



## Private Label Agreement

- Complete this form if you co-pack organic products into another company's private label brand. You must send PCO all organic labels you pack into, even if PCO is not listed as the certifier on the label.
- Complete one form for each private label brand owner. If the brand owner is PCO certified for the products you are co-packing, do not complete this form.
- All sections are required, except Section 4. If Section 4 is applicable, you must have an authorized representative from the private label company agree & sign, as indicated.
- To properly complete this form:
  - Save a copy of this form to your desktop and complete via Acrobat Reader. DO NOT attempt to complete this form using Mac Preview or in your internet browser (e.g. Chrome, Firefox, Safari); it will not save.
  - Save the document as a PDF. DO NOT "Print to PDF" as this renders an unreadable form.
  - Send the completed PDF to PCO.

### Section 1: General Information (required)

PCO-Certified Organic Operation (Name):

Address:

City, State, Zip:

Private Label Company (Name):

Address:

City, State, Zip:

Phone/email:

### Section 2: Private Label Products (required)

List each individual product that is co-packed under a Private Label. If additional space is required, please attach a separate sheet.

| Product Name | Brand Name |
|--------------|------------|
|              |            |
|              |            |
|              |            |
|              |            |
|              |            |

### Section 3: Exemptions from Certification for Private Label Brand Owners (required)

- Certain private label brand owners may qualify for an exemption from organic certification depending on the activities that their operation conducts.
- Certain activities may require certification, while others may qualify for exemption.
- Use this portion of the form to determine whether certification is required for brand owners you work with.

1. Is this private label brand owner certified organic for finished products listed in the table above?

- ☐ No.
- ☐ Yes. Attach a copy of their organic certificate listing products you co-pack.

2. Does the private label brand owner source ingredients for the products you co-pack?

- ☐ No.
- ☐ Yes.

2(a). If yes, private label brand owner must be certified unless you can demonstrate that all ingredients arrive at your facility in sealed, tamper-evident packages labeled for retail sale.

Brand owner certificate attached.

Photos attached of all ingredient packaging demonstrating each ingredient received meets retail label requirements and is received in sealed-tamper evident packaging.

**Retail label requirements include:** (1) For products labeled "organic" or "made with organic...", identify each organic ingredient in the ingredient statement with the word, "organic," or with an asterisk or other reference mark which is defined below the ingredient statement to indicate the ingredient is organically produced. Water or salt included as ingredients cannot be identified as organic. (2) On the information panel, below the information identifying the handler or distributor of the product and preceded by the statement, "Certified organic by \* \* \*," or similar phrase, identify the name of the certifying agent that certified the handler of the finished product and may display the business address, Internet address, or telephone number of the certifying agent in such label.

**Examples of retail tamper-evident packaging:** Aseptically sealed jars, boxes of individually wrapped granola bars, clamshells with sticker closing the clamshell, zip-top produce bags sealed with sticker or strip that consumer must rip off to open, salad container with film top that must be ripped off to open, produce individually wrapped in plastic, mesh bags with a label that seals the bag and must be ripped off to open.

3. Are all organic private label products (indicated in the Section 2 table above) packaged or enclosed in a sealed, tamper-evident container when you are finished co-packing them?

No. Private label brand owner is required to be certified. Attach a copy of their organic certificate.

Yes. Describe packaging below or attach a photo.

4. Are all organic private label products (indicated in the Section 2 table above) in final retail labeling when you are finished co-packing them?

- ☐ No. Private label brand owner is required to be certified. Attach a copy of their current organic certificate.
- ☐ Yes.

5. Is PCO's name or logo used on the label in association with the private label brand owner?

- ☐ No. This form is complete, skip section 4. PCO will require approval confirmation from the certifier listed on the labels.
- ☐ Yes. Complete Section 4.

**Section 4: Private Label Agreement (complete this section, if applicable)**

- Complete this section, if any of the following apply:
  - The private label company you are co-packing for is uncertified and exempt from certification (per Section 3 above).
  - The private label company you are co-packing for is certified but is not certified by PCO, and is using the PCO name or logo on their label(s).
- By completing this section, your operation will be held legally responsible for the private label company and their products in matters of organic certification. You are also responsible for all fees associated with this agreement per PCO's current fee schedule.

This private label agreement is between the two operations indicated in Section 1 of this form pursuant to 7 CFR Part 205.102 and Pennsylvania Certified Organic's (PCO) Private Label Policy. Under this agreement, the parties agree that:

1. The PCO-Certified Organic operation shall establish and maintain a written or electronic audit trail according to its approved Organic System Plan (including labels) for the product(s) covered under this agreement,
2. The PCO-Certified Organic operation shall be responsible for all activity involving the use of the PCO name and/or logo, product representation by the private label company and/or labels,
3. The PCO-Certified Organic operation shall be responsible for the collection/payment of all fees associated with the private label agreement,
4. The Private Label Company shall abide by all NOP requirements and PCO policies regarding organic certification in accordance with 7 CFR 205, and
5. The Private Label Company shall not sell any product under this private label agreement until the agreement has been approved by PCO.

The agreement remains in effect unless 30 days written notice is given by either party. The signatures of the parties below represent their agreement with the above terms.

**PCO-Certified Organic Operation**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typing your name in the signature line above constitutes a signature.

**Private Label Company**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typing your name in the signature line above constitutes a signature.