

U. S. DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
INTEROFFICE COMMUNICATION

TO: Mr. Brunson MacChesney
Special Assistant to Attorney General

IN REPLY REFER TO:

FROM: Raymond Lewis
Inspector

February 16, 1940

SUBJECT: Proof of Interstate Shipment of Goods
Produced by Mary Di Pietro During The
Two Count Weeks, April 18 to April 24,
1939, and May 2 to May 8, 1939.

There have been three, and only three tassel workers working for the Rose Manufacturing Company since October 24, 1938. This has been established as follows:

I.

1. Close examination of homework handbooks submitted by a great many of the homework employees of the Rose Manufacturing Company and by most of those listed on the payrolls of the Rose Manufacturing Company.
2. By interviews with over 50 homeworkers who have been seen both in their homes and at preliminary hearings prior to Grand Jury testimony and again prior to the trial.
3. A further interview with employees who had at any time in the past ever worked on tassels, or stated that they knew anybody who had worked on tassels.
4. Subsequent interviews with the three people who we have established worked exclusively on tassels and have ascertained from these three people that they were the only tassel workers in the last two years; to the best of their knowledge, the firm could not and did not have any other tassel workers. Their statements were further substantiated by a check of their handbooks which established the quantities that they produced and the style numbers on which they worked.
5. Stock and shipment records show these three tassel workers able to produce the total output of the amount necessary for shipment.

II.

The three tassel workers: Anna Mancuso worked exclusively on style #500, a brush tassel, and at no time during the last four years ever made a fringed tassel. The other two tassel workers, Mary Di Pietro and Nicoletta Venturino, worked exclusively on fringed tassels and never during the last two years made a brush tassel. I have secured signed statements of each of these three tassel workers taken in a joint interview in which they substantiated the above statement.

III.

A further analysis of the production records of Mary Di Pietro and Nicoletta Venturino indicate:

That Mary Di Pietro worked exclusively on style #101, a medium-sized tassel. There is no record of Nicoletta Venturino having worked on Style #101 during the period from May 22 to the end of June (see the Production Records of both Nicoletta Venturino and Mary Di Pietro).

The following is a record of all shipments of style #101 from April, 1939 through July, 1939:

April	-	15 gross	-	100%	interstate commerce.
May	-	22½ gross	-	100%	interstate commerce.
June	-	24 gross	-	100%	interstate commerce.
July	-	15½ gross	-	100%	interstate commerce.

This represents a total of 77 gross which were shipped between April and July, all of which were interstate. There were no shipments of any kind made locally during this period. From October 24, 1938 through July, 1939, the firm shipped 98% of style #101 in interstate commerce. (See Record of Shipment of Style #101). Only 3-1/3 gross of style #101 moved in interstate commerce from October, 1938, through July, 1939, and all of it was shipped prior to April 17, or April 18, 1939, the first date of production in the count week.

Proof that the goods produced in the count weeks, April 18 to April 24, and May 2 to May 8, went into interstate commerce:

In the period from April 18 to April 24, four gross of style #101 were produced and in the period from May 2 to May 8, nine gross of style #101 were produced, making it a total of 13 gross of style #101 made by Mary Di Pietro. (Nicoletta Venturino did not work on style #101 from March 22 to the end of May.)

The following is an analysis of a running inventory taken of Style #101 (see Exhibit marked Running Inventory Style #101). It shows from the firm's inventory taken March 1, 1939, as of March 31, 1939. As additional style #101's were produced, it was added to this figure and as shipments were made there were deductions taken from the available stock on hand. By this method it is shown that on May 25, 1939, the available stock on hand of style #101 was 10-3/12 gross and that on June 2, 1939, the available stock on hand of style #101 was 9-3/12 gross.

Since Mary Di Pietro worked on 13 gross of style #101 during the weeks listed in the indictment, and since all of style #101 thereafter moved in interstate commerce, the sum of the 13 gross made in the weeks mentioned in the indictment necessarily moved in interstate commerce.