

**ORIGINAL**Decision No. 65383

## 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  
 Petition for Modification  
 No. 283

Hugh F. McReynolds, for Campbell Soup  
 Company, petitioner.  
R. D. Toll, J. X. Quintrall and A. D. Poe,  
 for California Trucking Association,  
 interested party.  
John F. Specht, for the Commission staff.

O P I N I O N

This petition was heard and submitted before Examiner  
 Thompson at San Francisco on February 14, 1962.<sup>1/</sup>

Petition requests revision of Minimum Rate Tariff No. 2  
 so as to include "Macaroni, noodles, rice, spaghetti or vermicelli,  
 dry, not cooked, with cheese, fish, meat, poultry, vegetables or  
 other ingredients, in combined packages in boxes" in Item No. 245  
 of said tariff. Item No. 245 contains exception ratings applicable  
 to articles listed therein under the generic heading "Foodstuffs  
 for Human Consumption". Included in the list of articles are:

"Spaghetti and cheese or noodles and cheese, with  
 sauce, in combined packages in boxes (not less  
 than 55 percent of the gross weight of the com-  
 bined packages shall be that of the ingredients  
 named, in metal cans)."

<sup>1/</sup> The petition was consolidated for hearing with Petition No. 281  
 to accommodate the parties and witnesses. The petitions will  
 be decided separately.

Campbell manufactures certain foodstuffs marketed under the brand name "Franco American Family Recipe Dinners". The types of dinners include: tuna and noodles, rice and beef, spaghetti with tomato sauce, spaghetti with meat sauce and noodles and chicken. The ratings in Item No. 345 are applicable to the spaghetti dinners. The other dinners have virtually the same transportation characteristics as the spaghetti dinners. All of the dinners contain a package of noodles, pre-cooked rice, or spaghetti, and a can of sauce containing various ingredients. In all cases the ingredients in metal cans exceed 70 percent of the gross weight of the combined package. The densities of the various dinners range between 33 pounds and 40 pounds per cubic foot. The values are approximately the same for all dinners.

California Trucking Association did not oppose the application of the exception ratings in Item No. 345 to Franco American Family Dinners. It suggested that if the Commission finds the request to be reasonable the application of the ratings to the dinners be made subject to the same limitations and conditions presently prescribed for spaghetti dinners. It also suggested that the Commission by some choice of words make the ratings in Item No. 345 applicable to all dinners of this type regardless of ingredients.

We find that:

1. The six Franco American Family Dinners have virtually the same transportation characteristics.
2. In the course of transportation there is nothing that would distinguish one dinner from another.
3. The six dinners compete among themselves according to the tastes of the individual consumers.

4. Two of the dinners, namely the spaghetti and cheese with tomato sauce and the spaghetti and cheese with meat sauce are presently subject to the exception ratings in Item No. 345.

5. The exception ratings in Item No. 345 are also the reasonable minimum ratings for the other four dinners. ✓

6. With respect to the suggestion of California Trucking Association that the Commission make the ratings in Item No. 345 applicable to all combination dinners, the record herein does not disclose what other types of combination dinners are manufactured and the transportation characteristics of them.

The order herein will establish the exception ratings in Item No. 345 for the transportation of the dinners described herein subject to the same limitations and conditions presently prescribed for the spaghetti dinners.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff No. 2 is amended by incorporating therein, to become effective July 6, 1963, the following:

Thirty-third Revised Page 7  
Twenty-seventh Revised Page 8  
Twenty-sixth Revised Page 9  
Sixth Revised Page 37-D

which 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 made effective not earlier than the tenth day after the effective date of this order, and may be made effective on not less than ten 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 and maintaining the rates authorized hereinabove, are hereby authorized to depart from the provisions of Section 460 of the Public Utilities Code to the extent necessary to adjust long- and short-haul departures now maintained under outstanding authorizations; such outstanding authorizations are hereby modified only to the extent necessary to comply with this order; and schedules containing the rates published under this authority shall make reference to the prior orders authorizing long- and short-haul departures and to this order.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 14th day of May, 1963.

George J. Flower  
President

Everett C. McKeage

Frederick B. Holbrook

William G. Brunell

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Commissioners

Commissioner Everett C. McKeage, being necessarily absent, did not participate in the disposition of this proceeding.

## INDEX OF COMMODITIES (Continued)

COMMODITY	Item Number	COMMODITY	Item Number
Lime, Chlorinated	730	Meal, Velvet Bean	652-654 $\frac{1}{2}$
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
Liquids, cigar or cigarette lighter (M)	377.5, 723-726	Medicines	395
Liquors, Malt	360	Meters, water	376-5
Liquors, Vinous	360	Middlings	652-654 $\frac{1}{2}$
Lubricant, Grease Binder	377.5, 723-726	Military toilet kits	395
Lubricant, metal cutting, drawing or drilling (M)	377.5, 723-726	Milk (condensed, evaporated or sterilized), liquid	320
Lumber	690, 700, 710	Milk and cocoa compound	375
Lye, Concentrated	730	Milk, dried	345, 652-654 $\frac{1}{2}$
Macaroni (M)	652-654 $\frac{1}{2}$	Milk Food, other than malted, liquid	320
Macaroni, except canned	360	Milk Food, other than liquid, other than malted milk	375
Macaroni (prepared)	320, 360	Milk, Malted	360, 375
Macaroni and other ingredients	*345, 360	Milk Solids, dry	345
Machines, Oil well Pulling	365	Milk, sour, skim	652-654 $\frac{1}{2}$
Machines, Rotary Drilling	365	Milk Substitutes	345
Maize	652-654 $\frac{1}{2}$	Milo Maize	652-654 $\frac{1}{2}$
Malt	652-654 $\frac{1}{2}$	Mince Meat	320
Malt, milk and cocoa compound	360, 375	Mix, Pizza Pie	345
Malt Sprouts	652-654 $\frac{1}{2}$	Mixtures, Mineral	652-654 $\frac{1}{2}$
Malted milk	360, 375	Molasses	320, 652-654 $\frac{1}{2}$
Margarine (M)	315, 605	Molasses, Blackstrap	652-654 $\frac{1}{2}$
Mash	652-654 $\frac{1}{2}$	Molasses, Beet Sugar Final	652-654 $\frac{1}{2}$
Meal, Alfalfa	652-654 $\frac{1}{2}$	Molasses, Corn Sugar Final (Hydrol)	652-654 $\frac{1}{2}$
Meal, Babassu Nut	652-654 $\frac{1}{2}$	Monoglycerides of Fat-forming Acids	360, 730
Meal, Bean Straw	652-654 $\frac{1}{2}$	Mud Mixer Parts	365
Meal, Bone	652-654 $\frac{1}{2}$	Mustard	360
Meal, Blood	652-654 $\frac{1}{2}$	Mustard (prepared)	320
Meal, Clover	652-654 $\frac{1}{2}$	Noodles, except canned	360
Meal, Clover, ground	652-654 $\frac{1}{2}$	Noodles (M)	652-654 $\frac{1}{2}$
Meal, Coconut	652-654 $\frac{1}{2}$	Noodles (prepared)	320, 360
Meal, Copra	652-654 $\frac{1}{2}$	Noodles and other ingredients	345, *360
Meal, Corn Germ	652-654 $\frac{1}{2}$	Nuts, edible, shelled	360
Meal, Corn Oil (M)	652-654 $\frac{1}{2}$	Oats	652-654 $\frac{1}{2}$
Meal, dried Fruit Seed	652-654 $\frac{1}{2}$	Oats, rolled	652-654 $\frac{1}{2}$
Meal, Feather	652-654 $\frac{1}{2}$	Offal	652-654 $\frac{1}{2}$
Meal, Fish	652-654 $\frac{1}{2}$	Offal, Wheat Cereal	652-654 $\frac{1}{2}$
Meal, Flaxseed	652-654 $\frac{1}{2}$	Oil, cooking	320, 730
Meal, Fruit pomace	652-654 $\frac{1}{2}$	Oil, Fish (M)	652-654 $\frac{1}{2}$
Meal, Gluten	652-654 $\frac{1}{2}$	Oil, Olive	320
Meal (Grain)	652-654 $\frac{1}{2}$	Oil (other than medicinal) (M)	377.5, 723-726
Meal, Grass, dehydrated	652-654 $\frac{1}{2}$	Oil, petroleum medicinal (M)	377.5, 723-726
Meal, Hemp Seed	652-654 $\frac{1}{2}$		
Meal, Hull or Shell Nut	652-654 $\frac{1}{2}$		

Meal, Kapok Seed	652-654 $\frac{1}{2}$	Oil, Salad	320, 730
Meal, Linseed	652-654 $\frac{1}{2}$	Olives	320
Meal, Meat	652-654 $\frac{1}{2}$	Onion Chips	320
Meal, Mesquite (M)	652-654 $\frac{1}{2}$	Onion, Powdered	320
Meal, Molasses	652-654 $\frac{1}{2}$	Outfits, insect destroying (M)	377.5, 723-726
Meal, Oil Cake	652-654 $\frac{1}{2}$	Outfits, Oil, Water or Gas Well	365
Meal, Palm	652-654 $\frac{1}{2}$	Outfits, Wire Line Pumping	365
Meal, Palm Kernel	652-654 $\frac{1}{2}$	Packers	365
Meal, Peanut	652-654 $\frac{1}{2}$	Paint, asphaltic (M)	377.5, 723-726
Meal, Perilla	652-654 $\frac{1}{2}$	Paint, liquid (M)	377.5, 723-726
Meal, Perilla Seed	652-654 $\frac{1}{2}$	Paint, liquid or paste	377
Meal, Rape Seed	652-654 $\frac{1}{2}$	Paper, abrasive	302
Meal, Rice	652-654 $\frac{1}{2}$	Paper, emery	302
Meal, Safflower Seed	652-654 $\frac{1}{2}$	Parts, Boiler (M)	365
Meal, Sesame Seed	652-654 $\frac{1}{2}$	Parts, Mud Mixer	360
Meal, Soya Bean	652-654 $\frac{1}{2}$	Paste, Alimentary	360
Meal, Sunflower Seed	652-654 $\frac{1}{2}$	Paste, Confectioners'	360
Meal, Tomato Pomace	652-654 $\frac{1}{2}$	Paste, Tomato	320
Meal, Tucum Nut	652-654 $\frac{1}{2}$	Peanut Butter	320
Meal, Vegetable	652-654 $\frac{1}{2}$	Peanut Spread	320

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

♂ Change )  
 \* Addition ) Decision No. **65353**

EFFECTIVE JULY 6, 1963

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

Correction No. 1315

INDEX OF COMMODITIES (Continued)			
COMMODITY	Item Number	COMMODITY	Item Number
Peas, cow	652-654½	Rams, Bit	365
Peas, dried	652-654½	Ravioli (prepared)	320
Peas, split or whole(M)	652-654½	Red Dog	652-654½
Peat Moss	652-654½	Redwood Bark	652-654½
Pectin, Fruit or Vegetable	320	Reels, Measuring	365
Peel, Fruit, citrus, dried, flaked or granulated	652-654½	Reels, Sand	365
Pellets, beet pulp, dry	652-654½	Refuse, Bean or Pea	652-654½
Perfumery	395	Refuse, Fruit, dried	652-654½
Permanent hair-waving sets	395	Refuse, Potato Pulp	652-654½
Peroxide, Hydrogen	385	Repellents, insect (M)	377.5, 723-726
Petroleum and Petroleum Products as described in Western Classification	377.5, 723-726	Residuum, Distillery, Molasses, dry	652-654½
Petroleum Jelly	395	Residuum, Fish Oil	652-654½
Phosphate, Dicalcium	652-654½	Residuum, fruit or vegetable	652-654½
Pickles	320	Rice-and-Milk	320
Pie Mix, Pizza	345	Rice, Brewers'	652-654½
Pie Preparations	320	Rice, Cleaned	652-654½
Pies, not baked, frozen	377.6	Rice and other ingredients	*345, 360
Piling	690, 710	Rice, Paddy	652-654½
Pimentos	320	Rig Irons	365
Pins, wooden	365	Rings and Wedges	365
Pipe, cast or wrought iron or steel	365	Rods, Polished or Valve	365
Pipe, cast iron pressure	378	Rods, Pull (M)	365
Pipe, cast iron soil	378	Rods, Sucker	365
Pipe, plate or sheet iron or steel	365	Rope (M)	365
Pizza Pie Mix	345	Rope, Wire	365
Plasterboard joint compound	378.2	Rose Water	395
Plastics, Synthetic	378.5, 379	Running Gears, steam boiler (M)	365
Plugs, Cementing	365	Rye	652-654½
Plugs, Dry Hole	365	Saddles, Jack	365
Plywood	690, 710	Sago	360
Poles	690, 710	Sago (M)	652-654½
Polish, floor (M)	377.5, 723-726	Salad Dressing Preparations	360
Polish, furniture (M)	377.5, 723-726	Salads, Fish, Macaroni, Meat or Vegetable	360
Polish, metal (M)	377.5, 723-726	Salt	380
Polish, Rice	652-654½	Salt (M)	360
Polish, vehicle (M)	377.5, 723-726	Sandpaper	302
Pomace, Fruit	652-654½	Sand Reels	365
Pomace, Grape	652-654½	Sandwich Spreads	320, 345
Popcorn, not popped	360, 652-654½	Sauce, pepper	320
Popped Corn (M)	360	Sauces, table	320
Porter	310, 360	Sausage	320
Posts	690, 710	Sausage casings	320
Potatoes, cooked and powdered, other than frozen	360		

Potatoes, processed, cooked and powdered	320	Savers, Oil	365
Potato Chips (M)	360	Shives, Flax, cut or ground	652-654½
Pot Scourers (M)	360	Scourings	652-654½
Poultry Litter	652-654½	Scrap, Fish	652-654½
Powder, Baking or Yeast	360	Scraps, dried meat	652-654½
Powder, Icing	334½	Screenings, Alfalfa Seed	652-654½
Powder, Sachet or Toilet	395	Screenings, Bean or Pea	652-654½
Powders, Citrus Fruit Juice	360	Screenings, Flaxseed	652-654½
Power Pumps (M)	365	Screenings, Grain, ground	652-654½
Powers, Pumping	365	Screenings, Grain, unground	652-654½
Preservatives, wood (M)	377.5, 723-726	Screenings, Millet	652-654½
Protectors, Box and Pin	365	Screenings, Paddy Rice	652-654½
Puddings	320	Screenings, Pea	652-654½
Pulleys, Tug	365	Seed, Broom Corn	652-654½
Pull Rod Blocks, wooden	365	Seed, Flaxseed	652-654½
Pulp, Beet	652-654½	Seed, Hemp	652-654½
Pulp, Dried Fruit	652-654½	Seed, Melilotus	652-654½
Pulp, Fruit, citrus, dried, flaked or granulated	652-654½	Seed, Millet	652-654½
Pulp, Fruit or Vegetable	320	Seed, Rape	652-654½
Pummies	652-654½	Seed, Sesame	652-654½
Pumps, Power (M)	365	Seed, Sorghum	652-654½
Puree, Tomato	320	Seed, Sunflower	652-654½
		Seed, Sweet Clover	652-654½

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

Change }  
\* Addition } Decision No. 65383

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San Francisco, California.  
Correction No. 1316



## INDEX OF COMMODITIES (Concluded)

COMMODITY	Item Number	COMMODITY	Item Number
Seed, Vetch	652-654 $\frac{1}{2}$	Tank Steel (M)	365
Seed, Wild Mustard	652-654 $\frac{1}{2}$	Tapioca	360, 652-654 $\frac{1}{2}$
Seeds, dried fruit	652-654 $\frac{1}{2}$	Tec	360
Seeds, refuse or screening	652-654 $\frac{1}{2}$	Temper Screws	365
Semolina	652-654 $\frac{1}{2}$	Templates, Box and Pin	365
Semolina and Grain Flour	652-654 $\frac{1}{2}$	Thief Hole Covers	365
Shakes	690, 710	Ties, railroad	690, 710
Shallu	652-654 $\frac{1}{2}$	Timbers	690, 700, 710
Shampoo	395	Titanium Dioxide	365
Sheets, sawdust or ground wood, compressed	690, 710	Toilet Preparations	365
Sheets, synthetic plastic	378.5	Tongs, pipe	365
Shellacs	377	Tools, Drilling or Fishing	365
Shells (M)	652-654 $\frac{1}{2}$	Tools, Mechanics (M)	365
Shingles	690, 710	Tooth Brushes	395
Shoes, Casing	365	Towers, Atmospheric Water Cooling (M)	365
Shook, box or crate	690, 710	Traveling toilet kits	395
Shortening	360	Triglycerides of Fat-forming Acids	360, 730
Shorts	652-654 $\frac{1}{2}$	Trucks, Steam Boiler (M)	365
Shrock Kaffir	652-654 $\frac{1}{2}$	Tubes, Boiler	365
Skimmings	652-654 $\frac{1}{2}$	Tubing, iron or steel, Plate or Sheet Cast or Wrought	365
Slips	365	Tubs, Cooling	365
Smokestacks (M)	365		
Soap	730	Underreamers	365
Soap, liquid	377.5, 723-726, 730		
Soap, Powder	730		
Soda, Washing	730		
Solutions of Hydrogen Peroxide	380.5		
Solvent (M)	377.5, 723-726		
Solvent, Drain pipe	730		
Sorghum	652-654 $\frac{1}{2}$		
Soups	320		
Spaghetti (M)	652-654 $\frac{1}{2}$		
Spaghetti, except canned	360		
Spaghetti (prepared)	320, 360		
Spaghetti and other ingredients	345, *360		
Spelt	652-654 $\frac{1}{2}$		
Spices	360		
Spiders	365		
Spreads, sandwich	320	Valves (M)	365
Sprouts, Malt	652-654 $\frac{1}{2}$	Valves, Pump Working Barrel	365
Spudding Shoes and Rings	365	Varnish	377
Stain, wood (M)	377.5, 723-726	Vegetable Oil	
Starch, liquid	730	Shortening	730
Steam Boiler Trucks (M)	365	Vegetables (not dehydrated, dried evaporated nor fresh)	320
Steel, plate or sheet (M)	365	Veneering	690, 700, 710
Steel Wool and Soap, combined (M)	360	Vernicelli (M)	652-654 $\frac{1}{2}$
Stirrups, Disconnecting	365		
Stout	310, 360		
Sugar	390, 740, 745, 755		
Swabs	365		

Swivels, Hydraulic		Vermicelli, except canned	360
Rotary	365	Vermicelli (prepared)	320,360
Syrup	320	*Vermicelli and other ingredients	345,360
Syrup, Fruit	360	Vinegar	320
Syrup, Malt	360	Wagons, Casing or Bit	365
		Washing Powders	730
		Washing Soda	730
		Waste Cotton Gin	652-654½
		Wax, automobile, boat, floor or furniture (M)	377-5,723-726
Table Sauces	320	Wax, Laundry Compound	360
Tailings, rice mill	652-654½	Wedges	365
Tankage, rendered, dry	652-654½	Welsh Rarebit	320
Tanks, Iron or Steel (M)	365	Wheat	652-654½
Tanks, oil and gas separating (M)	365	Wheat, Egyptian	652-654½
		Wheels, Band, Bull or Calf	365
		Wheels, Grinding, alundum, corundum or emery	302
		Whey, condensed, dried or powdered	345,652-654½
		Witch hazel extract	395
		Wine	400
		Wire Rope (M)	365
		Wobblers	365
		Wood Preservatives (M)	377-5,723-726
		Wrenches	365
		Yeast	360
		Yeast, residual or dried	652-654½

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

♂ Change }  
 \* Addition } Decision No. **65383**

EFFECTIVE JULY 6, 1963

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San Francisco, California.

Correction No. 1317

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)	
	EXCEPTIONS TO WESTERN CLASSIFICATION AND EXCEPTION SHEET (Continued)	Class Rating
	FOODSTUFFS FOR HUMAN CONSUMPTION, viz.:	
	Fish, cooked, pickled or preserved, with or without fruit or vegetable ingredients, in bulk in boxes,	
	*Macaroni, noodles, rice, spaghetti or vermicelli, dry, not cooked, with cheese, fish, meat or poultry, vegetables or other ingredients, in combined packages in boxes (not less than 55 percent of the gross weight of the combined packages shall be that of the ingredients named, in metal cans),	
	Meats, cooked, cured or preserved, with or without cereal or vegetable ingredients, in bulk, in crates or boxes, or in inner containers or packages, other than those specified in Item No. 320, in crates or boxes,	
	Milk (not malted), Buttermilk (not casein), Dry Milk Solids, powdered or flaked, or Whey, condensed or powdered, in inner containers of earthenware, glass, metal cans or packages, in outer containers of boxes; or in bulk in barrels, fibre cans, boxes, double bags or multiple-wall paper bags,	
ø345	(2) Milk or Cream Substitutes, processed from vegetable, soybean or grain products, with or without other ingredients, in hermetically sealed glass or metal containers in boxes,	
	Pizza Pie Mix, consisting of flour, yeast and sauce with or without cheese, in combined packages in boxes (not less than 50 percent of the gross weight of the combined packages shall be that of the ingredients named, in metal cans),	
	Sandwich Spreads, including cheese spreads, in paper cartons in boxes,	
	Spaghetti and Cheese or Noodles and Cheese, with sauce, in combined packages in boxes (not less than 55 percent of the gross weight of the combined packages shall be that of the ingredients named, in metal cans),	
	Less carload _____	90% of L
	Carload:	
	Minimum Weight 30,000 Pounds _____	5
	Minimum Weight 36,000 Pounds _____	B
	Minimum Weight 42,000 Pounds _____	C
	Minimum Weight 45,000 Pounds _____	(1)D
	(1) Not applicable to shipments which are subject to charges for temperature control service.	
	(2) Subject only to the less carload rating shown in this item.	
	Not subject to Item No. 300, see Note 1.	

NOTE 1.-(a) Rates or ratings applicable on shipments in boxes will apply also to such shipments in fibreboard boxes in metal strapped bundles or crates.

(b) 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.

350	<p>Fruit, Dehydrated, Dried or Evaporated, as described under that heading in the Western Classification. (See Item No. 40).</p> <p>Less carload -----</p> <p>Carload:</p> <p>Minimum Weight 30,000 pounds -----</p> <p>Minimum Weight 42,000 pounds -----</p>	<p>90% of 4</p> <p>5</p> <p>C</p>
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ø Change )  
 \* Addition ) Decision No. 65383  
 ÷ Reduction)

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 Correction No. 1318