|  |  |  |  |
| --- | --- | --- | --- |
| **Operation Name:** |  | **Date:** |  |

**What is this:** This form should be filled out by an **authorized representative** of any company that handles (see definition below) organic products/ingredients but is considered exempt from organic certification and does not maintain their own organic certification for those products or ingredients. This affidavit is both a description of the activities performed by the Uncertified Handler (UH) as well as a recognition of the agreement between the UH and OTCO Certified Operation (CO).

**Handler Defined:** For purposes of this Uncertified Handler Affidavit, the term “handler” refers to any entity involved in trading, facilitating sale or trade on behalf of a seller or oneself, importing to the United States, export for sale in the United States, combining, aggregating, culling, condition, treating, packing, containerizing, repackaging, labeling, storing, receiving, or loading of certified organic ingredients or products. The term specifically excludes freight carriers transporting packaged retail products and their distributors. (See, 7 CFR 205.2.)

**IMPORTANT GUIDELINES:**

► OTCO certified operations are responsible to determine for themselves whether the handlers with which they contract for services and/or products are certified or uncertified.

► OTCO requires that the Uncertified Handler Affidavit (UHA), as with all relevant supply chain records, be made part of its Organic System Plan (OSP) and that the affidavit be made available for inspection immediately upon request.

► Operations engaging in handling activities not exempt from certification must be certified. For operations performing these activities/services, this affidavit does not apply and certification is required. Review OTCO’s Certification Matrix Flowchart found on OTCO’s website.

|  |  |
| --- | --- |
| **CONTACT INFORMATION for the Exempt Handler** | |
| Company name: |  |
| Contact Name/Title: |  |
| E-mail and Phone: |  |
| Mailing Address: |  |

**1) Does UH take physical possession of the organic products/ingredients?**  Yes  No

If yes, an Independent Storage Information Sheet (IS Form) has been completed and attached (blank form may be downloaded from <http://tilth.org>)  yes, attached

**2) Does UH take legal possession/ownership of the organic products/ingredients?**  Yes  No

**3) Does UH use third party warehouses to store the organic products/ingredients?**  Yes  No

If yes, an Independent Storage Information Sheet (IS Form) has been completed and attached (blank form may be downloaded from <http://tilth.org>)  Yes, attached

List of warehouses/storage facilities:

**4) ACTIVITIES/SERVICES—UNCERTIFIED HANDLER**

(Check all that apply.)

Drop shipping  Storage  Broker  Trader  Wholesaler  Distributor

Other (describe):

**5) How frequently do you change/add/remove organic suppliers** (e.g. every day, once per year, etc)?

As an uncertified handler, we acknowledge that we must report all new organic suppliers with which we contract to the OTCO-certified operation prior to shipping any product from the new supplier.  Acknowledgement of Responsibility

**6) Audit Trail/Records**

IMPORTANT: Supply chain (traceback) records must be sufficient to trace organic ingredients/products back to the last certified organic supplier operation, and records must be provided to the OTCO-certified organic ingredient recipient for each shipment.

► Maintain records related to organic product traceability for at least three (3) years and make such records available to OTCO for inspection and copying during normal business hours to determine compliance with the regulations

Acknowledgement of Responsibility

► Clearly link all traceable elements between all documents and points in the supply chain.

Acknowledgement of Responsibility

► Identify all certified organic agricultural inputs as “organic” through the entire supply chain and on each piece of documentation

Acknowledgement of Responsibility

► Have matching lot numbers and volume/weight with clear product descriptions through the supply chain, explaining and verifying any variances

Acknowledgement of Responsibility

► Show that any handling performed (processing, labeling, relabeling, packaging or repackaging organic products) in the supply chain is performed only by certified handlers  
 Acknowledgement of Responsibility

► Documentation that organic integrity was maintained, e.g., no contamination from prohibited substances, no cross contamination, no commingling, etc. (e.g. clean truck affidavit, IS form, Phytosanitary document, etc)   
 Acknowledgement of Responsibility

► The following information is essential for performing a valid traceback. The uncertified handler’s records must show a direct link to the last certified organic operation. Documentation should cover transactions between the supplier and UH as well as UH to final organic certified operation. Documents typically include, but are not limited to:

* Supplier organic certificates
* organic transaction certificates
* purchase orders
* invoices (pricing information may be redacted if organic status and quantity remains legible)
* bills of lading
* receiving records
* shipping records
* phytosanitary documentation (for unsealed internationally shipped products).
* Transport records showing all movement of product from the last certified entity forward.

Acknowledgement of Responsibility

**Uncertified Handler Attestation**I, the owner or authorized representative of the above-named uncertified handler, declare that I am both authorized by the uncertified handler and qualified to provide valid and accurate responses to the statements in this affidavit.

I accept the traceback and disclosure requirements set forth by this affidavit and understand that failure to comply with any of the requirements may result in OTCO withdrawing its approval of my operation as an uncertified organic handler.

I recognize that any violation on the part of the uncertified handler may result in OTCO taking compliance action(s) against the OTCO-certified entity with which we, the uncertified handler, conduct business.

With my signature below, I affirm that all statements made in this affidavit are true and correct to the best of my knowledge.

|  |  |
| --- | --- |
|  |  |
| Name | Title |
|  |  |
|  | Date |

**Important Information Regarding Electronic Signatures:** Oregon Tilth recognizes and permits the use of electronic signatures in the conduct of its business. By checking the box below, you willingly consent to the use of electronic signatures in the conduct of your business with Oregon Tilth.

**AGREE**

*As a broker, becoming certified organic helps make your business transactions*

*more direct while protecting the identity of your suppliers. The certification   
process requires relatively little time and effort, and we’re happy to help.*

|  |  |
| --- | --- |
| Want to learn more about the certification process or request an application from Oregon Tilth?  visit us at: tilth.org/certification/apply/application | Do you have questions about the organic certification process you’d like to ask an expert at Oregon Tilth?  email: getcertified@tilth.org |

*We look forward to hearing from you!*