

U. S. DEPARTMENT OF LABOR  
Wage and Hour Division  
Washington

SEASONAL EXEMPTION FOR LOUISIANA CANE SUGAR PROCESSING AND MILLING  
MADE FINAL

A seasonal exemption from the hours provisions of the Fair Labor Standards Act for the processing and milling branch of the cane sugar industry and for operations performed on bagasse (cane from which the juice has been extracted) in Louisiana, was granted today when the Wage and Hour Division, U. S. Department of Labor, made final a preliminary finding to that effect.

On October 28, 1939, a prima facie case for the granting of such an exemption was declared to exist. The exemption had been requested by the South Coast Corporation, of New Orleans, for that portion of the cane sugar processing and milling branch of the cane sugar industry in Louisiana. Harry L. Laws and Company, Inc., of New Orleans, and the Celotex Corporation at Marrero, near New Orleans, sought the exemption for operations performed on bagasse in connection with that branch of the industry. Since no objection or request for a hearing was received within fifteen days from the time the exemption was proposed, a finding declaring this industry to be of a seasonal nature and therefore entitled to the exemption sought, was made final (Federal Register, November 18, 1939).

The exemption includes that branch of the industry engaged in the unloading of sugar cane from wagons and railroad cars onto conveyors; the processing of sugar cane into sugar, syrup and molasses, but not the refining of such sugar, syrup and molasses; the removal, handling and conveying of raw sugar, syrup and molasses to storage and placing them in storage on or in the vicinity of the sugar mill site; the removal,

conveying, burning, baling, and piling and storing in baled form on or in the vicinity of the sugar mill site, of bagasse; or incidental operations. The exemption allows employees engaged in this branch of the industry to be employed up to 12 hours a day and 56 hours a week for a period not to exceed 14 workweeks in the aggregate per year without payment of overtime.

This finding is issued without prejudice to the rights of sugar cane processors in other states who might desire to seek similar exemption, nor does it prejudice the rights of employers in the cane sugar processing and milling branch of the cane sugar industry in Louisiana under Section 7 (c) of the Act, which contains hours exemptions for certain operations performed on sugar cane.

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