

UNITED STATES DEPARTMENT OF LABOR
WAGE AND HOUR DIVISION
Washington, D. C.

IN THE MATTER OF APPLICATION FOR THE EXEMPTION
OF THE CLEANING AND PROCESSING OF REDTOP SEED
FROM THE MAXIMUM HOURS PROVISIONS OF THE FAIR
LABOR STANDARDS ACT OF 1938 PURSUANT TO SEC-
TION 7(b)(3) AND PART 526 OF THE REGULATIONS
ISSUED THEREUNDER

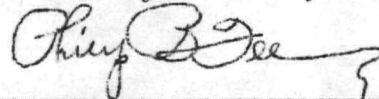
WHEREAS, application was filed by the Schultz Seed Company
of Olney, Illinois, for the exemption of the cleaning and processing
of Redtop seed from the maximum hours provisions of the Fair Labor
Standards Act of 1938 as an industry of a seasonal nature within the
meaning of Section 7(b)(3) of the Act and Part 526 of the Regulations
issued thereunder, and

WHEREAS, the Administrator published a preliminary deter-
mination in the Federal Register of February 21, 1940 (5 FR 729),
pursuant to Section 526.5(b)(ii) of the Regulations, that a prima
facie case was shown by the application for the granting of an ex-
emption, pursuant to Section 7(b)(3) of the Fair Labor Standards
Act of 1938 and Part 526 of the Regulations issued thereunder, to
the cleaning and processing of Redtop seed, and

WHEREAS, no objection or request for hearing was received
by the Administrator within the fifteen days following the publi-
cation of said preliminary determination;

NOW, THEREFORE, pursuant to Section 526.5(b)(ii) of the
Regulations, the Administrator hereby finds upon the prima facie
case shown in the said application that the cleaning and processing
of Redtop seed is a seasonal industry within the meaning of Section
7(b)(3) of the Fair Labor Standards Act of 1938 and the Regulations
issued thereunder and, therefore, is entitled to the exemption pro-
vided in Section 7(b)(3) of the said Act.

Signed at Washington, D. C., this 14th day of March, 1940.



Philip B. Fleming
Colonel, Corps of Engineers
Administrator
Wage and Hour Division
U. S. Department of Labor