

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

TITLE 29 - LABOR
CHAPTER V - WAGE AND HOUR DIVISION

IN THE MATTER OF THE RECOMMENDATION OF IN-
DUSTRY COMMITTEE NO. 57 FOR A MINIMUM WAGE
RATE IN THE COTTONSEED AND PEANUT CRUSHING
INDUSTRY

WAGE ORDER

Effective August 16, 1943

Part 640 - Minimum Wage Rate in the Cottonseed and Peanut Crushing Industry

WHEREAS, on March 27, 1943, pursuant to Section 5(b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 189, appointed Industry Committee No. 57 for the Cottonseed and Peanut Crushing Industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the Cottonseed and Peanut Crushing Industry in accordance with Section 8 of the Act; and

WHEREAS, the Committee included four disinterested persons representing the public, a like number of persons representing employers in the Cottonseed and Peanut Crushing Industry, and a like number of persons representing employees in the Industry, and each group was appointed with due regard to the geographical regions in which the Cottonseed and Peanut Crushing Industry is carried on; and

WHEREAS, on May 4, 1943, the Committee, after investigating economic and competitive conditions in the Industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the Cottonseed and Peanut Crushing Industry; and

WHEREAS, after notice duly published in the Federal Register on May 18, 1943, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on June 2, 1943, at which all interested persons were given an opportunity to be heard; and

WHEREAS, the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

WHEREAS, the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to Sections 5 and 8, has concluded that the Industry Committee's recommendation for the Cottonseed and Peanut Crushing Industry, as defined

by Administrative Order No. 189, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of the Act; and

WHEREAS, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the matter of the Recommendation of Industry Committee No. 57 for a Minimum Wage in the Cottonseed and Peanut Crushing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York,

NOW, THEREFORE, it is ordered that:

Section 640.1 - Approval of Recommendation of Industry Committee No. 57

The Committee's recommendation is hereby approved, and in accordance with such recommendation,

Section 640.2 - Wage Rate

Wages at a rate of not less than 40 cents per hour shall be paid under Section 6 of the Act by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the Cottonseed and Peanut Crushing Industry; and

Section 640.3 - Posting of Notices

Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Cottonseed and Peanut Crushing Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor; and

Section 640.4 - Definition of the Cottonseed and Peanut Crushing Industry

For the purpose of this order the term "Cottonseed and Peanut Crushing Industry" means:

The manufacture from cottonseed and peanuts of crude oil and by-products, including, but without limitation, cake, hulls, and linters; provided however, that this definition shall not include the manufacture of feeds.

Section 640.5 - Scope of the Definition

The definition of the cottonseed and peanut crushing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations; provided, however, that this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing