

U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
WASHINGTON, D. C.

NOTICE OF OPPORTUNITY TO PETITION FOR  
REVIEW OF DETERMINATION THAT THE RAW  
FUR RECEIVING INDUSTRY IS A SEASONAL  
INDUSTRY PURSUANT TO SECTION 7(b)(3)  
OF THE FAIR LABOR STANDARDS ACT OF  
1938 AND PART 526 AS AMENDED OF REGULA-  
TIONS ISSUED THEREUNDER.

WHEREAS, applications have been made by the Raw Fur and Wool Association of St. Louis, Missouri, Inc., and Sundry Other Parties, under Section 7(b)(3) of the Fair Labor Standards Act of 1938, and Regulations, Part 526, as amended (Regulations Applicable to Industries of a Seasonal Nature), issued by the Administrator thereunder, for partial exemption of the raw fur receiving industry from the maximum hours provisions of Section 7(a) of said Act pursuant to Section 7(b)(3) applicable to industries found by the Administrator to be of a seasonal nature; and

WHEREAS, a public hearing on said applications was held before Harold Stein, the representative of the Administrator, duly authorized to take testimony, hear argument and determine whether or not the raw fur receiving industry is an industry of a seasonal nature within the meaning of Section 7(b)(3) of the Fair Labor Standards Act of 1938, and Part 526 of Regulations issued thereunder; and

WHEREAS, following such hearing, the said Harold Stein duly made his findings of fact and determined as follows:

1. The legal trapping season in the United States

and Canada varies with different animals and from state to state or province to province, and may be longer or shorter than the season in which the pelts are prime but, in any event, the natural season, when the pelts are prime, does not exceed six months. Except for an insubstantial amount, probably less than 5 percent of the total, all the new catch of fur is taken and shipped from the country to the raw fur receiving houses between December 1 and April 1 each year.

2. The raw furs are received each year in the chief fur trading centers, of which New York and St. Louis are the most important, during the trapping season, i.e., from December 1 to April 1, by employers known in the trade as raw fur "receiving houses." In these houses the furs are immediately graded, and, when necessary, scraped and dried. The prompt initial grading is necessary: (1) to set a basis for payment to the trapper or collector, and (2) to determine which skins need scraping and drying for preservation. Skins that have not been properly scraped and dried are perishable; dried skins are not perishable.
3. The majority of the furs received are also sold by the receiving houses during the period December 1 to April 1, but some skins are sold during the balance of the year. Aside from these sales, and aside from an insubstantial amount of trading in dried raw furs as dealers with other dealers and receivers, the receiving houses cease operation on or about April 1 each year because the materials they handle, i.e., the annual domestic catch of fur, are no longer available in the form in which they must be handled, i.e., as new prime pelts requiring inspection and, in many cases, scraping and drying, until the following December 1 or thereabouts, because of climate and other natural factors.
4. The business of the raw fur receiving houses constitutes a specialized function not performed by other fur dealers or processors, with specialized employees and the raw fur receiving industry is a branch of an industry of a seasonal nature within the meaning of Section 7(b)(3) of the Act and Part 526 of Regulations issued thereunder.

5. "Raw fur receiving houses" as used herein shall include all employers who (a) receive all or almost all their furs from country sources, i.e., trappers, farmers, and country collectors and dealers, and (b) engage in the operations of scraping and drying, as well as operations incidental thereto.
6. The term "raw fur receiving industry" as used herein shall include the receiving, scraping, drying and grading, in raw fur receiving houses, of domestic furs received from country sources and operations immediately incidental thereto.
7. The term "domestic furs" as used herein shall include United States and Canadian furs.

WHEREAS, said Findings and Determination were duly filed with the Administrator on the 8th day of January, 1940 and are now on file in Room 5144, Department of Labor Building, Washington, D. C., and available for examination by all interested parties:

NOW, THEREFORE, pursuant to the provisions of Section 526.7 of the aforesaid Regulations, notice is hereby given that any person aggrieved by the said determination may, within fifteen days after the date this notice appears in the Federal Register, file a petition with the Administrator requesting that he review the action of the said representative upon the record of hearing before the said representative.

Signed at Washington, D. C. this 11th day of January, 1940.

*Harold D. Jacobs*

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Harold D. Jacobs, Administrator  
Wage and Hour Division  
Department of Labor