
ORTHODOX UNION

MESSAGE:

11 Broadway New York, NY 10004



TO Mr. Gordon Fralick – Agel Enterprises LLC

Ms. Theresa Gavin – Soft Pac Inc.

FROM: Rabbi Eliyahu Safran / 

212 613 0775 Fax

DATE: September 13, 2005

RE: Certification

The contract and payment have been received. Your Letter of certification is attached. Cosigned contract and additional forms will be forwarded to you.

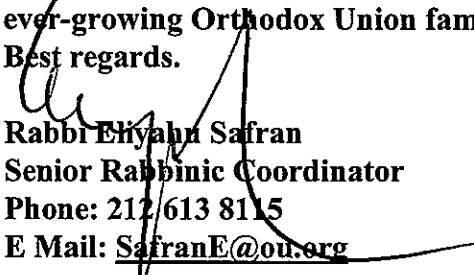
Now that Agel Enterprises LLC is certified, the file has been transferred to Rabbi I. Rothenberg who will serve as Rabbinic Coordinator for your Company. Be in touch with him regarding any and all kosher issues and concerns including adding or changing ingredients, sources or products, as well as adding private labels, if necessary.

Do keep in mind that all changes and additions require prior and written approval of the Orthodox Union through Rabbi Rothenberg (SEE attached OU policy review, which should be distributed to all your key personnel in the plant).

Rabbi Rothenberg can be reached at 212 613 8200 Fax 212 613 0710 Email: RothenbergI@ou.org

If there is any way I can be of any further assistance, feel free to be in touch. Wishing you and Agel Enterprises much success and good fortune, as you join the ever-growing Orthodox Union family.

Best regards.


Rabbi Eliyahu Safran
Senior Rabbinic Coordinator
Phone: 212 613 8115
E Mail: SafranE@ou.org

CC Rabbi I. Rothenberg RC
Rabbi S. Perez RFR

Please be sure to familiarize all of your plant's personnel with the OU policies and guidelines.

Do keep in mind that your OU certified products are to bear the OU symbol on their label. They must have the OU symbol on the labels and on the shipping materials.

Remember – that whenever SoftPac runs the OU product they must contact Rabbi Perez to kosherize etc. (per OU contract special clauses – attached)



Orthodox Union

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Vice Chairman
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Rabbinic Administrator
RABBI MENACHEM GENACK

Rabbinic Administrator (1950-1972)
RABBI ALEXANDER S. ROSENBERG

agreement, but the right to remedies provided for in Section 10 shall be in addition to all other remedies available to OU. In the event of any litigation between OU and the Company, OU's court costs and legal fees shall be paid by the Company.

12. SPECIAL CLAUSES.

1. THE COMPANY AFFIRMS AND AGREES THAT ALL ORTHODOX UNION CERTIFIED PRODUCTS SHALL BE PRODUCED FROM KOSHER AND APPROVED INGREDIENTS LISTED ON THE SCHEDULE A ATTACHED TO THIS CONTRACT. IF AND WHEN COMPANY SEEKS TO ADD OR CHANGE ANY INGREDIENTS, SOURCES OR PRODUCTS, IT MUST RECEIVE PRIOR AND WRITTEN APPROVAL FROM THE ORTHODOX UNION.

2. THE COMPANY AFFIRMS AND AGREES THAT ITS OU CERTIFIED AGEL PRODUCTS SHALL BE PRODUCED IN ITS ROOM #2 AFTER A FULL KOSHERIZATION OF ALL EQUIPMENT AND FILLERS USED FOR SAID PRODUCTIONS. THE COMPANY FURTHER AGREES THAT IT SHALL ADVISE THE ORTHODOX UNION'S RABBINIC COORDINATOR AND RABBINIC FIELD REPRESENTATIVE A MINIMUM OF 72 HOURS PRIOR TO ANY SCHEDULED PRODUCTION OF OU CERTIFIED PRODUCTIONS, SO THAT OU FIELD REPRESENTATIVE MAY SCHEDULE REQUIRED KOSHERIZATION OF FILLERS AND VERIFICATION OF INGREDIENTS PER SCHEDULE A APPROVALS.

3. THE COMPANY AFFIRMS AND AGREES THAT IT SHALL BE BILLED AT THE RATE OF \$300 FOR EVERY KOSHERIZATION BY OU RABBINIC FIELD REPRESENTATIVE REQUIRED FOR PRODUCTION OF ITS AGEL OU CERTIFIED PRODUCTS.

13. ADVERTISING.

The Company affirms and agrees that it will refrain from advertising (print, audio, visual, and all public relations copy) its OU certified product jointly with other products that are not certified.

14. NOTICES.

All notices referred to herein shall be sufficient if furnished in writing and delivered in person or mail by certified mail (return receipt requested) to the respective parties



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September 13, 2005

TO WHOM IT MAY CONCERN:

This is to certify that the following products, listed under their respective brand names, prepared by

Agel Enterprises, LLC, Salt Lake City, UT 84070

At the following facility:

SoftPac Industries, Foley, MN 56329,

are manufactured under the supervision of the Kashruth Division of the Orthodox Union and are kosher when bearing the symbol adjacent to each product as indicated below. Products designated below as OU are certified kosher pareve. The company is authorized to place only this symbol on packaging.

Brand: Agel

- EXO Exotic Fruit Blend
- FIT Fitness Aid

Symbol

OU
OU

This certification is effective from October 1, 2005 through September 30, 2006, and is subject to renewal at that time.

Sincerely yours,

UNION OF ORTHODOX JEWISH
CONGREGATIONS OF AMERICA

Rabbi Menachem Genack
Rabbinic Administrator

PLANT INGREDIENT FORM
Schedule A

Company: Agel Enterprises, LLC
 Plant: SoftPac Industries
 Plant Location: 347 Sheridan Road
 Foley MN 56329

Contact Name:
 Contact Phone:

Rabbinical Coordinator: Rothenberg, Israel
 Designated RFR: Rabbi Shimon Perez *****
 Plant Status: Certified

GROUP 1: Currently Approved from any source.

GROUP 2: From specified Source

GROUP 3: From specified Source with Kosher Symbol only.

NOTE: No ingredient of any group which is of Israeli origin may be used unless this Schedule A specifically states "Israeli Origin".

GROUP 4: Bulk liquid (in tanker, etc.) -from specified Source only. Separate kosher certificate for delivery vehicle required.

GROUP 5: Bulk liquid (in tanker, etc.) -from specified source with Certificate of Rabbi who supervised loading.

GROUP 6: Non-Kosher - for use in non-kosher products and only as per OU instructions

Approved: Approved for use in certified products
 Pending: Ingredient is pending approval

Allowed: Allowed in plant, but NOT approved for use in certified products
 Not Allowed: Ingredient is NOT ALLOWED in plant

STATUS

RMC	Ingredient Name	Source	Brand Name	Group	Certification	Passover	Plant Status
(Raw Material Code)							
700799	7180	Main Street Ingredients	Keystone #55-8822	3	OU	N	Approved-Pareve
Approved only when bearing Rabbi's signature							
	Aldospense 40/60	Lonza Ltd.	Lonza	3	OU	N	Approved-Pareve
700212	Apple Cider Vinegar Pwdr	Provesta Flavor Ingredients	Fleischmann	2		N	Approved-Pareve
700409	Ascorbic Acid	Northeast General Pharmaceutical Factory	NEGPF	2	STAR K	N	Approved-Pareve
700215	Berry Fruit Blend Nat 443313	Flavor Systems International	Flavor Systems International	3		N	Approved-Pareve
Approved only when bearing the signature of supervising Rabbi:							
	Cellulose Filler Aid: Gel, Gum, Fiber, Powder	** ANY SOURCE **		1		N	Approved-Pareve
700401	Citric Acid Anhydrous	ADM Direct (Ag Services)	ADM	3	OU	N	Approved-Pareve
70211	Citrilmax HCA-600-SXS	Interhealth Nutraceuticals	Interhealth Nutraceuticals	2		N	Approved-Pareve
Crystalline Fructose (Powder & Liquid)							
	DL-Malic Acid	Tate & Lyle	Krystar	3	OU	N	Approved-Pareve
		Bartek Ingredients, Inc.		3	COR 137P	N	Approved-Pareve
EXO Fruit Blend Israel 443878							
900455	FAFU093	Flavor Systems International	Flavor Systems International	3		N	Approved-Pareve
Approved only when bearing Rabbi's signature							
700220	Gel (OHM) 000-S24532	Wild Flavors, Inc.	Wild Flavors	3	OU	N	Approved-Pareve
		Seltzer Chemicals, Inc.	Seltzer Chemicals	3	OU	N	Approved-Pareve
Ginseng Root, Leaf, Ground, Powder							
		** ANY SOURCE **		1		N	Approved-Pareve
Pure, no additives							
700802	Guar Gum	** ANY SOURCE **		1		Y	Approved-Pareve
Pure no additives							
	Lemon Meringue Flv Nat 443311	Flavor Systems International	Flavor Systems International	3		N	Approved-Pareve
700612	Malic Acid	** ANY SOURCE **		1		Y	Approved-Pareve

PLANT INGREDIENT FORM
Schedule A

Company: Agel Enterprises, LLC
 Plant: Softpac Industries
 Plant Location: 347 Sheridan Road
 Foley MN 56329

Contact Name:
 Contact Phone:

Rabbinical Coordinator: Rothenberg, Israel
 Designated RFR: Rabbi Shimon Perez *****
 Plant Status: Certified

RMG	Ingredient Name	Source	Brand Name	Group	Certification	Plant-Status
	(Raw Material Code)				Passover	
	Phosphates All Types	** ANY SOURCE ***	** ANY SOURCE ***	1	N	Approved-Parve
	Premix Agel Sweetener 5x	Main Street Ingredients	Cornerstone	3	OU	Approved-Parve
	Approved only when bearing Rabbi's signature	Minister International Inc	Minister International Inc	3	N	Approved-Parve
	Rhodiola					
700223	Ribose	Particle Control Approved with Lot-specific LOC only. LOC to be maintained at plant for Rabbi's inspection.	Bio-Energy Bio-Botanica	2	N	Approved-Parve
	Schisandra FE 1:1 5134A	Bio-Botanica	Bio-Botanica	3	K}	Approved-Parve
700009	Sodium Benzoate Any Form	** ANY SOURCE ***		1	Y	Approved-Parve
	Sodium Hydroxide Any Form	** ANY SOURCE ***		1	Y	Approved-Parve
	Sodium Nitrite	** ANY SOURCE ***		1	N	Approved-Parve
	Taurine	** ANY SOURCE ***		1	N	Approved-Parve
	Water	Not natural		1	Y	Approved-Parve
		** ANY SOURCE ***				

Additional ingredients:

Plant Total: 27

Schedule B

Company: **Agel Enterprises, LLC**
 Plant: **SoftPac Industries**
 Plant Location: 347 Sheridan Road
 Foley MN 56329

Company Status: **Certified**
 Plant Status: **Certified**
 Contact Name: Ms. Theresa Gavin
 Contact Phone: 763-274-7218

Rabbinical Coordinator: **Rothenberg, Israel**
 Rabbinic Supervisor(s): **Rabbi Shimon Perez ******
 Certification through: 9/30/2006

GROUP 2: Does not require certified symbol.
 GROUP 3: Certified when bearing OU symbol.
 GROUP 4: Certified when bulk shipped in OU approved carriers.

GROUP 5: Product is shipped bulk and approved when transported in OU approved carriers.
 It must be accompanied by a letter with the field Rabbi's signature.
 NOTE: All comments appearing immediately beneath the product apply to every brand subsequently listed.

Product	Status	Symbol	Group	Consumer/ Industrial	Comment
In-House Label					
Private Label (Distributor)					
Certified Products:					
EXO Exotic Fruit Blend	Pareve	OU	3	C	
Agel					
FTT Fitness Aid	Pareve	OU	3	C	
Agel					



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It is of the utmost importance that all R&D and experimental ingredients be submitted to the OU for prior approval. Use of such ingredients when uncertified, even for test purposes, may compromise the kosher status of equipment, and tracking and reporting them unnecessarily burdens your staff and our Rabbinic Field Representatives. It is always wise to submit any ingredients used for prior approval, in order to save time later should your company wish to use these ingredients in the final product.

IS YOUR KOSHER PROGRAM RUNNING SMOOTHLY?

When your company's kosher program runs smoothly, everyone wins. The company's reputation will be respected in the kosher market, rabbinic inspections are more efficient and, in the long run, paperwork is significantly minimized. The following steps can help ensure that your kosher program is in the best possible shape.

- 1** Before an ingredient not appearing on the Schedule A (the ingredient list) is ordered, please fax a copy of the new ingredient's kosher documentation to the OU for prior approval.
- 2** Always apply for approval of new labels, in-house or private, before placing the OU on the label.
- 3** Inform your rabbinic coordinator before any change that may affect kosher issues takes place (e.g. installation of new equipment, cutting or connecting lines, modification of CIP procedures, etc.).
- 4** Make sure that Schedules A and B accurately reflect your company's ingredient inventory and certified product list.
- 5** Be sure that your receiving personnel check all incoming deliveries against the Schedule A to assure conformity to all kosher related requirements.
- 6** Make sure to obtain accurate and complete letters of certification (LOC) from the OU for your products, as these letters are extremely valuable in marketing your products. Please make sure that your distributors also receive copies in order to maximize distribution to kosher clients. Inform your rabbinic coordinator 4-6 weeks prior to your letter's expiration so a renewed letter can be processed for your company.
- 7** Be sure that your certified products (retail and industrial) carry the  symbol. This will not only benefit you in business, but will also make your products easily identifiable as meeting kosher specs by rabbinic field reps, supervisors and kosher consumers throughout the world.
- 8** If you have any questions about your company's kosher program, call your rabbinic coordinator. It is his job to assist you company and to provide the service you deserve.
- 9** Be sure to tell your company's rabbinic coordinator of any changes in personnel (Q.A. manager, plant manager) so that the information is recorded in our database.

Remember, we are here to serve your company.

For any further help or information, regarding your plant's kosher program, please contact your Rabbinic Coordinator at our New York office, (212) 563-4000, or you may speak with your Rabbinic Field Representative.