

We would like to discuss the basic issues which we believe have been presented for decision.

We do not sanction operations which claim, but are not entitled to, the partial exemption provided by section 203(b)(5) of the Interstate Commerce Act. We support the Interstate Commerce Commission in the enforcement of the law which it has the duty to administer, and we appreciate their problem in dealing with illegal operations that claim co-op exemption. We know there are transportation co-ops that are not bona fide under the definition of cooperative associations as set forth in the Agricultural Marketing Act. These illegal operations should be stamped out, and since they also hurt bona fide agricultural cooperatives and federated co-ops, we believe in, and support, the Interstate Commerce Commission in its enforcement. In fact, we have tried to help Interstate Commerce Commission to enforce the law.

Also we know of some that are illegal that the Interstate Commerce Commission has gotten injunctions and they have been put out of business. So they have some authority. They have some so far as stopping the illegal co-op.

Now, the co-ops that are running transcontinental have only about 500 tractor trailers involved in these co-ops. We haul for our members from the west coast to the east coast and we have no members on the east coast or Midwest so we have to haul back for nonmembers back to the west coast because it is not feasible to deadhead that piece of equipment back.

That is the reason why we think this 752 as passed by the Senate would almost put us out of business because we cannot deadhead our equipment from the east coast back to the west coast. If we run a hundred pieces of equipment over there we could load about 15 of them back and deadhead the rest of them back. This would not be feasible under this. So far as the rest of the law is concerned in S. 752 as passed by the Senate, I think it would be good to be in the bill.

All our objection to the bill is the percentage in the bill of 15 percent. I think the percentage should be left as is in the Agricultural Act that is in force now.

(Mr. Boggs' prepared statement follows:)

STATEMENT OF WINSTON BOGGS, SALES MANAGER, AGRICULTURAL
TRANSPORTATION ASSOCIATION OF TEXAS

My name is Winston Boggs; I am Sales Manager for Agricultural Transportation Association of Texas whose main offices are located at 107 N.W. 29th Street, Fort Worth, Texas. ATA of Texas is a farm cooperative truck line. Our Board of Directors are as follows:

Taylor Merriman, Traffic Manager, Tri-Valley Growers, San Francisco, California
George Rees, General Manager, Oxnard Frozen Foods, Oxnard, California
Harry Riddling, Jr., Sales Manager, Cypress Gardens Citrus Products, Inc., Winterhaven, Florida
Frank Perez, Sales Manager, Naturipe Berry Growers, San Jose, California
Joe Marshburn, General Manager, Florida Citrus Cannery Coop., Lake Wales, Florida
Robert Stubbs, Sales Manager, Plymouth Citrus Products, Plymouth, Florida
Glen Grader, Secretary Treasurer, National Processors, Inc., Albany, Oregon

Our transportation cooperative is made up of farm producing cooperatives and federated cooperatives. We operate 100 pieces of equipment and cover 48