

**SUBJECT 17****SUBJECT 17: Paintings, Pictures, Posters or Prints – Items 56165 and 56180****Re:** Paintings, Pictures, Posters or Prints – Items 56165 and 56180**Contact:** Lanae Peterson

FCDC@nmfta.org

**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 17: Paintings, Pictures, Posters or Prints – Items 56165 and 56180**

**Quick View:** Items 56165 and 56180 are canceled with reference to item 56290, which provides a “viz.” format, and classes based on the FCDC’s 13-sub density scale.

- Note, item 56166 canceled with reference to item 56290
- Note, item 56167 canceled and reestablished
- Note, item 56168 canceled with no further application
- Item (Rule) 172 modified

**Transportation Characteristics Present:**

- Handling  Yes  No
- Stowability  Yes  No
- Liability  Yes  No
- Density  Yes  No

**Provisions based on:**

- FCDC’s 13-sub density scale

## SUBJECT 17

Present Classification Provisions

Item	Description	Class
<b>DECORATIONS GROUP:</b> subject to item 55750		
56165	<b>Paintings or Pictures</b> , NOI, framed or unframed, with or without glass, see Note, item 56166, in boxes, see Note, item 56167, released to a value not exceeding \$25.00 per pound, see Note, item 56168, subject to Item 170 and having a density in pounds per cubic foot of:	
Sub 1	Less than 4.....	300
Sub 2	4 but less than 8.....	175
Sub 3	8 or greater .....	92.5
56166	NOTE—Also applies on <b>Printed Posters</b> , other than those used for advertising, or <b>Lenticular Pictures</b> .	
56167	NOTE—Articles must be protected by interior packing forms necessary to afford adequate protection against damage.	
56168	NOTE—Unless otherwise provided in individual participating carriers' tariffs, articles moving under the provisions of item 56165 shall only be accepted subject to a maximum liability of \$25.00 per pound. If shipper fails to declare a value, or declares a value in excess of \$25.00 per pound, shipment will not be accepted, but if the shipment is inadvertently accepted, it will be considered as being released to a value not exceeding \$25.00 per pound and the shipment will move subject to such limitation of liability. In no instance will carriers' liability exceed the actual value of the article lost or damaged.	
56180	<b>Prints</b> , cut-out, or <b>Silhouettes</b> , consisting of one piece of paper or paperboard, in boxes .....	70
56290	<b>Decorations, Notions or Novelties</b> , see Notes, items 56291 and 56292, <b>viz.:</b> <b>Decorations, Notions or Novelties</b> , NOI; [Other Articles Listed—Not Listed.] In boxes, subject to Item 170 and having a density in pounds per cubic foot of:	
Sub 1	Less than 1 .....	400
Sub 2	1 but less than 2 .....	300
Sub 3	2 but less than 4 .....	250
Sub 4	4 but less than 6 .....	175
Sub 5	6 but less than 8 .....	125
Sub 6	8 but less than 10 .....	100
Sub 7	10 but less than 12 .....	92.5
Sub 8	12 but less than 15 .....	85
Sub 9	15 but less than 22.5 .....	70
Sub 10	22.5 but less than 30 .....	65
Sub 11	30 but less than 35 .....	60
Sub 12	35 but less than 50 .....	55
Sub 13	50 or greater .....	50

**SUBJECT 17****Present Classification Provisions—Continued**

Item	Description	Class
	<b>DECORATIONS GROUP:</b> subject to item 55750	
56291	NOTE—Not Involved.	
56292	NOTE—Not Involved.	
56294	NOTE—Not Involved.	
56295	NOTE—Not Involved.	

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## SUBJECT 17

Present Classification Provisions—Concluded

## Item 172

**LIMITATION OF CARRIER LIABILITY WHERE VALUE IS NOT DECLARED BY SHIPPER**

Where item 47500, 56165, 63025, 70080, 88160, 99400, 100240, 107830, 116030, 136500, 164900, 168960 or 196420 of this Classification applies, and shipper fails to declare a value as required by those provisions, the shipment will not be accepted, but if the shipment is inadvertently accepted, the carrier's liability shall be limited as follows:

ITEM NO.	DESCRIPTION	VALUE LIMITATION
47500	<b>Ceramicware, China, Earthenware, Porcelain or Stoneware, NOI</b>	\$1.70 per pound
56165	<b>Paintings or Pictures, NOI</b> , framed or unframed, with or without glass	\$25.00 per pound
63025	<b>Semiconductors, viz.: Devices, NOI; Diodes; Rectifiers; Thermistors; Transistors</b>	\$20.00 per pound
70080	<b>Flatware, Dresserware or Holloware</b> , sterling silver; or <b>Flatware, Dresserware or Holloware</b> , with sterling silver parts, such as backs, covers, frames, handles or tops	\$5.00 per pound
88160	<b>Glassware, NOI</b>	\$19.00 per pound
99400	<b>Hides, Pelts or Skins</b> , dressed or tanned or not dressed nor tanned, NOI, dry	\$7.50 per pound
100240	<b>Household Goods, Personal Effects or Military Baggage</b> , other than shipments moving under the U.S. Department of Defense Personal Property Program	\$0.10 per pound
107830	<b>Jewelry</b> , costume or novelty, made of materials other than solid or filled precious metals, not mounted nor set with precious stones	\$5.00 per pound
116030	<b>Machines, Systems or Devices</b> , data processing, or <b>Components, Parts or Peripherals thereof</b>	\$25.00 per pound
136500	<b>Metal, NOI or Metal Alloys, NOI</b>	\$5.00 per pound
164900	<b>Radioactive Materials</b>	\$25.00 per pound
168960	<b>Records, Documents or Files, office</b>	\$0.25 per pound
196420	<b>Watches or Watch Movements</b>	\$10.00 each

Where the provisions of other tariffs apply, and those provisions specify a limitation of the carrier's liability absent a release or value declaration by the shipper, the carrier's liability shall be limited to the extent provided by such applicable provisions when the shipper does not make the requisite or specified release or value declaration.

## SUBJECT 17

Proposed Classification Provisions

Item	Description	Class
<b>DECORATIONS GROUP:</b> subject to item 55750		
56165	<b>Paintings or Pictures</b> , NOI, framed or unframed, with or without glass, etc .....	⇒Cancel; see item 56290
56166	NOTE—⇒Cancel; see item 56290.	
56167	NOTE—⇒Cancel; see item NEW.	
56168	NOTE—⇒Cancel; no further application.	
56180	<b>Prints</b> , cut-out, <b>or Silhouettes</b> , consisting of one piece of paper or paperboard, etc .....	⇒Cancel; see item 56290
56290	<b>Decorations, Notions or Novelties</b> , see Notes, items 56291 and 56292, <b>viz.:</b> <b>Decorations, Notions or Novelties</b> , NOI; ⇒ <b>Paintings, Pictures, Posters or Prints</b> , NOI, framed or unframed, in boxes, crates or tubes, see Note, item NEW; [Other Articles Listed—No Change.] In boxes, subject to Item 170 and having a density in pounds per cubic foot of:	
Sub 1	Less than 1 .....	400
Sub 2	1 but less than 2 .....	300
Sub 3	2 but less than 4 .....	250
Sub 4	4 but less than 6 .....	175
Sub 5	6 but less than 8 .....	125
Sub 6	8 but less than 10 .....	100
Sub 7	10 but less than 12 .....	92.5
Sub 8	12 but less than 15 .....	85
Sub 9	15 but less than 22.5 .....	70
Sub 10	22.5 but less than 30 .....	65
Sub 11	30 but less than 35 .....	60
Sub 12	35 but less than 50 .....	55
Sub 13	50 or greater .....	50
56291	NOTE—No Change.	
56292	NOTE—No Change.	
56294	NOTE—No Change.	
56295	NOTE—No Change.	
⇒NEW	NOTE—Articles must be protected by interior packing forms or packaging materials necessary to afford adequate protection against damage.	

## SUBJECT 17

Proposed Classification Provisions—Concluded

## Item 172

**LIMITATION OF CARRIER LIABILITY WHERE VALUE IS NOT DECLARED BY SHIPPER**

Where item 47500, ~~56165~~, 63025, 70080, 88160, 99400, 100240, 107830, 116030, 136500, 164900, 168960 or 196420 of this Classification applies, and shipper fails to declare a value as required by those provisions, the shipment will not be accepted, but if the shipment is inadvertently accepted, the carrier's liability shall be limited as follows:

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136500	<b>Metal</b> , NOI or <b>Metal Alloys</b> , NOI	\$5.00 per pound
164900	<b>Radioactive Materials</b>	\$25.00 per pound
168960	<b>Records, Documents or Files</b> , office	\$0.25 per pound
196420	<b>Watches or Watch Movements</b>	\$10.00 each

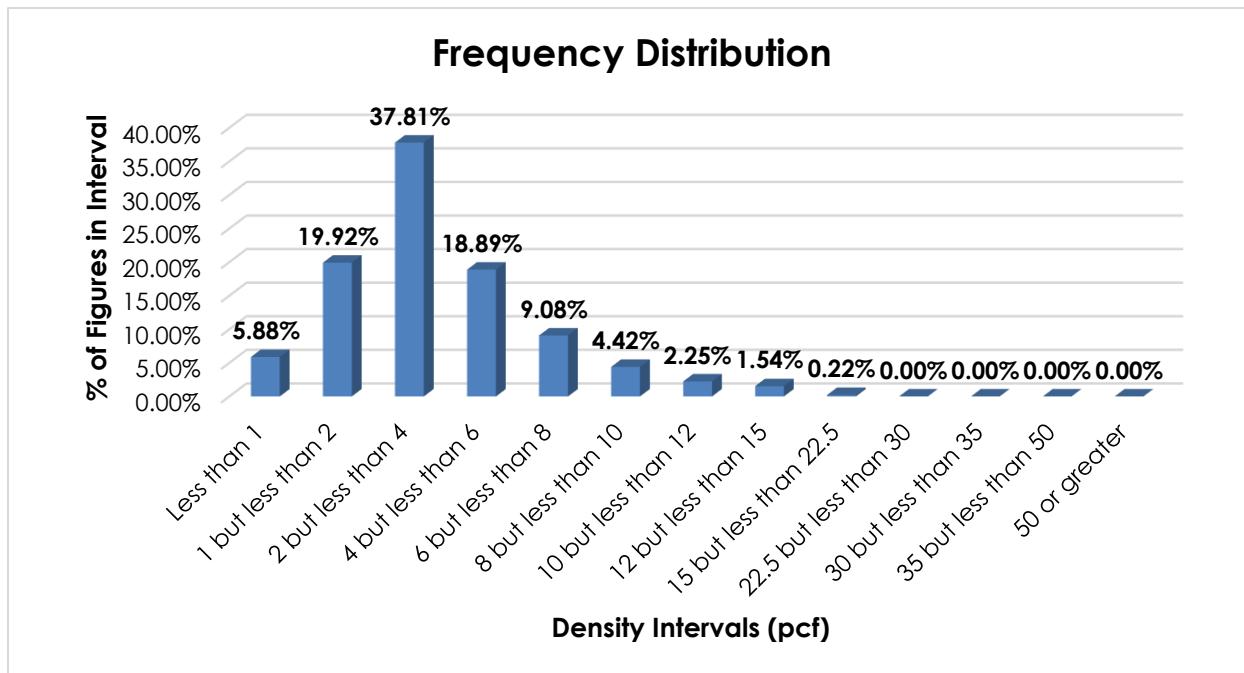
Where the provisions of other tariffs apply, and those provisions specify a limitation of the carrier's liability absent a release or value declaration by the shipper, the carrier's liability shall be limited to the extent provided by such applicable provisions when the shipper does not make the requisite or specified release or value declaration.

**SUBJECT 17****Analysis****Introduction**

Items 56165 and 56180, as shown in the Present Classification Provisions herein, name particular types of paintings, pictures, or prints. These items were reviewed with the intent of removing value-based provisions and combining like commodities. The transportation characteristics below relate to items 56165 and 56180, as shown in the Present Classification Provisions herein.

**Transportation Characteristics**

**Density**—The information of record includes 17,191 density observations obtained from the FCDC's Density Study<sup>1</sup>. The densities range from 0.51 to 15.53 pcf, with an overall average density of 3.87 pcf. As shown in the graph below, the density distribution is right-skewed with a tight cluster around the distinct peak in the 2 but less than 4 pcf interval.



**Handling, Stowability, and Liability**—There have been no reports of unusual or significant handling, stowability, or liability issues.

<sup>1</sup> The Density Study is part of an ongoing effort by the FCDC to collect information on actual shipments across all product categories handled by the LTL industry. Carriers that choose to participate in the Study periodically submit shipment data captured through their respective freight auditing programs. The FCDC uses verifiable data points, identified by NMFC item, that include the weight and the dimensions and/or cube of the shipping unit.

**SUBJECT 17****Conclusion**

Based on the foregoing analysis, items 56165, 56180, and the articles named in Note, item 56166, would be canceled with reference to the full-scale, density-based provisions of item 56290<sup>2</sup>. Concurrently, this proposal would amend the “viz.” listing in item 56290 to name “Paintings, Pictures, Posters, or Prints, NOI.”

Note, item 56167 would be canceled and reestablished attendant to item 56290, and Note, item 56168 would be canceled with no further application.

The FCDC's Packaging Development Manager has reviewed the proposed minimum packaging requirements and determined they are appropriate for the LTL environment.

Additionally, Item (Rule)172 would be amended to remove reference to item 56165.

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<sup>2</sup> Item 56290 provides the FCDC's 13-subprovision density scale, which includes reference to Item (Rule) 170, the inadvertence clause.