

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

GARDEN SEED AND SEED CORN SCHEDULED FOR SEASONAL EXEMPTION

Exemption for the cleaning and preparing of garden seed and seed corn at country cleaning plants from the hours provision of the Fair Labor Standards Act as a "seasonal" industry was indicated today when Administrator Philip B. Fleming of the Wages and Hours Division, U. S. Department of Labor, issued a preliminary determination that a prima facie case has been made for classifying this industry as seasonal in nature. A fifteen-day period during which objectors may be heard will elapse before a final determination is made by the Administrator.

As a "seasonal" industry, the cleaning and preparing of garden seed and seed corn may be carried on for 12 hours in any workday, or for 56 hours in any workweek, as the case may be, for a period or periods aggregating 14 work weeks in any calendar year before the overtime provisions requiring payment of at least time and one-half the regular rate of pay become effective.

The Administrator's action was taken on the application of the American Seed Trade association and sundry other parties.

The term "country cleaning plants" is understood to designate those establishments wherein the seed crop is received direct from the farmers (and no part of which is shipped from other plants) and is cleaned, purified, sorted, dried, graded, and otherwise rendered suitable for seed.