

**ORIGINAL**

Decision No. 63379

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 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

Pursuant to written requests from the California Farm Bureau Federation, California Trucking Associations, Inc., and California-Sesame Producers, Inc., the Commission staff conducted an investigation into the minimum rates for transportation of sesame seed. A report prepared by the Commission's Transportation Division Rate Branch staff was sent on January 4, 1962, to interested parties for study and comment. The parties were informed 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-Sesame Producers, Inc., California Trucking Associations, Inc., and Durkee Famous Foods. These 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-7. The written comments thereon from California-Sesame Producers, Inc., California Trucking Associations, Inc., and Durkee Famous Foods are received together as Exhibit No. O-8.

It appears from the staff report that sesame is an East Indian herb, the seeds of which yield an oil and are used as food. Sesame is used as a salad or cooking oil, in shortening and margarine, and as a carrier for fat-soluble pharmaceuticals. The whole seed is used in a wide variety of confections and as a garnish for bakery goods. In normal sesame, capsules open (dehisce) when dry, allowing the seed to scatter, making necessary considerable hand labor in harvest to prevent seed loss. Discovery of an indehiscent (nonscattering) mutant in 1943 led to the possibility of complete mechanized production of this crop. In the United States, sesame has been produced commercially only since 1950. Domestic production has been increasing since World War II. Farmers in Texas, New Mexico and California planted about 15,000 acres in 1957 and harvested about 9 million pounds of seed. Present demand from the whole seed market alone would absorb production from an additional 15,000 acres. This demand is increasing each year.

According to the staff report, cultivation of sesame in California has been conducted on an experimental basis. In 1961, approximately 200 acres were grown in Fresno County. The average yield was 1,000 pounds per acre. If mechanical harvesting methods can be perfected, there are indications that sesame production in the San Joaquin Valley will be expanded. A company organized in anticipation of large-scale production plans to process and sell the seed.

Sesame seed is subject to the class rates in Minimum Rate Tariff No. 2, based on the classification ratings set forth in Item No. 85270 of the Western Classification. That item provides a less-than-carload rating of third class and a carload rating of Class B, subject to a minimum weight of 40,000 pounds. The minimum class rates resulting from the application of the ratings specified in this

item of the classification are substantially higher than the commodity rates provided in Item No. 654½ of Minimum Rate Tariff No. 2 for Grain, Rice, Grain Products and Related Articles (including various seeds) as described in Lists 1 through 10 of Items Nos. 652-653. The commodity rates in question are specifically designed for the transportation of the described commodities and are lower than the otherwise applicable class rates.

The staff report indicates that harvesting of sesame seed and transportation from the field to initial point of use or storage are performed in a similar manner to the harvesting and transportation of the grain and related articles that are subject to the aforementioned commodity rates. Sesame seed is hauled in bulk truck and trailer equipment of the type used to transport the other commodities. It appears from the available information that the transportation characteristics of sesame seed are similar in many respects to those of the seed and other products for which special commodity rates are provided in Item No. 654½ of Minimum Rate Tariff No. 2.

The addition of sesame seed to List No. 9 in Item No. 653 would accord to sesame seed the same commodity rates as are provided in Minimum Rate Tariff No. 2 for other specified seeds. It also would provide a substantial reduction in the level of the minimum rates, which may assist in promoting the expansion of California acreage devoted to this new cash crop. The staff report recommends specifically that sesame seed be added to the list of seeds described in List No. 9 of Item No. 653 of Minimum Rate Tariff No. 2.

Upon consideration of the evidence in this proceeding, the Commission finds that the modification in the minimum rates as proposed in Exhibit No. O-7 is reasonable, and that the resulting minimum rates and charges will be just, reasonable and nondiscriminatory minimum rates and charges for the transportation of sesame seed. ✓

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 April 21, 1962, Twenty-third Revised Page 8 and Ninth Revised Page 50, 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 pages incorporated in this order.




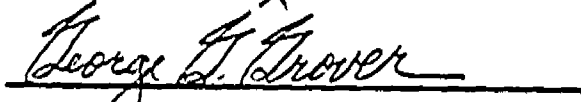
(3) Common carriers in establishing the minimum rates, charges, rules and regulations authorized hereinabove, are hereby authorized to depart from the provisions of Article XII, Section 21, of the Constitution of the State of California, and Section 460 of the Public Utilities Code to the extent necessary 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 6th day of March, 1962.

  
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President  
  
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\_\_\_\_\_  
Commissioners

## INDEX OF COMMODITIES (Continued)

COMMODITY	Item Number	COMMODITY	Item Number
Peas, cow	652-654½	Refuse, Fruit, dried	652-654½
Peas, dried	652-654½	Refuse, Potato Pulp	652-654½
Peas, split or whole (M)	652-654½	Repellents, insect (M)	377.5, 723-726
Peat Moss	652-654½	Residuum, Distillery, Molasses, dry	652-654½
Pectin, Fruit or Vegetable	320	Residuum, Fish Oil	652-654½
Peel, Fruit, citrus, dried, flaked or granulated	652-654½	Residuum, fruit or vegetable	652-654½
Pellets, boot pulp, dry	652-654½	Rice-and-Milk	320
Perfumery	395	Rice, Brewers'	652-654½
Permanent hair-waving sets	395	Rice, Cleaned	652-654½
Peroxide, Hydrogen	385	Rice, Paddy	652-654½
Petroleum and Petroleum Products as described in Western Classification	377.5, 723-726	Rig Irons	365
Petroleum Jelly	395	Rings and Wedges	365
Phosphato, Dicalcium	652-654½	Rods, Polished or Valve	365
Pickles	320	Rods, Pull (M)	365
Pie Mix, Pizza	345	Rods, Sucker	365
Pie Preparations	320	Rope (M)	365
Pies, not baked, frozen	377.6	Rope, Wire	365
Piling	690, 710	Rose Water	395
Pimentos	320	Running Gears, steam boiler (M)	365
Pins, wooden	365	Rye	652-654½
Pipe, cast or wrought iron or steel	365	Saddles, Jack	365
Pipe, cast iron pressure	378	Sago	360
Pipe, cast iron soil	378	Sago (M)	652-654½
Pipe, plate or sheet iron or steel	365	Salads, Fish, Macaroni, Meat or Vegetable	360
Pizza Pie Mix	345	Salt	360, 380
Plastics, Synthetic	378.5, 379	Sandpaper	302
Plugs, Cementing	365	Sand Reels	365
Plugs, Dry Hole	365	Sandwich Spreads	320, 345
Plywood	690, 710	Sauco, pepper	320
Poles	690, 710	Saucos, table	320
Polish, floor (M)	377.5, 723-726	Sausage	320
Polish, furniture (M)	377.5, 723-726	Sausage casings	320
Polish, metal (M)	377.5, 723-726	Savers, Oil	365
Polish, Rice	652-654½	Schives, Flax, cut or ground	652-654½
Polish, vehicle (M)	377.5, 723-726	Scourings	652-654½
Pomace, Fruit	652-654½	Scrap, Fish	652-654½
Pomace, Grape	652-654½	Scraps, dried meat	652-654½
Popcorn	360	Screenings, Alfalfa Seed	652-654½
Portor	310, 360	Screenings, Bean or Pea	652-654½
Posts	690, 710	Screenings, Flaxseed	652-654½
Potato Chips	360	Screenings, Grain, ground	652-654½
Poultry Litter	652-654½	Screenings, Grain unground	652-654½
Powder, Baking or Yeast	360	Screenings, Millet	652-654½
Powder, Icing	334½	Screenings, Paddy Rice	652-654½
Powder, Sachet or Toilet	395	Screenings, Pea	652-654½
Powders, Citrus Fruit Juico	360	Seed, Broom Corn	652-654½
Power Pumps (M)	365	Seed, Flaxseed	652-654½
Power, Pumping	365	Seed, Hemp	652-654½
		Seed, Melilotus	652-654½
		Seed, Millet	652-654½
		Seed, Rape	652-654½
		Seed, Sesame	652-654½

Preservatives, wood (M)	377-5,723-726	Seed, Sorghum	652-654½
Protectors, Box and Pin	365	Seed, Sunflower	652-654½
Puddings	320	Seed, Sweet Clover	652-654½
Pulleys, Tug	365		
Pull Rod Blocks, wooden	365		
Pulp, Beet	652-654½		
Pulp, Dried Fruit	652-654½		
Pulp, Fruit, citrus, dried, flaked or granulated	652-654½		
Pulp, Fruit or Vegetable	320		
Pummies	652-654½		
Pumps, Power (M)	365		
Puree, Tomato	320		
Rams, Bit	365		
Ravioli (prepared)	320		
Rod Dog	652-654½		
Redwood Bark	652-654½		
Reels, Measuring	365		
Reels, Sand	365		
Refuse, Bean or Pea	652-654½		

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

# Addition, Decision No. **63379**

EFFECTIVE APRIL 21, 1962

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

Correction No. 1222

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.:	
	<u>LIST NO. 7:</u>	
	Flour, viz.: Bean, Potato, Rice, Flour, prepared, edible, manufactured from one or more articles shown in List No. 1 of Item No. 652, or Rice Flour, Bean Flour or Potato Flour, with not to exceed 40% of other ingredients, (including powdered yeast not in excess of 5% in an inner container),  Split Peas, ) Whole Peas, ) Lentils, ) Tapioca, ) Sago, ) Macaroni, ) Noodles, ) Not fully cooked Spaghetti, ) nor ready for Vermicelli, ) human consumption.	
		Provided weight does not exceed 15% of total weight of shipment.
	<u>LIST NO. 8:</u>	
	Any article named in this list when included in a mixed shipment with any article named in Lists Nos. 1 through 6 of Items Nos. 652-652 $\frac{3}{4}$ shall take the rates applicable to the articles they accompany, subject to the percentage restriction on the weights thereof as provided below:	
*653	Charcoal, crushed or ground, )	Not to exceed 33-1/3% of the total weight of the shipment.
	Fish Oil, ) Molasses, viz.: ) Blackstrap, ) Beet Sugar Final, ) Corn Sugar Final (Hydrol), )	Not to exceed 10% of the total weight of the shipment.
	Poultry Litter, viz.: ) Peat Moss, in packages, ) Pine Shavings, in packages, ) ground, ) Redwood Bark, in packages, ) Sugar Cane Pith, in packages, )	Not to exceed 20% of the total weight of the shipment.
	Shells, crushed, ) Shells, oyster, clam or mussel, ) whole or broken. )	Not to exceed 33-1/3% of the total weight of the shipment.
	<u>LIST NO. 9:</u>	
	Beans, castor, Seeds, viz.: Broom Corn, Flaxseed, Hemp,	Seeds, viz.: (Cont.) Millet, Rape, #bSesame, Wild Mustard.



LIST NO. 10:

Rice, viz.:  
Brewers,  
Cleaned, whole or broken (including  
rice screenings),  
Paddy (rough).

* Change	)	Decision No.	63379
# Addition	)		
o Reduction	)		

EFFECTIVE APRIL 21, 1962

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Correction No. 1223