

SUBJECT 1

**SUBJECT 1: Item (Rule) 640 – Mixed Shipments and Articles
Classified by Weight or Quantity****Re:** Item (Rule) 640 – Mixed Shipments and Articles Classified by Weight or Quantity**Contact:** Adam Mercer and Larissa Franklin

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Proponent: Freight Classification Development Council**Quick View**

The Quick View feature is not intended to replace contextual information within this document. To understand the potential impact of the recommended changes shown here, please read the full proposal.

Subject 1: Item (Rule) 640 – Mixed Shipments and Articles Classified by Weight or Quantity**Quick View:** Item 640 is amended to provide new rules regarding mixed shipments.

SUBJECT 1

Present Classification Provisions

Item 640

MIXED SHIPMENTS AND ARTICLES CLASSIFIED BY WEIGHT OR QUANTITY

Sec. 1. Single shipments, subject to one rate or class, will be charged at the actual or authorized estimated weight and at the rate or class applicable, subject to the minimum charge in carriers' tariffs.

Sec. 2. Single shipments subject to two or more rates or classes, when differently classed articles are separately packaged, will be charged at the actual or authorized estimated weight, and at the rate or class applicable to each, subject to the minimum charge in carriers' tariffs (see Note 5).

Sec. 3. (a) Except as provided in Sec. 3. (b), the charge for a package (see Note 1), or pallet, platform, rack or skid meeting the requirements of Item 265, containing or bearing differently classed articles, shall be at the rate or class provided for the highest classed article in or on the package, pallet, platform, rack or skid. All the articles need not be specified on the shipping order or bill of lading, but only one of the articles taking the highest rate or class must be specified; in such instances the following notation must also appear on shipping order and bill of lading: 'And other articles classed the same or lower,' which may be abbreviated to 'RS or L' (see Note 6).

Sec. 3. (b) When articles subject to different classes in packages, containers or shipping forms authorized in the applicable classification description for such articles are securely unitized on lift truck pallets, platforms, racks or skids meeting the requirements of Item 265, they will be charged for at the actual weights of the separate articles, in the authorized packages or shipping forms used, at the applicable classes (see Notes 3 and 5) subject to the following:

(1) Bill of lading and shipping order must specify the separate articles and the total weight of each article so unitized. Bill of lading and shipping order must bear the notation: 'The above contained on (insert number) pallets (platforms, racks or skids, as the case may be).'

(2) Each shipment must have affixed thereto a packing slip listing the separately identified articles and the total weight of each such article unitized thereon.

(3) The weight of pallets, platforms, racks, skids, unitizing material or packing devices as required by Paragraph 3(b)(5) must be shown on shipping order and bill of lading and will be charged for at the lowest class applicable to any article or articles comprising not less than 5 percent of the weight unitized on such pallet, platform, rack or skid.

(4) Any article in a shipment which is not unitized on pallets, platforms, racks or skids must be separately listed on the bill of lading and shipping order and will be charged for at the class applicable to such articles.

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Present Classification Provisions—Continued**Item 640 (continued)**

(5) When unitization to pallets, platforms, skids or racks is by container of box-type fiberboard construction, packing devices must be used in any unoccupied space between inner packages and inside top of outer container. Packing devices used must be of sufficient strength and design to prevent collapse of the outer container when top loaded with other freight.

(6) When carrier or its agent finds that the weight of the unitized pallet, platform, rack or skid stated by the shipper is inaccurate, the carrier or agent shall correct the weight. The difference between the actual weight and the stated weight will be added to or subtracted from, as the case may be, the highest classed article on the pallet, platform, rack or skid. Upon submission of satisfactory proof that the weight correction should be apportioned to other article(s) on the pallet, platform, rack or skid, the weight distribution will be adjusted accordingly.

Note 1—The term 'package' has the same meaning as the definition for 'in packages' in Item 680, Sec. 5.

Note 2—Not currently used.

Note 3—Articles unitized in outer containers meeting the requirements for complying boxes and secured on lift truck pallets, platforms, racks or skids, meeting the requirements of Item 265, will be subject to the classes applicable to the same articles when tendered in boxes.

Sec. 4. When the description for an article specifies an individual minimum weight per package or piece (see Note 4, Sec. 6), no provision being made for packages or pieces weighing less than the specified individual minimum, the total charge for a number of packages or pieces of a lesser weight shall be the same as would accrue on a like number of similar packages or pieces, each of the specified individual minimum weight.

Sec. 5. When the description for an article in bundles specifies an individual minimum weight per bundle, no provision being made for the article 'loose,' a single loose article or piece weighing as much as or greater than the specified individual minimum weight per bundle, shall be charged for as a bundle.

Sec. 6. When an article is differently classed according to different weights of shipping packages or loose pieces (see Note 4), the total charge for a number of packages or pieces of a lesser weight shall be no greater than the charge for a like number of similar packages or pieces each of greater weight. This section does not apply where different classes are published in individual items according to the density (pounds per cubic foot) of articles or shipping packages.

Note 4—The term 'Shipping packages or loose pieces' refers to the shipping package or loose piece of freight and does not refer to the inner container or articles enclosed in a shipping package.

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Present Classification Provisions—Concluded**Item 640 (concluded)**

Sec. 7. Each package or piece of freight which weighs less than the individual minimum weight provided in the description must be charged for at such individual minimum weight in accordance with Secs. 4 or 6 of this Item, and each package or piece of freight which equals or exceeds the specified minimum weight must be charged for at actual weight.

Sec. 8. Unless otherwise provided, where a provision makes reference to specific mixtures based on an allowance or restriction by count, weight or percentage, such provision will not apply when the allowance or restriction is exceeded, as in the case of a maximum allowance, or is not met, in the case of a minimum requirement. In instances where the maximum allowance is exceeded or the minimum requirement is not met, the provisions of Secs. 1 through 7 are applicable.

Note 5—When the billed weight is higher than the actual weight, the resulting deficit weight will be charged for at the rate applicable to the lowest classed article contained in the shipment.

Note 6—When the billed weight is higher than the actual weight, the resulting deficit weight will be charged for at the rate applicable to the lowest classed article contained in the mixed packages comprising the shipment provided the shipper also specifies such lowest classed article on the bill of lading and shipping order at time of shipment.

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Proposed Classification Provisions

It is proposed to amend Item 640, Mixed Shipments and Articles Classified by Weight or Quantity, to read as follows:

Item 640**MIXED SHIPMENTS AND ARTICLES CLASSIFIED BY WEIGHT OR QUANTITY**

Sec. 1. When a shipment is subject to a single class, it will be assessed using the applicable class and either the actual weight or an approved estimated weight (see Note 1).

Note 1—When the billed weight differs from the actual weight and the dimensions are not verified, the density shall be recalculated to reflect the applicable class for each handling unit, provided the shipper lists the separate dimensions for the handling unit(s) on the bill of lading and shipping order.

Sec. 2. When a shipment includes differently classed articles that are packed separately on different handling units, each handling unit will be assessed using its applicable class and either the actual weight or an approved estimated weight (see Notes 1 and 2).

Note 2—When the billed weight differs from the actual weight, the variance shall be applied to the lowest-classed article in the shipment, added if the billed weight exceeds the actual weight, and deducted if it is less, provided the shipper identifies that article on the bill of lading and shipping order.

Sec 3. Itemized or Nonitemized Shipments on Bills of Lading

(a) NON-ITEMIZED Except as provided in Sec. 3. (b), if a shipment includes “standard LTL parcels” that contain mixed articles of varying freight classes, each individual handling unit will be assigned a freight class based on its calculated density, as determined by the National Motor Freight Classification (NMFC) in Item (Rule) 110 Sec. 8. (a), and in accordance with the Freight Classification Development Council’s (FCDC) standard 13-subprovision density scale. When a shipment includes “non-standard LTL parcels” that contain mixed articles of varying freight classes, each individual handling unit will receive the class of the highest classed article contained thereon or within (see Notes 3 and 4).

Note 3—The term “standard LTL parcel” refers to any handling unit that is less than 128 cu/ft and has a length and width that are both less than 96 inches. This term is intended exclusively for use within the scope of this Rule.

Note 4—The term “non-standard LTL parcel” refers to any handling unit that is 128 cu/ft or greater; has a length or width that is 96 inches or greater; or contains an item identified as having handling, stowing and/or liability concerns (👉). This term is intended exclusively for use within the scope of this Rule.

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Proposed Classification Provisions—Concluded**Item 640 (concluded)**

(b) ITEMIZED Shipments containing differently classed articles that are consolidated into single handling units will be assessed on the applicable class and weight for each article within the mixed package, provided the following conditions are met:

(1) The bill of lading and shipping order must specify each commodity, and its total weight for each consolidated handling unit. The bill of lading and shipping order must also bear the notation: "The above contained on [insert quantity and type of handling unit (e.g., boxes, crates, pallets or skids)]."

(2) Each handling unit must have affixed thereto a packing slip, with a unique identification reference number, such as 1 of 5, listing the separately identified articles and the total weight of each article combined thereon or within.

(3) Dependent upon the occupancy of a handling unit, as the case may be, the weight of pallets, platforms, racks, skids, unitizing material and/or packing devices, must be shown on shipping order and bill of lading and will be charged for at the lowest class applicable to any article or articles comprising the handling unit. For requirements on package occupancy, see Item (Rule) 680.

(4) When unitizing containers of box-type fiberboard construction onto pallets, platforms, racks, or skids, packing devices of sufficient strength and design must be used to fill any unoccupied space between inner packages and the inside top of the outer container. Packing devices used must be of sufficient strength and design to prevent collapse of the outer container when top loaded with other freight.

(5) Any article in a shipment which is not unitized on pallets, platforms, racks or skids must be separately listed on the bill of lading and shipping order and will be charged for at the class applicable to such articles.

(6) When a carrier or its agent finds that the weight of the unitized pallet, platform, rack or skid stated by the shipper is inaccurate, the carrier or agent shall correct the weight. The difference between the actual weight and the stated weight will be added to or subtracted from the lowest classed article on the pallet, platform, rack or skid. Upon submission of satisfactory proof that the weight correction should be apportioned to other article(s) on the pallet, platform, rack or skid, the weight distribution will be adjusted accordingly

Sec. 4. Unless otherwise stated, provisions for specific mixtures based on count, weight, or percentage do not apply if the maximum allowance is exceeded or the minimum requirement is not met. In such cases, Sections 1 through 3 shall apply.

SUBJECT 1**Analysis and Conclusion**

This proposal is the result of a review of Item (Rule) 640 due to numerous reports of the rule being difficult to interpret and apply. To foster clarification and simplification, this proposal would update Item (Rule) 640 to provide new guidelines regarding mixed shipments.