

1. PRODUCING OR HARVESTING AN AGRICULTURAL COMMODITY AS DEFINED IN § 15(G) OF THE AGRICULTURAL MARKETING ACT;

2. GINNING COTTON; OR

3. OPERATING OR MAINTAINING CANALS, DITCHES, RESERVOIRS, OR WATERWAYS THAT ARE NOT OWNED OR OPERATED FOR PROFIT AND ARE USED EXCLUSIVELY FOR SUPPLYING AND STORING WATER FOR FARMING PURPOSES;

(IV) FOR A FARMER, GROUP OF FARM OPERATORS, OR COOPERATIVE IN WHICH FARMERS ARE MEMBERS IN DRYING, FREEZING, GRADING, HANDLING, PACKING, PLANTING, PROCESSING, STORING OR DELIVERING TO STORAGE, MARKET, OR A CARRIER FOR TRANSPORTATION TO MARKET ANY AGRICULTURAL OR HORTICULTURAL COMMODITY IF:

1. THE COMMODITY IS IN ITS UNMANUFACTURED STATE;

2. THE FARMER, GROUP, OR COOPERATIVE PRODUCED MORE THAN ONE-HALF OF THE COMMODITY WITH RESPECT TO WHICH THE EMPLOYMENT IS PERFORMED; AND

3. THE EMPLOYMENT IS NOT PERFORMED IN CONNECTION WITH COMMERCIAL CANNING OR COMMERCIAL FREEZING OR IN CONNECTION WITH AN AGRICULTURAL OR HORTICULTURAL COMMODITY AFTER ITS DELIVERY TO A TERMINAL MARKET FOR DISTRIBUTION OR CONSUMPTION; AND

(V) ON A FARM OPERATED FOR PROFIT IF THE EMPLOYMENT IS NOT IN THE COURSE OF THE TRADE OR BUSINESS OF THE EMPLOYER.

(3) "FARM" INCLUDES:

(I) A DAIRY FARM;

(II) A FRUIT FARM;

(III) A FURBEARING ANIMAL FARM;

(IV) A GREENHOUSE OR SIMILAR STRUCTURE USED PRIMARILY FOR RAISING AGRICULTURAL OR HORTICULTURAL COMMODITIES;

(V) A NURSERY;

(VI) AN ORCHARD;

(VII) A PLANTATION;