

**ORIGINAL**Decision No. 67980

## 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  
 (Order Setting Hearing,  
 Dated February 4, 1964)

SUPPLEMENTAL OPINION AND ORDER

By Decision No. 67974, entered today in Case No. 5432, et al., the Commission found that "disaster supplies" should be exempted from the minimum rates.

The aforesaid decision also found that in order to avoid duplication of tariff distribution, Minimum Rate Tariff No. 8 should be amended by separate order.

IT IS ORDERED that Minimum Rate Tariff No. 8 (Appendix C to Decision No. 33977, as amended) is further amended by incorporating therein, to become effective November 14, 1964, Sixth Revised Page 7 attached hereto and by this reference made a part hereof.

In all other respects, said Decision No. 33977, as amended, shall remain in full force and effect.

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

Dated at San Francisco, California, this  
6<sup>th</sup> day of OCTOBER, 1964.

Frederick B. Holdstock  
 President  
George T. Trover  
William L. Brundage

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

Commissioners

Item No.	SECTION NO. 1 - RULES AND REGULATIONS OF GENERAL APPLICATION (Continued)
	<p style="text-align: center;">APPLICATION OF TARIFF - COMMODITIES (Items Nos. 40 and 41)</p> <p>Rates in this tariff apply to transportation of the following commodities (See Exception):</p> <p>Fruits, fresh or green, in their natural form, including dates, fresh (not cold pack nor frozen), subject to Note 2(h);</p> <p>Mushrooms, fresh (not cold pack nor frozen);</p> <p>Nuts, in the shell;</p> <p>Nuts, field shelled, subject to Note 2(g);</p> <p>Vegetables, fresh or green, in their natural form, including mushrooms, fresh (not cold pack nor frozen), subject to Note 2(h);</p> <p>Containers, empty, second-hand, returning from an outbound 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> <p>Containers, empty, for which rates are provided in Section No. 4 of this tariff;</p> <p>Trailers, railroad-owned, for which rates are provided in Item No. 309 of this tariff.</p> <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>(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, 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) Fresh or green fruits, fresh or green vegetables, or mushrooms, as described herein, moving to a cold storage plant to be held for interim storage for a subsequent movement to a cannery, subject to Notes 2 and 4.</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, cold storage plant, or a packing shed, nor when transported between packing sheds, subject to Notes 2, 3 and 5.</p> <p>(bb) Empty containers used or shipped out for use in connection with transportation described in paragraph (b) above, subject to Notes 2 and 3.</p>

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(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.

(d) Sugar beets when the point of destination of the shipment is a beet sugar factory or a railroad loading dump.

(e) Property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services.

\*(f) Disaster Supplies, i.e., those commodities which are allocated to provide relief during a state of extreme emergency or state of disaster; and those commodities which are transported for a civil defense or disaster organization established and functioning in accordance with the California Disaster Act to ultimate point of storage or use prior to or during a state of disaster or state of extreme emergency.

(Continued in Item No. 41)

Ø Change )  
\* Addition) Decision No. 67980

EFFECTIVE NOVEMBER 14, 1964

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

Correction No. 399