

GEORGIA DEPARTMENT OF AGRICULTURE

2019 - 2020

APPLICATION TO USE REGISTERED CERTIFICATION MARK

VIDALIA® ONION PROCESSED PRODUCTS

Application must be made for each individual product.

The following Applicant hereby applies for a non-exclusive, non-transferable License from the Georgia Department of Agriculture ("Department") to use the Certification Mark for Vidalia® Onions on the product (containing processed fresh Vidalia® Onions) specified below:

Name of Applicant _____

Check One: corporation ___ partnership ___ individual ___ other ___ (specify on reverse)

Street Address _____

City _____ State _____ Zip _____

Mailing Address (If different from above.) _____

Telephone _____ Fax _____ E-Mail _____

Name of the individual(s) responsible for processing operations _____

Are you a Vidalia® onion grower/packer? Yes _____ No _____

Name, address, telephone, fax of Grower(s), Packer(s), prior Processor(s) or other supplier(s) from whom Vidalia® onions will be purchased.

(Attach additional sheets if necessary)

Are you licensed & bonded in Georgia as a Dealer in Agricultural Products? _____

If not, has application been made? _____ Why/Why not? _____

Name of product (including desired use of Mark) _____

Type of product _____

List, in order, the top four ingredients by weight comprising product. _____

List any other onion types or derivatives (other than fresh, dried, dehydrated or IQF Vidalia® onions and

percent thereof used in product _____

(NOTE: Not more than one percent (1%), approved in advance by the Department, of standard generic onion flavoring, powder, juice, salt, or similar onion derivatives may be used in product(s) to enhance flavor. This percent must be prominently displayed on the labeling and advertising materials.)

Specify the percent by weight of Vidalia® onions in product _____

(NOTE: This percent must be prominently displayed on the labeling and any advertising materials.)

Total units projected to be processed between application date and next June 30 _____

Description of individual product unit by volume and weight _____

Applicant agrees to pay the Department a royalty or fee equal to \$0.005 (one-half of one cent) for each six (6) ounces, or portion thereof, of products sold. Such payments shall be due on a quarterly basis on product produced or manufactured during the immediately preceding calendar quarter and is due on or before the 20th day of the month following the end of each quarter (i.e., October 20th, January 20th, April 20th and July 20th).

Applicant agrees to be bound by the terms of the standard License Agreement, a sample copy of which is attached to this Application and incorporated into this Application by reference.

Samples of all labeling and graphic language used in advertising or displaying the product are attached to this Application and made a part hereof by reference. Applicant agrees that only exact copies of the labeling and graphic language submitted with this Application will be used in connection with the product, unless specific amendment to this Application is made and approved and is included in a written endorsement to the license issued.

Applicant acknowledges that Vidalia® is a Certification Mark for fresh onions, owned by the Georgia Department of Agriculture, which controls all rights to the Mark for all purposes affecting onions, including this product, and agrees to hereafter use such Mark only as specified by the Department. The license applied for is only for the processed product listed above and does not authorize in any way the growing or packaging of fresh Vidalia® Onions. Applicant agrees to use the Mark only as indicated in the sample labeling and graphic language submitted herewith and that the wording **“Vidalia® is a registered Certification Mark of the Georgia Department of Agriculture; however, use of the Mark in no way indicates endorsement of this product by said Department”** must be prominently displayed on all labeling and in all advertising.

Applicant agrees to use only Vidalia® onions in the product, except for standard generic onion flavoring, powder, juice, salt or similar onion derivatives in amounts less than 1% to enhance flavor, which must be specifically approved by the Department in writing in advance of use.

Additionally, Applicant understands that it will be required and agrees to submit reports, including documentation to verify the same (if requested), on or before July 20, after this license term and otherwise on request, of:

- (1) The name, address and telephone number of each Registered Grower, Packer or prior Processor by whom the Vidalia® onions used during the period were grown, packed or previously processed, together with the amount (by weight) purchased from each such Grower/Packer/Processor and date(s) of each purchase, and the name, address and telephone number of each person or entity from whom such Vidalia® onions were purchased, together with the weight purchased from each and date(s) of each purchase;
- (2) The total amount of Vidalia® onions purchased;

- (3) The location(s) the Vidalia® onions were stored, and the beginning and ending inventory of the amount stored;
- (4) The total weight of the Vidalia® onions used in the processing of the product;
- (5) The average weight and percent of Vidalia® onions in each unit of the product;
- (6) The total weight of each unit of product;
- (7) The number of units of product processed; and
- (8) The total weight of the product processed.

Applicant agrees to retain documentation verifying statements in the reports for four (4) years from date of report. Further, Applicant agrees to cooperate fully with any audit or review of Applicant's records of Vidalia® onion purchases or product sales that the Department may elect to conduct.

Applicant hereby submits this Application and agrees to be bound by the terms of the License.

(Typed name of Applicant)
(If corporation, affix corporate seal)

By: _____

Title: _____

Attest: _____

Title: _____

Date: _____ , 2019