

Heavy-metal testing for private-label manufacturers

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<https://heavymetalcertified.com/requirements/private-label-manufacturers>. Retrieved 2026-10-06.

The private-label position

A private-label manufacturer or co-packer makes a product that a retailer sells under the retailer's own name. That arrangement splits the heavy-metal question in a way worth being precise about. This page is orientation, not legal advice, and a manufacturer should confirm its obligations with its own counsel.

The statutory testing and disclosure duties, the state baby-food laws where a product is baby food and [Proposition 65](#) in California, generally attach to the manufacturer that makes and, in many frameworks, the entity that places the product on the market. The USP consensus standard for a supplement applies where the product labels USP or NF conformance, rather than by operation of law. The reputational and litigation exposure, by contrast, is shared. When a product carries a retailer's name, a contamination finding is the retailer's problem as much as the maker's, because the retailer's brand is on the shelf.

Why the exposure is doubled, not halved

In the current heavy-metal litigation environment, a retailer that sold a product can be named as a co-defendant alongside the manufacturer, and the procedural questions about where such cases are tried are being actively litigated. A private-label program concentrates that exposure rather than diluting it: the retailer is not only the seller, it is effectively the brand, so it carries a manufacturer's exposure and a retailer's exposure at once. For the co-packer, this means its retail customer has a direct and growing interest in the heavy-metal record behind every lot, and increasingly makes that record a condition of the supply relationship. The procedural background is set out in [After Palmquist](#), described there as a forum ruling rather than a decision on the merits.

What certification hands the retail customer

A private-label maker already testing to meet the state laws and its customer's specifications is generating heavy-metal data. What it usually cannot do on its own is turn that data into something its retail customer can rely on without re-verifying it. That is what certification provides.

- Certification produces an independently verified, product-specific claim against a published limit, on the ten-analyte panel, that a retailer can check against the public register rather than take on trust.
- Where a product is not yet ready, the [readiness](#) pathway lets a co-packer find and correct the cause before the product is offered for certification, without a public record of the attempt.

- The [corrective-action](#) pathway gives a documented, verified response when a certified product develops a finding, which is exactly the record a retail customer's quality team asks for.

For a co-packer, a certificate is a sales instrument: it answers a retailer's supplier-qualification question in a form the retailer can verify, rather than a binder of self-reported results the retailer must audit.

The boundary

HMTc certification does not satisfy, replace, or discharge the manufacturer's own statutory obligations, or the retailer's. Each party remains responsible for its own testing, disclosure, and compliance duties in each jurisdiction that regulates it. HMTc is not legal advice and does not determine any party's reporting, disclosure, recall, or contractual obligations. It turns testing into a verified claim; it does not stand in for compliance or for the commercial agreement between a maker and its retail customer.

Begin by [finding the standard](#) that applies to the product you make. No company name is required to look one up.