

UNITED STATES DEPARTMENT OF LABOR  
WAGE AND HOUR DIVISION  
NEW YORK, NEW YORK

Title 29 - Labor  
Chapter V - Wage and Hour Division

ADMINISTRATIVE ORDER NO. 202  
APPOINTMENT OF INDUSTRY COMMITTEE NO. 62 FOR THE  
FRUIT AND VEGETABLE PACKING  
AND  
FARM PRODUCTS ASSEMBLING INDUSTRY

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor, do hereby appoint and convene for the Fruit and Vegetable Packing and Farm Products Assembling Industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public:

For the Employers:

Willard L. Thorp, Chairman, N.Y., N.Y.	N. C. Blackburn, Memphis, Tenn.
James E. Chace, Gainesville, Fla.	Samuel Fraser, Rochester, N.Y.
Robert H. Wettach, Chapel Hill, N.C.	Loring Raoul, Sarasota, Fla.
Gladys Boons, Sweetbriar, Va.	William M. Durham, Sr, Comanche, Tex.
Harold E. Fey, Chicago, Illinois	John Campbell, Leesburg, Fla.

For the Employees:

Lewis Bentsley, Memphis, Tenn.  
Conrad Espe, Philadelphia, Pa.  
Sam P. Ming, St. Louis, Mo.  
Boris Shishkin, Washington, D.C.  
Hal P. Angus, Oakland, Calif.

Such representatives have been chosen with due regard to the geographical regions in which such industry is carried on.

2. For the purpose of this order the term "Fruit and Vegetable Packing and Farm Products Assembling Industry" means:

The assembling and preparing for market of fresh fruits and vegetables, and other farm and related products (including wild and domesticated animals other than those assembled for processing into food for human or animal consumption).

a. It includes, but without limitation:

- (1) The packing of fresh fruits and vegetables; the shelling of nuts; the ginning and compressing of cotton; the retting and decorticating of flax and other vegetable fibers; and other similar operations performed on farm and related products.
- (2) The gathering or collecting of wild berries, plants,

flowers, gums, saps, seeds and other forms of wild plant or animal life.

(3) "The leaf processing branch of the Cigar Industry" as defined in the wage order for the Cigar Industry.

b. Provided, however, this industry does not include:

(1) the assembling of fresh fruits and vegetables or other farm and related products when performed in a marketing or wholesaling establishment which does no preparing for market within the meaning of this definition and which receives directly from gatherers of non-cultivated products or from farmers products constituting less than one-half of all products handled; (2) logging; (3) public warehousing of commodities other than cotton; (4) any product included in the Canned Fruits and Vegetables and Related Products Industry; Cottonseed and Peanut Crushing Industry; Vegetable Fats and Oils Industry; and Meat, Poultry, and Dairy Products Industry (as defined in Administrative Orders Nos. 182, 189, 190, and 201 respectively), or in the Grain Products Industry and the Tobacco Industry (as defined in the wage orders for such industries).

3. The definition of the Fruit and Vegetable Packing and Farm Products Assembling Industry covers all occupations which are necessary to the operations of the industry, including clerical, maintenance, shipping and selling occupations; provided that where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person, who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person. Moreover, any interested person may submit in writing pertinent data to the committee either through the Administrator or through the chairman of the committee.

5. The industry committee herein created shall meet at 10:00 a.m. on July 27, 1943 in Room 1001 at 165 West 46th Street, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13(a) and employees coming under the provisions of section 14.

Signed at New York, New York, this second day of July, 1943.

*L. Metcalfe Walling*

L. Metcalfe Walling, Administrator  
Wage and Hour Division  
United States Department of Labor