

Decision No. 80771**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 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 Mini-
mum Rate Tariff No. 2).

Case No. 5432
Petition for Modification
No: 685

(Filed January 6, 1972;
Amended March 6, 1972 and
September 11, 1972.)

O P I N I O N

Petitioners Foremost Foods Company, a division of Foremost-McKesson, Inc., and Challenge Foods Co. seek certain changes in Minimum Rate Tariff 2 (MRT 2). Specifically, petitioners seek to amend Items 40, 41 and 42 of MRT 2 by revising Note 2 as follows:

NOTE 2:

- (a) Except as provided in paragraph (b), exemption applies only in connection with straight or mixed shipments of commodities making reference hereto and only when shipped in quantities of not less than 20,000 pounds.
- (b) The provisions of paragraph (a) of this note do not apply in connection with:
 - (1) The transportation of Eggs moving in straight shipments from point of production.
 - (2) Shipments moving in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles or in milk shipping cans from point of production.

Presently Note 2 provides: "Exemption applies only when commodities flagged subject to this note are shipped in milk shipping cans, in bottles in cases or crates, or in bulk in tanks." Petitioners also

seek to make cottage cheese; eggs, other than shelled, desiccated or frozen; ice cream mix, unflavored, and pot cheese subject to petitioners' proposed revision of Note 2. Said commodities are not now subject to Note 2.

Petitioners also seek to amend Item 335.5 of MRT 2 by changing the title of said item from "Dairy and Related Product, viz." to "BUTTER, CHEESE, MARGARINE, EDIBLE OIL PRODUCTS AND RELATED ARTICLES, viz.:" adding the following note to be applicable to cheese and cheese foods (55470):

Note 1: Provisions making reference hereto are not applicable in connection with shipments of the following:

Cheese, viz.: Bakers curd or cottage cheese, with or without flavoring, fruit or vegetables, creamed or other than creamed.

Petitioners further seek to establish a new tariff item (Item 335) covering shipments of specific dairy products and related articles in mixed shipments.

Petitioners allege that following many months of negotiation among producers and shippers of dairy products and other commodities, and the carriers who serve them, the sought proposal was agreed upon for establishing and modifying rates, rules and regulations for the transportation of specified dairy products and mixed shipments thereof with other commodities. Petitioners further allege that because of the confusion and uncertainty resulting from the application of the rates and rules now provided for the transportation of dairy products and particularly mixed shipments thereof with other commodities, and, further, because of the excessive documentation required with respect to mixed shipments and, further, because of the unsuitability of the rates and rules to those shipments, the shippers and carriers of these products have joined together to develop a workable, satisfactory and compensatory proposal.

Petitioners aver that the establishment of new Item 335 will be complementary to the present Item 335.5. This means that

the rate levels for the various dairy products involved and mixed shipments including dairy products will be consistent.

Petitioners aver that unless immediate relief is granted they will be forced, through economic necessity, to resort to proprietary carriage, in which event the subject traffic will be lost to common carriers for the foreseeable future.

California Trucking Association, California Manufacturers Association and Traffic Managers Conference of California filed protests to the petition; however, such protests were withdrawn subsequent to the filing of the second amendment to the petition.

After consideration the Commission finds that:

1. There is a need for the transportation of dairy products which are presently subject to rates in MRT 2 in mixed shipments with dairy products which presently are exempt from the provisions of MRT 2.
2. Item 90 of MRT 2 prohibits the transportation of mixed shipments described in Finding 1.
3. Should the prohibition not be modified it is possible that certain traffic of dairy products presently enjoyed by for-hire carriers may be diverted to proprietary carriage.
4. The proposed modification of MRT 2 will permit the transportation of mixed shipments of dairy products and related products presently prohibited by Item 90 of MRT 2.
5. A public hearing is not necessary.
6. The Commission has previously concluded that findings pursuant to Rule 23.1 of the Commission's Rules of Procedure entitled "Compliance with the Economic Stabilization Act of 1970" are inappropriate and unnecessary in connection with classification changes such as are involved in this proceeding.

Based on the above findings the Commission concludes that the petition should be granted.

O R D E R

IT IS ORDERED that:

1. Minimum Rate Tariff 2 (Appendix D to Decision No. 31606, as amended) is further amended by incorporating therein to become effective January 13, 1973, the revised pages contained in Appendix A attached hereto and made a part hereof.

2. Tariff publications resulting in increases authorized to be made by common carriers as a result of the order herein shall be filed not earlier than the effective date of this order and may be made effective not earlier than the tenth day after the effective date of this order, on not less than ten days' notice to the Commission and to the public; such authority herein granted shall expire unless exercised within sixty days after the effective date of this order; and tariff publications resulting in reductions 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.

4. Common carriers subject to the Public Utilities Act, to the extent that they are subject also to Decision No. 31606, as

amended, are hereby authorized to establish in their tariffs the increases necessary to conform with the further adjustments ordered herein.

5. Common carriers maintaining rates on the same level as Minimum Rate Tariff 2 rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 2 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 2 rates herein.

6. Common carriers maintaining rates at levels other than the minimum rates for the transportation of commodities and/or for transportation not subject to Minimum Rate Tariff 2 are authorized to increase said rates by the same amounts authorized for Minimum Rate Tariff 2 rates herein.

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

Dated at San Francisco, California, this 5th day of DECEMBER, 1972.

President
William J. Quinn

J. J. McKeen

Thomas Moran
Commissioners

I abstain
Yunon L. Stungen
Commissioner

Commissioner Thomas Moran, being necessarily absent, did not participate in the disposition of this proceeding.

C. 5432 (Pet. 685) - ams

APPENDIX A

LIST OF REVISED PAGES TO MINIMUM RATE TARIFF 2

FORTIETH REVISED PAGE 4
FIFTY-EIGHTH REVISED PAGE 5
EIGHTH REVISED PAGE 5-A
FORTIETH REVISED PAGE 6
FIFTY-THIRD REVISED PAGE 7
FORTY-SEVENTH REVISED PAGE 9
FIFTY-EIGHTH REVISED PAGE 14
FIFTY-SEVENTH REVISED PAGE 15
TWENTIETH REVISED PAGE 15-A
FIRST REVISED PAGE 37-AAA
ORIGINAL PAGE 37-AAAA
ORIGINAL PAGE 37-AAAAA

(END OF APPENDIX A LIST)

INDEX OF COMMODITIES

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Acid, Boracic	730-732	Beverage Containers	330
Air Compressors (M)	365	Beverage Preparations	*335.7, 360
Ale	310, 360	Beverages	316, 360
Alfalfa, chopped and pressed, dried	652-654	*Beverages, flavored (M)	335.7
Ammonia, cleaning	730-732	Beverages, Malt or Cereal	310
Animal Feed	338, 620, 630	Bits, Drilling	365
Anvils (M)	365	Bleach, Laundry	730-732
Apples, dried	350	Blocks, building	334.8
Arms, Cross, wooden	690, 710	Bluing, Laundry (M)	360
Articles, concrete or tile	318	Boards	690, 710
Articles, iron or steel	760, 764, 765	Boiler Flues	365
Articles, paper	770	Boiler Parts (M)	365
Asphalt, Liquid	377.5, 723-726	Boilers (M)	365
Asphalt, Solid	303	Boiler Tubes	365
Atmospheric Water Cooling Towers (M)	365	Books, School Textbooks	317
Bakery Goods	*335.7, 360	Borax	730-732
Bananas, powdered	350	Boxes, Planter	758
Barrels, Pump Working	365	Brandy	360
Bars, Grate	365	Breads	320
Batteries, electric (M)	377.5, 723-726	Brick, Fire (M)	365
*Bean Dip (M)	335.7	Brine	320
Beans, Castor	652-654	Broths	320
Beans and Pork	320-1	Butter	335.5
Beers	310, 360	Butter, Fruit	320
Belts (M)	365	Butter, Peanut	320-1
		Buttermilk	320, 345

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

* Addition, Decision No.

80771

EFFECTIVE

Correction

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
SAN FRANCISCO, CALIFORNIA.

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Candles (M)	377.5,723-726	Cocoa	360
Candy	318-1,360	Cocoanut, prepared	333.5
Candy coating, other than chocolate	360	Coffee	360
Canned Goods	320-320-1,620,630	Coffee, extract of (condensed or instant), dry	360
Cans	772	Coffee Substitutes	360
Carriers (used packages), malt or cereal beverage	331	Coloring, Confectioners*	360
Carriers (used packages)	330.6,331	Compound, cleaning (M)	377.5,723-726
Carts, Freight	331	Compound, electrical insulating (M)	377.5,723-726
Catsup	320-1	Compound, metal cutting, drawing or drilling (M)	377.5,723-726
Cement, pipe fitting (M)	377.5,723-726	Compound, paint thinning (M)	377.5,723-726
Cereal and Nuts combined	360	Compound, pneumatic tire mounting (M)	377.5,723-726
Cereal Food Preparations (M)	360	Compound, radiator cleaning (M)	377.5,723-726
Cheese	335.5,*335.6,*335.7	Compound, rust preventing or removing (M)	377.5,723-726
Cheese Foods	335.5	Compound, type cleaning (M)	377.5,723-726
Chili, ground	320	Compound, waterproofing (M)	377.5,723-726
Chips, Wood	635-636	Compounds, ammonia	730-732
Chloride of Lime Bleach	730-732	Compounds, antifreeze (M)	377.5,723-726
Chocolate	318-1,360	Compounds, buffing or polishing	730-732
Chocolate Coating	318-1,360	Compounds, carbon, gum or sludge removing (M)	377.5,723-726
Chowders	320	Compounds, Cleaning, Scouring or Washing	730-732
*Cider (M)	335.7		
Citrus Fruit Juice Powders or Crystals	360		
Clay, Fire (M)	365		
Coating, candy, other than chocolate	360		
Coating, Chocolate	318-1,360		

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INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Compounds, Flavoring	360	*Dairy Products and Related Articles	335.6
Compounds, floor hardening(M)	377.5, 723-726	Deodorants	730-732
Compounds, Food Curing, Pre-serving or Seasoning	360	Dessert Preparations	360
Compounds, Lard	335.5	*Dessert Toppings(M)	335.7
Compounds, Lubricating and cleaning	730-732	*Diglycerides of Fat-forming Fatty Acids	335.5
*Compounds, Malt or Milk and Chocolate or Cocoa(M)	335.7	Disinfectants	730-732
*Compounds, Milk, Cream or Vegetable Oil(M)	335.7	Dough, prepared	336
Compounds, Mud Treating	365	Drain Pipe Solvent	730-732
Compounds or Mud, well drill-ing	365	Dressing, Automobile Top(M)	377.5, 723-726
Compounds, water softening or purifying	730-732	Dressing, rubber(M)	377.5, 723-726
Concrete products and related articles	334.8	Dressing, Salad	320-1
Confectionery	318.1, 360	Dressing, shoe(M)	377.5, 723-726
Containers, aluminum bulk shipping	330	Drink, fruit	320
Containers (used packages)	330.6-331	Dry Milk Solids	345
Containers (used packages), malt or cereal beverage	331	*Eggs	335.6
Corn	320-1	Egg Yolk	320
*Cream, NOI	335.6	Eggs, Shelled	360
Cream, Pasteurized	345	Engines(M)	365
Cream, Sterilized	*335.7, 345	Ether(M)	377.5, 723-726
Cream Substitutes	*335.7, 345	Exterminators, vermin(M)	377.5, 723-726
Cribbing	334.8	Extracts	360
Cross Arms, wooden	690, 710	Extracts, coffee or tea (condensed or instant), dry	360
Crystals, Citrus Fruit Juice	360	Farina	652-654
Cylinders, Well Pump	365	Feed as described under the heading of "Feed Group" in the Governing Classification, not frozen	652-654
		Feed, Animal	338, 620, 630
		Feed, Animal or Poultry	652-654

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* Change)
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DISCUSSION

Correction

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Limestone, crushed or ground (feed grade)	652-654½	Milk Substitutes	*335.7, 345
Lime, Chlorinated	730-732	Mince Meat	320
Liquid, cigar or cigarette lighter (M)	377.5, 723-726	Mineral Mixtures	652-654½
Liquors, Malt	360	Mix, Pizza Pie	345
Liquors, Vinous	360	Mixtures, Mineral	652-654½
Litter, Poultry (M)	652-654½	Molasses	320-1
Loins, fish, frozen	775	Molasses (M)	652-654½
Lubricant, Grease Binder	377.5, 723-726	Monoglycerides of Fat-forming	
Lubricant, metal cutting, drawing or drilling (M)	377.5, 723-726	Fatty Acids	335.5
Lumber	685, 690, 700, 710	Mud or Compounds, well drilling	365
Lye, Concentrated	730-732	Mushrooms	320-1
Macaroni, except canned	360	Mustard	360
Macaroni (prepared)	320	Mustard, prepared	320-1
Macaroni, dry, and other ingredients	345, 360	Noodles and Cheese	345
Malted Milk	360	Noodles, except canned	360
Manholes	334.8	Noodles (prepared)	320
Material, roofing, building or paving	761, 762, 767	Noodles, dry, and other ingredients	345, 360
Mayonnaise	320-1, *335.7	Nuts, edible, shelled	350, 360
Meal, feather	652-654½		
Meat (Animal Feed)	338	Oil, Cooking	320-1, 335.5
Meat, other than fresh	360	Oil, Olive	320-1
Meat Substitutes	360	Oil (other than medicinal) (M)	377.5, 723-726
Meats, cooked, cured or preserved	320, 345	Oil, petroleum medicinal (M)	377.5, 723-726
Meats, fresh	376	Oil, Salad	320-1, 335.5
Mechanics' Tools (M)	365	Oleomargarine	335.5
Milk	*335.6, 345	Olives	320-1
Milk (condensed, evaporated or sterilized)	320, *335.7	Onion Chips	320
Milk Food, other than malted, liquid	320, *335.7	Onion, Powdered	320
Milk, Malted	360	Outfits, insect destroy-ing (M)	377.5, 723-726
Milk, Pasteurized	345	Outfits, Oil, Water or Gas Well	365
Milk, Solids, dry	345		
Milk, Sterilized	320, *335.7, 345		

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Correction

INDEX OF COMMODITIES (Continued)

Only those articles which are named in commodity rate items or in Exceptions to the Governing Classification and Exception Ratings Tariff are shown in the following list.

COMMODITY	ITEM	COMMODITY	ITEM
Salad Dressing Preparations, dry	360	Solvent (M)	377.5, 723-726
*Salads (M)	335.7	Solvent, Drain pipe	730-732
Salads, Fish, Macaroni, Meat or Vegetable	320-1, 360	Soups	320
Salt, common	380	Sour, laundry	730-732
Salt (M)	360	Soybean Milk Compound	320-1
Sandwich Spreads	320-1, *335.7, 345	Spaghetti and Cheese	345
Sauce, pepper	320-1	Spaghetti, except canned	360
Sauces, table	320-1	Spaghetti (prepared)	320
Sausage	320-1	Spaghetti, dry, and other ingredients	345, 360
Sausage casings	320-1	Spices	360
Sawdust, Wood	729	Spreads, sandwich	320-1, 345
Sawmill Refuse	729	Stain, wood (M)	377.5, 723-726
Seeds as described under that heading in the Governing Classification	383, 652-654	Starch	730-732
Shakes	690, 710	Steam Boiler Trucks (M)	265
Shavings, Wood	729	Steel, plate or sheet (M)	365
Sheets, sawdust or ground wood, compressed	690, 710	Steel Wool and Soap, combined (M)	360
Shells, cocoa bean	652-654	Stout	310, 360
Shells, Nut	652-654	Sugar	390, 740, 745, 755
Shingles	690, 710	Sugar, beet or cane	390
Shook, box or crate	690, 710	Sugar, corn, sorghum grain or wheat	390
Shortening	335.5	Supplies, Oil, Water or Gas Well	365
Smokestacks (M)	365	Syrup	320-1
Soap	730-732	Syrup, Malt	360
Soap, liquid (M)	377.5, 723-726	*Syrups, flavoring or fruit (M)	335.7
Soap, liquid	730-732	Syrups, Fruit	360
Soap, powder	730-732	Table Sauces	320-1
Soda, Washing	730-732	Tankage	759
Sodium Hypochlorite Solution	730-732	Tanks, steel (M)	365
Softeners, textile	730-732	Tapioca	360
*Solids, Milk, Cream, Butter-milk or Dry Milk (M)	335.7		

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EFFECTIVE

Correction

ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA,
SAN FRANCISCO, CALIFORNIA.

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES (Items 40, 41 and 42)</p> <p>Rates in this tariff apply for the transportation of all commodities except as follows:</p> <p>Accessories, motion picture, Automobiles, set up, Automobile parts, accessories and related articles in secondary movement by Truckaway Service when subject to the rates and rules set forth in Minimum Rate Tariff 12, Baggage, Buttermilk, liquid (Subject to Note 2), Carriers (used packages), as described in Items 320 and 321 of the Exception Ratings Tariff, empty returning or forwarded for return loads (Subject to Note 1), Cement, hydraulic, masonry, natural or Portland--also lime, common (including magnesium lime, hydrated or hydraulic lime, quick or slaked), cement fine dust, and/or limestone, powdered, shipped in mixed shipments with cement--when transported in shipments of 47,500 pounds or more, or when transported in shipments of lesser weights subject to the rates, rules and regulations, including the minimum charge computed on a minimum weight of 47,500 pounds, which are set forth in Minimum Rate Tariff 10, Cement Clinker, Commodities as described in and for which rates are provided in Minimum Rate Tariff 14-A, Commodities of abnormal size or weight which because of such size or weight require the use of and are transported on low bed trailers, Commodities when transported in an armored car operated under permit from the Commissioner of the California Highway Patrol, Commodities when transported in dump trucks, for which rates are provided in Minimum Rate Tariffs 7 and 17, Commodities when transported under the vehicle unit rates and rules of Minimum Rate Tariff 15, Commodities which consist of or contain materials essential to National Defense and which have been donated to and are transported for the United States Government, governmental agencies, or nonprofit organizations acting for or in behalf of said government in the collection, assembly or transportation of said commodities in connection with the recovery of said essential materials from the commodities transported, Commodities which have been sold at retail by a retail merchant, and transported from a retail store or retail store warehouse to residences of retail customers, or transported from residences of retail customers to retail stores or retail store warehouses, and such transportation is performed in vehicles in the exclusive use of the retailer and providing no shipment exceeds 2,000 pounds in weight; further, that the merchandise is for the use or consumption of retail customers and is not for use in the furtherance of an industrial or commercial enterprise; and provided that the retailer shall certify on the shipping document for each delivery that the merchandise was sold at retail to a retail customer, Concrete transported in motor vehicles equipped for mechanical mixing in transit, Cottage Cheese *(Subject to Note 2), Cotton, Cream (Subject to Note 2), Directories, telephone, 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 ordering a state of disaster or state of extreme emergency, Eggs, other than shelled, desiccated or frozen *(Subject to Note 2), Fertilizers, as described in Items 540, 560 and 580 of the Exception Ratings Tariff, Film, motion picture, Fruit, dried, unmanufactured and unprocessed (Subject to Note 4), Fruit, fresh or green, including dates, fresh (not cold pack nor frozen), Fruits, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled fruit, Fungicides, agricultural,</p> <p style="text-align: right;">(Continued in Item 41)</p>	<p>640</p>
<p> * Change) * Addition) Δ Change, neither increase) nor reduction) </p>	<p>Decision No. 80771</p>
EFFECTIVE	
<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p> <p>Correction</p>	

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES (Continued) (Items 40, 41 and 42)</p> <p>Rates in this tariff apply for the transportation of all commodities except as follows:</p> <p>Furniture, household appliances and other home furnishings which have been sold at retail by a retail merchant, transported from retail stores or retail store warehouses, or transported from retail customers to retail stores or retail store warehouses (Subject to Note 3).</p> <p>Furniture, uncrated, new, as described in and for which rates are provided in Minimum Rate Tariff 11-A, and furniture, uncrated, new, of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services.</p> <p>Hops.</p> <p>Houses which have been disengaged from their foundations, or sections thereof and integral parts or contents when the contents are transported within the houses.</p> <p>Hulls, almond, including shells and other waste from the hulling and shelling of almonds, not processed for use as animal or poultry feed.</p> <p>Ice Cream Mix, unflavored *(Subject to Note 2).</p> <p>Insecticides, agricultural.</p> <p>Jewelry transported from or to wholesale houses in packages weighing 10 pounds or less.</p> <p>Δ Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles. *The terms "tank trucks, tank trailers and tank semi-trailers" include any truck, trailer or semi-trailer with carrier or shipper provided collapsible tanks or bags 20 feet or more in length, 2,000 gallons or more in capacity and 20,000 pounds or more weight carrying capacity (Subject to Note 8).</p> <p>Livestock.</p> <p>Logs (wood).</p> <p>Milk, liquid (Subject to Note 2).</p> <p>Mushrooms, fresh (not cold pack nor frozen).</p> <p>Newspapers, newspaper supplements, sections or inserts (not scrap or waste).</p> <p>Nuts, in the shell.</p> <p>Nuts, field shelled (rough shelled, with or without removal of broken shells, dirt, residue, or foreign material, and not cleaned nor further processed).</p> <p>Optical goods transported from or to wholesale houses in packages weighing 10 pounds or less.</p> <p>Pits, fruit.</p> <p>Δ Pot Cheese *(Subject to Note 2).</p> <p>Poultry, live.</p> <p>Δ Pozzolan in bulk, when loaded and unloaded pneumatically and when the loads are compacted pneumatically in the loading process and when transported in shipments of 47,500 pounds or more (or when transported in shipments of lesser weights) subject to the rates and miles, including the minimum charge computed on a minimum weight of 47,500 pounds, which are set forth in Minimum Rate Tariff 10 (Subject to Note 9).</p> <p>Property of the United States, or property transported under an agreement whereby the United States contracted for the carrier's services.</p> <p>Property shipped to or from producers of motion pictures or television shows when transported subject to the rates, rules and regulations provided by Decision No. 33226, in Cases Nos. 4246 and 4434, as amended.</p> <p>Δ Property transported to a United States Post Office for mailing and United States mail transported from a post office to the addresses thereof (Subject to Note 6).</p> <p>Property which is exempt from regulation by the Interstate Commerce Commission under Sections 203(b)(6) and 203(b)(8) of the Interstate Commerce Act.</p> <p>Sea shells, crushed, ground, powdered or disintegrated (Subject to Note 5).</p> <p>Seeds, as described under that heading in the Governing Classification, when shipped from point of growth to an accumulation station or point of initial processing, or from an accumulation station to point of initial processing; in bulk, or in containers with a capacity exceeding 40 cubic feet, or in packages weighing 50 pounds or more.</p> <p>Shell Marl, crushed, ground or powdered (Subject to Note 5).</p> <p>Shells, walnut.</p> <p>Shipments weighing 100 pounds or less when delivered from retail stores or retail warehouses where the property has been sold at retail by a retail merchant, or when returned to the original retail store shipper via the carrier which handled the outbound movement (Subject to Note 3).</p> <p style="text-align: center;">(Continued in Item 42)</p>	<p style="text-align: center;">41</p>
<p>Δ Change) * Addition) Δ Change, neither increase nor reduction)</p>	<p>Decision No. 80771</p>
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<p style="text-align: center;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p> <p>Correction</p>	

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
<p style="text-align: center;">APPLICATION OF TARIFF--COMMODITIES (Concluded) (Items 40, 41 and 42)</p> <p>Δ Shipments weighing 10 pounds or less when transported by carriers which operate no vehicles exceeding a licensed weight of 4,000 pounds (Subject to Note 7),</p> <p>Sulphur,</p> <p>Trailer coaches and campers set up (including contents and furniture and other personal effects for use outside of trailer coaches), for which rates are provided in Minimum Rate Tariff 18,</p> <p>United States mail transported for the Post Office Department under contract,</p> <p>Used Property, viz.: household goods, personal effects, furniture, musical instruments, radios, and office and store fixtures and equipment, as described in and for which rates are provided in Minimum Rate Tariff 4-B, and used property as described therein of state, county or municipal governments, or transported under an agreement whereby the governments contracted for the carrier's services,</p> <p>Vegetables, fresh or green, including mushrooms, fresh (not cold pack or frozen),</p> <p>Vegetables, which are placed in a preservative and are destined to a cannery for processing into a preserved or pickled vegetable,</p> <p>Vegetables, dried, viz.: Beans (except Mesquite), Lentils, Onions, Peas (except Cow Peas), Pepper Pods,</p> <p>Voting Booths, Ballot Boxes, Election Tents and Election Supplies, when transported from or to polling places.</p> <p>NOTE 1.--Includes only used empty carriers which are returning from an outbound paying load of traffic for which rates are not provided in this tariff, or which are being forwarded for a return paying load of traffic for which rates are not provided in this tariff (Subject to Item 80 of the Exception Ratings Tariff).</p> <p>NOTE 2.--(a) Except as provided in paragraph (b), exemption applies only in connection with straight or mixed shipments of commodities making reference hereto and only when shipped in quantities of not less than 20,000 pounds.</p> <p>(b) The provisions of paragraph (a) of this note do not apply in connection with:</p> <p>(1) The transportation of Eggs moving in straight shipments from point of production.</p> <p>(2) Shipments moving in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles or in milk shipping cans from point of production.</p> <p>NOTE 3.--Exemption applies only when the distance between point of origin and destination does not exceed 35 miles, computed in accordance with the provisions of Item 100.</p> <p>NOTE 4.--Exemption applies only as to dried fruit in the natural state and which has not been cleaned, washed, stemmed or otherwise prepared or partially prepared for human consumption.</p> <p>NOTE 5.--Exemption applies only when shipper certifies on the shipping document covering the transportation that the shells or Shell Marl are being shipped for use as a fertilizer.</p> <p>Δ NOTE 6.--Exemption applies only to transportation between points within a radius of 25 miles of the intersection of 1st and Main Streets, Los Angeles, said mileage to be computed in accordance with the provisions of Item 100.</p> <p>Δ NOTE 7.--Exemption applies only to transportation between points located within the Los Angeles Basin Territory as described in Item 270.</p> <p>Δ NOTE 8.--The portion of this exemption preceded by # expires upon further order of the Commission.</p> <p>Δ NOTE 9.--Exemption applies only between points within Southern Territory, as described in Item 80 of Minimum Rate Tariff 10, and expires upon further order of the Commission.</p>	642
<p>Δ Change) ◊ Increase) Δ Change, neither increase nor reduction)</p>	Decision No. 80771
EFFECTIVE	
<p>Correction</p> <p style="text-align: right;">ISSUED BY THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA, SAN FRANCISCO, CALIFORNIA</p>	

SECTION 1--RULES OF GENERAL APPLICATION (Continued)		ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued)		Class Rating
<p>(Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)</p> <p>✓ BUTTER, CHEESE, MARGARINE, EDIBLE OIL PRODUCTS AND RELATED PRODUCTS, viz.:</p> <p>Butter or Oleomargarine (55380) ✓ Cheese and Cheese Foods (55470) *(Subject to Note 1) Lard, Lard Compounds, Lard Substitutes, Shortening or Vegetable Oil Shortening (134530 or 134550) Monoglycerides, Diglycerides or Triglycerides of Fat-forming Fatty Acids, or mixtures thereof, edible, other than shortening, with or without other edible acids (145020) Oil, cooking or salad (144800, 145100, 145170 or 145190)</p> <p>Less truckload-----</p> <p>Truckload:</p> <p>Minimum Weight 30,000 pounds-----</p> <p>Minimum Weight 36,000 pounds-----</p> <p>Minimum Weight 45,000 pounds-----</p> <p>(1) Subject to the following provisions:</p> <p>(a) When a shipment is transported on one unit of equipment at one time it is subject to a minimum weight of 45,000 pounds.</p> <p>(b) When a shipment is transported in multiple lots subject to Item 85 of this tariff, the initial lot transported on one unit of equipment at one time is subject to a minimum weight of 45,000 pounds and the actual weight of the remaining or following lot or lots shall be rated at the Class 35.3 rate.</p> <p>* NOTE 1 - Provisions making reference hereto are not applicable in connection with shipments of the following:</p> <p>Cheese, viz.: Bakers Curd or Cottage Cheese, with or without flavoring, fruit or vegetables, creamed or other than creamed.</p>		<p>50.1</p> <p>35</p> <p>35.1</p> <p>(1) 35.3</p> <p>335.5</p>
<p>✓ Change } Decision No. 80771</p> <p>• Addition }</p>		
EFFECTIVE		
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 SAN FRANCISCO, CALIFORNIA.

SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM										
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued) (Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)	Class Rating										
<p>DAIRY PRODUCTS AND RELATED ARTICLES (Subject to Note 1) viz.: (Items 335.6 and 335.7)</p> <p>Cheese (55470) (Subject to Note 2). Eggs (55540). Ice Cream (55620), including Ice Cream Mix, Ice Milk, Water Ice and Sherbet, Milk or Cream, NOI (55660), Egg Nog, Sour Cream or Yogurt, with or without flavoring, fruit or vegetables.</p> <p>NOTE 1.--In addition to packing or packaging specified in the Governing Classification, commodities named in this item may be shipped in containers in fibre trays; in bulk in inner plastic bags in boxes or drums; in containers in bottle carriers; or in wheeled racks.</p> <p>NOTE 2.--Provisions making reference hereto apply only in connection with shipments of the following: Cheese, viz.: Bakers Curd or Cottage Cheese, with or without flavoring, fruit or vegetables, creamed or other than creamed.</p> <p>Truckload: (Subject to Notes 3 through 11)</p> <table border="0"> <tr><td>Minimum Weight 20,000 pounds-----</td><td>50.1</td></tr> <tr><td>Minimum Weight 30,000 pounds-----</td><td>35</td></tr> <tr><td>Minimum Weight 36,000 pounds-----</td><td>35.1</td></tr> <tr><td>Minimum Weight 42,000 pounds-----</td><td>35.2</td></tr> <tr><td>Minimum Weight 45,000 pounds-----</td><td>35.3</td></tr> </table> <p>NOTE 3.--Provisions of this item apply only when all provisions of the following notes are met. Otherwise, apply provisions of the Governing Classification, Exception Ratings Tariff or this tariff, as applicable.</p> <p>NOTE 4.--Rates resulting from application of the provisions of this item may not be used in combination with any other rates, except as provided in Note 11.</p> <p>NOTE 5.--Applies only in connection with prepaid shipments released or declared at a value of 6 cents per pound, per article. Shipper must enter the following statement on the bill of lading: "The agreed or declared value of the property is hereby stated by the shipper to be 6 cents per pound, per article."</p> <p>NOTE 6.--Provisions of this item will not apply if any portion of the shipment is provided Frozen Temperature Control Service.</p> <p>NOTE 7.--An allowance of one hour free time for loading and one hour free time for unloading shall be made for each unit of equipment used. Excess loading or unloading time shall be charged for at the rates named in Item 145 of this tariff. Time shall be computed from actual or shipper-designated time of arrival of carrier's equipment at place of loading or unloading, whichever is later, until loading or unloading is completed and equipment is released.</p> <p>NOTE 8.--The free weight of pallets containing commodities transported under provisions of this item is limited to 5 percent of the weight on which transportation charges are computed.</p> <p>NOTE 9.--If more than one vehicle or combination of vehicles constituting a single unit of carrier's equipment is used for the transportation of a single shipment moving under rates in this item, each such vehicle or combination of vehicles shall be subject to the highest minimum weight applicable to any rate used in computing charges.</p> <p>(Continued in Item 335.7)</p>	Minimum Weight 20,000 pounds-----	50.1	Minimum Weight 30,000 pounds-----	35	Minimum Weight 36,000 pounds-----	35.1	Minimum Weight 42,000 pounds-----	35.2	Minimum Weight 45,000 pounds-----	35.3	<p>(E) *06 335.6</p>
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SECTION 1--RULES OF GENERAL APPLICATION (Continued)	ITEM
EXCEPTIONS TO GOVERNING CLASSIFICATION AND EXCEPTION RATINGS TARIFF (Continued) (Numbers within parentheses immediately following commodities shown below refer to such commodities as they are described in the corresponding item numbers of the Governing Classification.)	Class Rating
<p>DAIRY PRODUCTS AND RELATED ARTICLES (Subject to Note 1) viz.: (Items 335.6 and 335.7)</p> <p>NOTE 10.--Except to the extent provided in Items 40 through 42 of this tariff, ratings named in Item 335.6 apply only in connection with straight or mixed shipments of commodities named above or mixed shipments consisting of commodities named above and commodities named in this note or allowed to be transported under provisions of Note 11. When transported in mixed shipments with commodities authorized under this note or Note 11, the entire shipment shall be subject to the provisions of this item and Item 335.6 and the weight of the commodities named in this note may not exceed 20 percent of the weight on which transportation charges are computed:</p> <p>Bakery Goods, NOI, other than frozen (21180) Bean Dip (72050), including Food Dips, NOI with or without flavoring or seasoning ingredients Beverage Preparations, dry or liquid (72140) Beverages, flavored, NOI (72160), not including carbonated or phosphated beverages and not including beverages in metal cans Cheese (55470) Cider or Apple Juice, other than frozen (72440) Cream or Milk, sterilized (72740) Juice, citrus fruit, other than frozen, NOI (73550) Juice, citrus fruit (73570) Juice, fruit, artificial or natural, other than frozen (73600) Juice, grape, other than frozen (73630) Juice, prune, other than frozen (73670) Malt or Milk and Chocolate or Cocoa Compounds, beverage preparation (73790) Milk, Cream, Buttermilk or Dry Milk Solids, powdered or flaked (73880) Milk, condensed or evaporated, liquid (73920) Milk, Cream or Vegetable Oil Compounds (Dessert Toppings), aerated (74000) Milk Food, liquid (74020) Milk or Cream Substitutes, other than Milk, cream or milk solids, NOI (74040) Salads, fresh vegetable, fruit, macaroni, meat, gelatin, or combinations thereof Sandwich Spreads, NOI including Cheese Spreads (74680) Sauces, viz.: Mayonnaise (74710) Syrup, flavoring or fruit (75170)</p> <p>NOTE 11.--Other commodities not named in this item or in Item 335.6 may be included in mixed shipments provided that the weight of such other commodities does not exceed 3 percent of the weight on which transportation charges are computed. Such other commodities will be subject to rates otherwise provided in this tariff and the entire shipment will be subject to the provisions of Notes 3 through 11 hereof.</p>	<p>See Item 335.6</p> <p>(E) = 06 335.7</p>
<p>(E) This item expires with January 1, 1974.</p> <p>* Addition) ◊ Increase) Decision No. 80771 ◊ Reduction)</p>	
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