

Decision No. 64146

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 carriers relating)
to the transportation of fresh or)
green fruits and vegetables and)
related items (commodities for)
which rates are provided in Minimum)
Rate Tariff No. 8).)

Case No. 5438
Petition for Modification
No. 31
(Filed March 1, 1962)

ORDER OF SUSPENSION

Calavo Growers of California and California Grape and Fruit Tree League filed on July 20, 1962 petitions seeking rehearing, re-consideration and modification of Decision No. 63918, dated July 10, 1962, in this proceeding. Under the terms of Section 1733 of the Public Utilities Code, the order stands suspended until the petition is granted or denied. As information to carriers and other parties affected, the suspended tariff provisions will be removed from the tariff pending final disposition of this matter.

Good cause appearing,

IT IS ORDERED that Minimum Rate Tariff No. 8 (Appendix "C" to Decision No. 33977, as amended) is hereby further amended by incorporating therein to become effective August 25, 1962, Nineteenth Revised Page 8 attached hereto and by this reference made a part hereof.

This order shall become effective on the date hereof.

Dated at San Francisco, California, this 21st day of August, 1962.

George G. Hoover
President

[Signature]

[Signature]

Frederic B. Hobbieff
Commissioner's

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES</p> <p>Rates in this tariff apply to transportation of the following commodities (See Exception):</p> <ul style="list-style-type: none"> Fruits, fresh or green (not cold pack nor frozen); Nuts, in the shell, Nuts, field shelled, subject to Note 2(g); Vegetables, fresh or green (not cold pack nor frozen), including mushrooms, fresh; Containers, empty, second-hand, returning from an out-bound paying load, of commodities for which rates are provided herein or forwarded for a return paying load, of commodities for which rates are provided in this tariff, subject to Note 1. <p>NOTE 1.-Highway carriers must determine before accepting shipment that said containers were moved filled and are being returned by the same carrier or carriers to consignor of the filled containers; or that containers shipped for return paying load will, when filled, move by the same carrier or carriers to the consignor of the original empty containers.</p> <p>EXCEPTION.-Rates in this tariff do not apply to transportation of:</p> <p>640 (a) Fresh or green fruits, nuts (in the shell or field shelled), fresh or green vegetables, or mushrooms, as described herein, when the point of destination of the shipment is a cannery, accumulation station, cold storage plant, precooling plant, or winery; nor to the empty containers used or shipped out for use in connection with such transportation, subject to Note 2.</p> <p>**(aa)</p> <p>(b) Fresh or green fruits, nuts (in the shell or field shelled), fresh or green vegetables or mushrooms, as described herein, when transported from the field or point of growth to a packing plant, ** or a packing shed; nor to empty containers used or shipped out for use in connection with such transportation, subject to Notes 2 and 3.</p> <p>(c) Citrus fruits when the point of destination of the shipment is within the Los Angeles Drayage Area, as described in Minimum Rate Tariff No. 5; nor to the empty containers used or shipped out for use in connection with such transportation.</p> <p>(d) Sugar beets when the point of destination of the shipment is a beet sugar factory or a railroad loading dump.</p> <p>(e) Property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services.</p> <p>NOTE 2.-For the purpose of this item, the following definitions will apply:</p> <p>(a) Packing Shed or Packing Plant:-Facilities maintained for assembling, sorting, grading, shelling, hulling, or packing the commodity for shipment.</p>

(b) Precooling Plant:-Facilities maintained for the purpose of pre-cooling commodities for shipment under refrigeration.

(c) Cold Storage Plant:-Facilities maintained for the storage of commodities under refrigeration.

(d) Cannery:-Facilities maintained for the processing of commodities at which the commodities are canned, preserved, dried, frozen, pickled, brined, or otherwise processed into manufactured products.

(e) Winery:-Facilities maintained for the purpose of producing vinous liquors, including wine, champagne and brandy.

(f) Accumulation Station:-Yards or open areas maintained for the receiving of unprocessed commodities from the field, and accumulation and consolidation of such commodities for shipment to a cannery, winery, cold storage plant or precooling plant.

(g) Field Shelled:-Rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed.

NOTE 3.-Except for the transportation of citrus fruits in field boxes or in bulk, carrots, avocados, or nuts (in the shell or field shelled), exemption does not apply when the distance between point of origin and point of destination exceeds 50 constructive miles computed in accordance with the provisions of Item No. 110.

**NOTE 4.

SHIPMENTS TO BE RATED SEPARATELY

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Each shipment shall be rated separately. Shipments shall not be consolidated nor combined by the carrier. Component parts of split pickup or split delivery shipments, as defined in Item No. 11, may be combined under the provisions of Items Nos. 170 and 180.

(1) This page is issued to remove provisions which were issued on Seventeenth Revised Page 8 and subsequently suspended by timely filings.

∅ Change)
* Addition) Decision No. 64146
** Eliminated)

EFFECTIVE AUGUST 25, 1962

Issued by the Public Utilities Commission of the State of California,
San Francisco, California.
Correction No. 286