

U. S. DEPARTMENT OF LABOR  
Wage and Hour Division  
Washington, D. C.

NOTICE OF HEARING

IN THE MATTER OF APPLICATION FOR THE EXEMPTION OF THE HARVESTING, HANDLING, PROCESSING, SHIPPING OR DISTRIBUTING OF DECORATIVE GREENS, FROM THE MAXIMUM HOURS PROVISIONS OF THE FAIR LABOR STANDARDS ACT OF 1938 AS INDUSTRIES OF A SEASONAL NATURE, PURSUANT TO SECTION 7(b)(3) OF THE ACT AND PART 526 OF REGULATIONS ISSUED THEREUNDER.

WHEREAS, applications have been filed by the Halvorson Trees, Inc., the Bradbury Company, the Northwest Evergreen Company and sundry other parties for exemption from the maximum hours provisions of the Fair Labor Standards Act of 1938, of the harvesting, handling, processing, shipping or distributing of decorative greens, as industries of a seasonal nature pursuant to Section 7(b)(3) of the Act and Part 526 of the Regulations issued thereunder, and

WHEREAS, it is deemed advisable, in view of the fact that the above applications present related issues of fact and law, to hold a combined hearing under the provisions of Section 526.6(a) of the Regulations, wherein separate opportunity will be given each of the said industries or branches thereof to give testimony, to argue, or to file written statements,

NOW, THEREFORE, notice is hereby given of a public hearing to be held at Room 214, 939 D Street, N. W., Washington, D. C. to commence at 10:00 o'clock a.m., November 29, 1939; before Harold Stein, an authorized representative of the Administrator, who shall take testimony, hear arguments, and receive written statements, and determine;

Whether any of the above listed decorative greens industries or any subdivisions thereof are industries of a seasonal nature within the meaning of Section 7(b)(3) of the Act and Part 526 of the Regulations issued thereunder.

In this notice, the term "decorative greens" is used in the ordinary commercial sense and includes, but is not restricted to, Christmas trees, holly, huckleberry, ruscus, lycopodium, statice, thistle, cattails, pepper grass, mistletoe, pine, spruce, hemlock, cedar, laurel, and Leucothoe.

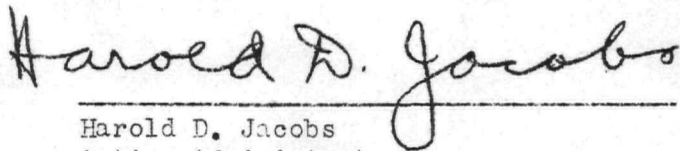
Any person interested in supporting or opposing any application for exemption may appear on his own behalf or on the behalf of any other person or may file written statements. In lieu of personal appearance,

written statements may be filed to reach the Administrator at his office in Washington, D. C., prior to 10 o'clock a.m., November 29, 1939.

All appearances and all written statements in support of any application shall furnish the following information:

1. The name and address of the appearance or person filing statement.
2. List of products handled and operations performed on each product.
3. Location and scope of operations including source of materials and markets for such materials.
4. Size of business in terms of quantity or dollar value of product handled, and number of employees.
5. Average length of period of operation during last several years and dates on which operations ordinarily begin and close.
6. Average length of period during which operations cease apart from work such as maintenance, repair, clerical and sales work.
7. Climatic or other natural conditions which cause such cessation.
8. All possible information bearing on operations of other operators in same field.

Signed at Washington, D. C., this 13th day of November, 1939.

  
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Harold D. Jacobs  
Acting Administrator