

Decision No. 63033

**ORIGINAL**

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 car- )  
riers relating to the transportation of )  
any and all commodities between and )  
within all points and places in the State )  
of California (including, but not limited )  
to, transportation for which rates are )  
provided in Minimum Rate Tariff No. 2). )

Case No. 5432

SUPPLEMENTAL OPINION AND ORDER

On October 30, 1961, there was sent to interested parties for study and comment a report prepared by the Commission's Transportation Division Rate Branch staff. The report recommends that "feather meal" be added to a certain list of animal and poultry feeds for which commodity rates are provided in Minimum Rate Tariff No. 2.

A transmittal letter informed the parties that, in the absence of objection or request for public hearing, consideration may be given to the issuance of an ex parte order revising the tariff in accordance with the staff recommendations. Written comments have been received from California Farm Bureau Federation and California Trucking Associations, Inc. Both organizations support the staff recommendations and urge their adoption. No objection or request for public hearing has been received.

The staff report is received in evidence in this proceeding as Exhibit No. O-5. The letters from California Farm Bureau Federation and California Trucking Associations, Inc., are received together as Exhibit No. O-6.

It appears from the staff report that "feather meal" is a new commodity made wholly from poultry feathers which have been cooked, then dried and ground. No other ingredients are added. Feather meal is now being produced and used as a livestock feed, and is similar to, and competitive with, other meals used as animal or poultry feeds.

Inquiries have been directed to the Commission's Rate Branch staff concerning the minimum rates applicable to the transportation of feather meal by highway carriers. In the absence of commodity rates, feather meal is subject to class rates named in Minimum Rate Tariff No. 2. The commodity is not specifically identified in the governing classification or in exception ratings. It appears to be ratable as "Feed, animal or poultry, prepared, noibn" as described in Item No. 37230 of the current Western Classification. The minimum class rates resulting from application of the ratings specified in this item of the classification are substantially higher than the commodity rates provided in Minimum Rate Tariff No. 2 for other animal or poultry feeds, including various meals used as feed. The staff report recommends specifically that feather meal be added to the list of animal and poultry feeds described in List No. 4 of Item No. 652½ of Minimum Rate Tariff No. 2.

Upon consideration of the exhibits in this proceeding, the Commission finds that the modification in the minimum rates as proposed in Exhibit No. 0-5 is reasonable, and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation of feather meal. Minimum Rate Tariff No. 2 will be revised accordingly. This is a matter in which a public hearing is not necessary.

Good cause appearing,

IT IS ORDERED that:

(1) Minimum Rate Tariff No. 2 (Appendix "D" to Decision No. 31606, as amended) is hereby further amended by incorporating

therein, to become effective February 17, 1962, Twenty-eighth Revised Page 7 and Fourth Revised Page 49-A, which revised pages are attached hereto and by this reference made a part hereof.

(2) Tariff publications authorized to be made by common carriers as a result of the order herein may be filed not earlier than the effective date hereof, and may be made effective on not less than five days' notice to the Commission and to the public if filed not later than sixty days after the effective date of the minimum rate tariff page incorporated in this order.

(3) Common carriers in establishing the minimum rates, charges, rules and regulations authorized hereinabove, are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California and Section 460 of the Public Utilities Code to the extent necessary to adjust long-and-short-haul departures now maintained under outstanding authorizations; that such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and that schedules containing the minimum rates, charges, rules and regulations published under this authority shall make reference to the prior orders authorizing long-and-short-haul departures and to this order.

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

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

Dated at San Francisco, California, this 9<sup>th</sup> day of

January, 1962.

*[Signature]*  
 President

*[Signature]*  
 Commissioner

*[Signature]*  
 Commissioner

*[Signature]*  
 Commissioner

## INDEX OF COMMODITIES (Continued)

COMMODITY	Item Number	COMMODITY	Item Number
Lime, Chlorinated	730	Meal, Velvet Bean	652-654½
Liners	365	Meat, other than fresh	360
Liners, Polished Rod	365	Meat Substitutes	360
Lines, Measuring	365	Meats, cooked, cured or preserved	320, 345
Links	365	Meats, fresh	376
Lipsticks, medicated (chap sticks)	395	Mechanics' Tools (M)	365
Liquid, cigar or cigarette lighter (M)	377.5, 723-726	Medicines	395
Liquors, Malt	360	Middlings	652-654½
Liquors, Vinous	360	Military toilet kits	395
Lubricant, Grease Binder	377.5, 723-726	Milk (condensed, evaporated or sterilized) liquid	320
Lubricant, metal cutting, drawing or drilling (M)	377.5, 723-726	Milk and cocoa compound	375
Lumber	690, 700, 710	Milk, dried	345, 652-654½
Lye, Concentrated	730	Milk, Malted	360, 375
Macaroni (M)	652-654½	Milk Solids, dry	345
Macaroni, except canned	360	Milk, sour skim	652-654½
Macaroni (prepared)	320, 360	Milk Food, other than liquid, other than malted milk	375
Macaroni and Cheese	360	Milo Maize	652-654½
Machines, Oil Well Pulling	365	Mince Meat	320
Machines, Rotary Drilling	365	Mix, Pizza Pie	345
Maize	652-654½	Mixtures, Mineral	652-654½
Malt	652-654½	Molasses	320, 652-654½
Malt, milk and cocoa compound	360, 375	Molasses, Blackstrap	652-654½
Malt Sprouts	652-654½	Molasses, Beet Sugar Final	652-654½
Malted milk	360, 375	Molasses, Corn Sugar Final, (hydrol)	652-654½
Margarine (M)	315, 605	Monoglycerides of Fat-forming Acids	360, 730
Mash	652-654½	Mud Mixer Parts	365
Meal, Alfalfa	652-654½	Mustard	360
Meal, Babassu Nut	652-654½	Mustard (prepared)	320
Meal, Bean Straw	652-654½	Noodles (prepared)	320, 360
Meal, Bone	652-654½	Noodles, except canned	360
Meal, Blood	652-654½	Noodles (M)	652-654½
Meal, Clover	652-654½	Nuts, edible, shelled	360
Meal, Clover, ground	652-654½	Oats	652-654½
Meal, Coconut	652-654½	Oats, rolled	652-654½
Meal, Copra	652-654½	Offal	652-654½
Meal, Corn Germ	652-654½	Offal, Wheat Cereal	652-654½
Meal, Corn Oil (M)	652-654½	Oil, cooking	320, 730
Meal, dried Fruit Seed	652-654½	Oil, Fish (M)	652-654½
Meal, Feather	652-654½	Oil, Olive	320
Meal, Fish	652-654½	Oil, (other than medicinal) (M)	377.5, 723-726
Meal, Flaxseed	652-654½	Oil, petroleum medicinal (M)	377.5, 723-726
Meal, Fruit pomace	652-654½	Oil, Salad	320
Meal, Grass dehydrated	652-654½	Olives	320
Meal, Gluten	652-654½	Onion Chips	320
Meal, (Grain)	652-654½	Onion, Powdered	320
Meal, Hemp Seed	652-654½	Outfits, insect destroying (M)	377.5, 723-726
Meal, Hull or Shell, Nut	652-654½	Outfits, Oil, Water or Gas Well	365
Meal, Kapok Seed	652-654½	Outfits, Wire Line Pumping	365
Meal, Linseed	652-654½		
Meal, Meat	652-654½		
Meal, Mesquite (M)	652-654½		
Meal, Molasses	652-654½		
Meal, Oil Cake	652-654½		
Meal, Palm	652-654½		
Meal, Palm Kernel	652-654½		
Meal, Peanut	652-654½		

Meal, Perilla	652-654 <sup>1/2</sup>	Packers	365
Meal, Perilla Seed	652-654 <sup>1/2</sup>	Paint, asphaltic (M)	377.5, 723-726
Meal, Rape Seed	652-654 <sup>1/2</sup>	Paint, liquid (M)	377.5, 723-726
Meal, Rice	652-654 <sup>1/2</sup>	Paint, liquid or paste	377
Meal, Safflower Seed	652-654 <sup>1/2</sup>	Paper, abrasive	302
Meal, Sesame Seed	652-654 <sup>1/2</sup>	Paper, emery	302
Meal, Soya Bean	652-654 <sup>1/2</sup>	Parts, Boiler (M)	365
Meal, Sunflower Seed	652-654 <sup>1/2</sup>	Parts, Mud Mixer	360
Meal, Tomato Pomace	652-654 <sup>1/2</sup>	Paste, Alimentary	360
Meal, Tucum Nut	652-654 <sup>1/2</sup>	Paste, Confectioners'	360
Meal, Vegetable	652-654 <sup>1/2</sup>	Paste, Tomato	320
		Peanut Butter	320
		Peanut Spread	320

(M) Denotes articles on which application of rates is limited to mixed shipments.

# Addition, Decision No.

63033

EFFECTIVE FEBRUARY 17, 1962

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

Correction No. 1216

Item No.	SECTION NO. 3	COMMODITY RATES (Continued)
	(Applies in connection with rates making specific reference hereto.)	
	GRAIN, RICE, GRAIN PRODUCTS AND RELATED ARTICLES, viz.: Feed, Animal or Poultry, and other articles not prepared for human consumption, viz.:	
	<u>LIST NO. 3</u>	
	Feed, Animal or Poultry (except cooked or baked cakes, biscuits or bread - see Note 1), consisting of mixtures or blended products of which 70% or more in weight is composed of two or more of the commodities in Paragraphs (a) and (b) below:	
	(a) Commodities shown in Lists Nos. 1 and 2 of Item No. 652, Commodities shown in List No. 4 below and List No. 5 of Item No. 652 <sup>1</sup> , Barley Hay Feed, cut or ground,	Bean Straw Feed, cut or ground, Clover or Sorghum, cut or ground, Cotton Gin Waste, Wheat Cereal Offal.
*652 <sup>1</sup>	(b) The following articles not to exceed 70% of the total weight of the prepared animal or poultry feed:	
	Bran, Cottonseed Fish Oil Residuum (Fish Presswater), Hulls, cottonseed, ground (Cottonseed Hull Bran), Milk or Buttermilk, dried, Milk, sour skim,	Molasses, viz.: Blackstrap, Beet Sugar Final, Corn Sugar Final (Hydrol), Oil Cake or Oil Cake Meal, Rice Bran, Hulls or Polish.
	NOTE 1.-Steaming as a process preliminary to further process of manufacture to produce animal or poultry feed as described in this list will not be considered cooking.	
	<u>LIST NO. 4:</u>	
	Feed, Animal or Poultry, viz.:	
	Alfalfa, chopped, with or without sweetening ingredients, Alfalfa, ground and pressed into cubes or pellets, air-dry or otherwise dried, (1) Bean or Pea Refuse or screenings, Blood Flour, (2) Buttermilk, condensed, dried or in paste form, Cake, dried fruit seed (unfit for human consumption), Dicalcium Phosphate (feed grade), Distillery Molasses Residuum (residuum from molasses distillation), dry, (2) Flavin Concentrate, Flax Shives, cut or ground with sweetening ingredients,	Meal, viz.: (Continued) Fish, Fruit Pomace (unfit for human consumption), Hull or Shell, Nut, Meat, Molasses, Tomato Pomace, Vegetable, other than Oil Cake Meal, (2) Milk, dried, Mineral Mixtures (see Note 2), (1) Peas, dried, unfit for human consumption and not suitable for seed, Potato Pulp Refuse (residue from alcohol distillation or manufacture of starch), with or without not to exceed 10% barley malt,

(1) Fruit, dried, refuse or substandard (unfit for human consumption),  
 Fruit Peel or Pulp, citrus, dried, and flaked or granulated,  
 Kelp, dried or ground,  
 Meal, viz.:  
 Alfalfa (Ground Alfalfa), with or without sweetening ingredients,  
 Bean Straw, with or without sweetening ingredients,  
 Bone,  
 Bone, ground, and molasses, mixed,  
 Blood,  
 Clover, dehydrated grass and/or ground clover,  
 Dried Fruit Seed (unfit for human consumption),  
 Dried Fruit Stem (unfit for human consumption),  
 #6 Feather,

Pulp, fruit dried, flaked or granulated (unfit for human consumption),  
 (1) Refuse, fruit dried (unfit for human consumption),  
 Residuum fruit or vegetable, dried,  
 Scrap, fish, ground or pulverized, dry,  
 Scraps, dried meat,  
 Seeds, refuse or screening,  
 Seeds, dried, fruit (unfit for human consumption),  
 (2) Skim Milk, condensed, dried or in paste form,  
 Soybean Mill Feed (screening from manufacture of soybean flour),  
 (2) Whey, condensed, dried or in paste form,  
 (2) Yeast, residual, dried.

NOTE 2. - Includes Mineral Mixtures containing Calcium Carbonate, Copperas, Epsom Salts, Sulphate of Soda, Glauber's Salts, Sulphur of Potassium Iodide, with or without not in excess of 10% by weight of other unnamed ingredients.

- (1) Where commodity actually shipped is named in Items Nos. 40 or 41, applies only when in physical mixture with other articles in Items Nos. 652, 652½ or 653.
- (2) When in packages, containers must be so branded, labeled or marked as plainly to indicate that they contain animal or poultry feed as described.

\* Change  
 # Addition  
 & Reduction

Decision No.

63033

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 San Francisco, California.

Correction No. 1212