

ORIGINAL

Decision No. 45206

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation)
into the rates, rules, regulations,)
charges, allowances and practices)
of all common carriers, highway)
carriers and city carriers relating)
to the transportation of property.)

Case No. 4808

Appearance

E. R. Chapman, Jr., for Golden State
Company, Ltd., petitioner.

SUPPLEMENTAL OPINION AND ORDER

Highway Carriers' Tariff No. 2 names the state-wide minimum rates established by the Commission for the transportation of general commodities. Item No. 610-G of the tariff lists canned goods and kindred commodities which have been grouped for rate-making purposes. It does not include sterilized milk. By petition, Golden State Company, Ltd., proposes that this commodity be added to the canned goods group.

A public hearing was held at San Francisco on September 12, 1951, before Examiner Mulgrew. The customary notice of hearing was given interested parties. However, only petitioner appeared and participated in the proceeding.

Sterilized milk is natural whole milk. It is the equivalent of fresh market milk. No moisture is removed. Marked improvements in sterilizing milk have recently been developed. This has stimulated its sale. Further increases in the use of this product are anticipated. Sterilized milk is produced and sold both flavored and unflavored. The flavoring is a small amount of chocolate added

for taste appeal. Both the flavored and the unflavored milk are packed in tin in corrugated fibre cases, the usual packaging for canned goods.

A rate expert for petitioner testified that sterilized milk has relatively low value. He presented an exhibit showing that its value is approximately the same as that of evaporated milk and substantially less than that of condensed milk. Evaporated and condensed milk are included in the canned goods description. These commodities, the witness said, have lower values than canned goods generally. He stated that his company expected to reduce the price of sterilized milk when the anticipated increase in the use of this product is experienced.

The rate expert's exhibit also shows that sterilized milk is somewhat less dense than evaporated and condensed milk. He called attention to the fact that in shipping sterilized milk more weight volume must be transported to equal the same quantity of milk from the evaporated and condensed products. As above noted the value of sterilized milk is generally lower than the value of evaporated and condensed milk. In other respects, the witness said, the transportation characteristics of the three commodities are similar. None of them require any special type of handling and all of them are nonperishable. They are not readily susceptible to damage.

Petitioner's witness testified further that sterilized and evaporated milk are produced at the same plant. Usually they are purchased together. The purchasers expect to receive the entire order at the same time. All of the company's products are marketed in competition with similar products shipped to California

from such states as Washington, Minnesota, Wisconsin and Illinois. Competitors in these states have available to them the same rates on sterilized, evaporated and condensed milk. Uniform rates on the three types of milk are generally applicable.

The record shows that sterilized milk is a canned goods item which should be grouped with other such articles in the minimum rate tariff. The petition accordingly will be granted.

Therefore, good cause appearing,

IT IS HEREBY ORDERED that Highway Carriers' Tariff No. 2 (Appendix "D" to Decision No. 31606 as amended) be and it is hereby further amended by incorporating therein, to become effective October 22, 1951, Eighth Revised Page 7 cancels Seventh Revised Page 7, and Eighth Revised Page 47 cancels Seventh Revised Page 47, attached hereto and by this reference made a part hereof.

IT IS HEREBY FURTHER ORDERED that tariff publications to be made by common carriers as a result of the order herein shall be made effective not earlier than October 22, 1951, and on not less than five (5) days' notice to the Commission and to the public.

IT IS HEREBY FURTHER ORDERED that common carriers be and they are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California and from the provisions of Section 24(a) of the Public Utilities Act to the extent necessary to exercise the authority granted herein.

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

This order shall become effective twenty (20) days after the date hereof.

Dated at Los Angeles, California, this 18th day of September, 1951.

J. P. [Signature]
President
Justice J. [Signature]
Harold [Signature]
[Signature]
Commissioners

INDEX OF COMMODITIES (Continued)

COMMODITY	Item Number	COMMODITY	Item Number
Lime, Chlorinated	730	Meats, cooked, cured or preserved	(1)
Liners	365	Meat other than fresh	360
Liners, Polished Rod	365	Meat Substitutes	360
Lines, Measuring	365	Mechanics' Tools (M)	365
Links	365	Medicine Cabinets	660,690
Liquid, cigar or cigarette lighter (M)	723-726	Middlings	652,652½,654
Liquors, Malt	360,600	Milk (condensed or evaporated) liquid	(1)
Liquors, Vinous	360,600,660	Milk, dried	652½,654
Logs	700	Milk, malted	360
Lubricant, Grease Binder	723-726	Milk, sour skim	652½,654
Lumber	660,690,700	Milk, sterilized	(1)
Lye, Concentrated	730	Milo Maize	652,652½,654
Macaroni (M)	653,654	Mince Meat	(1)
Macaroni, except canned	360	Molasses	(1),652½,654
Macaroni (prepared)	(1)	Molding, Carpenters'	660,690
Machines, Oil Well Pulling	365	Molding, Casing	660,690
Machines, Rotary Drilling	365	Mud Mixer Parts	365
Maize	652,652½,654	Mustard	360
Malt	652,652½,654	Mustard (prepared)	(1)
Malt Sprouts	652,652½,654	Noodles	360
Mantel Shelves	660,690	Noodles (M)	653,654
Margarine	(M)315,605	Nuts, edible, shelled	360
Mash	652,652½,654	Oats	652,652½,654
Meal, Alfalfa	652½,653,654	Oats, rolled	652,652½,654
Meal, Babassu Nut	652½,653,654	Offal	652,652½,654
Meal, Bean Straw	652½,653,654	Oil, cooking	730
Meal, Clover	652½,653,654	Oil, Fish (M)	652½,654
Meal, Coconut	652½,653,654	Oil, Olive	(1)
Meal, Copra	652½,653,654	Oil, (other than medicinal) (M)	723-726
Meal, Corn Gorm	652½,653,654	Oil, petroleum medicinal (M)	723-726
Meal, Corn Oil (M)	652½,654	Oil, Salad	(1),730
Meal, Cottonseed	652½,653,654	Olives	(1)
Meal, Fish	652½,653,654	Onion Chips	(1)
Meal, Flaxseed	653,654	Onion Powder	(1)
Meal, Gluten	652,652½,654	Ornaments, Gable	660,690
Meal, (Grain)	652,652½,654	Outfits, insect destroying (M)	723-726
Meal, Hemp Seed	652½,653,654	Outfits, Oil, Water or Gas Well	365
Meal, Kapok Seed	652½,653,654	Outfits, Wire Line Pumping	365
Meal, Linseed	652½,653,654	Packers	365
Meal, Meat	652½,654	Paint, asphaltic (M)	723-726
Meal, Mesquite (M)	652½,654	Paint, liquid (M)	723-726
Meal, Palm	652½,653,654	Paint, liquid or paste	377
Meal, Palm Kernel	652½,653,654	Paneling	660,690
Meal, Peanut	652½,653,654	Parts, Boiler (M)	365
Meal, Perilla	653,654	Parts, Mud Mixer	365
Meal, Perilla Seed	652½,653,654	Paste, Alimentary	360
Meal, Rapo Seed	652½,653,654	Paste, Confectioners'	360
Meal, Rice	652½,654	Paste, Tomato	(1)
Meal, Safflower Seed	653,654	Peanut Butter	(1)
Meal, Sesame Seed	652½,653,654		
Meal, Soya Bean	652½,653,654		
Meal, Sunflower Seed	652½,653,654		
Meal, Tucum Nut	652½,653,654		
Meal, Velvet Bean	652½,653,654		

Addition, Decision No. 46206

(1) See "Canned Goods and Other Articles as described in Item No. 610 series."
(M) Denotes articles on which application of rates is limited to mixed shipments.

EFFECTIVE OCTOBER 22, 1951

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.

Correction No. 454

Item No.	SECTION NO. 3	COMMODITY RATES (Continued)
	(Applies in connection with rates or ratings making specific reference hereto.)	
	CANNED GOODS AND OTHER ARTICLES, in earthenware, glass or metal cans in boxes, or in bulk in barrels, except as otherwise provided (See Note 1), not subject to Item No. 300 series, viz.:	
	Beans and Pork Breads, Brine, Broths, Butter, fruit, Butter, peanut (peanut paste), Buttermilk (not Casein), not powdered or flaked,	Oil, olive or salad, Olives, Onion Chips, in packages named, or in bulk in boxes, or in double bags, or in multiple-wall paper bags, Onion Powder, in packages named, or in bulk in boxes, or in double bags, or in multiple-wall paper bags,
	Chili, ground, Chowders, Cocoanut, prepared, in packages named, or in paper cartons in boxes, or in bulk in boxes, or in double bags, or in multiple-wall paper bags, Corn,	Paste, tomato, Pectin, fruit or vegetable, Pickles (Cauliflower, Cucumber, Dill Weed, Kraut, Mangoes, Onions and Tomato), Pie Preparations (fruit in syrup or in paste form compounded with flour or sugar and flavored), Pimentos (canned peppers), Puddings, Pulp, fruit or vegetable, Puree, tomato,
	Feed, animal, containing more than 50 percent of meat, in metal cans, Fish, cooked, pickled or preserved, with or without fruit or vegetable ingredients, in packages named, or in bulk in boxes,	Ravioli (prepared), with or without cheese, meat or vegetable ingredients, Rice-and-milk cooked,
*610-H Cancels 610-G	Fish Roe, cooked, pickled or preserved, Fruit (not fresh), crushed, Fruit (not dried, evaporated or fresh) in liquid other than alcoholic liquor,	Sandwich Spread, Sausage, Sausage Casings, pickled or salted, in bulk in barrels, Soups, Spaghetti (prepared, with or without cheese, meat or vegetable ingredients), Syrups,
	Garlic Chips, in packages named, or in bulk in boxes, or in double bags, or in multiple-wall paper bags, Garlic Powder, in packages named, or in bulk in boxes, or in double bags, or in multiple-wall paper bags,	Table Sauces, including Catsup, Prepared Horseradish, Prepared Mustard, Pepper Sauce or Salad Dressing,
	Hominy, Honey, in bulk in metal cans,	Vegetables (not dehydrated, dried, evaporated nor fresh),
	Jam, Jolly, Juice, clam, Juice (not syrup) fruit, unfermented, Juice, tomato, Juice, vegetable,	Vermicelli (prepared), with or without cheese, meat or vegetable ingredients,

Macaroni (prepared), with or without cheese, meat or vegetable ingredients,
Meats, cooked, cured or preserved, with or without cereal or vegetable ingredients, in packages named, or in bulk in crates or boxes,
Milk (condensed or evaporated), liquid,
#Milk, sterilized, liquid, flavored or not flavored,
Milk (not malted), Buttermilk (not Casein) or Dry Milk Solids, powdered or flaked, in packages named, or in fibre cans, or in bulk in boxes, or in double bags, or in multiple-wall paper bags,
Mince Meat,
Molasses or Syrup (except coloring, flavoring, fruit, malt, or medicated),

Vinegar,
Welsh Rarebit.

Note 1.-Rates or ratings applicable to shipments in boxes will apply also to such shipments in fibreboard boxes in metal strapped bundles or crates.

Rates or ratings applicable to shipments in barrels will apply also to such shipments in hogsheads, pipes, puncheons, tierces, casks, drums, half-barrels, quarter-barrels, sixth-barrels, eighth-barrels or kegs.

*Change)
#Addition) Decision No. 45206

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