

SUBJECT 11

SUBJECT 11: Fish Group

Re: Fish Group

Contact: Lanae Peterson

FCDC@nmfta.org

Proponent: Freight Classification Development Center

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 11: Fish Group

Quick View: Four items in the Fish Group are canceled with reference to item 73260, which provides a “viz.” format, and classes based on the FCDC’s 13-subprovision density scale.

- Item 69770 canceled with reference to items 73225 and 73260
- Descriptions of items 73225 and 73260 amended accordingly
- New Note attendant to item 73260 established
- Note, item 69774 canceled with no further application
- Fish Group, item 69700 canceled with no further application

Transportation Characteristics Present:

- Handling ☐Yes ☒No Stowability ☐Yes ☒No Liability ☐Yes ☒No Density ☒Yes ☐No

Provisions based on:

- FCDC’s 13-subprovision density scale

SUBJECT 11

Present Classification Provisions

Item	Description	Class
69700	FISH GROUP: Articles consist of Fish or Shell Fish, fresh or frozen, prepaid, as described in items subject to this grouping.	
69720	Clams, Oysters or Scallops , in shell; in bags or drums.....	100
69730	Clams, Oysters or Scallops , shucked (Clam, Oyster or Scallop Meats), in steel cans, oyster carriers or refrigerators, or in containers in packages	100
69750	Crab or Lobster Meat , in inner containers in boxes	150
69770	Fish , fresh, frozen or not frozen, NOI, in boxes or drums, see Note, item 69774.....	100
69774	NOTE—Applies also on fresh fish smoked for flavoring.	
69870	Shrimp , NOI, in boxes or drums	100
	FOODSTUFFS GROUP: subject to item 72000	
73225	 Foodstuffs , frozen, viz.: Bakery Goods , NOI, including Dough ; Coconut ; Food , cooked, cured, preserved or prepared, NOI, also in Package 2425; Fruit , also in Package 1365; Juice , fruit or vegetable, NOI; Milk or Cream Substitutes , other than milk, cream or milk solids; Vegetables ; In boxes, see Note, item 73226, subject to Item 170 and having a density in pounds per cubic foot of:	
Sub 1	Less than 6	250
Sub 2	6 but less than 10	150
Sub 3	10 but less than 15	92.5
Sub 4	15 or greater	77.5
73226	NOTE—Fiberboard boxes must be lined with moisture-proof paper unless inside of box has been treated to make it moisture-proof.	

THIS SPACE INTENTIONALLY LEFT BLANK

SUBJECT 11

Present Classification Provisions—Concluded

Item	Description	Class
	FOODSTUFFS GROUP: subject to item 72000	
73260	Foodstuffs , other than frozen, Group IV, viz.: Fish or Shellfish , cooked, dried or preserved, NOI, in bags, boxes, drums or Packages 128, 223, 510, 1000, 1400, 1500, 2093, 2231, 2404, 2414, 2416, 2421, 2425, 2463, 2498 or 2507; Foodstuffs , NOI, not required by the U.S. Department of Transportation to bear a Hazard Class or Hazard Division label or placard, see Note, item 73264, in bags, boxes, drums or Packages 128, 223, 510, 1000, 1400, 1500, 2093, 2231, 2404, 2414, 2416, 2421, 2425, 2463, 2498 or 2507; [Other Articles Listed—Not Involved.] 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
73261	NOTE—Not Involved.	
73262	NOTE—Not Involved.	
73263	NOTE—Not Involved.	
73264	NOTE—Does not apply on materials regulated by the U.S. Department of Transportation as hazardous and required to bear a Hazard Class or Hazard Division label or placard. For classes applicable to such hazardous materials, see provisions elsewhere in this Classification.	
73366	NOTE—Not Involved.	
73367	NOTE—Not Involved.	
73368	NOTE—Not Involved.	
73369	NOTE—Not Involved.	
73371	NOTE—Not Involved.	

SUBJECT 11

Proposed Classification Provisions

Item	Description	Class
69700	FISH GROUP , etc.....	⇒Cancel; no further application
69720	Clams, Oysters or Scallops , in shell; etc	⇒Cancel; see item 73260
69730	Clams, Oysters or Scallops , shucked (Clam, Oyster or Scallop Meats), etc.....	⇒Cancel; see item 73260
69750	Crab or Lobster Meat , etc	⇒Cancel; see item 73260
69770	Fish , fresh, frozen or not frozen, NOI, etc	⇒Cancel; see items 73225 and 73260
69774	NOTE—⇒Cancel; no further application.	
69870	Shrimp , NOI, etc	⇒Cancel; see item 73260
	FOODSTUFFS GROUP : subject to item 72000	
73225	👉 Foodstuffs , frozen, viz.: Bakery Goods , NOI, including Dough ; Coconut ; ⇒ Fish or Shellfish , NOI, also in cans, drums or pails; Food , cooked, cured, preserved or prepared, NOI, also in Package 2425; Fruit , also in Package 1365; Juice , fruit or vegetable, NOI, ⇒also in cans; Milk or Cream Substitutes , other than milk, cream or milk solids; Vegetables ; In boxes, see Note, item 73226, subject to Item 170 and having a density in pounds per cubic foot of:	
Sub 1	Less than 6.....	250
Sub 2	6 but less than 10	150
Sub 3	10 but less than 15	92.5
Sub 4	15 or greater	77.5
73226	NOTE—Fiberboard boxes must be lined with moisture-proof paper unless inside of box has been treated to make it moisture-proof.	

SUBJECT 11

Proposed Classification Provisions—Continued

Item	Description	Class
	FOODSTUFFS GROUP: subject to item 72000	
73260	Foodstuffs , other than frozen, Group IV, viz.: ⇒ Fish or Shellfish , cooked, dried or preserved, NOI, in bags, boxes, drums or Packages 128, 223, 510, 1000, 1400, 1500, 2093, 2231, 2404, 2414, 2416, 2421, 2425, 2463, 2498 or 2507; ⇒ Fish or Shellfish , fresh or cooked, dried or preserved, NOI, in bags, boxes, cans, drums, pails or Packages 128, 223, 510, 1000, 1400, 1500, 2093, 2231, 2404, 2414, 2416, 2421, 2425, 2463, 2498 or 2507, see Note, item NEW; Foodstuffs , NOI, not required by the U.S. Department of Transportation to bear a Hazard Class or Hazard Division label or placard, see Note, item 73264, in bags, boxes, drums or Packages 128, 223, 510, 1000, 1400, 1500, 2093, 2231, 2404, 2414, 2416, 2421, 2425, 2463, 2498 or 2507; [Other Articles Listed—No Change.] 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
73261	NOTE—No Change.	
73262	NOTE—No Change.	
73263	NOTE—No Change.	
73264	NOTE—Does not apply on materials regulated by the U.S. Department of Transportation as hazardous and required to bear a Hazard Class or Hazard Division label or placard. For classes applicable to such hazardous materials, see provisions elsewhere in this Classification.	
73366	NOTE—No Change.	
73367	NOTE—No Change.	
73368	NOTE—No Change.	
73369	NOTE—No Change.	
73371	NOTE—No Change.	

SUBJECT 11

Proposed Classification Provisions—Concluded

Item	Description	Class
	FOODSTUFFS GROUP: subject to item 72000	
⇒NEW	NOTE—When fresh fish or shellfish are tendered in fiberboard boxes, the boxes must be lined with moisture-proof paper unless inside of box has been treated to make it moisture-proof.	

Analysis

Introduction

Five items in the Fish Group, as shown in the Present Classification Provisions herein, name particular types of fresh or frozen fish or shellfish, and these provisions can be difficult to interpret, apply, or verify.

Transportation Characteristics

Handling, Stowability, and Liability—For the involved commodities that are not frozen, there have been no reports of unusual or significant handling, stowability, or liability issues. Therefore, density has been identified as the primary transportation characteristic.

Conclusion

Based on the foregoing analysis, items 69720, 69730, 69750, and 69870 would be canceled with reference to the full-scale, density-based provisions of item 73260¹¹, and item 69770 would be canceled with reference to both items 73225¹² and 73260. Concurrently, the descriptions in both items 73225 and 73260 would be amended accordingly. Furthermore, Note, item 69774 would be canceled with no further application.

Additionally, the Fish Group, item 69700, would be canceled with no further application.

The FCDC's Lead Classification and Packaging Analyst has reviewed the proposed minimum packaging requirements and determined they are appropriate for the LTL environment. Moreover, a new Note attendant to item 73260 would be established to provide additional packaging requirements.

¹¹ Item 73260 provides the FCDC's 13-subprovision density scale, which includes reference to Item (Rule) 170, the inadvertence clause.

¹² Item 73225 includes reference to Item (Rule) 170, the inadvertence clause.