
29 C.F.R. § 776.20

“Goods.”

(a) *The statutory provision.* An employee is covered by the wage and hours provisions of the Act if he is engaged in the “production” (as explained in §§ 776.15 through 776.19) “for commerce” (as explained in § 776.21) of anything defined as “goods” in section 3(i) of the Act. This definition is:

Goods means goods (including ships and marine equipment), wares, products, commodities, merchandise, or articles or subjects of commerce of any character, or any part or ingredient thereof, but does not include goods after their delivery into the actual physical possession of the ultimate consumer thereof other than a producer, manufacturer, or processor thereof.

(b) *“Articles or subjects of commerce of any character.”* It will be observed that “goods” as defined in the Act are not limited to commercial goods or articles of trade, or, indeed, to tangible property, but include “articles or subjects of commerce of *any character* (emphasis supplied). ^[1] It is well settled that things such as “ideas, * * * orders, and intelligence” are “subjects of commerce.” Telegraphic messages have, accordingly, been held to be “goods” within the meaning of the Act. ^[2] Other articles or subjects of commerce which fall within the definition of “goods” include written materials such as newspapers, magazines, brochures, pamphlets, bulletins, and announcements; ^[3] written reports, fiscal and other statements and accounts, correspondence, lawyers' briefs and other documents; ^[4] advertising, motion picture, newspaper and radio copy, artwork and manuscripts for publication; ^[5] sample books; ^[6] letterheads, envelopes, shipping tags, labels, check books, blank books, book covers, advertising circulars and candy wrappers. ^[7] Insurance policies are “goods” within the meaning of the Act; ^[8] so are bonds, stocks, bills of exchange, bills of lading, checks, drafts, negotiable notes and other commercial paper. ^[9] “Goods” includes gold; ^[10] livestock; ^[11] poultry and eggs; ^[12] vessels; ^[13] vehicles; ^[14] aircraft; ^[15] garments being laundered or rented; ^[16] ice; ^[17] containers, as, for example, cigar boxes or wrapping paper and packing materials for other goods shipped in commerce; ^[18] electrical energy or power, gas, etc.; ^[19] and by-products, ^[20] to mention only a few illustrations of the articles or subjects of “trade, commerce, transportation, transmission, or communication among the several States, or between any State and any place outside thereof” which the Act refers to as “goods.” The Act's definitions do not, however, include as “goods” such things as dams, river improvements, highways and viaducts, or railroad lines. ^[21]

This document is only available to subscribers. Please log in or purchase access.

[Purchase Login](#)