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

PACKING AND STORING OF WALNUTS AND FILBERTS SCHEDULED FOR
SEASONAL EXEMPTION

A seasonal exemption from the hours provision of the Fair Labor Standards Act for the packing, storing and drying of unshelled walnuts and filberts was indicated in a determination announced today by General Philip B. Fleming, Administrator of the Wage and Hour Division. If no objection is received within fifteen days following publication of the determination the exemption will be made final.

The determination was made on applications filed by the California Walnut Growers' Association, the North Pacific Nut Growers Cooperative and others. Under this determination employees engaged in the packing, storing and drying of unshelled walnuts and filberts can be worked for 12 hours a day or 56 hours a week for 14 weeks without payment of overtime. The determination does not apply to the shelling of walnuts and filberts or to the packing or storing of walnut and filbert kernels.

Applications of these associations had previously been considered and denied after a hearing held in San Francisco September 1939 before Harold Stein, presiding officer. The Findings upon which this present determination is based were made by Mr. Stein after holding a further hearing September 1940 at which the applications of the western nut growers were re-considered in the light of an amendment to regulations on industries of a seasonal nature, Part 526, issued June 1940, and further testimony presented at the hearing.

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