

SUBJECT 26

SUBJECT 26: Clay Group, including Plant Bed Soil Mix (Plant Bed Media)

Re: Clay Group, including Plant Bed Soil Mix (Plant Bed Media)

Contact: Larissa A. Franklin

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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 26: Clay Group, including Plant Bed Soil Mix (Plant Bed Media)

Quick View: Items 48390 and 155800 are canceled with reference to item 48135, which provides a “viz.” format, and classes based on the FCDC’s 13-subprovision density scale.

- “Viz.” in item 48135 amended
- Two new Notes attendant to item 48135 established
- Note, item 48392 canceled with no further application
- Clay Group, item 47990, 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 26

Present Classification Provisions

Item	Description	Class
47990	CLAY GROUP: Articles consist of Clays, Concentrates, Earths or Ores, as described in items subject to this grouping.	
48135	Clays, Concentrates, Earths or Ores, viz.: Earth (Soil), NOI, in bags, boxes or drums; [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
48136	NOTE—Not Involved.	
48390	Ore, NOI, in bags, boxes, drums or pails:	
Sub 1	Released value not exceeding 5 cents per pound, see Note, item 48392	60
Sub 2	Released value exceeding 5 cents per pound but not exceeding 40 cents per pound, see Note, item 48392	70
Sub 3	Released value exceeding 40 cents per pound but not exceeding \$1.00 per pound, see Note, item 48392	100
Sub 4	Not released as to value	200
48392	NOTE—The value declared in writing by the shipper, or agreed upon in writing as the released value of the property, as the case may be, must be entered on shipping order and bill of lading as follows: 'The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding ____ per pound.' (Classes herein based on released value have been authorized by the Interstate Commerce Commission in Released Rates Order MC No. 1 of January 16, 1936, as amended October 20, 1948, August 9, 1966, October 7, 1966, October 12, 1970 and March 31, 1980.)	
155800	Plant Bed Soil Mix (Plant Bed Media), other than expanded mineral base or other than in the form of blocks or shapes, without or with not to exceed 15 percent by weight of fertilizer, plant food or other materials, in bulk in bags or in inner containers in boxes	70

SUBJECT 26

Proposed Classification Provisions

Item	Description	Class
47990	CLAY GROUP , etc.....	⇒Cancel; no further application
⇒48135	Clays, Concentrates, Earths or Ores, viz.: ⇒ Earth (Soil) , including Soil Mixes or Amendments , NOI, see Note, item A-NEW, not required by the U.S. Department of Transportation to bear a Hazard Class or Hazard Division label or placard, see Note, item B-NEW, in bags, boxes, drums or pails; ⇒ Earth (Soil) , NOI, in bags, boxes or drums; ⇒ Ore , NOI, in bags, boxes, drums or pails; [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
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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
48136	NOTE—No Change.	
⇒A-NEW	NOTE—Soil mixes or amendments may be manufactured and may contain fertilizer, plant food or other materials.	
⇒B-NEW	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.	
48390	Ore , NOI, etc	⇒Cancel; see item 48135
48392	NOTE—⇒Cancel; no further application.	
155800	Plant Bed Soil Mix (Plant Bed Media) , other than expanded mineral base or other than in the form of blocks or shapes, etc.....	⇒Cancel; see item 48135

SUBJECT 26**Analysis****Introduction**

This proposal is in response to interpretive issues involving manufactured soil mixes, media or amendments. It also seeks to simplify provisions within the Clay Group in the Classification.

Transportation Characteristics

Handling, Stowability, and Liability—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, this proposal would cancel items 48930 and 155800 with reference to the full-scale, density-based provisions of item 48135²⁸. Concurrently, “Ore, NOI” and “Earth (Soil), including Soil Mixes or Amendments, NOI,” would be added to the “viz.” The latter listing would include restrictive language added so as to only apply on products not regulated as hazardous by the U.S. Department of Transportation. Additionally, two new attendant Notes would be established to clarify the application of the articles within the “viz.”

Furthermore, Note, item 48392 and the Clay Group, item 47990, would be canceled with no further application. The indentation of item 48135 would be amended accordingly.

FCDC packaging policy calls for establishing and maintaining packaging specifications as necessary to ensure that freight is adequately protected and can be handled and stowed in a manner that is reasonably safe and practicable so as to withstand the normal rigors of the less-than-truckload environment. Thus, adding “in pails” to the proposed minimum packaging requirements for the listing, “Earth (Soil), including Soil Mixes or Amendments, NOI,” would be consistent with FCDC policy.

²⁸ Item 48135 provides the FCDC's standard 13-subprovision density scale, which includes reference to Item (Rule) 170, the inadvertence clause.