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## **The Brunswick Labs Certified Program**

Please review the TERMS AND CONDITIONS, below, before completing the program application.

### **TERMS AND CONDITIONS**

Sample form: Brunswick Laboratories (BL) will base certification on products in their finished form only. Ingredients and packaged consumer products will be tested exactly as they are purchased by customers. R&D samples, prototypes, and other products not yet available for sale will not be eligible for certification. BL will monitor sample submission by determining that all products can be purchased from a company's sales department.

Testing protocol: Certification will be issued for individual products suitable for testing (see "Sample form," above) and will require single sample lot-to-lot testing for each product seeking certification, and no less than four (4) lots per year. This guarantees that any product available for sale and bearing the Brunswick Labs Certified symbol comes from a lot that has satisfied program requirements. Companies that produce fewer than four lots per year will be required to test each product seeking certification no fewer than four times. Companies that have already met product testing criteria for their products may qualify for initial certification with payment of the per product certification fee (see Fees, below).

Product value variation: It is not uncommon for product values to vary significantly (outside of assay standard deviations) from lot to lot. If this occurs, then program customers may repeat the test at normal cost. Should the test values remain significantly different, then BL reserves the right to require the customer to revise any materials that specify test values. Under such circumstances, companies that fail to comply with this requirement may have certification revoked for the product(s) under consideration.

Expiration: Each certification period will expire after twelve (12) months. To renew a product certification, a company will pay the annual Certification Fee per product and per assay, and maintain the testing protocol described, above.

Payment: Certification will be issued upon payment of invoice. This invoice will include both Certification Fee and sample testing.

Issuance of Certification: Certification will be issued by letter and by distribution of Brunswick Labs Certified artwork, which can be used on certified product packaging and promotional materials.

Program management: The annual Certification Fee covers three (3) primary program management activities: database management, certification, and monitoring. Certification management entails sending companies' certification letters for qualifying products, authorizing use of program artwork, and notifying companies of expiration/renewal dates. Monitoring includes, at the discretion of BL, periodic research to insure product compliance with program criteria. Such monitoring may include, but not be limited to (a) random site visits to obtain inventory for testing; (b) anonymous purchasing of product from retail sources; (c) review of marketing and promotional materials.

Standard test costs are incurred in addition to the Certification Fee.

Certification Program Tests: The Brunswick Labs Certified program is presently available for the following tests: (1) ORAC (all assays in the ORAC suite, including hydrophilic, lipophilic, oils, HORAC, NORAC and SORAC); (2) Proanthocyanidins; (3) Anthocyanins; (4) Flavonoids.

There are two distinct Seals available – the Brunswick Labs Certified ORAC Seal, and a Brunswick Labs Certified Universal Seal.

The ORAC Seal will be issued for use with all products which have been certified for the ORAC suite of assays. These include ORAC<sub>Hydro</sub>, ORAC<sub>Lipo</sub>, ORAC<sub>Oil</sub>, HORAC, NORAC, and SORAC.

The Universal Seal will be issued for use with all products which have been certified for other Brunswick Labs assays, including Anthocyanins, Flavonoids, and Proanthocyanidins.

### **Issuance of Brunswick Labs Certified Seal**

For each product certified, the Brunswick Labs Certified program will issue: (1) a certification statement, and (2) camera-ready artwork for use on company marketing and promotional materials, including, but not limited to (a) print media (e.g. advertisements, labels, promotional materials), (b) internet-based media, (c) television; as well as permission to use approved statements about product-based BL Certification in audio media.

Certification Statement: The Brunswick Labs Certified program statement provides formal proof of the certification and enrollment of a specific product. It will contain (1) certification date and expiration date, (2) product(s) certified, and (3) assays included in the certification.

Artwork: The Brunswick Labs Certified program artwork will provide a variety of formats for ease of delivery and use. This will include scalable 300 dpi images transmitted by EPS file.

### **Other Considerations**

Numerical values: The Brunswick Labs Certified program is designed to complement the market use of actual test values (such as ORAC values), and to be a valuable symbol of quality assurance. The Seal itself will not indicate specific values or value ranges.

However, an accurate value, based on a product's actual testing, must be displayed in proximity to the Seal. (See Brunswick Labs Certified Program – How to Use.)

As part of its monitoring program, BL will monitor the customer's use of assay values to insure responsible representation of those values in company materials pertaining to certified products; BL shall have the right to revoke certification for any product if assay values are misrepresented and not corrected after a reasonable time.

Disclosure of certificate: In order to prevent the abuse of Brunswick Labs certificate and better monitor the program, the company's name and its certified products will be published on Brunswick's website. The information will be updated monthly.

### **Fees**

BL will charge a non-refundable Certification Fee and product testing costs. Fees will be charged upon initial certification and upon annual recertification. The customer will prepay the annual Certification fee.

Certification fee (annual) - call for price.

Testing (lot-to-lot) – based on BL standard test pricing.

### **Indemnification**

By signing the application form, customer agrees to defend BL against any proceeding instituted by any third party against BL arising out of any activities of the customer pursuant to this Agreement, and to indemnify BL against, and hold BL harmless from, any costs or damages that may be imposed on BL as a result of any such proceeding.