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## 29 C.F.R. § 776.15

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### “Production.”

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(a) *The statutory provisions.* The activities constituting “production” within the meaning of the phrase “engaged in \* \* \* production of goods for commerce” are defined in the Act <sup>[1]</sup> as follows:

*Produced* means produced, manufactured, mined, handled, or in any other manner worked on in any State; and for the purposes of this Act an employee shall be deemed to have been engaged in the production of goods if such employee was employed in producing, manufacturing, mining, handling, transporting, or in any other manner working on such goods, or in any closely related process or occupation directly essential to the production thereof, in any State.

The Act bars from interstate commerce “any” goods in the production of which “any” employee was employed in violation of the minimum-wage or overtime-pay provisions, <sup>[2]</sup> and provides that in determining, for purposes of this provision, whether an employee was employed in the production of such goods:

\* \* \* proof that any employee was employed in any place of employment where goods shipped or sold in commerce were produced, within ninety days prior to the removal of the goods from such place of employment, shall be prima facie evidence that such employee was engaged in the production of such goods. <sup>[3]</sup>

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