

AG PROVISION LLC



CDL Driver Handbook

Updated 9/1/17

ACKNOWLEDGEMENT OF RECEIPT

I have received my copy of the Ag ProVision, LLC CDL Driver Handbook. I agree to read the entire contents of the handbook and abide by the policies and procedures herein.

I understand that this is not an employment contract.

Since the information in this manual is subject to change, I understand that subsequent changes may supersede, revise, or eliminate the policies herein. Changes in policies will be communicated to me by my supervisor, through official notices and amendments to the handbook.

Employee Signature

Date

Employee Printed Name

The signed acknowledgment will be maintained in your official Driver Qualification (DQ) File.

DEFINITIONS:

APV	Ag ProVision, LLC
ARC	Accident Review Committee
CDL	Commercial Driver License
CMV	Commercial Motor Vehicle
DDC	Defensive Driving Class
DOT	Department of Transportation
DQ	Driver Qualification
DUI	Driving Under the Influence
DVIR	Driver Vehicle Inspection Report
DWI	Driving While Impaired
FMCSA	Federal Motor Carrier Safety Act
FMCSR	Federal Motor Carrier Safety Regulation
FSMA	Food Safety Modernization Act
MCMIS	Motor Carrier Management Information System
MRO	Medical Review Officer
QA	Quality Assurance
SOP	Standard Operating Procedure

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Chapter 1 - DOT Compliance

101 GENERAL QUALIFICATION OF DRIVERS (FMCSR PART 391.11)

A driver shall not drive a CMV unless qualified to do so. A person is qualified to drive a CMV if driver:

- Is at least 21 years old;
- Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records;
- Can by reason of experience, training, or both, safely operate the type of motor vehicle being driven;
- Is familiar with methods and procedures for securing cargo in or on the motor vehicle being driven;
- Is physically qualified to drive a CMV (FMCSR Part 391.41);
- Has a current valid CDL issued only from one State or jurisdiction;
- Has prepared and furnished APV with a list of traffic violations;
- Is not disqualified to drive a CMV under the rules required by FMCSR Part 391.15;
- Has successfully completed a driver's road test and has been issued a certificate of driver's road test.

102 ADDITIONAL APV REQUIREMENTS

In addition to the FMCSR minimum requirements for operation of a CMV, APV also requires the following from potential CDL driver employees:

- Can by reason of experience, training, or both, determine whether the cargo being transported has been located, distributed, and secured in or on the motor vehicle being driven;
- Must pass a DOT physical;
- Has successfully completed a driver's road test and has been issued a certificate of driver's road test at the completion of his/her 3rd Party Training;
- Has completed and furnished APV with a CDL Driver's Application for Employment;
- Verifiable work history for previous 10 years must reflect stability and show driver is safe, dependable, responsible, and cooperative;
- Generally, one (1) year tractor/trailer experience, or a Truck Driving

School Graduate. In all cases, must meet applicable experience level for the specific job requirements;

- No convicted accidents for the last three (3) years with a CMV;
- No more than one (1) moving violation in the last year;
- No DWI/DUI, alcohol, or drug-related conviction in last ten years;
- No more than two points in last 36 months or 0 points in last 12 months, relative to preventable accidents and moving citations/convictions using APV discipline point program;
- No convicted Type A violations within the past 10 years. Refer to the APV Accident Protocol contained in the Fleet Safety section of this handbook for a description of Type A violations.

103 BASIC RULES OF EMPLOYMENT

(Refer to the APV Employee Handbook for general “Employee Conduct and Work Rules”)

There are some violations of Company policy that are considered a “breach of conduct” and may cause immediate termination for CDL drivers. In all cases, a complete and thorough investigation of the circumstances surrounding the event will be conducted prior to terminating a driver. Some of the issues listed below may give cause for immediate termination:

1. **Transportation of Unauthorized Passengers and or Material.** - No driver may transport any person or pets/animals in an APV CMV unless specifically authorized by an official of the Company. Verifiable emergency would be an exception. It is forbidden for any driver to accept any payment for the transport of any material in Company vehicles.
2. **Unauthorized Maintenance** - Altering or tampering with mechanical and/or electrical parts of the power unit or trailer.
3. **Theft of Cargo** - Removal of and/or sale of product being transported for personal gain.
4. **Log/Trip Sheet Violations** - Driving over hours, incompleteness, falsified entries, late turn-in, and obvious disregard of logging responsibilities.
5. **Failure to Report** - Failure to notify supervisor when a driver’s license has been suspended or revoked with one business day.
6. **Abuse of Equipment** - Allowing engine to overheat, low oil or water, failing to keep cab interior clean, tampering with any gauges, or any other action that causes damage to the tractor or trailer.
7. **Failure to Maintain Routes** - Any unauthorized use of Company vehicle for personal reasons or operating vehicle off designated routes.
8. **Fraud** - Any attempts to defraud the Company in any manner.
9. **Traffic Violation** - Failure to notify the Company of moving violations

- within 30 days of conviction.
10. **Securing Load** - Not properly securing all gates and doors to prevent loss of product while in transit.
 11. **DWI/DUI** - Employees convicted of DWI, DUI, improper driving, or reckless driving, as a result of a reduced charge from a DWI or DUI will be disqualified.
 12. **Defective Equipment** - Operating a CMV knowing that the equipment is defective, or operating equipment that has been placed out of service.
 13. **Safety Consciousness** - Conduct resulting in injury to an employee or others such as recklessness or disregard to safety or health.
 14. **Radar Detectors** – The use of radar detectors in a Company vehicle is not permitted.
 15. **Firearms or Weapons** – Firearms or weapons are **NOT** allowed in Company vehicles.

104 DRIVING RECORD REVIEW (FMCSR391.25)

DOT regulations require that each driver sign a Certification of Traffic Violations and that the driving record of each driver be reviewed annually. This includes not only violations involving commercial vehicles but also in personal vehicles as well. Drivers with an unsatisfactory driving record can expect appropriate action to be taken. This review will determine whether a driver will remain qualified to drive.

105 DOT DRIVER DISQUALIFICATION (FMCSR 383.51)

A driver who receives a notice that their license, permit, or privilege to operate a CMV has been revoked, suspended, or withdrawn shall notify their direct supervisor of the contents of the notice **before the end of the business day following the day the driver received it**. In addition, FMCSR's require the following:

1. A driver will be disqualified from driving for a period of one (1) year (first offense) if convicted of any of the following offenses:
 - a. Driving while the blood alcohol concentration (BAC) is 0.04% or more, driving under the influence of alcohol as prescribed by state law, or refusing to undergo testing;
 - b. Operating a CMV under the influence of a controlled substance;
 - c. Leaving the scene of an accident;
 - d. Driving with a revoked license;
 - e. Driving with a suspended license;
 - f. Causing death through negligent operation of **any type** of

- vehicle. A second conviction could mean permanent disqualification;
- g. Conviction of a felony which involved the use of a CMV by that driver;
 - h. Conviction of a crime involving the manufacturing; knowing transportation; knowing possession, sale or formation of an amphetamine, or a derivative of a narcotic drug.
2. A driver is disqualified for life if convicted of “using a CMV to commit a felony involving manufacturing, distributing, or dispensing a drug.
 3. A driver to be disqualified for 60 days if he/she receives two (2) serious traffic violations within a three-year period, or 120 days for three (3) serious traffic violations within a three-year period. A “**serious traffic violations**” includes:
 - a. Excessive speeding involving any single offense for speed of 15 miles per hour or more above the posted speed limit;
 - b. Reckless driving, as defined by state or local law or regulation, including but not limited to, offenses of driving a CMV in willful or wanton disregard for the safety of persons or property;
 - c. Improper or erratic traffic lane changes;
 - d. Following the vehicle ahead too closely;
 - e. A violation arising in connection with a fatal accident;
 - f. Failure to obey traffic signal, railroad crossing, or law enforcement directions.
 4. Out of service FMCSR 383.51 Table 4
 - a. Violation of driver or vehicle out of service orders (non hazmat) will result in disqualification for no less than 180 days to 1 year for first offense or 2-5 years for second offense.
APV driver disqualification requirement meets or supersedes FMSCR driver disqualification.

106 DRUG AND ALCOHOL POLICY

APV drivers will comply with the APV Drug and Alcohol Policy as defined in the APV Employee Handbook. For a detailed explanation of the Company policy, refer to the Employee Handbook.

In addition to the policies and procedures outlined in the APV Employee Handbook, CDL drivers should know that only laboratories certified by the U.S. Department of Health and Human Services to perform urine drug tests will perform analysis of specimens. Trained collectors will collect specimens. An experienced, certified MRO will review all laboratory reports. An MRO is a physician who reviews drug-testing results and provides donors who have positive drug tests with an opportunity to discuss their results. Prior to any

employment action on positive drug tests, the employee will have the opportunity to discuss or explain their test results in confidence to a qualified Company MRO. All substituted, adulterated, or positive tests reported by the laboratory are considered to be positive results after the MRO has determined the individual's failure to provide a reasonable alternative medical explanation for such results. The MRO verification may include, as appropriate, a telephone contact with the employee or applicant and any treating physician and/or pharmacy.

Drivers must notify their supervisor of prescription drug usage in which prescription states "may cause drowsiness," or "do not operate a motor vehicle."

107 DRIVER PRE-TRIP INSPECTIONS

Drivers are required to perform proper pre-trip inspections in accordance with established guidelines to ensure that before a driver places a unit into operation, it can be operated in a safe and efficient manner (See Appendix A). The drivers shall:

- Be satisfied that the motor vehicle is in safe operation condition;
- Review the last driver's vehicle inspection report (DVIR);
- Sign DVIR to acknowledge that it has been reviewed, and if a deficiency was noted there is a certification that the repairs have been performed;

Note: Never tamper with an Out of Service Tag or Locking Device from a unit that indicates an unsafe condition. It is a driver's responsibility to assure that the equipment is safe and that the next operator is made aware of any problem with the equipment.

108 DRIVER'S VEHICLE INSPECTION REPORT (DVIR)

If one or more road tractors and/or trailers are operated during the day, a separate report must be completed for each tractor/trailer combination. The report is a 2-part set contained in a driver's vehicle inspection report book and consists of an original (white copy) and a yellow copy.

Distribution

White Copy

- Turn into supervisor or as directed.

Yellow Copies

- No defects noted; leave in book.
- Always leave in book for the next driver's sign off.
- Defect is noted turn both copies in to maintenance.

A unit cannot be operated until all safety defects noted on the DVIR have been signed off by the Company or its agent.

Disposition of Driver Vehicle Inspection Report Book

When all sets have been used, the operator will turn the DVIR book into supervisor and driver will be issued a new one.

109 STATE ROADSIDE INSPECTIONS

It is mandatory that all inspection reports be given to your supervisor. All copies of reports will be retained for an ongoing three-year period. Supervisors are required to:

- Be certain any and all repairs are corrected and documented according to FMCSR.
- Return the original inspection to the issuing office within fifteen days. It is the responsibility of the driver's supervisor to ensure that signed inspections are returned to the DOT.

110 DOT HOURS LIMITATIONS (395.3)

Drivers will comply with all federal and state regulations with respect to hour-of-service limitations. These regulations are outlined in 49CFR395. Any questions should be discussed with your supervisor.

111 FALSIFICATIONS

Falsification of Company records, trip records, time cards, information on employment applications, or statements to investigative personnel will result in immediate dismissal.

112 MEDICAL CARDS

APV will provide a Company MRO physician for state and federal medical certifications at no cost to the driver. Drivers must use the Company-managed MRO provider.

APV is not responsible for fees associated with maintaining a CDL. Any driver who fails to renew or maintain their CDL or keep up-to-date with medical card requirements will not be permitted to operate a Company vehicle. (The driver

may be subject to attendance and disciplinary actions related to the ability to drive.)

Any medical condition that causes a driver to question their duty status must be discussed with the Company MRO. Drivers are required to report medical changes or impairments that affect their abilities to operate safely. The specifics of any condition are between the driver and the Company MRO.

Drivers are required to report ALL medical card updates to the state in which they are licensed to drive. Failure to do so will result in loss of CDL privileges from that state. If you have any questions, please contact your supervisor.

113 FMCSA UPDATES

For current laws and regulations regarding FMCSR, please visit the website <http://www.fmcsa.dot.gov>

Chapter 2 – Fleet Safety

201 FLEET SAFETY PHILOSOPHY

A Safe Working Environment- the personal safety and health of each employee of Ag ProVision, LLC is of primary importance. It is a basic responsibility of all employees from the President to the entry-level employee to make sure we have a safe working environment.

You can be assured from the highest levels of APV Management that every employee has the right to question safety practices without risk of losing his/her job or being subject to reprisals for stating a safety concern.

Transportation accidents consistently rank as one of the leading causes of death and injury to employees, as well as a significant drain on the costs of operating our fleet. While the prevention of accidents is certainly the primary focus of our safety efforts, there are other very good reasons for supporting the goals stated above, not the least of which is our reputation with the public and the Department of Transportation.

As a driver for APV, you are a representative of the Company. The way in which you operate your vehicle, from the pre-trip inspection to the post-trip inspection, even how you are dressed when you stop for a cup of coffee, all are a reflection of our Company. Obeying traffic laws, showing respect and courtesy to other

drivers and presenting a good public image are all components of being a professional driver. Tailgating, operating carelessly, speeding, and disregard for four wheelers are not characteristics of a professional driver and unacceptable to APV standards.

Defensive driving techniques can do much to prevent accidents. Newly-hired drivers may complete the PACE (DDC) or equivalent course during initial training. All drivers are further required to complete DDC training at least every three years.

Many drivers carry their personal cell phones with them. The FMCSA has officially published its rule which prohibits interstate commercial motor vehicle (CMV) drivers from using hand-held cellular phones and other hand-held devices while driving. Drivers are not permitted to use hand-held phones while temporarily stopped due to traffic, a traffic control device, or other momentary delays. Driving conditions should be considered even when using hands-free communications devices. Heavy traffic, narrow winding roads, intersections, and poor visibility are some of the conditions to be considered before communicating. If necessary, you may need to pull safely off the road in order to communicate effectively without endangering yourself and others.

Not only is it state law that requires proper use of restraint systems, but it is APV Company policy as well. Our policy simply states that: "every occupant of a vehicle must have the seatbelt buckled while traveling on a roadway. A roadway is any farm path, dirt road, paved road or other path between buildings or properties. The driver of the vehicle is directly responsible for insuring compliance by all occupants." Violations of this policy cannot and will not be tolerated. Every member of this Company will be held accountable. First offense will result in a final written warning, three day suspension without pay, and documentation to be included in the employee's personnel file. A second offense will result in immediate termination of employment.

Our APV fleet is equipped with modern safety devices and standard driver comforts. Maintenance, (along with your help in completing DVIR's and making the vehicle available for scheduled work) is tasked with maintaining equipment in good condition. Your supervisor will work to schedule you efficiently and provide the needed rest time for safely operating your truck.

All of us together must do our part and cooperate with each other to make the transportation department the safest possible operation. Each of us must accept the responsibility for our own safety and to the extent possible, that of our fellow drivers.

201.1 SEAT BELT USE IN COMPANY VEHICLES

Seat belt use is mandatory for each person either driving or riding in a Company vehicle. All Company-owned vehicles are required to be equipped for each occupant. Vehicles which are not equipped with seat belts shall be removed from service until such a time as an appropriate and legal retrofit or replacement device can be purchased and installed. A CMV which has a seat belt assembly installed at the driver's seat shall not be driven unless the driver is properly restrained.

201.2 CELL PHONE USE IN COMPANY VEHICLES

Cell phone use is prohibited for person operating a Company CMV except in the following circumstances:

- The cell phone is equipped with a hands-free device;
- The vehicle is pulled out of the public way and is placed in park.

201.3 RADAR DETECTORS

No driver shall use a radar detector in a CMV, or operate a CMV that is equipped with or contains such device.

201.4 DRUG AND ALCOHOL POLICY

No driver shall possess, be under the influence of, or use any substance that will or can alter or affect their ability to safely operate a CMV. Please refer to the Company Drug & Alcohol Policy in the APV Employee Handbook.

201.5 FIREARMS OR WEAPONS

Firearms or weapons are NOT allowed in Company vehicles.

202 PERSONAL PROTECTIVE EQUIPMENT

Required footwear is a steel toe work boot with good ankle support (over the ankle) and slip-resistant sole. Tennis shoes (sneakers), sandals, and open toe shoes are unacceptable.

Safety glasses and bump caps are required for some jobs. Contact your supervisor and consult your department's SOPs to see if this is a requirement of your job.

The use of reflective vests is highly recommended for all APV drivers when exiting a CMV when on a roadway or a working yard. Hearing protection is also provided for comfort.

203 SLIPPERY CONDITIONS AT THE FEED MILLS

Drivers who enter the mill must have a work-related reason to do so and must be escorted by mill personnel.

Please be cautious at the feed mills while walking. The concrete gets damp very easily and when feed accumulates on it, it becomes very slippery. Drivers should ensure the soles of their footwear are in good condition. Always use three points of contact when exiting or entering the tractor or trailer. Be careful and assess your surroundings at farms and plants. We operate in all kinds of terrain and weather situations.

204 ACCIDENT CAUSATION

Four major contributors to accidents are constantly cited...SPEED, FATIGUE, SUBSTANCE ABUSE, AND DISTRACTED DRIVING.

Speed is a contributing factor in many accidents. Rollovers, rear-end collisions, and skids increase the risk of injury/accident when driving too fast. Rain, fog, night time driving, narrow roads, bridges, and unfamiliar routes all demand us to slow down. Excessive brake wear, poor fuel consumption, and increased tire wear are additional reasons for driving at a safe speed.

Fatigue is another danger to operating safely. The effects of fatigue are cumulative and by some estimates contribute as much to accidents as alcohol use. Studies show that driver alertness and performance is more consistently related to time-of-day than how long you have been driving. Drowsiness periods are 8 times more likely between midnight and 6 AM than during other times. If you work the night shift, more frequent breaks and proper rest during time off is essential. Sleep is the only cure for fatigue. APV will schedule you time off to sleep; only you can insure that you use that time to sleep.

Substance abuse and its residual effects will not be tolerated on the job (consult the Substance Abuse Policy in the APV Employee Handbook). Other drugs can make the operation of vehicles unsafe such as over the counter medications. Always consider listed side effects when taking any medication before driving a CMV. If in doubt, call the doctor who issued your medical certificate or consult the safety officer. Do not operate your vehicle while impaired by any substance.

Distracted Driving – Examples would be texting, eating, drinking, and smoking while operating a CMV. All driver distractions should be reduced or eliminated when possible.

Overhead power lines are another source of danger to trucks. If the vehicle comes into contact with the power lines, **DO NOT GET OUT OF THE VEHICLE.** Call supervisor for help. Do not move the unit or try to pull free of the power line(s) as it is much safer to let the utility Company remove the line. If the vehicle is on fire and you must get out, open the door and jump as far from the vehicle as possible. Watch for fallen lines and move a safe distance from the truck.

205 ACCIDENT REPORTING

All accidents involving personal injury or damage to property, no matter how minor, must be reported immediately to your supervisor. If necessary, your supervisor will request an ambulance and/or law enforcement officers. When animals are involved in an accident, all necessary steps should be taken to provide as much protection and comfort as possible. If the damage is minor and there are no injuries, you may be instructed to take pictures and get names and addresses of other people involved or any witness to the accident.

If you suffer a work-related injury that requires medical attention, your supervisor must contact the Safety Officer for approval and instructions for medical treatment. This applies to reported cases requiring immediate medical attention and to reported cases with delayed need for medical attention.

Any time a vehicle is involved in a collision with either another vehicle or it happens on a state highway/road, law enforcement should be notified. Any time a driver witnesses another accident, they should stay on the scene until released by the law enforcement personnel.

The driver must set out emergency warning devices within **10 minutes** if the CMV is stopped on the traveled portion or the shoulder of a highway for any cause other than necessary traffic stops.

The placement of warning devices varies according to a variety of circumstances

as the table indicates:

Emergency Warning Devices

A sudden breakdown or emergency creates another type of serious driving hazard. To avoid a collision, anticipate the hazards and know how to avoid them. Knowing how to park safely and place emergency warning devices correctly is vital.

What should you do?

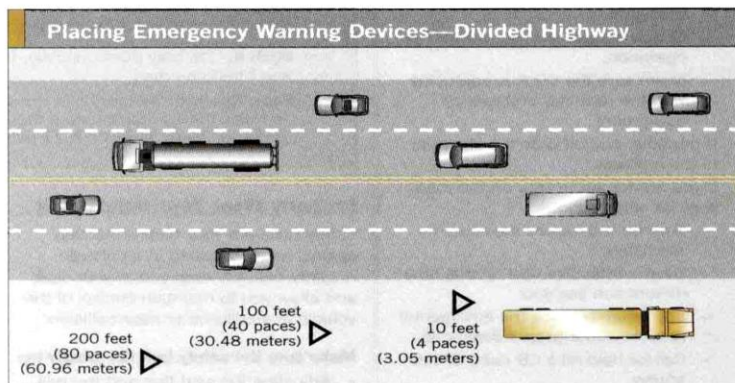
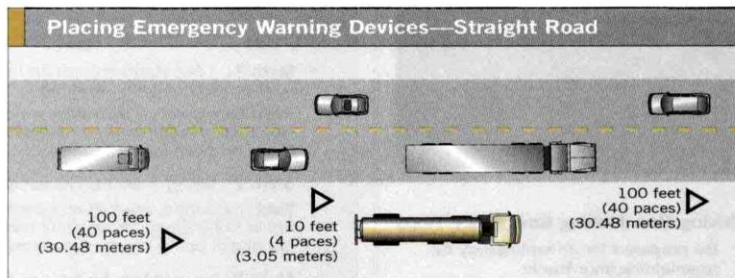
When you need to make an emergency stop, take the following steps:

1. Whether it is day or night, turn on your hazard flashers.
Caution! At night, a driver watching your truck's taillights could cause a crash by following you onto the shoulder, thinking you are proceeding ahead.
2. Always pull off the roadway as far as possible. To avoid creating a bigger hazard, try not to leave any part of the truck parked on the travel lane.
Caution! On high-speed and rural roadways, other drivers do not expect to see a vehicle parked in their lane. They may not be able to react quickly enough to avoid a crash.
3. Put on a reflective vest and bright-colored clothing to make you more visible to other drivers.
4. Place the emergency devices according to the types of road conditions shown here.

Placing Emergency Warning Devices

Straight Road

1. Set the first triangle 10 feet (or 4 paces) **behind** the truck.
2. Set the second triangle 100 feet (or 40 paces) **behind** the truck, and at least 4 feet to the right of the first triangle.
3. Set the third triangle 100 feet (or 40 paces) **in front** of the truck.



Divided Highway

1. Set the first triangle 10 feet (or 4 paces) **behind** the truck.
2. Set the second triangle 100 feet (or 40 paces) **behind** the truck and at least 4 feet to the right of the first triangle.
3. Set the third triangle 200 feet (or 80 paces) **behind** the truck and at least 4 feet to the right of the first triangle.

Hill, Curve, or Other Obstruction

Be sure that approaching traffic can see your emergency devices in time to slow down.

On the **approach side** of a hill or curve:

1. Set the first triangle between 100 to 500 feet (or 40–200 paces) **in front** of the truck.
2. Set the second triangle 10 feet (or 4 paces) **behind** the truck.
3. Set the third triangle 100 feet (or 40 paces) **behind** the truck.

On the **far side** of a hill or curve:

1. Set the first triangle 10 feet (or 4 paces) **behind** the truck.
2. Set the second triangle 100 to 500 feet (or 40–200 paces) **behind** the truck.
3. Set the third triangle 100 feet (or 40 paces) **in front** of the truck.

All vehicles are equipped with a disposable camera and an accident reporting kit with instructions. If your vehicle doesn't have a kit, ask your supervisor for one. Additionally, each vehicle should be equipped with a fire extinguisher that should be checked for proper charge during the pre/post-trip inspection. If you are involved in an accident, remove the accident reporting instruction packet from the truck and follow the checklist. **It is the driver's responsibility to insure that the accident reporting kit is available in the vehicle before leaving the domicile.** The camera is to be used to take photos of an accident scene as soon as possible after the accident occurs. This is especially important when the vehicles will be moved for safety or other reasons before a Company representative arrives at the scene. **Do not photograph other individuals involved.** Turn accident report and camera in to your supervisor. All accidents

and incidents need to be reported to your supervisor.

206 ACCIDENT REVIEW COMMITTEE (ARC)

APV has established an accident review committee to review accidents and make a determination of whether or not the accident will be classified as preventable or non-preventable. This determination will be based on established criteria (see guide to preventability section 208) following the evaluation of all available evidence. The evidence will consist of the law enforcement report, witness statement(s), Company reports, photographs, and any other evidence that may affect the decision. (The committee will meet as soon as possible following an accident.) In cases where the driver is suspended pending the outcome of the review, the committee will make every effort to meet within 72 hours of the accident. In animal-strike collisions, on-board records must be available to rule incidents as non-preventable.

Once the ARC has reached a decision, the decision will be relayed to the Logistics Manager to issue an ARC determination letter. This determination letter will be sent to Human Resources. If the accident is deemed preventable, the driver's supervisor is responsible for submitting the signed determination letter to Human Resources. In addition, if the accident is ruled preventable, the Vice President and the Logistics Manager will determine the point assessment for the incident.

In cases where a driver disagrees with the decision of the committee, a request for appeal must be submitted to the Logistics Manager. The driver working must submit the request in writing within two weeks (10 business days) of notification of the decision stating the grounds for the appeal or reasons the accident should be reclassified. A special ARC will then be asked to hear the appeal. Accident cases which involve a fatality will be reviewed by management.

The Accident Review Committee will be comprised of some combination of the following representatives or designees:

- Safety Officer
- Management Representative
- Maintenance Representative
- Human Resources Representative
- Driver Representative
- Other Personnel (as needed)

206.1 AG PROVISION POINT ASSESSMENT

A driver will be assessed points for each preventable accident, citation received

while operating an APV vehicle, or convictions in a personal vehicle. Assessed points accumulate over a 3 year period. Management will determine point assessment for convictions that are listed on a driver's MVR. A driver's MVR reflects pending citations, convictions, suspensions, and accidents in commercial motor vehicles as well as personal vehicles. APV drivers are expected to conduct themselves as professional drivers and for that reason, **all** citations, convictions, and accidents whether CMV-related or not will be factored into the points system. Additionally, a prayer for judgment or bond forfeiture is considered a conviction. A driver may be disqualified and/or terminated upon accumulation of 7 points in a 36-month period, or 5 points in a 12-month period, based on the date of the accident/citation/conviction. All accidents and moving violations occurring in the past 36 months will be considered, even if they occurred prior to becoming a driver for APV.

The following guidelines will be used to determine points to be assessed. However, the actual points assessed may vary depending upon the seriousness of the citation and/or circumstances related to the citation. Where there are exceptional circumstances, or violations not listed in the guidelines, APV management will determine points assessed. Citations/convictions are generally categorized as either Type A or Type B.

Preventable Type A citations/convictions are considered **disqualifying** events and include the following:

Type A Citations/Convictions

Description

Driving while intoxicated
Driving under the influence of drugs
Negligent homicide arising out of the use of a motor vehicle
Operating during a period of suspension or revocation
Using a motor vehicle for the commission of a felony
Aggravated assault with a motor vehicle
Operating a motor vehicle without the owner's consent (Grand Theft)
Permitting an unlicensed person to drive
Reckless driving
Speed contest
Hit and run driving
Possessing alcoholic beverage in the passenger area of a CMV

Type B Citations/Convictions

Points Description

7	All Type A Violations
7	Failure to Stop for a School Bus
7	Railroad Crossing Violation Resulting in CDL Suspension
6	Aggressive driving
6	Careless and reckless driving in violation of G.S.20-140(f)
5	Failure to yield right of way to bicycle, motor scooter, or motorcycle
5	Failure to yield right of way to pedestrian
5	Hit and run, property damage only
5-7	Overtake - Public Roadway
4-5	Overtake - Farm
4	Driving through safety zone
4	Failure to stop for siren
4	Disregard for Traffic Control Device (red light, stop sign)
4	Speeding in a school zone in excess of the posted school zone speed limit
3	*Excessive Speed 15 MPH or greater over limit
3	*Failure to Reduce Speed
3	*Failure to Use Seatbelt (first offense)
3	*Following too Close
3	*Improper Lane Change/Passing (left of center)/Illegal Passing
3	All other moving violations
3	Failure to maintain lane control
3	Driving on wrong side of road
3	Failure to Secure Load
3	Failure to Yield Right of Way to another vehicle
3	Inattentive Driving
3	No driver license or license expired more than one year
3	Speed too Great for Conditions/Exceeding a Safe Speed
2	Failure to have Vehicle Under Control
2	Improper Backing or Turning
2	Speed 6 to 14 MPH over limit
1	Littering pursuant to G.S. 14-399 when the littering involves the use of a motor vehicle
1	Speed 5 or less MPH over limit

APV Disqualifying Citations/Convictions – a driver receiving point assessment for two items marked with an asterisk (*) in 36 months will result in disqualification/termination.

Management Guidelines

The primary purpose of the ARC is to determine whether or not the accident was preventable or non-preventable based on the actions of the driver. For those preventable accidents that do not fall in the above point matrix, APV

management will use the following general guide to assess points:

**Preventable
Accidents:**

1 Point	Damage and/or liability less than \$1,000 while operating on Company property, at a feed mill, warehouse, or other owner site or path/road.
1 Point	Any Out of Service Violation deemed to be negligence or oversight on the driver's part.
1 Point	Damage and/or liability less than \$1,000, not involving other vehicles on a roadway.
2 Points	Moderate damage and/or liability, no injury, or moderate negligence. Damage range \$1,000 to \$5,000.
3 Points	Significant damage and/or liability, minor injury, or significant negligence. Damage range \$4,000 to \$10,000.
4 to 7 Points	Serious damage and/or liability, serious injury, serious negligence. Damage range \$9,000 and up.

At a driver's own time and expense, a driver may attend the National Safety Council Defensive Driving Course (CMV) (DDC) conducted by a certified instructor to offset up to three (3) points assessed for a preventable accident or moving citation/conviction provided the following conditions are met:

1. The driver has been a driver for APV for at least one (1) year.
2. The driver has not attended this course to offset points assessed for accidents or moving citation/conviction in the last 36 months.
3. The driver is not facing disqualification/termination due to accumulating 7 points in 36 months, or 5 points in 12 months, as a result of the most recent accident/citation/conviction violation.
4. In situations where a driver has been driving without an incident for 24 months or more and has a 5 or 6 point incident, management will review the driver's file and at their discretion allow a one time training/DDC process to reduce points by up to 3.

Reporting Moving Citations/Convictions, Accidents, and Out Of Service Violations

All accidents, all moving citations/convictions, suspensions, and all out-of-service violations must be reported to the Logistics Manager at first opportunity during normal business hours. DOT recordable accidents, those where a vehicle is towed away from the scene, an injury is treated away from the scene, or there is

a fatality, must be reported as soon as possible (see Section 206, Accident Reporting). Failure to report an accident, moving citation/conviction, or out of service violation will result in corrective action, up to and including disqualification/termination.

A driver is personally responsible and liable for citations received while driving an APV CMV. All citations for moving violations shall be paid for or resolved by the driver. In cases where trucks are loaded without scaling and loading procedures being followed, the driver will not be responsible for overweight violations. Bridge and road weight laws will be followed and at no time is it permissible to violate posted limits.

207 ACCIDENTS

207.1 ACCIDENT PREVENTABILITY

The Safe Driving Program is the careful determination of the preventability of each accident in which a driver is involved. This must be done in light of all the facts pertinent to the accident's occurrence. Uncovering these facts is sometimes difficult in practice, but it can be made easier by training drivers to report the accidents in which they are involved completely and accurately. Complete investigation by management is equally necessary.

The first step in reviewing the accident is to determine if the driver involved adhered to the Defensive Driving Code. That is, did the driver "Drive in such a way to commit no errors himself, and so controlled the vehicle as to make due allowance for conditions of road, weather and traffic, and to assure that mistakes of other drivers did not involve him/her in an accident"? It is important to remember that police action in issuing citations for an accident is not a factor in determining whether a driver could have prevented an accident from occurring.

Each accident must be judged individually. Experience in fleet safety over the years has shown that certain types of accidents are generally non-preventable on the part of the professional truck driver and defensive driving could have prevented certain others, in absence of extenuating circumstances. The types of accidents listed below cannot cover every accident which may occur, but they are intended to provide guidance in determining the eligibility of drivers for safe driving awards.

207.2 NON-PREVENTABLE ACCIDENTS

Struck In Rear by Other Vehicle

- Driver's vehicle was legally and properly parked;
- Driver was proceeding in his/her own lane of traffic at a safe and lawful speed;
- Driver was stopped in traffic due to existing conditions or was stopped in compliance with traffic sign or signal or the directions of a police officer or other person legitimately controlling traffic;
- Driver was in proper lane waiting to make turn;
- Emergency warning devices protected vehicle as required by DOT and state regulations or if driver was in process of setting out or retrieving signals. These provisions shall apply to the use of turn signals as emergency warning lights under DOT regulations.

207.3 PREVENTABLE ACCIDENTS

Accidents at Intersections

- Driver failed to control speed to stop within available sight distance;
- Driver failed to check cross-traffic and wait for it to clear before entering intersection;
- Driver pulled out from side street in the face of oncoming traffic;
- Driver collided with person, vehicle, or object while making a right or left turn;
- Driver collided with vehicle making turn in front of him.

Striking Other Vehicle in Rear

- Driver failed to maintain safe following distance and to have the vehicle under control;
- Driver failed to keep track of traffic conditions and note slowdown;
- Driver failed to ascertain whether vehicle ahead was moving slowly, stopped or slowing down for any reason;
- Driver misjudged rate of overtaking;
- Driver came too close before pulling out to pass;
- Driver failed to wait for car ahead to move into the clear before starting up;
- Driver failed to leave sufficient room for passing vehicle to get safely back in line.

Sideswipe and Head-On Collisions

- Driver was not entirely in the proper lane of travel;
- Driver did not pull to right and slow down and stop for vehicle encroaching on his/her lane of travel when such action could have been taken without additional danger.

Struck In Rear by Other Vehicle

- Driver was passing slower traffic near an intersection and had to make sudden stop;
- Driver made sudden stop to park, load, or unload;
- Vehicle was improperly parked;
- Driver rolled back into vehicle behind while starting on grade.

Squeeze Plays and Shutouts

- Driver failed to yield right-of-way when necessary to avoid an accident.

Backing Accidents

- Driver backed up when backing could have been avoided by better planning of his/her route;
- Driver backed into traffic stream when such backing could have been avoided;
- Driver failed to get out of cab and check proposed path of backward travel;
- Driver depended solely on mirrors when it was practical to look back;
- Driver failed to get out of cab periodically and recheck conditions when backing a long distance.
- Driver failed to sound horn while backing;
- Driver failed to check behind vehicle parked at curb before attempting to leave parking space;
- Driver relied solely on a guide while backing;
- Driver backed from blind side when a sight-side approach could have been made.

Accidents Involving Rail Operated Vehicles

- Driver attempted to cross tracks directly ahead of train or streetcar;
- Driver ran into side of train or streetcar;
- Driver stopped or parked on or too close to tracks.

Accidents While Passing

- Driver passed where view of road ahead was obstructed by hill, curve, vegetation, traffic, adverse weather conditions, etc;
- Driver attempted to pass in the face of closely approaching traffic;
- Driver failed to warn driver of vehicle being passed;
- Driver failed to signal change of lanes;
- Driver pulled out in front of other traffic overtaking from rear;
- Driver cut-in short returning to right lane.

Accidents While Being Passed

- Driver failed to stay in lane and hold speed or reduce it to permit safe passing.

Accidents While Entering Traffic Stream

- Driver failed to signal when pulling out from curb;
- Driver failed to check traffic before pulling out from curb;
- Driver failed to look back to check traffic where mirrors did not show traffic conditions;
- Driver attempted to pull out in a manner which forced other vehicle(s) to change speed or direction;
- Driver failed to make full stop before entering from side street, alley, or driveway;
- Driver failed to make full stop before crossing sidewalk;
- Driver failed to yield right-of-way to approaching traffic.

Pedestrian Accidents

- Driver did not reduce speed in area of heavy pedestrian traffic;
- Driver was not prepared to stop;
- Driver failed to yield right-of-way to pedestrian.

Mechanical Defects Accidents

- Defect was of a type which driver should have detected in making pre-trip or en route inspection of vehicle;
- Defect was of a type which driver should have detected during the normal operation of the vehicle;
- Defect caused by driver's abusive handling of the vehicle.

All Types of Accidents

- Driver was not operating at a speed consistent with the existing conditions for road, weather, and traffic;
- Driver failed to control speed to stop within assured clear distance;
- Driver misjudged available clearance above, on either side, or below vehicle.
- Driver failed to yield right-of-way to avoid accident;
- Driver failed to accurately observe existing conditions;
- Driver was in violation of Company operating rules or special instructions, the regulations of any federal or state regulatory agency, or any applicable traffic laws or ordinances;
- Driver struck a fixed object;
- Driver failed to maintain control of the vehicle;
- Driver was exceeding posted speed limit.

Chapter 3 - General

301 TRANSPORTATION AND MAINTENANCE

Transportation depends on both internal and external maintenance for providing repairs and maintaining the fleet of equipment you operate. The Transportation team expects you to be professional in behavior when communicating with maintenance personnel. If you take a positive, courteous approach when seeking repairs, maintenance personnel will be more eager to respond to your requests.

Always check your equipment and gather all the information you can about any problems you're having before calling or reporting to maintenance. Items to check will vary depending on the problem. Please remember that when we ask questions we are doing this to speed up repairs and determine what caused the breakdown.

302 TELEPHONE POLICY

To ensure that supervisors have the most current phone numbers for drivers and a back up number in case of emergencies, the employee is responsible for keeping these phone numbers up to date with their supervisor.

303 FUELING

No vehicle shall be left unattended at the fuel island. Drivers are responsible for all fuel spills caused by inattention. Remember to report and follow your spill procedures for any fuel spill.

304 HYDRAULIC AND FUEL SPILLS

Spill kits are to be kept on power units. In the event of a spill, the driver should do the following:

- Find the source of the spill and stop it if possible.
- Contain the spill to as small of an area as possible.
- Use the spill kit to help contain the spill.
- Notify supervisor about the spill within 15 minutes.

When notifying supervisor, the following information should be provided:

- Is the spill within 100 feet of water (streams, ditches, river, or swamp)?

- Approximate amount of spill (in gallons).

The driver will be given instructions from supervisor on how to properly dispose of any contaminated material (soil, absorbent materials, etc.) Note: A spill kit must include plugging and absorbent materials. If you use your spill kit make sure to replace it upon your return.

305 CONNECTING TRAILERS

Warning: Failure to keep the fifth wheel plate lubricated could cause erratic steering because of the fifth wheel plate binding between the tractor and trailer, resulting in an unsafe operating condition.

- Position the tractor so that the fifth wheel lock opening is in line (both vertically and horizontally) with the trailer kingpin. The kingpin should be in a position to enter the throat of the locking mechanism, to prevent a false lock up. Adjust the trailer landing gear to give enough height so that the fifth wheel picks up the trailer on the fifth wheel ramps.
- With the fifth wheel lock opening aligned with the trailer kingpin, back the tractor slowly toward the trailer, making sure that the kingpin correctly enters the throat of the locking mechanism. When the trailer is picked up by the fifth wheel, stop the tractor, and then continue a slow backward motion until positive lockup occurs.
- Apply the tractor parking brakes.
- Make a visual check for proper kingpin lockup. Release the tractor parking brakes. Test for kingpin lockup by pulling slowly on the trailer against the trailer brakes.
- Check for kingpin clearance in the lock. If more than 1/8-inch clearance exists between the kingpin and the lock, the lock must be adjusted by a qualified mechanic.

Warning: Failure to adjust the locks if more than 1/8-inch clearance exists, or improper adjustments of the lock could cause a trailer disconnect, resulting in serious damage to the vehicle and cargo, or injury to the driver and other road users.

- After lockup is completed, connect the tractor-to-trailer air system lines, electrical cable and hydraulic hoses (if applicable) to the trailer. Take care to prevent dirt or foreign material from entering the air lines.
- Charge the air brake system with air by pushing in the trailer park brake knob. Ensure the air connections do not leak.
- Retract the trailer landing gear and secure the ratchet handle.

306 DISCONNECTING TRAILERS

- Apply the tractor parking brakes.
- Pull the trailer parking brake knob to cut off the air supply to the trailer.
- Lower the trailer landing gear until the weight is removed from the fifth wheel.
- Disconnect the tractor-to-trailer air system lines, hydraulic hoses (if applicable) and electrical cable. Attach the air lines to the pogo stick behind the cab.
- Release the kingpin locking mechanism by pulling the kingpin lock control handle to the outward position.
- **Slowly drive the tractor away from the trailer.**

307 BIOSECURITY GUIDELINES

Biosecurity is a term used by veterinarians and production to describe procedures that help reduce the risk of disease transmission. Working within the APV system will require your strict adherence to certain biosecurity guidelines. Biosecurity questions should be directed to your supervisor.

308 SECURING LOADS

No driver shall operate a CMV unless the vehicle's cargo is properly distributed and adequately secured. This includes, but not limited, to the following:

- bulk compartment
- material on top of the trailer
- if available, rear doors are secured with safety chain

Heavy equipment or machinery with tracks or wheels must be restrained against movement in the lateral, forward, rearward, and vertical direction using a minimum of four tie downs. Each of the tie downs must be affixed as close as practical to the front and the rear of vehicle or mounting points on the vehicle. Accessory equipment must be lowered and secured to the vehicle.

309 STUCK TRUCKS

Drivers notify supervisor. Trucks can only be pulled by authorized service. Severe injury and damage can occur if stuck vehicles are not handled properly. After a towing event vehicles should be inspected for any damage.

310 TRUCK & TRAILER WASHING

- Avoid sharp turns in the parking lot.
- Drivers are responsible for the removal and disposal of all trailer seals prior to wash.
- Dispose of all trash in designated areas.
- Drivers using the truck washing area are responsible for cleaning up behind themselves.

311 ADDITIONAL SOP INFORMATION

Procedures are available in the SOP database. Some of the standard items are as follows but be sure to discuss with your supervisor.

Biosecurity

- Follow all biosecurity guidelines established for your department.

Hours of Service

- Follow all state and federal regulations.

Roadway Laws

- Drivers will obey all applicable laws and regulations, the driver will be responsible for any violation or fines.

Driver's License & Medical Cards

- Drivers are responsible for keeping their CDL and Medical Cards up-to-date as well as reporting updated Medical Card status to their home state.

Vehicle Use

- Before operating CMV the driver shall insure themselves that the vehicle is safe to operate.

Alcohol & Drug Policy

- Drivers will adhere to the Company Alcohol & Drug Policy.

Food Safety Modernization Act (FSMA)

- Company Carriers SOP
- Retention and Dissemination of Sanitary Transportation Information and Records

One last thing: If you have any doubts or questions: get a partner, ask your supervisor. Two heads are always better than one.

Appendix

The following pages contain examples of various forms that have been discussed throughout this manual. These forms are **EXAMPLES ONLY**.

Appendix A

BOUND EDGE

Rev. 7/07

DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS

CARRIER: _____

ADDRESS: _____

DATE: _____ TIME: _____ A.M. _____ P.M.

CHECK ANY DEFECTIVE ITEM AND GIVE DETAILS UNDER "REMARKS"

**TRACTOR/
TRUCK NO.** _____ **ODOMETER READING** _____

- | | | |
|---|---------------------------------------|--|
| <input type="checkbox"/> Air Compressor | <input type="checkbox"/> Front Axle | <input type="checkbox"/> Safety Equipment |
| <input type="checkbox"/> Air Lines | <input type="checkbox"/> Fuel Tanks | Fire Extinguisher |
| <input type="checkbox"/> Battery | <input type="checkbox"/> Horn | Flags - Flares - Fusees |
| <input type="checkbox"/> Belts and Hoses | <input type="checkbox"/> Lights | Reflective Triangles |
| <input type="checkbox"/> Body | Head - Stop | Spare Bulbs and Fuses |
| <input type="checkbox"/> Brake Accessories | Tail - Dash | Spare Seal Beam |
| <input type="checkbox"/> Brakes, Parking | Turn Indicators | <input type="checkbox"/> Starter |
| <input type="checkbox"/> Brakes, Service | <input type="checkbox"/> Mirrors | <input type="checkbox"/> Steering |
| <input type="checkbox"/> Clutch | <input type="checkbox"/> Muffler | <input type="checkbox"/> Suspension System |
| <input type="checkbox"/> Coupling Devices | <input type="checkbox"/> Oil Pressure | <input type="checkbox"/> Tire Chains |
| <input type="checkbox"/> Defroster/Heater | <input type="checkbox"/> Radiator | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Drive Line | <input type="checkbox"/> Rear End | <input type="checkbox"/> Transmission |
| <input type="checkbox"/> Engine | <input type="checkbox"/> Reflectors | <input type="checkbox"/> Trip Recorder |
| <input type="checkbox"/> Exhaust | | <input type="checkbox"/> Wheels and Rims |
| <input type="checkbox"/> Fifth Wheel | | <input type="checkbox"/> Windows |
| <input type="checkbox"/> Fluid Levels | | <input type="checkbox"/> Windshield Wipers |
| <input type="checkbox"/> Frame and Assembly | | <input type="checkbox"/> Other |

TRAILER(S) NO.(S) _____

- | | | |
|--|---|--|
| <input type="checkbox"/> Brake Connections | <input type="checkbox"/> Hitch | <input type="checkbox"/> Suspension System |
| <input type="checkbox"/> Brakes | <input type="checkbox"/> Landing Gear | <input type="checkbox"/> Tarpaulin |
| <input type="checkbox"/> Coupling Devices | <input type="checkbox"/> Lights - All | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Coupling (King) Pin | <input type="checkbox"/> Reflectors/Reflective Tape | <input type="checkbox"/> Wheels and Rims |
| <input type="checkbox"/> Doors | <input type="checkbox"/> Roof | <input type="checkbox"/> Other |

Remarks: _____

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE: _____

ABOVE DEFECTS CORRECTED

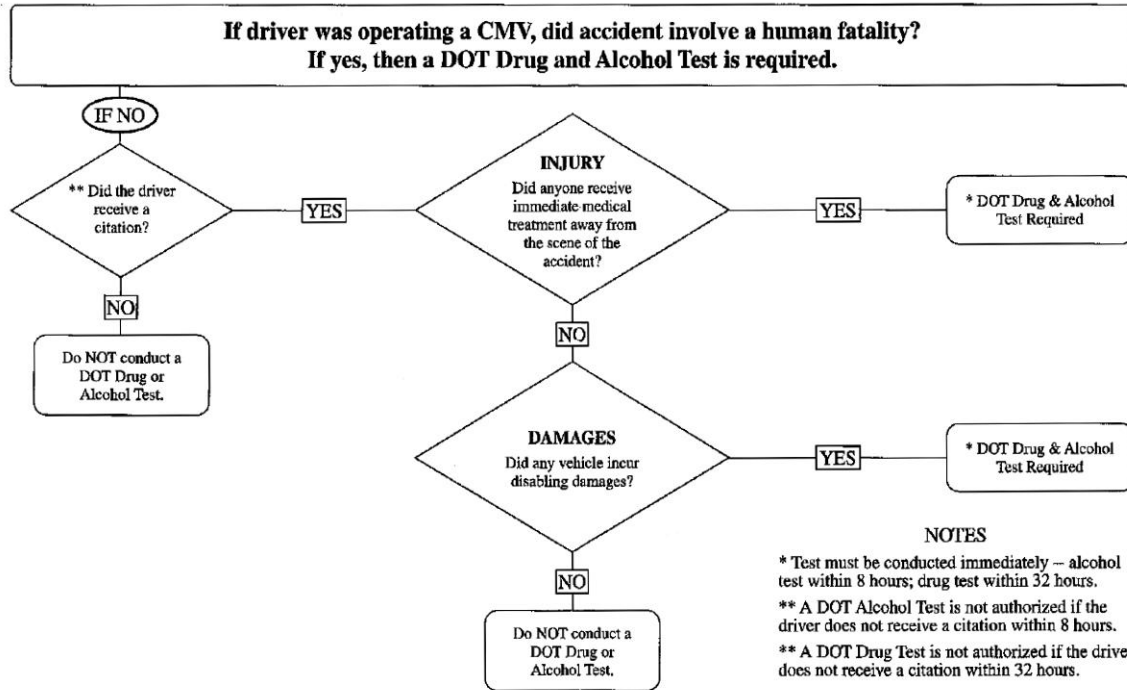
ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE: _____ DATE: _____

DRIVER'S SIGNATURE: _____ DATE: _____

ORIGINAL

Appendix B



Appendix C



**COMPANY TRUCK TRIP SHEET
& SANITARY TRANSPORTATION INSPECTION REPORT**
To be completed by drivers each day.

Date _____ Tractor # _____ Trailer # _____

Beginning Odometer Reading _____

Depart from Ag ProVision @ _____ AM / PM

Arrive @ _____	Odometer Reading _____
Dock @ _____ AM / PM	Notes _____
Depart Dock @ _____ AM / PM	Receiver's Initials _____
Arrive @ _____	Odometer Reading _____
Dock @ _____ AM / PM	Notes _____
Depart Dock @ _____ AM / PM	Receiver's Initials _____
Arrive @ _____	Odometer Reading _____
Dock @ _____ AM / PM	Notes _____
Depart Dock @ _____ AM / PM	Receiver's Initials _____
Arrive @ _____	Odometer Reading _____
Dock @ _____ AM / PM	Notes _____
Depart Dock @ _____ AM / PM	Receiver's Initials _____
Arrive @ _____	Odometer Reading _____
Dock @ _____ AM / PM	Notes _____
Depart Dock @ _____ AM / PM	Receiver's Initials _____



**COMPANY TRUCK TRIP SHEET
& SANITARY TRANSPORTATION INSPECTION REPORT**
To be completed by drivers each day.

Arrive @ _____	Odometer Reading _____
Dock @ _____ AM / PM	Notes _____
Depart Dock @ _____ AM / PM	Receiver's Initials _____
Arrive @ _____	Odometer Reading _____
Dock @ _____ AM / PM	Notes _____
Depart Dock @ _____ AM / PM	Receiver's Initials _____

"I hereby certify that all above information is correct."

Driver Signature _____

Before loading, inspect the vehicle to ensure that it is suitably constructed and properly maintained to prevent items being transported from becoming unsafe during the transportation operations. Specifically, confirm that, at minimum, the following conditions are fulfilled:

- Transportation Equipment is free of contamination from previous loads
- Transportation Equipment contains no debris or foreign materials (such as glass, metal, wood, dirt)
- Transportation Equipment is free of evidence of pest infestation
- Transportation Equipment floor and ceiling contain no holes, weak spots, or evidence of leaks
- Transportation Equipment walls are free from obstructions that might rip packaging during loading, unloading, or transport
- If applicable, Transportation Equipment meets the sanitary specifications supplied by the shipper

Vehicle meets all requirements listed above and is therefore in appropriate sanitary condition for the transportation of feed or food.

_____ Signature of Loader	_____ Date of Inspection
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