

In the Matter of HARDIN'S BAKERIES CORPORATION,¹ EMPLOYER and
INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WARE-
HOUSEMEN AND HELPERS OF AMERICA, LOCAL NO. 591, A. F. OF L.,
PETITIONER

Case No. 32-RC-98.—Decided June 30, 1949

DECISION

AND

ORDER

Upon a petition duly filed, a hearing was held before William P. Alexander, hearing officer of the National Labor Relations Board. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

Upon the entire record in this case, the Board² finds:

The business of the Employer

The Employer, a Mississippi corporation, has its principal office in Meridian, Mississippi, and baking plants in Tupelo, Columbus, and Jackson, Mississippi. It is engaged in the baking and wholesale distribution of bread, rolls, buns, and pastries within the State of Mississippi.

At the Tupelo plant, the only one involved in these proceedings, the Employer produces bread, rolls, and buns. During the preceding year raw materials, machinery, equipment, and supplies purchased for use at the Tupelo plant amounted to approximately \$676,726. Of these purchases, approximately 57 percent came from outside of Mississippi. The record is not explicit as to what proportion, if any, of such out-of-State purchases were shipped to the Employer directly across State lines. Included in the purchases made within Mississippi is an indeterminate amount of raw materials from local houses of national concerns. The Employer also purchased for use in its busi-

¹ The name of the Employer appears as amended at the hearing.

² Pursuant to the provisions of Section 3 (b) of the Act, the Board has delegated its powers in connection with this case to a three-member panel [Chairman Herzog and Members Houston and Murdock].

ness trucks, tires, gasoline, and oil. All such purchases were made locally.

Total sales of bakery goods of the Tupelo plant during this same period amounted to about \$1,073,584. All such sales were made to customers such as grocery stores or restaurants, all of which are within Mississippi. About one-half of one percent of these sales were made to hotels, but none were made to railroads, airlines, or Government installations. Sales by each of the Employer's other two bakeries were likewise made exclusively within the State of Mississippi.

On these facts we find as the Employer contends, that the operations involved herein are essentially local in character and that it would not effectuate the policies of the Act for the Board to assert jurisdiction. Accordingly, we shall dismiss the petition.³

ORDER

IT IS HEREBY ORDERED that the petition herein be, and it hereby is, dismissed.

³ *Matter of Sta-Kleen Bakery, Inc.*, 78 N. L. R. B. 798; *Matter of Fehr Baking Co.*, 79 N. L. R. B. 440; *Matter of Conlon Baking Company*, 81 N. L. R. B. 934.