registrant Form*;

4. Copies of all labels from the Registrant which will include the name, seal, or logo of OCIA International; and
5. 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.

This required documentation must be submitted to the OCIA-certified Processor/Handler that is certified to OCIA International and is applying the label to the product(s). This same information must be submitted for every OCIA-certified Processor/Handler who is used for the purpose of labeling the organic product.

Re-registration: Private Label Registration is an annual process and the required documentation must be submitted annually to the OCIA-certified Processor/Handler(s) for inclusion in their organic application. The OCIA-certified Processor/Handler will supply the *Application* annually, and the *Registrant* forms will be provided if there are changes to report.

If the OCIA-certified Processor/Handler does not recertify with OCIA International, the Registrant can no longer use the OCIA International name, seal, or logo unless another OCIA-certified Processor/Handler is used or the Registrant requests certification from OCIA and it is granted.

Maintenance: In order to maintain registration, the Private Label operator needs to ensure that the OCIA-certified Processor/Handler supplies all changes to labels, control/management, operation ownership, and/or to relationship between the parties to OCIA as they occur. This information may be verified during the annual review of the OCIA-certified Processor/Handler.

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 or for NOP, final consumer packaging is not in sealed tamper-evident packaging (or doesn't remain in such packaging), 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.
5. For NOP, is the final retail product packaged in sealed tamper-evident packaging? If no, the Private Label Registrant must become certified.

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.