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29 C.F.R. § 780.137

Practices must be performed in connection with farmer's own farming.

"Practices * * * performed by a farmer" must be performed as an incident to or in conjunction with "such farming operations" in order to constitute "agriculture" within the secondary meaning of the term. Practices performed by a farmer in connection with his nonfarming operations do not satisfy this requirement (see *Calaf* v. *Gonzalez,* 127 F. 2d 934; *Mitchell* v. *Budd,* 350 U.S. 473). Furthermore, practices performed by a farmer can meet the above requirement only in the event that they are performed in connection with the farming operations of the same farmer who performs the practices. Thus, the requirement is not met with respect to employees engaged in any practices performed by their employer in connection with farming operations that are not his own (see *Farmers Reservoir Co.* v. *McComb,* 337 U.S. 755; *Mitchell* v. *Hunt,* 263 F. 2d 913; *NLRB* v. *Olaa Sugar Co.,* 242 F. 2d 714; *Mitchell* v. *Huntsville Nurseries,* 267 F. 2d 286; *Bowie* v. *Gonzalez,* 117 F. 2d 11). The processing by a farmer of commodities of other farmers, if incident to or in conjunction with farming operations, is incidental to or in conjunction with the farming operations of the other farmers and not incidental to or in conjunction with the farming operations of the farmer doing the processing (*Mitchell* v. *Huntsville Nurseries,* supra; *Farmers Reservoir Co.* v. *McComb,* supra; *Bowie* v. *Gonzalez,* supra).