

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

REVISED NOTICE OF HEARING IN THE MATTER OF APPLICATION FOR THE EXEMPTION OF THE HANDLING, PACKING, STORING, PREPARING IN THEIR RAW OR NATURAL STATE, OR CANNING OF PERISHABLE OR SEASONAL FRESH FRUITS OR VEGETABLES 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 AS AMENDED OF THE REGULATIONS ISSUED THEREUNDER.

WHEREAS, on the 14th day of June, 1940, upon applications filed by the Northwest Cannery Association, the Agricultural Producers Labor Committee, the Lakeland Highlands Canning Company, the West Virginia Horticultural Society and sundry other parties, a Notice of Hearing was duly issued by Philip B. Fleming, Administrator, Wage and Hour Division, United States Department of Labor, to consider whether the handling, packing, storing, preparing in their raw or natural state or canning of perishable or seasonal fresh fruits or vegetables are industries of a seasonal nature within the meaning of Section 7(b)(3) of the Act and Part 526 as amended of the Regulations issued thereunder, and

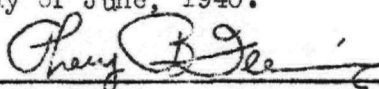
WHEREAS, it is now deemed advisable at the above public hearing to include consideration of both the handling, packing, storing, preparing in their raw or natural state or canning of perishable or seasonal fresh fruits or vegetables, and also of the first processing of such perishable or seasonal fresh fruits or vegetables.

NOW, THEREFORE, the above Notice of Hearing, published in the Federal Register on June 14, 1940, is hereby amended, and notice is hereby given that at the aforesaid public hearing to be held at the Raleigh Hotel, Washington, D. C., to commence at 10:00 A.M. on July 1, 1940, Merle D. Vincent, an authorized representative of the Administrator, shall take testimony, hear argument and determine:

Whether the handling, packing, storing, preparing in their raw or natural state, canning or first processing of perishable or seasonal fresh fruits and vegetables are industries of a seasonal nature within the meaning of Section 7(b)(3) of the Act and Part 526 as amended of the Regulations issued thereunder.

Written statements will be considered in lieu of personal appearance provided that such statements are received by the Wage and Hour Division, Department of Labor, Washington, D. C., on or before 10:00 A.M. July 1, 1940. Such statements should record, in addition to evidence on all relevant factors, the number of establishments involved and the number of workers for which exemption is claimed.

Signed at Washington, D. C., this 20th day of June, 1940.



Philip B. Fleming, Administrator  
Wage and Hour Division (4819)  
Department of Labor