



Third Party Agreement

Request & Agreement for Submittal of Confidential Information

CONFIDENTIAL

The parties signing below each state and agree as follows:

- 1) Organic Materials Review Institute (OMRI) is a nonprofit organization that provides professional, independent and transparent review of materials and processes to determine their suitability for producing, processing, and handling organic food and fiber.
- 2) _____ (**Applicant**) has applied to OMRI for listing one or more product(s) in the *OMRI Products List(s)*.
- 3) The *OMRI Policy Manual*® and *OMRI Standards Manual(s)*® requires the Applicant to submit, or to arrange for submittal of, information concerning all ingredients in the product(s) under review.
- 4) _____ (**Information Submitter**) manufactures an ingredient included in the product(s) or otherwise has information concerning the product(s) or an ingredient in the product(s). Information Submitter considers such information to be confidential and desires that such information not be disclosed to Applicant and/or to other persons. In support of Applicant's application for OMRI listing of the product(s), Information Submitter submits with this signed Agreement, or will submit to OMRI later under separate cover, the information they desire to keep confidential. For purposes of this Request and Agreement, all information herewith or hereafter submitted to OMRI by Information Submitter in support of Applicant's application for listing of the product(s) is considered "Confidential Information," unless this information is disqualified from being considered confidential under OMRI's policy as provided in the most current *OMRI Policy Manual* and *OMRI Standards Manual(s)*. To download the *OMRI Policy Manual* and *OMRI Standards Manual(s)*, see <http://www.omri.org/policymanual>.
- 5) Information Submitter acknowledges receipt of a copy of the *OMRI Policy Manual* and *OMRI Standards Manual(s)* and specifically acknowledges having read the entire *OMRI Policy Manual* and *OMRI Standards Manual(s)*, including without limitation the Sections entitled "Policies to Safeguard Confidential Information and Impartiality" and "Site Inspections and Product Sampling."
- 6) Information Submitter acknowledges that all changes to their product(s) covered under this agreement must be submitted to OMRI.
- 7) Information Submitter understands that they may be required to submit to site inspection, product sampling, and/or records auditing as described in the *OMRI Policy Manual* and *OMRI Standards Manual(s)* at no cost to Information Submitter. Formulation information may be requested by OMRI at any time.
- 8) Applicant and Information Submitter acknowledge that OMRI will not sign any bilateral confidentiality agreements.
- 9) Any lawsuit arising out of or related to this Request and Agreement shall be brought and decided in the courts of Lane County, Oregon, and each of the parties hereby expressly consent to the personal jurisdiction of those courts for all such purposes.
- 10) This Request and Agreement is made and entered into only between the parties signing below, and no other party is intended to be or shall be the beneficiary of it.
- 11) The Third Party Agreement fee is paid by the Applicant and can be found on the OMRI website at <http://www.omri.org/suppliers/review-cost>. The fee must be submitted to validate this agreement.
- 12) By signing this Request and Agreement below, Information Submitter and Applicant each request that OMRI accept, and OMRI agrees to accept, Information Submitter's Confidential Information upon the terms and conditions, and subject to the acknowledgments, waiver and release, set forth above.
- 13) The undersigned individuals attest that they are officers or expressly recognized agents of Information Submitter, Applicant, or OMRI and represent and warrant that they are authorized to send and receive confidential information belonging to the entity for which they have signed. **[If submitting via email, a typed signature is acceptable from the approved contact who submits this form only. A handwritten signature is required from the other parties].**

INFORMATION SUBMITTER

APPLICANT

OMRI

[SIGN NAME]

[SIGN NAME]

[SIGN NAME]

[PRINT NAME]

[PRINT NAME]

[PRINT NAME]

[PRINT TITLE]

[PRINT TITLE]

[PRINT TITLE]

Dated: _____

Dated: _____

Dated: _____