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U. S. DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
Washington

INACTIVE

SEASONAL EXEMPTION FOR STORING AND PACKING NURSERY STOCK MADE FINAL

A seasonal exemption from the hours provisions of the Fair Labor Standards Act for the storing and packing of nursery stock was granted today (Federal Register December 5, 1940) when Colonel Philip B. Fleming, Administrator of the Wage and Hour Division, U. S. Department of Labor, made final the preliminary finding issued November 14, 1940.

This seasonal exemption permits employment of workers engaged in storing or packing nursery stock up to 12 hours a day or 56 hours a week for a period or periods not exceeding 14 workweeks in any calendar year before the overtime provisions of the Act become effective. The minimum wage requirement of 30¢ an hour is not affected by the exemption.

In the preliminary determination a prima facie case was declared to exist for granting the exemption to the storing and packing, as distinguished from the growing, of nursery stock, which was found to constitute a separate branch of a seasonal industry. The American Association of Nurserymen, Inc., Washington, D. C., had applied for the exemption.

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