

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

CORRECTION SHEET FOR R-1315

Correct Section 536.1(a) of Regulations Part 536, as amended, issued March 18, 1941 to read "(a) if all the commodities processed come from farms in the general vicinity of the processing establishment and the number of employees there engaged in such processing does not exceed ten, or . . ."

For Release Tuesday,  
March 18, 1941

R-1313


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

TITLE 29 - LABOR  
CHAPTER V - WAGE AND HOUR DIVISION

PART 536 -- REGULATIONS DEFINING THE  
TERM "AREA OF PRODUCTION" AS USED IN  
SECTION 7(c) AND IN SECTION 13(a)(10)  
OF THE FAIR LABOR STANDARDS ACT

Regulations - Part 536, as amended - (Regulations defining the term "area of production" as used in Section 7(c) and in Section 13(a)(10) of the Fair Labor Standards Act) are hereby issued. These regulations repeal and supersede all regulations previously issued defining the term "area of production." These amended regulations shall become effective on April 1, 1941, and shall be in force and effect until repealed by regulations hereafter made and published.

Signed at Washington, D. C., this 12th day of  
March, 1941.



Philip B. Fleming  
Administrator  
Wage and Hour Division  
U. S. Department of Labor

Published in Federal Register, March 18, 1941.

(7579)

SECTION 536.1 -- "AREA OF PRODUCTION"  
AS USED IN SECTION 7(c) OF THE FAIR  
LABOR STANDARDS ACT.

An employer shall be regarded as engaged in the first processing of any agricultural or horticultural commodity during seasonal operations within the "area of production" within the meaning of Section 7(c):

(a) if all the commodities processed come from farms in the general vicinity of the establishment where he is employed and the number of employees there engaged in such processing does not exceed ten, or

(b) with respect to dry edible beans, if he is so engaged in an establishment which is a first concentration point for the processing of such beans into standard commercial grades for marketing in their raw or natural state. As used in this subsection (b), "first concentration point" means a place where such beans are first assembled from nearby farms for such processing but shall not include any establishment normally receiving a portion of the beans assembled from other first concentration points.

SECTION 536.2 -- "AREA OF PRODUCTION" AS USED IN SECTION 13(a)(10)  
OF THE FAIR LABOR STANDARDS ACT

An individual shall be regarded as employed in the "area of production" within the meaning of Section 13(a)(10) in handling, packing, storing, ginning, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or in making cheese or butter or other dairy products:

(a) if he performs those operations on materials all of which come from farms in the general vicinity of the establishment where he is employed and the number of employees engaged in those operations in that establishment does not exceed ten, or

(b) with respect to dry edible beans, if he is so engaged in an establishment which is a first concentration point for the processing of such beans into standard commercial grades for marketing in their raw or natural state. As used in this subsection (b), "first concentration point" means a place where such beans are first assembled from nearby farms for such processing but shall not include any establishment normally receiving a portion of the beans assembled from other first concentration points, or

(c) with respect to Puerto Rican leaf tobacco, if he is engaged in handling, packing, storing, and drying such tobacco for market in an establishment which is a first concentration point for such tobacco. As used in this subsection (c), "first concentration point" means a place where such tobacco is first assembled from nearby farms for such preparation for market but shall not include any establishment normally receiving a portion of the tobacco assembled from other concentration points, nor any establishment operated by a manufacturer for the preparation of tobacco for his own use in manufacturing.

SECTION 536.3 -- PETITION FOR AMENDMENT OF REGULATIONS.

Any interested person or association wishing a revision of the foregoing regulations may submit in writing to the Administrator a petition for amendment thereof, setting forth the changes desired and the reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the regulations is set forth, the Administrator will either schedule a hearing with due notice to interested parties or will make other provision for affording interested parties an opportunity to present their views either in support of or in opposition to the proposed changes.\*

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\* Sections 536.1 through 536.3 issued under the authority contained in Sections 7(c) and 13(a)(10), 52 Stat. 1060.