

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

INACTIVE

"AREA OF PRODUCTION" DEFINITION CHANGE POSTPONED
FOR PACKING OF APPLES AND PEARS

The effective date of the new definition of "area of production" as this term is used to describe exempt operations under the Fair Labor Standards Act was postponed today from October 1, 1940, to December 1, 1940, insofar as it affects the handling, packing and preparing in their raw or natural state of apples and pears. (Federal Register, September 12, 1940.) The postponement, made by Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, was ordered because evidence has been presented to him indicating that October 1st would occur during a period of peak activity connected with the packing of apples and pears.

It was the aim of the Wage and Hour Division to make the effective date of the change in definition, affecting the packing and canning of perishable or seasonal fresh fruits and vegetables, come at a time of comparative inactivity. When the exception in the case of apples and pears was brought to the Administrator's attention, the postponement for these commodities was granted.

The present definition, which exempts establishments operated within ten miles of the place where the product packed is obtained if the establishment is located in the open country or a rural community of less than 2,500 inhabitants, will continue in effect until December 1, 1940, in the apple and pear packing industry. After that date only those establishments employing ten persons or less will be regarded as within the "area of production." The new definition will become effective for all other commodities on October 1st, as announced heretofore.

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