

Decision No. 32743

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Establishment)
of maximum or minimum, or maximum)
and minimum rates, rules and regu-)
lations of all common carriers as)
defined in the Public Utilities Act)
of the State of California, as)
amended, and all highway carriers)
as defined in Chapter 223, Statutes)
of 1935, as amended, for the trans-)
portation, for compensation or hire,)
of any and all commodities.)

ORIGINAL
FILED

Case No. 4246

BY THE COMMISSION:

SUPPLEMENTAL OPINION AND ORDER

This proceeding involves rates, rules and regulations for the transportation of property by common, radial highway common and highway contract carriers. This opinion deals with various proposed modifications of Decision No. 31606, as amended,¹ concerning which evidence was received at adjourned hearings held in San Francisco before Examiner Preston W. Davis.

Proposed Amendment of Rule Covering Mixtures of Interstate and Intrastate Tonnage

California Motor Express, Ltd., an express corporation, urged that Item No. 90 paragraph 3(a) of Highway Carriers' Tariff No. 2, which sets forth a basis for computing charges on mixed shipments consisting of interstate as well as intrastate tonnage, be modified. The rule in question provides, in substance, that when a quantity of freight consisting of both interstate and intrastate tonnage is received from one shipper, at one time and place and on one bill of

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Decision No. 31606, as amended, provides minimum rates of statewide application for the transportation of property of all kinds, with certain exceptions not here important. The rates provided for radial highway common carriers and highway contract carriers are set forth in a tariff designated as Highway Carriers' Tariff No. 2 and attached to said Decision No. 31606 as Appendix "D" thereof.

lading, for transportation to one consignee at one destination, the charge for the intrastate portion may be computed as though the entire quantity were intrastate in character. The condition is made, however, that the charge assessed for the aggregate tonnage shall in no instance be lower than would accrue were the entire quantity intrastate in character. The sought modification would permit the use of interstate tonnage in computing charges on the intrastate portion, whenever the interstate and intrastate tonnage is received from one shipper at one place and time and whenever the interstate tonnage is transported over the same route to or via the same destination as the intrastate tonnage.²

Petitioner's traffic manager testified that he had received an oral informal ruling from members of the Motor Carriers Division of the Interstate Commerce Commission to the effect that interstate shipments must be billed from point of origin to ultimate destination on one bill of lading, without regard to the number of carriers participating in the transportation or to whether or not joint rates were in effect. In view of this ruling, he said, it was impossible for his company to accord to its shippers the benefit of the present mixed shipment rule. This witness testified, further, that competing rail and highway carriers, in disregard of the informal ruling mentioned, were accepting mixed shipments consisting of intrastate and interstate tonnage, transporting them to intrastate destinations, and then rebilling the interstate portions to their ultimate destinations. Highway contract carriers were achieving the same result, he said, by

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The rule sought to be published by petitioner is as follows:

"When property consisting of part intrastate and part interstate tonnage is received from one shipper at one point of origin at one time, the intrastate portion may be charged for at the rate which would be applicable on such portion were the entire quantity intrastate in character, provided

(a) The composite shipment is consigned to one consignee at one point of destination on one shipping document

or

(b) The interstate portion of the composite shipment is transported over the same route by the same carrier or carriers to or via the same destination as the intrastate portion."

concealing the interstate nature of the tonnage and transporting the intrastate shipment.

Petitioner's witness stated that he saw little justification for permitting mixtures of intrastate and interstate tonnage, but that, if such a rule were to be retained, he desired to be on a competitive equality with other carriers. He pointed out that the interstate rates for transportation within California were being given consideration by the Interstate Commerce Commission in MC-24 in re Rates in California, and suggested that petitioner be authorized to maintain the modified rule only for a temporary period pending a decision in that proceeding.

A representative of a competing express corporation testified that his company had encountered no particular difficulty with the rule in question. In addition, he pointed out that the rule proposed by petitioner would permit rail carriers, for example, to include shipments destined to Fresno in a car containing shipments moving as far east as New York, and use the weight of the latter shipments in determining the rates applicable to the former.

Manifestly, the cost of transporting property tendered to the carrier as a single shipment is not altered by the fact that a portion thereof consists of interstate tonnage. The rule under dispute seeks to give recognition to this fact by providing a basis under which the aggregate charges will be identical for a shipment consisting of intrastate tonnage and for a shipment consisting of both intrastate and interstate tonnage.³ The situation is not comparable, however, when the interstate and intrastate tonnage is tendered to the carrier on separate bills of lading, as separate shipments, for transportation to different points. The mere fact that, for the operating convenience of the carrier, the two shipments are transported part of the way on a

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It will be observed that the charges collectible on the interstate portion are not affected by the rule; the rule simply varies the charges on the intrastate portion according to the charge assessed on the balance, in order that the aggregate amount will equal the charge applicable to a like quantity of intrastate freight.

single unit of equipment would not appear to justify their consolidation for rate making purposes. As a matter of fact, the cost of transporting any given shipment is dependent upon the volume of other freight available for transportation at the same time, yet it would not be argued, we think, that rates on less-truckload shipments should vary in every instance according to the number of other shipments transported in the same truck. Petitioner itself does not propose to base charges on intrastate less-truckload shipments transported in the same equipment on the aggregate weight except in instances where all are delivered along a given route and split delivery rules come into play. Under the foregoing circumstances, the modification sought cannot be said to have been justified from a cost standpoint or shown to be necessary to place petitioner on a competitive basis with other carriers. The petition will be denied.

Clarification of Term "Field Seeds"

Item 40 series of Highway Carriers' Tariff No. 2 provides that "field seeds" (other than those named in the commodity item with grain, grain products and related articles) will not be subject to the minimum rates set forth in the tariff. Certain respondent rail carriers filed a petition alleging that the term "field seeds" was indefinite and uncertain and urging that it be clarified. Much of the evidence presented related to the propriety of making all field seeds subject to the established minimum rates, rather than to the meaning which should be attached to the term. As to the latter question the concensus appeared to be that the term "field seeds" should be deemed to relate to seeds suitable chiefly for the production of grains, grasses, hay or stock feeds or cover or forage crops. The suggestion was made that the seeds specified in the Federal Seed Act (U.S. Statutes, 1939, Chapter 615, approved August 9, 1939), supplemented by those set forth in subsequent bulletins

of the Department of Agriculture, be used for the purpose of compiling a specific list of seeds to supersede the general designation now employed. Subject to the condition that fenugreek seed, wedge peas, egyptian clover seed, horse beans and sugar beet seed be added to the list, all parties appeared to be in accord with this suggestion.

It appears from the evidence that the term "field seeds" has a definite meaning in the minds of the trade but that, due to unfamiliarity with the nomenclature of the seed industry, carriers are finding the term confusing. A list of seeds covered by the Federal Seed Act, supplemented as suggested, will therefore be substituted.

Reduction in Rating on Yeast

Compressed yeast (other than dry) is now rated at 2nd class in the Western Classification. J. P. Haynes, publishing agent of the Exception Sheet, sought authority to publish a reduced rating of 4th class for this commodity, applicable only between Santa Margarita, Caliente and points in California north thereof. The adjustment was said to be necessary to prevent the diversion of a large volume of yeast tonnage to proprietary carriage.

The traffic manager of Standard Brands, a company engaged in the manufacture and distribution of grocery and bakery products, as well as yeast, testified that his firm was giving serious consideration to rearranging its distribution methods so as to handle the bulk of its traffic in proprietary equipment. He stated that the action taken by the Commission in this matter would have a decided bearing upon the conclusions ultimately reached in this regard and that if the sought rating were authorized the proposed plans would probably be discarded.

According to the record, the yeast manufacturing plant of Standard Brands is located in Oakland. Distribution warehouses are maintained at strategic locations throughout the State. The company operates 226 pieces of truck equipment of its own, consisting mainly of 1/2, 3/4 and 1 ton trucks. It has followed the practice, however, of employing common carriers for the distribution of its yeast, since this is a perishable commodity which must be placed in the hands of the bakers daily. Refrigerator services are used when available; if none are available, the yeast is packed in insulated or protected containers. Arrangements are made with the common carriers for picking up yeast shipments daily at specified times. Due to the perishable nature of yeast, it is impracticable to hold and consolidate shipments in order to take advantage of quantity rates.

Under the proposed proprietary plan of distribution, Standard Brands would abandon many of its distribution warehouses and operate large trucks in scheduled services along routes passing through all major points at which its customers are located. These trucks would carry the other commodities distributed by this company as well as yeast. It was stated that studies had indicated that this method of distribution would bring about a substantial saving
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in transportation costs.

The traffic manager of Peerless Yeast Company stated that his firm, also, had given consideration to commencing proprietary operation from its plant in San Francisco. He gave the detail of a

4. The monthly charges paid by Standard Brands for transportation of yeast were said to range from \$16,000.00 to \$17,000.00 and to approximate \$40,000.00 on all commodities in the aggregate. Examples were given to show that transportation charges now being paid were substantially in excess of those paid prior to April, 1938, at which time the minimum rates established by Decision No. 30370, as amended, in Cases Nos. 4088, Parts "U" "V" and 4145 Parts "F" "G" first became effective.

cost study submitted to him by a truck dealer, estimating that a substantial saving would be realized by operating a proprietary truck in scheduled service from San Francisco to Bakersfield, serving all of the larger intermediate cities.

Assertions were also made that from the standpoint of transportation characteristics yeast is entitled to 4th Class rating; however, this contention was not pressed since the reduced rating was proposed to apply only in Northern California and the 2nd Class rating would remain in effect in Southern California.

Due to the perishable nature of yeast it seems improbable that the alternative method of distribution would prove satisfactory from a service standpoint. It has not been demonstrated, moreover, that there is a sufficient volume of traffic moving into each territory necessary to be served to insure adequate load and use factors for large truck equipment. In any event, there is little indication that the cost to the shippers of operating their own trucks in routed, scheduled services would amount to less than the transportation charges which would accrue if common carriers were employed for the same type of service.

Even if full weight were to be given to the asserted possibility of the traffic being lost to proprietary carriage, it does not appear that a reduction in rating to apply only in a portion of the state would be the proper means of meeting the situation. The establishment of commodity rates from Oakland and San Francisco to the particular points which could reasonably be served in proprietary operations would appear to be greatly preferable. However, the proper volume for such commodity rates or the points to which they are necessary, if any, cannot be ascertained from this record. This petition will be denied.

Petition of Armstrong Cork Company

By Decision No. 32401 of October 3, 1939, a petition theretofore filed by Armstrong Cork Company, seeking establishment of special commodity rates for transportation of linoleum from San Francisco to Los Angeles and asphalt composition tile from Los Angeles to San Francisco, was denied. In outlining the evidence in support of the petition mention was made of testimony of petitioner's representative to the effect that the rate disadvantage to Armstrong Cork Company under existing rates amounted to 7 per cent of the profit on linoleum and 6.6 per cent of the profit on tile. By supplemental petition Armstrong Cork Company alleges that this testimony was in error and that, in truth, the percentages stated were percentages of the selling price f.o.b. San Francisco, less the usual trade discounts. It asks that the language used in said Decision No. 32401 be modified accordingly.

A review of the basis upon which the original petition in this matter was denied indicates that the denial was based principally upon the absence of a showing that the traffic could not reasonably bear the regular class rates or that it could be transported at the rates sought without burdening other traffic. The evidence with which the supplemental petition is concerned does not appear to have been controlling; hence no reason for changing the conclusions originally reached appears. However, the language in Decision No. 32401 will be deemed modified to show that the percentage figures stated therein refer to selling price rather than to profit.

Petition of Allen G. Scott

Allen G. Scott seeks a modification of Highway Carriers' Tariff No. 2 by the establishment of a commodity rate of 23 cents per 100 pounds, minimum weight 30,000 pounds, for the transportation of

lumber and forest products from railhead points in Susanville to railhead points in Oakland. He alleges that the minimum rate now in effect for this transportation by highway carriers is 34 cents per 100 pounds, whereas the Southern Pacific Company maintains a rate of 23 cents per 100 pounds for rail transportation via its interstate route and that the reduced rate sought is necessary to place rail and highway carriers on a competitive basis. It is apparent that carriers performing the transportation here involved over intrastate routes are entitled to a rate parity with interstate carriers. The petition will be granted.

Miscellaneous Clerical Changes

Several minor amendments of Highway Carriers' Tariff No. 2 will be made by the order herein, for the purpose of removing ambiguities and clerical errors which have come to the Commission's attention from time to time. These relate to (1) alternative application of point-to-point class rates with mileage class rates, (2) grouping of San Francisco and Oakland in computing rates on rice, (3) establishment of the City of Imperial as a mileage basing point for the transportation of rice from and to points within the Imperial Valley Irrigation District, (4) application of tariff to rice screenings and to brewers' grains, (5) description of animal and poultry feeds, (6) exclusion of the application of class rates on fodder, cactus leaves and straw where commodity rates are not applicable, and (7) amendment of Item No. 190 series to clarify the application of combinations of class and commodity rates in lieu of through distance rates contained in the tariff. Also, the item relating to deductions from store-door to store-door rates in connection with terminal-to-terminal shipments will be amended to provide that in computing charges for articles subject to percentages of the first four classes, the percentage rating will be computed before the deduction is made. Additionally, Item 40 series will be amended to make reference to outstanding orders of the Commission

which provide rates for the transportation of uncrated used property and of property transported in dump trucks.

By Decision No. 32609 of December 5, 1939, in this proceeding, the minimum rates theretofore established by Decision No. 30848, as amended, in Case No. 4293, were added into Highway Carriers' Tariff No. 2. The order failed to provide specifically, however, that it cancelled and superseded said Decision No. 30848 and amendments thereto. Specific provision to this effect will be made by the order herein.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Decision No. 31606, as amended, in this proceeding, be and it is hereby further amended by substituting in and adding to Highway Carriers' Tariff No. 2 (Appendix "D" of said decision) the new and revised pages attached hereto and by this reference made a part hereof, which pages are numbered as follows:

Fifth Revised Page 2 Cancels Fourth Revised Page 2
Seventh Revised Page 14 Cancels Sixth Revised Page 14
Seventh Revised Page 15 Cancels Sixth Revised Page 15
Third Revised Page 18 Cancels Second Revised Page 18
Third Revised Page 23 Cancels Second Revised Page 23
Second Revised Page 44 Cancels First Revised Page 44
First Revised Page 51-B Cancels Original Page 51-B
First Revised Page 51-C Cancels Original Page 51-C
First Revised Page 56 Cancels Original Page 56
First Revised Page 66-F Cancels Original Page 66-F

IT IS HEREBY FURTHER ORDERED that the petitions of California Motor Express, Ltd. and J. P. Haynes, referred to in the preceding opinion, be and they are hereby denied.

IT IS HEREBY FURTHER ORDERED that the rates, rules and regulations provided in Decision No. 31606, as amended, for the transportation of hay and related articles, shall cancel and supersede those established by Decision No. 30848, as amended by Decisions Nos. 31186 and 31610, in Case No. 4293.

In all other respects said Decision No. 31606, as amended, shall remain in full force and effect.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 16th day of
January, 1940.

Ray L. Riley
Frank R. Hunter
Rafael Valenzuela

Justin J. Casner
Commissioners

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*Change.	EFFECTIVE
Issued by The Railroad Commission of the State of California, San Francisco, California.	
Correction No. 107	

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)		
<p>40-G Cancels 40-F</p>	<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES (Items Nos. 40 and 41 series)</p> <p>Rates in this tariff apply for the transportation of all commodities, except the following:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <p>Accessories, motion picture, Automobiles, set up, Baggage, Butter, dairy, Buttermilk, liquid (Subject to Note 2), Carriers (used packages), empty returning or forwarded for return loads (Subject to Note 1), Cement, portland (building), Cement Clinker, Cheese (including cottage cheese and pot cheese), Commodities transported in bulk in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles, Cotton, Cream (Subject to Note 2), Directories, telephone, Eggs (other than shelled, desiccated or frozen), Fertilizers, as described in Items Nos. 535, 540 and 550 series of the Exception Sheet, Film, motion picture, ↓(1) Fodder, Bean, Cane, Corn or Pea (subject to Note 7), ▲Fruit, dried, unmanufactured and unprocessed (Subject to Note 4), ▲Fruit, fresh (Subject to Note 3), Fungicides, agricultural, Hops, Ice Cream Mix, unflavored, Insecticides, agricultural, ↓(1) Leaves, Cactus, dried (Subject to Note 7), Live stock, Logs (wood),</p> </td> <td style="vertical-align: top; width: 50%;"> <p>Newspapers, Nuts, edible, in the shell, Pits, fruit, Poultry, live or dressed, ▲Commodities when transported in dump trucks, for which rates are provided in Decision No. 32566 of November 14, 1939, as amended, in Case No. 4246, ▲(1) *** ▲Sea Shells, crushed, ground, powdered or disintegrated (Subject to Note 5), Seed, cotton, ▲Seeds, field, (1) as described in Note 6, Shell Marl, crushed, ground or powdered, ↓(1) Straw (Subject to Note 7), Sulphur, ▲Used Property, uncrated, viz.: household goods, personal effects, furniture, musical instruments, radios, and office and store fixtures and equipment, as described in and for which rates are provided in Decision No. 32629 of December 7, 1939, in Case No. 4246, Vegetables, fresh, Vegetables, dried, viz.: Beans, (except Mesquite), Lentils, Onions, Peas, (except Cow Peas), Pepper Pods, Voting Booths, Ballot Boxes, Election Tents and Election Supplies, when transported from or to polling places.</p> </td> </tr> </table> <p style="text-align: center;">(Continued in Item No. 41 series)</p>	<p>Accessories, motion picture, Automobiles, set up, Baggage, Butter, dairy, Buttermilk, liquid (Subject to Note 2), Carriers (used packages), empty returning or forwarded for return loads (Subject to Note 1), Cement, portland (building), Cement Clinker, Cheese (including cottage cheese and pot cheese), Commodities transported in bulk in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles, Cotton, Cream (Subject to Note 2), Directories, telephone, Eggs (other than shelled, desiccated or frozen), Fertilizers, as described in Items Nos. 535, 540 and 550 series of the Exception Sheet, Film, motion picture, ↓(1) Fodder, Bean, Cane, Corn or Pea (subject to Note 7), ▲Fruit, dried, unmanufactured and unprocessed (Subject to Note 4), ▲Fruit, fresh (Subject to Note 3), Fungicides, agricultural, Hops, Ice Cream Mix, unflavored, Insecticides, agricultural, ↓(1) Leaves, Cactus, dried (Subject to Note 7), Live stock, Logs (wood),</p>	<p>Newspapers, Nuts, edible, in the shell, Pits, fruit, Poultry, live or dressed, ▲Commodities when transported in dump trucks, for which rates are provided in Decision No. 32566 of November 14, 1939, as amended, in Case No. 4246, ▲(1) *** ▲Sea Shells, crushed, ground, powdered or disintegrated (Subject to Note 5), Seed, cotton, ▲Seeds, field, (1) as described in Note 6, Shell Marl, crushed, ground or powdered, ↓(1) Straw (Subject to Note 7), Sulphur, ▲Used Property, uncrated, viz.: household goods, personal effects, furniture, musical instruments, radios, and office and store fixtures and equipment, as described in and for which rates are provided in Decision No. 32629 of December 7, 1939, in Case No. 4246, Vegetables, fresh, Vegetables, dried, viz.: Beans, (except Mesquite), Lentils, Onions, Peas, (except Cow Peas), Pepper Pods, Voting Booths, Ballot Boxes, Election Tents and Election Supplies, when transported from or to polling places.</p>
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	<p>***Reference to screenings, rice, eliminated. ▲ Change, neither increase nor reduction.</p> <p style="text-align: right;">↓ Reduction (1) Decision No.</p>		
EFFECTIVE			
Correction No. 106	Issued by The Railroad Commission of the State of California, San Francisco, California.		

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)		
<p>41-D Cancel 41-C</p>	<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES (Concluded) (Items Nos. 40 and 41 series)</p> <p>NOTE 1.-Includes only used empty carriers which are returning from an outbound paying load of traffic for which rates are not provided in this tariff, or which are being forwarded for a return paying load of traffic for which rates are not provided in this tariff (subject to Rule No. 130 of the Exception Sheet).</p> <p>NOTE 2.-Exemption applies only when commodities flagged subject to this note are shipped in milk shipping cans, in bottles in cases or crates, or in bulk in tanks.</p> <p>▲ NOTE 3.-Exemption will not apply to transportation of fresh pears for which rates are provided in Item No. 651 series.</p> <p>▲ NOTE 4.-Exemption applies only as to dried fruit in the natural state and which has not been cleaned, washed, stemmed or otherwise prepared or partially prepared for human consumption.</p> <p>▲ NOTE 5.-Exemption does not apply to sea shells as described in Item No. 652½ series.</p> <p>▲ NOTE 6.-(1)Exemption applies only to field seeds, viz.:</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> Adzuki, Alfalfa, Bahia grass, Bean, field, horse, lima, mat or mung, Beet, field or sugar, Bentgrass, Bermuda grass, Bluegrass, Bluestem, Brome, bunch or smooth, Carpet grass, Chick pea (garbanzo), Clover (except sweet clover), Creeping bent, Dallis grass, Dog's-tail, crested, Dolichos, Pennycreek, Fescue grass, Foxtail, meadow, Guar, Guinea grass, Harding grass, Kudzu, Lespedeza, Lupine, </td> <td style="vertical-align: top;"> Medic, black, Molasses grass, Mustard (except wild mustard), Napier grass, Catgrass, tall, Orchard grass, Pea, Austrian winter, Canadian, field, Tangier or wedge, Popcorn, Proso, Redtop, Reed canary grass, Rescue grass, Rhodes grass, Ryegrass, Sainfoin, Sand dropseed, Sesbania, Soybean, Sudan grass, Sweet vernalgrass, Timothy, Velvet bean, Velvet bent, Velvet grass, Wheatgrass, crested or slender. </td> </tr> </table> <p>▲ (1)NOTE 7.-Exemption will not apply to transportation for which rates are provided in Items Nos. 657 and 658 series.</p> <p>▲ NOTE 9.-(1)***</p>	Adzuki, Alfalfa, Bahia grass, Bean, field, horse, lima, mat or mung, Beet, field or sugar, Bentgrass, Bermuda grass, Bluegrass, Bluestem, Brome, bunch or smooth, Carpet grass, Chick pea (garbanzo), Clover (except sweet clover), Creeping bent, Dallis grass, Dog's-tail, crested, Dolichos, Pennycreek, Fescue grass, Foxtail, meadow, Guar, Guinea grass, Harding grass, Kudzu, Lespedeza, Lupine,	Medic, black, Molasses grass, Mustard (except wild mustard), Napier grass, Catgrass, tall, Orchard grass, Pea, Austrian winter, Canadian, field, Tangier or wedge, Popcorn, Proso, Redtop, Reed canary grass, Rescue grass, Rhodes grass, Ryegrass, Sainfoin, Sand dropseed, Sesbania, Soybean, Sudan grass, Sweet vernalgrass, Timothy, Velvet bean, Velvet bent, Velvet grass, Wheatgrass, crested or slender.
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	<p>***Eliminated.</p> <p>▲ Change, neither increase nor reduction.</p> <p>(1)Decision No.</p>		
	<p>EFFECTIVE</p>		
<p>Correction No. 101</p>	<p>Issued by The Railroad Commission of the State of California, San Francisco, California.</p>		

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
100-B Cancels 100-A	<p style="text-align: center;">COMPUTATION OF DISTANCES</p> <p>(a) Distances to be used in connection with distance rates named herein shall be the shortest resulting mileage via any public highway route, computed in accordance with the method provided in Decision No. 31605 of December 27, 1938, as amended, or as may be amended, in Case No. 4088, Part "N", Case No. 4145 and Case No. 4246, subject to the following exceptions:</p> <ol style="list-style-type: none"> 1. Distances from or to points located within zones described in Item No. 260 series shall be computed from or to the mileage basing points designated in connection with such descriptions. 2. From points of origin or to points of destination more than 70 miles distant from both the San Francisco and the Oakland pickup and delivery zones (computed in accordance with the method hereinabove provided), distances from or to points located within the San Francisco pickup and delivery zone or located within the Oakland pickup and delivery zone shall be the average of the distances from or to the San Francisco pickup and delivery zone and the Oakland pickup and delivery zone (computed in accordance with the method hereinabove provided). In the event such average distance is less than the distance computed from or to an intermediate point via the shortest constructive route, such lesser mileage shall apply from or to such intermediate point. *3. For transportation under rates in Items Nos. 654 and 4728 series, between points lying within the Imperial Valley Irrigation District on the one hand and points lying without such district on the other hand, distances shall be those computed in accordance with said Decision No. 31605, as amended, from or to the City of Imperial.
110-B Cancels 110-A	<p style="text-align: center;">APPLICATION OF RATES - DEDUCTIONS</p> <p>(a) Rates provided in this tariff are for the transportation of shipments, as defined in Item No. 10 (k), (l) and (m) series from point of origin to point of destination, subject to Items Nos. 120, 130 and 140 series.</p> <p>* (b) Except as provided in Notes 1 and 2 hereof, when point of origin or point of destination is carrier's established depot, rates shall be 5 cents per 100 pounds (or 5 cents per shipment when shipment weighs less than 100 pounds) less than those specifically named herein. When both point of origin and point of destination are carrier's established depots, rates shall be 10 cents per 100 pounds (or 10 cents per shipment when shipment weighs less than 100 pounds) less than those named herein. (See Note 3.) In no case shall the net transportation rate be less than 10 cents per 100 pounds.</p> <p>NOTE 1.-No deduction from rates specifically named herein shall be made under this rule from rates based upon a minimum weight of 10,000 pounds or more, nor from minimum charges provided by Item No. 150 series.</p>

NOTE 2.-No deduction from rates specifically named herein shall be made under this rule on shipments transported for persons, companies or corporations upon whose premises depots from or to which the transportation is performed are located.

◆◆NOTE 3.-When the commodity upon which charges are to be computed is rated at a percentage or multiple of classes 1, 2, 3 or 4, the deductions under this rule shall be made from the resulting rate.

*Change, Decision No.

◆Increase.

◆Reduction.

EFFECTIVE

Correction No. 105

Issued by The Railroad Commission of the State of California,
San Francisco, California.

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
190-A Cancels 190	<p style="text-align: center;">APPLICATION OF COMBINATIONS OF CLASS AND COMMODITY RATES</p> <p>▲ In the event a combination of any class or commodity or class and commodity rates provided in this tariff produces a lower aggregate charge for the same transportation than is produced by a through distance rate, such combination of rates may be applied.</p>
200-B Cancels 200-A 1-10-40	<p style="text-align: center;">ALTERNATIVE APPLICATION OF COMMON CARRIER RATES</p> <p>(a) Common carrier rates, except rates of coastwise common carriers by vessel, may be applied in lieu of the rates provided in this tariff, when such common carrier rates produce a lower aggregate charge for the same transportation than results from the application of the rates herein provided. (See Notes 1 and 2.)</p> <p>(b) Team track-to-team track rates of common carriers by railroad or of common carriers by vessel operating over inland waters may be applied in lieu of the rates provided in this tariff, in connection with transportation between established depots in the same cities or unincorporated communities in which such team tracks are located, when such team track-to-team track rates produce a lower aggregate charge than results from the application of the rates provided in this tariff for depot-to-depot movements. (See Notes 1 and 2.)</p> <p>NOTE 1.-When a rail carload rate is subject to varying minimum weights, dependent upon the size of the car ordered or used, the lowest minimum weight obtainable under such minimum weight provisions may be used in applying the basis provided in this item.</p> <p>NOTE 2.-In determining the aggregate charge by railroad of transporting shipments of hay and related articles, as described in Item No. 657 series, there shall be added to the rail rate 25 cents per ton for shrinkage.</p>
▲ Change, neither increase nor reduction, Decision No.	
EFFECTIVE	
<p style="text-align: center;">Issued by The Railroad Commission of the State of California, San Francisco, California.</p> <p>Correction No. 108</p>	

Item No.	SECTION NO. 2		CLASS RATES (Concluded) In Cents per 100 Pounds											
Class Rates shown below are intermediate in application subject to Note 1.														
MINIMUM WEIGHT														
BETWEEN		AND	Any Quantity				4,000 Pounds				10,000 Pounds except as provided in Note 2			
			1	2	3	4	1	2	3	4	1	2	3	4
510-B Cancels 510-A	SAN FRANCISCO TERRITORY as described in Item No. 270 series	LOS ANGELES TERRITORY as described in Item No. 270 series	100	90	80	70	73	65½	58½	51	59	53	47	41½
	SACRAMENTO (See Item No. 260 series)		Minimum Weight 20,000 Pounds except as provided in Note 3				Minimum Weight as provided in Western Classification, Exception Sheet or this tariff, subject to Item No. 290 series.							
			1	2	3	4	5	A	B	C	D	E		
			52½	47½	42	37	31½	34	29	26½	23½	21		
<p>*NOTE 1.-If charges accruing under the Class Rates in this item, applied on shipments from, to or between points intermediate between origin and destination territories shown in this item via routes shown in Item No. 900 series, are lower than charges accruing under the Distance Class Rates in Items Nos. 500, 505 or 507 series on the same shipment via the same route, such lower charges will apply.</p> <p>NOTE 2.-When applied in connection with carload ratings, minimum weight will be as provided in the Western Classification, Exception Sheet or this tariff, subject to Item No. 290 series.</p> <p>NOTE 3.-When applied in connection with carload ratings, minimum weight will be as provided in the Western Classification, Exception Sheet or in this tariff (subject to Item No. 290 series) but in no event less than 20,000 pounds.</p>														
*Change, Decision No.														
EFFECTIVE														
Issued by The Railroad Commission of the State of California, San Francisco, California.														

Correction No. 103

Item No.	SECTION NO. 3	COMMODITY RATES (Continued)			
<p>*652-A Cancels 652</p>	<p>(Applies in connection with rates making specific reference hereto.)</p>				
	<p>GRAIN, GRAIN PRODUCTS AND RELATED ARTICLES, viz.:</p> <p>Grain, viz.:</p> <p>Grain, dried, threshed, viz.:</p> <p style="padding-left: 20px;">Barley, Buckwheat, Emmer, Oats, Rye, Spelt, Wheat;</p> <p style="padding-left: 20px;">Corn or Maize (except Pop Corn);</p> <p style="padding-left: 20px;">Sorghum Grains, threshed, or in heads unthreshed, viz.:</p> <p style="padding-left: 40px;">Darso, Durra, Egyptian Wheat, Feterita, Hogari (Higera), Kaffir Corn,</p> <p style="padding-left: 40px;">Kaoliang, Milo Maize, Shallu, Shrock Kaffir;</p> <p style="padding-left: 20px;">Screenings from grains specified above, unground, not containing more than 5% Flaxseed.</p> <hr/> <p>Grain Products, dry and uncooked (see Note 1), manufactured, milled, mixed or packed directly from the articles specified above and consisting entirely of material thereof, viz.:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Bran,</p> <p>Brewers' Flakes,</p> <p>↓Brewers' Grains,</p> <p>Cake or Meal (except Corn Oil Cake or Meal),</p> <p>Chaff,</p> <p>Chops,</p> <p>Clippings,</p> <p>Corn Cobs, ground,</p> <p>Corn Steep Water, solid, dried,</p> <p>Distillers' Grains,</p> <p>Elevator Dust,</p> <p>Farina,</p> <p>Feed, animal or poultry, consisting entirely of whole grain or the direct products thereof as named in this item,</p> <p>Feed, gluten,</p> <p>Flour,</p> <p>Germ,</p> <p>Grain, broken, chopped, cracked, crimped, crushed, cut, ground, hulled, pulverized, rolled, skinned or split,</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Grits,</p> <p>Greats,</p> <p>Hominy,</p> <p>Hominy Flakes,</p> <p>Hulls,</p> <p>Malt,</p> <p>Malt Sprouts,</p> <p>Mash, spent grain,</p> <p>Meal, gluten,</p> <p>Middlings,</p> <p>Mill Feed (Wheat mixed Feed consisting of Bran, Shorts, or Middlings),</p> <p>Oats, rolled,</p> <p>Offal,</p> <p>Pummies, chopped or ground,</p> <p>Red Dog,</p> <p>Scourings,</p> <p>Screenings, ground, (from grains specified above and not containing more than 5% Flaxseed),</p> <p>Semolina,</p> <p>Shorts,</p> <p>Skimmings,</p> </td> </tr> </table> <p style="text-align: center;">NOTE 1.-Steaming as a preliminary to further process of manufacture to produce articles in this list shall not be considered cooking.</p> <p>Seed, viz.:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Broom Corn Seed,</p> <p>Flaxseed,</p> <p>Hemp,</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Millet,</p> <p>Rape,</p> <p>Wild Mustard.</p> </td> </tr> </table>		<p>Bran,</p> <p>Brewers' Flakes,</p> <p>↓Brewers' Grains,</p> <p>Cake or Meal (except Corn Oil Cake or Meal),</p> <p>Chaff,</p> <p>Chops,</p> <p>Clippings,</p> <p>Corn Cobs, ground,</p> <p>Corn Steep Water, solid, dried,</p> <p>Distillers' Grains,</p> <p>Elevator Dust,</p> <p>Farina,</p> <p>Feed, animal or poultry, consisting entirely of whole grain or the direct products thereof as named in this item,</p> <p>Feed, gluten,</p> <p>Flour,</p> <p>Germ,</p> <p>Grain, broken, chopped, cracked, crimped, crushed, cut, ground, hulled, pulverized, rolled, skinned or split,</p>	<p>Grits,</p> <p>Greats,</p> <p>Hominy,</p> <p>Hominy Flakes,</p> <p>Hulls,</p> <p>Malt,</p> <p>Malt Sprouts,</p> <p>Mash, spent grain,</p> <p>Meal, gluten,</p> <p>Middlings,</p> <p>Mill Feed (Wheat mixed Feed consisting of Bran, Shorts, or Middlings),</p> <p>Oats, rolled,</p> <p>Offal,</p> <p>Pummies, chopped or ground,</p> <p>Red Dog,</p> <p>Scourings,</p> <p>Screenings, ground, (from grains specified above and not containing more than 5% Flaxseed),</p> <p>Semolina,</p> <p>Shorts,</p> <p>Skimmings,</p>	<p>Broom Corn Seed,</p> <p>Flaxseed,</p> <p>Hemp,</p>
<p>Bran,</p> <p>Brewers' Flakes,</p> <p>↓Brewers' Grains,</p> <p>Cake or Meal (except Corn Oil Cake or Meal),</p> <p>Chaff,</p> <p>Chops,</p> <p>Clippings,</p> <p>Corn Cobs, ground,</p> <p>Corn Steep Water, solid, dried,</p> <p>Distillers' Grains,</p> <p>Elevator Dust,</p> <p>Farina,</p> <p>Feed, animal or poultry, consisting entirely of whole grain or the direct products thereof as named in this item,</p> <p>Feed, gluten,</p> <p>Flour,</p> <p>Germ,</p> <p>Grain, broken, chopped, cracked, crimped, crushed, cut, ground, hulled, pulverized, rolled, skinned or split,</p>	<p>Grits,</p> <p>Greats,</p> <p>Hominy,</p> <p>Hominy Flakes,</p> <p>Hulls,</p> <p>Malt,</p> <p>Malt Sprouts,</p> <p>Mash, spent grain,</p> <p>Meal, gluten,</p> <p>Middlings,</p> <p>Mill Feed (Wheat mixed Feed consisting of Bran, Shorts, or Middlings),</p> <p>Oats, rolled,</p> <p>Offal,</p> <p>Pummies, chopped or ground,</p> <p>Red Dog,</p> <p>Scourings,</p> <p>Screenings, ground, (from grains specified above and not containing more than 5% Flaxseed),</p> <p>Semolina,</p> <p>Shorts,</p> <p>Skimmings,</p>				
<p>Broom Corn Seed,</p> <p>Flaxseed,</p> <p>Hemp,</p>	<p>Millet,</p> <p>Rape,</p> <p>Wild Mustard.</p>				
<p>↓Reduction *Change, Decision No.</p>					
<p>EFFECTIVE</p>					
<p>Issued by The Railroad Commission of the State of California, San Francisco, California.</p>					

Poultry Litter (not exceeding
20% of total weight of ship-
ment) viz.:
Peat Moss,
Redwood Bark, ground,
Pulp, beet, sweetened or un-
sweetened, dry,
Rice Polish,

Seed, viz.:
Sorghum,
Sunflower,
Sweet Clover (Melilotus),
Vetch,
(1) Shells, crushed,
(1) Shells, clam, mussel or oyster,
whole or broken.

Oil, Fish (not exceeding 10% of total weight of shipment).

(1) In mixed shipments only.

*Change, Decision No.

EFFECTIVE

Correction No. 104

Issued by The Railroad Commission of the State of California,
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Item No.	SECTION NO. 3				COMMODITY RATES (Continued)			
					In cents per 100 Pounds			
	LUMBER AND FOREST PRODUCTS, viz.: Forest Products and Building Wood-work, as described in Item No. 660 series. (See Note 1.)							
	MILES		RATES		MILES		RATES	
	Over	But not over	Minimum Weight 20,000 Pounds	Minimum Weight 30,000 Pounds	Over	But not over	Minimum Weight 20,000 Pounds	Minimum Weight 30,000 Pounds
	0	5	5½	4	200	220	27	22
	5	10	5½	4	220	240	29½	24
	10	15	6	4½	240	260	32	25½
	15	20	6	4½	260	280	34½	27½
	20	25	6½	5	280	300	36½	29½
	25	30	6½	5	300	325	39	31½
	30	35	7	5½	325	350	42	34
	35	40	7½	6	350	375	45	36½
	40	45	8	6½	375	400	48	38½
	45	50	8½	7	400	425	51	41
690-A	50	60	9½	8	425	450	54	43½
Cancel	60	70	10½	9	450	475	57	45½
690	70	80	12	9½	475	500	60	48
	80	90	13	10½	500	525	63	50½
	90	100	14	11½	525	550	65½	53
	100	110	15½	12½	550	575	68½	55
	110	120	16½	13½	575	600	71½	57½
	120	130	17½	14½	600	625	74½	60
	130	140	18½	15½	625	650	77½	62
	140	150	20	16½	650	675	80½	64½
	150	160	21	17½	675	700	83½	67
	160	170	22½	18	700	---	*83½	*67
	170	180	23½	19				
	180	190	25	20				
	190	200	26	21				
	FROM		TO					
	Susanville...		Oakland.....	↓(1)23			

*Plus 3 cents for each 25 miles or fraction thereof over 700 miles.
 (1)Exception to mileage rates. Applies only from and to railhead at points named. Will not apply from or to intermediate points.
 NOTE 1.-For charges for weighing shipments, see Item No. 670 series. For estimated weights, see Item No. 680 series.
 †Reduction, Decision No.

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 Correction No. 110 San Francisco, California.

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HIGHWAY CARRIERS' TARIFF NO. 2

Item No.	SECTION NO. 3		COMMODITY RATES (Continued) In Cents per 100 Pounds					
	MILES		(1) RATES					
			Minimum Weight in Pounds					
	Over	But not over	Any Quantity	2,000	4,000	10,000	20,000	30,000
	RICE, viz.:							
	Brewers',							
	Cleaned, whole or broken (including rice screenings),							
	Paddy (rough),							
	See Item No. 653½ series for Application of Rates in this item.							
	0	3	22	17	14	4½	3½	3
	3	5	22	17	14	5½	4½	4
	5	10	23	18	14	6	5	4½
	10	15	24	19	15	6½	5	4½
	15	20	26	20	16	7	5	4½
	20	25	26	22	16	8	5½	5
	25	30	27	22	17	8½	5½	5
	30	35	27	23	18	9	6	5½
	35	40	29	25	18	10	6	5½
	40	45	30	26	18	10	6½	5½
	45	50	31	27	19	11	6½	5½
	50	60	32	29	20	12	7	6
	60	70	33	31	22	13½	8	7
	70	80	34	34	22	15	9	8
	80	90	35	--	23	16	10	8½
	90	100	37	--	25	17	11	9½
	100	110	38	--	26	18	12	11
	110	120	38	--	27	19	13	11½
	120	130	40	--	28	20½	14	12
	130	140	41	--	28	21½	15	12½
	140	150	42	--	30	22½	16	13½
	150	160	43	--	31	23½	17	14½
	160	170	44	--	33	24½	17½	15½
	170	180	46	--	34	25½	18	16
	180	190	46	--	34	26½	19	17
	190	200	48	--	36	28	19½	17½
	200	220	50	--	38	29½	21	19
	220	240	52	--	40	31½	23	20½
	240	260	54	--	42	33½	24½	22½
	260	280	57	--	45	36	26	24
	280	300	59	--	47	38	28	25½
	300	325	61	--	50	40½	30	27½
	325	350	63	--	51	43	32	29½
	350	375	66	--	54	45½	34½	31½
	375	400	68	--	56	48	36½	33

728-A
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400	425	70	--	58	51	38½	34½
425	450	72	--	61	53½	40½	36½
450	475	74	--	62	56	42½	38
475	500	77	--	65	58½	45	39½
500	525	79	--	67	63½	47	41½
525	550	82	--	70	66	49	43
550	575	83	--	72	68	51	44½
575	600	86	--	74	70	53	46½
600	625	88	--	76	72	55	48
625	650	90	--	78	74	57½	49½
650	675	93	--	81	77	59½	51½
675	700	94	--	83	79½	61½	53

(1) Exception to mileage rates

(2)5

(2)4

(2)3½

(2) Applies only for transportation within Imperial Valley Irrigation District for distances of 10 miles or less, or for distances of more than 10 miles when movement is to a team track or to an established depot.

◆NOTE 1.-***

*** Eliminate, Decision No.

↳Reduction.

◊Increase.

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