



### COX HEARINGS BEGIN

NAB has been notified that the Cox hearings on the investigation of the FCC begin today (July 2) in the caucus room of the old house office building. It has been reported from reliable sources that Dr. Robert Lee, of the FCC Foreign Broadcast Intelligence Service, will appear at the opening session.

### NEW RADIO LEGISLATION URGED BY AFA

The Advertising Federation of America at its War Advertising Conference at the Waldorf-Astoria, New York City, Tuesday, June 29, passed the following resolution expressing "profound concern" over the Supreme Court-FCC Decision of May 10th and urging Congress to consider new legislation.

**"The Advertising Federation of America notes with profound concern the recent supreme judicial interpretation that the Communications Act not only confers upon the Federal Communications Commission the power to supervise the traffic of radio broadcasting but also 'puts upon the Commission the burden of determining the composition of that traffic.'**

**"The serious implications of the legislation thus interpreted go far beyond the field of radio. Freedom of the press, and in fact, freedom of all forms of communication are apparently placed in jeopardy. All advertising media and the content of advertising itself could be embraced in this line of reasoning.**

**"We respectfully urge the members of Congress to weigh the need for new legislation to clarify and make secure the freedom of communications against the necessity of capricious regulation."**

### OUTSTANDING WAR PROGRAM

Chester La Roche, Chairman of the War Advertising Council, advises that the Council in cooperation with the Office of War Information has made tentative plans for a nationwide network broadcast to the business men over the facilities and through the courtesy of the National Broadcasting Company. One Hundred thirty-eight stations will carry the program.

As presently planned the broadcast will, according to Mr. La Roche, take place on July 14 at 1:30 p.m. Eastern War Time. The broadcast will tell the story of the part all citizens can play in total war, with particular emphasis on the leading role that business men can take through their advertising. This broadcast will make clear that business through its advertising can do much more to organize and unify our people.

The goal, according to the Council, is two-fold: One-third of all advertising devoted to public war information; and, a war message in every ad.

NBC will notify the broadcasting industry of the proposed program on July 6 at 1:15-1:30 p.m. EWT in a "closed circuit" broadcast. It is highly desirable that NBC station managers invite other broadcasters in the community to listen in to this closed circuit talk in order that complete coordination of the July 14 program may be achieved.

### STATEMENT OF NEVILLE MILLER ON H. R. 2968 BEFORE SENATE COMMITTEE

#### OWI Is Supported

My name is Neville Miller. I am President of the National Association of Broadcasters, which is the trade association of the broadcasting industry, with offices in Washington, D. C. The Association is a non-profit membership corporation, organized twenty years ago, with approximately 540 members representing all classes of stations and networks.

I have communicated with our Board of Directors, and, based on their replies and other information, I can state that broadcasters are practically unanimously of the opinion that the Radio Bureau of the Office of War Information has done an exceedingly good job in program coordination and clearance activities and has produced a condition which is vastly superior to the chaotic condition which existed prior to the commencement of these activities.

Broadcasters and advertisers early offered their cooperation to the government and over the last several years have contributed radio time valued at millions of dollars to assist in campaigns and other activities in connection with the war program. It early became evident that to make the most effective use of the radio time available it was necessary that some agency be empowered to coordinate the requests and needs of the various government agencies and to determine the relative importance of the various campaigns and other activities.

The Radio Bureau of the Office of War Information assumed that task and by the creation of the Program Allocation Plan and in other ways has rendered a service of the greatest value to the government, to advertising sponsors, to broadcasters and to the listening audience. We have worked in close cooperation with the Radio Bureau, and I am glad to state that in our opinion this work of coordination and program clearance has been carried on in an able, intelligent and satisfactory manner.

Broadcasters are unanimously of the opinion that this work has been very helpful and express the hope that funds for its continuation will be provided. They believe that failure to continue this work would produce a chaotic

*(Continued on page 292)*



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NAtional 2080

Neville Miller, President

C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Walter L. Dennis, Chief, News Bureau; Willard D. Egolf, Assistant to the President; Howard S. Frazier, Director of Engineering; Joseph L. Miller, Director of Labor Relations; Paul F. Peter, Director of Research; Russell P. Place, Counsel; Arthur C. Stringer, Director of Promotion.

STATEMENT OF NEVILLE MILLER ON H. R. 2968 BEFORE SENATE COMMITTEE

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condition similar to the one which existed prior to the creation of the Radio Bureau, and the result would be very detrimental to the war program.

BROADCASTING INDUSTRY HONORED BY U. S. FLAG ASSOCIATION

The Cross of Honor of the United States Flag Association and an accompanying scroll were presented to the American Broadcasting Industry at a luncheon meeting at the National Press Club, June 28, 1943, Washington, D. C., by Walter D. Fuller, president, Curtis Publishing Co., and executive chairman of the association.

Neville Miller, NAB president, received the awards on behalf of the industry.

(A reproduction of the scroll, which bears a picture of the medal on it, is being reproduced in form suitable for framing and will be sent to all stations next week.)

The awards were made in recognition of "distinguished service" during the observance of Flag Week during which 100 million dollars worth of war bonds were sold.

Citation accompanying the awards reads:

"In recognition of distinguished service by this agency of public information, education and entertainment whose high ethical standards and conduct give to the American people further reason to be proud of the efficacy of our Constitutional guarantee of freedom of speech as exercised by a private industry under our democratic system of free enterprise. The contribution of America's radio broadcasting stations to the success of the Flag Week War Bond Campaign of 1943 is an additional compliment to their magnificent record of unselfish service to the ideals and institutions symbolized by the Flag of the United States."

PAYNE NOMINATION WITHDRAWN

President Roosevelt on Wednesday nominated George Henry Payne to succeed himself on the Federal Communications Commission, for a period of 7 years, effective June 30. On Thursday, the President withdrew that nomination and no explanation is made for its withdrawal.

NAB FILES BRIEF IN TECHNICIAN CASE

(Released by NAB News Bureau)

NAB has urged the San Francisco regional War Labor Board to reject an arbiter's award which stated that the job of a radio technician was the same no matter where he worked.

Award was made by George Cheney of the U. S. Conciliation Service, sitting as an arbiter in a wage dispute between station KPAS, Pasadena, California, and the International Brotherhood of Electrical Workers, local 40. It was subject to review under executive orders 9250 and 9328 by the War Labor Board.

The NAB brief was filed at a board hearing in Los Angeles. The text follows:

In the Matter of Arbitration between Pacific Coast Broadcasting Company of Pasadena, California, and Studio Electricians, Sound and Broadcast Technicians Local No. 40, of Hollywood, California, affiliated with the International Brotherhood of Electrical Workers

Case No. 10-3726

BRIEF

of

The National Association of Broadcasters

1. The National Association of Broadcasters is a trade association representing 500 of the country's 900 radio broadcasting stations. Its membership comprises a cross section of the industry, including networks, large stations, medium sized stations, and small stations. Station KPAS is not a member of the Association. The NAB's interest in the proceeding is due to principles important to all smaller radio broadcasting stations. The NAB is interested in any wage adjustment at station KPAS only as it might affect these principles.

2. The arbiter apparently based his award on the difference between the salaries paid at Station KPAS and those paid at the larger stations in the Los Angeles area, claiming that this difference constituted an inequality and/or gross inequity under the terms of Executive Order 9250. Although Executive Order 9328 eliminated inequalities and/or gross inequities as a basis for wage or salary increases (6, Wage and Hour Reporter, 353), the NAB maintains that even under Executive Order 9250 a differential between the wages paid at a smaller station and those paid at larger stations did not and does not constitute an inequality and/or gross inequity.

3. Latest available statistics from the Federal Communications Commission (for the week of October 12, 1941) show that the average compensation of operating technicians throughout the United States in 67 clear channel stations was \$61.06; in 315 regional stations, \$43.31; in 435 local stations, \$29.13. These differentials between large and medium, and medium and small stations have been a part of radio broadcasting's wage structure since the industry's birth. They are in some measure due to the differences in ability to pay on the part of the employer (the larger stations, by and large, being the more prosperous). But they are mainly due to the differences in the services rendered by the technicians and by the differences in requirements.

When the arbiter said that, "evidence discloses that the work of regular technicians is substantially the same in all stations", and that, "these intra-industry differentials cannot be rationalized on any basis whatever," he displayed only a superficial knowledge of the work of the craft. Saying that the work of a technician in a small

station was the same as that of a technician in a large station would be the same as saying that the work of a streetcar motorman was the same as that of the engineer on the Pennsylvania's electrified "Congressional Limited" because both operated an electrically driven conveyance.

For many years it has been the practice of larger stations to recruit their technical personnel from smaller stations. Smaller stations have served as training schools for the larger. The usual radio technician, after a brief study course, gets a job in a smaller station to gain the experience he knows is necessary for work in a larger station. While at the smaller station he frequently continues outside study to supplement this experience. In many larger stations a degree in electrical engineering, as well as experience in a smaller station, is frequently required. The work in a smaller station is not so exacting. Frequency deviations, or even brief shut-downs, owing to technical failures, are not regarded as of nearly the same importance in a smaller station as in a larger one. In a smaller station technicians ordinarily are not required to be able to meet any technical problem which may arise, while in larger stations each technician on the staff is ordinarily supposed to be able to meet any emergency. In other words, although "radio technician" is used to describe certain duties in both large and small stations, the jobs are usually different and usually require different classification when salaries are fixed. For these and other similar reasons, the differentials between the salaries of technicians in various sizes of stations have grown up. They are part of the wage structure of the radio broadcasting industry.

The NAB is of the opinion that your Board would be exceeding its authority even under Executive Order 9250 if it should adopt the principles stated by the arbiter that, "to grant continued existence will most certainly injure morale and militate against the effective prosecution of the war by a most important industry." To the contrary a great many smaller stations are now operating at a deficit, while many others are on the verge of writing their balance with red ink.

Local advertising is off in many places. The Federal Communications Commission and the Office of War Information are concerned lest the end of this year finds a great many smaller stations, vital to the war effort, off the air because of financial difficulty. Establishing the principle that all technicians should be paid the same salary no matter where they work would hasten the financial collapse of many smaller stations.

4. It may be assumed that your Board in considering this award will now see whether it is in line with the wage bracket policy enunciated by the Director of Economic Stabilization under Executive Order 9328 (6, Wage and Hour Reporter, 441). If your Board does consider whether the salaries fixed by the arbiter are in line with this policy, the NAB is of the opinion that the salaries of technicians only in stations of similar size and condition\* in the Los Angeles area should be considered in determining the brackets. The reasons for this are the same as those stated in paragraph 3 above. Otherwise the so-called "bracket policy", if loosely applied, might be used to destroy the principles enunciated above. Figures for proper brackets could be obtained through the National Association of Broadcasters, the Southern California Broadcasters Association, or the Federal Communications Commission.

5. In his discussion of the case, the arbiter hinted that there might be some justification for basing the salaries of radio broadcast technicians on the wages of ordinary electricians. Although the arbiter discarded this principle in his "decision", the NAB wishes to point out that this principle is wholly fallacious. One of the principal factors in determining the hourly wages of journeyman electricians was the irregularity of employment. By and large, there is no irregularity of employment in radio broadcasting. The vast majority of technicians are employed on a weekly basis and work the year around. There

\* Such as network affiliation, power, volume of business and card rate.

is also little or no comparability between the work of a radio technician and an ordinary journeyman electrician.

JOSEPH L. MILLER,  
Director of Labor Relations,  
National Association of Broadcasters.

Washington, D. C.  
June 28, 1943.

## TEST AIR RAID CONFUSION IN PHILADELPHIA'S 6 STATIONS AGAINST GIVING "ALL-CLEAR"

Recent discrepancies between the radio "all-clear" and the audible sirens, said to be the result of errors in the offices of the authorities, charged with furnishing the information to radio stations, have caused six Philadelphia stations to discontinue the "all-clear" signal.

Stations KYW, WCAU, WFIL, WIBG, WIP and WPEN are the stations involved. They issued the following joint statement:

"In order to eliminate confusion to the public caused by the failure of the military and the civilian defense authorities to furnish the radio stations with prompt and dependable contemporaneous advices for giving the "all-clear" signal at the termination of test blackouts in this area, the Philadelphia radio stations have notified the Army Service Commands and the Philadelphia Office of Civilian Defense that from now on the radio stations will not attempt to give the "all-clear" signal, but are willing to report the occurrence of the signal as a news item as soon as practicable after it has been heard."

The radio stations believe it is unfair both to themselves and to the public for the present unsatisfactory method to be continued. The stations believe that the public should, therefore, concentrate on the audible sirens for the "all-clear" instead of looking to the radio for it until the Army and Civilian Defense can get together and work out a plan that is practicable.

### Statement by Director Landis

Regarding the Philadelphia situation OCD Director Landis stated to NAB yesterday:

"The authority for issuance of the "all-clear" signal and the timing of such signals rests entirely with the Army Service Command under Air Raid Protection Regulation No. 1, issued by Lieutenant General Hugh A. Drum, Commanding General, Eastern Defense Command and First Army. The Third Service Command, with headquarters in Baltimore, Maryland, has full jurisdiction over all air raid signals in tests conducted in Pennsylvania. New Jersey is under jurisdiction of the Second Service Command, with headquarters in New York. This is because only the military can determine with authority when a raid is imminent and when all danger has passed.

"Since this is true, Civilian Defense cannot accept responsibility for any failure to synchronize the various radio stations in connection with the announcement of an "all-clear." The problem the Army has in this connection is in some respects technically difficult, but I do not believe it would help matters for Civilian Defense to inject itself into the matter."

### More Information from Broadcasters

Following receipt of the Landis statement, NAB located a Philadelphia station manager who has maintained an accurate and complete file on the long series of unfortunate incidents in connection with practice air raids. It develops that the June 23 series of incidents were the straws that broke the camel's back.

## How Public Was Confused

As an example of what happened during the last blackout, the Philadelphia informant said that two of the six stations that issued the joint statement, printed above, were not included in the 10:51 p. m. conference call. The four other stations were advised by call from the office of Major Elderdice that they should broadcast the all clear at 10:55 p. m. This was done by some stations. As it turned out these announcements were four minutes ahead of the downtown audible. Others, because of past experience, played safe and waited until the siren was heard in the downtown section at 10:59. Accordingly these signals coincided with the audible in the downtown section.

Adding to the confusion was the fact that the audible "all-clear" was given in the suburbs at 11:03, eight minutes after some radio listeners heard the "all-clear" on their radios at 10:55.

Such people acted in good faith, turned on their lights and immediately had arguments with block wardens, who, of course, did not hear the "all-clear" until 11:03. Accuracy of the broadcast "all-clear" was brought into question.

One station received a call from the Army at 11:00 p. m. stating that the "all-clear" was to be given at 10:55.

Adding more fuel to the fire, the Philadelphia broadcaster said, was a statement by the local OCD to Philadelphia papers that radio stations had sounded the "all-clear" too soon.

### Confusion Must End

The Philadelphia story is only one of other similar stories.

But there need be no divided authority. Responsibility is indicated in FCC Restricted Order No. 2 now in the hands of broadcasters. However, if those in authority fail to make workable plans and then implement them properly, broadcasters are correct in attempting a remedy with vigorous protests. Such a serious condition should not be permitted to continue, because it is contrary to the public safety and to the winning of the war.

It is reported that a number of Philadelphia conferences with the Army, OCD and broadcasters have failed to produce a solution up to the present time.

## PUBLIC RELATIONS COMMITTEE CHICAGO MEETING REPORT

(Released by NAB News Bureau)

"The public relations work of the radio industry is largely a responsibility of local stations in local communities," stated Edgar Bill, of WMBD, Peoria, Illinois, chairman of the NAB public relations committee, following a two-day meeting in Chicago at which the committee adopted a "grassroots" policy and outlined a complete field of operation to be incorporated into a working plan.

Acting in an advisory capacity to the industry, the committee adopted a resolution outlining the importance of news and requesting the NAB board of directors to appoint a radio news committee, consisting of station managers and news editors whose objective shall be the advancement of radio as a medium of news transmission.

The appointment of district public relations chairmen in the seventeen NAB districts, now under way by the board of directors, was discussed and applauded. Local station management will also be requested to place someone in charge of public relations for the station, if this has not already been done. All will cooperate with national headquarters.

It was pointed out that a co-ordinated unit of this type will enable headquarters to speak more readily for the industry as a whole on national issues and will be of great mutual benefit in shaping local activities.

## Editorial 'Silence' Discussed

Discussion of the Supreme Court decision of May 10th and new legislation brought up the matter of radio's editorial silence. The committee decided that the best policy, in its opinion, was the aggressive promotion of public forums and individual speakers offering the right of reply. "This," said Bill, "while conforming to the Code, will still accomplish as much as a declared editorial policy, perhaps even more."

Members of the public relations committee attending the two day session, in addition to Bill, were: Lawrence W. McDowell, KFOX; Craig Lawrence, KSO; Leslie W. Joy, KYW; John Patt, WGAR; Edgar H. Twamley, WBEN; Dr. Frank Stanton, CBS; and Judith Waller, NBC, Chicago, appearing for Frank M. Russell, NBC, Washington. Representatives of NAB in attendance were C. E. Arney, Jr., secretary-treasurer; Willard D. Egolf, assistant to the president, and Walt Dennis, chief of the NAB news bureau. Kern Tips, KPRC, was unable to attend.

Another meeting of the committee was voted for early fall.

## Broadcast Advertising

### NEVILLE MILLER ADDRESSES AFA WAR ADVERTISING CONFERENCE

#### Egolf Re-elected Vice-President

With station men, Neville Miller and staff personnel present, NAB was well represented at the Advertising Federation of America War Advertising Conference, New York City, June 28-30.

Miller addressed delegates on the subject of the powers now residing with the FCC as result of the Supreme Court decision of May 10, 1943. (Full text of this address will be sent to members as a special bulletin within a few days.) Temper of the federation was expressed in a resolution indicating "profound concern" over the line of reasoning revealed in the decision and urging Congress to consider new legislation. Full text of the resolution appears elsewhere in this issue of the "Reports."

Willard D. Egolf, assistant to the president, NAB, was re-elected vice-president of the Federation Tuesday afternoon. Egolf presided over the Advertising Club Conference on War Activities, presenting Chester LaRoche, chairman of the War Advertising Council; Herman Wolf, War Production Drive; E. A. Sheridan, special OCD representative, and Paul Bolton, former ODT campaign sections chief.

Lewis H. Avery, director of the department of broadcast advertising, NAB, presided over the Wednesday session addressed by Miller. Avery also presented Fred H. Kenkel, C. E. Hooper, Inc., vice-president, who used charts and statistics gathered by his organization in showing "How We Listen to Radio in Wartime." 1943 reveals an all-time audience high. Avery closed the session by giving comparative figures on the distribution of the national advertiser's dollar in all media, showing radio's tremendous gains in the last ten years.

#### NAB Display

The NAB display at the AFA Conference, was devoted to "Radio in the War."

WGAR, Cleveland, WTAD, Quincy, WSYR, Syracuse, and WBAL, Baltimore, took advantage of the invitation, printed in NAB REPORTS of June 11, to display promotion pieces which tied in with the central theme of the display.

## COLUMBIA PICTURES LAUDS RADIO ADVERTISING RESULTS

An eight-week radio campaign for Columbia Pictures' production of "The More the Merrier" on a budget of \$100,000 was considered a prime factor by the picture company for the picture's rolling up of larger first week grosses than any other photoplay produced by that studio. Variety reported the above in its June 30 issue.

## CBS AFFILIATES KNOCK 'HITCH-HIKE' ANNOUNCEMENTS

The following resolution was adopted at the First District CBS Affiliates' Meeting at the Hotel Statler, Boston, June 23, 1943:

WHEREAS the so-called hitch-hike and cow-catcher announcements presently used on network programs tend to lower the standards of good broadcasting, and,

WHEREAS, such announcements are considered to be a violation of the responsibility placed upon radio station licensees to operate in the "public interest, convenience and necessity," and,

WHEREAS, the use of such announcements was permitted without consent of their affiliates,

Now, therefore, be it resolved, that Franklin Doolittle, 1st District Representative of the CBS Advisory Committee, is instructed to convey to the proper officials of the Columbia Broadcasting System a request that immediate steps be taken to eliminate from network programs the use of hitch-hike, cow-catcher or other similar announcements as soon as may be practicable.

## KFXJ RENDERS NOTABLE PUBLIC SERVICE

(Released by NAB News Bureau)

*(The following account of the part Radio Station KFXJ and its manager, Rex Howell, played in the recent Grand Junction, Colorado, explosion story is passed on for your information and use as you see fit.)*

At 2:00 A.M. Monday, June 28, two carloads of munitions caught fire in the Grand Junction, Colorado, railroad yards, touching off a series of explosions lasting more than two hours.

Shrapnel and shells rained over a wide area. City residents, unaware of the cause and taking fire equipment sirens as an air-raid alarm, were thrown into state of near panic. Police and the Offices of Civilian Defense headquarters were swamped with telephone calls and the telephone company reported a hopeless jam within a few minutes.

Rex Howell, manager of the city's radio station, KFXJ, warmed up his transmitter, contacted the military authorities and obtained permission to broadcast complete story of explosion and to afford facilities to police to explain the situation to the people.

Repeated explanations and bulletins were broadcast urging the people to remain under shelter and not to telephone unnecessarily. Within a few minutes after the first broadcasts the telephone company reported a 75 per cent drop in traffic.

Throughout the day and evening the station continued to air bulletins warning people to stay away from danger areas and cautioned people against picking up unexploded shells for souvenirs, and advised listeners to report locations of all shells they found.

Military authorities and police in the area have publicly cited Howell and his station for outstanding public service. A note of interest is that United Press scored a clean beat on the story—KFXJ is a UP client.

## NLRB ANSWERS QUESTIONS ON INDIVIDUAL PAY RAISES

The National War Labor Board this week answered some of the questions that have arisen about individual pay increases under General Order 31 (NAB REPORTS, p. 282).

The text of the clarifying order:

In order to dispose of any doubts with respect to the intent of General Order No. 31, the National War Labor Board states as follows:

(1) Job classification *rates* or *rate ranges* presuppose more than mere descriptive titles of positions. The job classification must be clearly defined and described as to content. When different skills and responsibilities are necessary, there must be different job classifications bearing their own rates or rate ranges. A mere descriptive job title and a poorly defined or extremely wide *rate range* is not a job classification *rate range*.

(2) Job classification *rates* or *rate ranges* must have been in existence properly on May 31, 1943. They must be those which were in existence prior to October 3, 1942, or those resulting from permitted adjustments subsequent to that date, or rates set for new jobs under either the former or the revised General Order No. 6. Improper adjustments of rates for job classifications or for individual employees are not a basis for determining a job classification *rate* or *rate range*.

(3) Where proper job classification *rate ranges* existed on May 31, 1943, but no plan, as defined in Subparagraphs 1, 2, or 3 of Section I-A-1-b, individual adjustments may be made within and between the job classification *rate ranges* in accordance with Subparagraph 4 without Board approval. But an employer may not substitute for an existing plan (as defined in subparagraphs 1, 2, or 3 of Section I-A-1-b) any new plan (including a plan embodying the methods set forth in Subparagraph 4 of Section I-A-1-b) without first obtaining Board approval.

(4) In adopting a plan of making individual adjustment in accordance with the criteria set forth in Subparagraph 4 of Section I-A-1-b, an employer may not use both merit increases and automatic length-of-service increases for individual adjustments with respect to a given job classification. This does not preclude Board approval of any plan which provides for both merit and automatic length-of-service adjustments.

(5) Modifications of existing plans of making individual adjustments (including apprentice or trainee programs) require Board approval.

(6) Where no proper job classification *rates* or *rate ranges* existed on May 31, 1943, individual adjustments may not be made without Board approval until a schedule, as defined, is approved by the Board.

## OVERCHARGING ON BATTERIES BELIEVED NOT TOO WIDESPREAD

An AP story dated June 29, quotes OPA as reporting the receipt of "complaints that farmers in various sections are being charged \$10 to \$14 for farm radio battery packs which normally retailed for \$5 to \$7."

OPA asked farmers to report any overcharge to their nearest rationing board.

Because most farm radio battery packs are sold by well established dealers, well known throughout their community, or are obtained from the mail order houses, NAB believes that the "black market" instances are not numerous.

However, OPA is probably justified in issuing such a statement to guard purchasers against the possibility of overcharge. Any buyers who are asked to pay more than the ceiling price should certainly follow OPA's advice and report the fact to their nearest rationing board.

## WBT GRADUATES 20 WOMEN

Grant Carey, WBT engineer-instructor, reports that more than twenty women have graduated from his classes

in Radio Operations and Maintenance. The streamlined course is of two and one-half hours' duration, three nights per week, for thirteen weeks.

## RADIO TECHNICAL PLANNING AGENCY

Authorized representatives of the Radio Manufacturers' Association and The Institute of Radio Engineers met on June 25, 1943, in Washington, to consider the organization of the proposed Radio Technical Planning Agency.

Encouraging progress was made and agreement was reached on the general principles underlying the plan.

It is expected that final agreement on the details of the proposed plan will shortly result, as indicated in the statement issued by Haraden Pratt, chairman of the I. R. E. Committee on the Radio Technical Planning Agency.

## WCAU ENGINEER IS NAVY LIEUT.

Charles W. Robinson, WCAU master control engineer for the last seven years, has been commissioned a lieutenant in the U. S. Navy and has reported for indoctrination in the middle-west. Lieutenant Robinson is 38 years old, married and the father of two children. He is a graduate of the University of Pennsylvania and has served several "hitches" as a ship-going radio officer.

# FEDERAL COMMUNICATIONS COMMISSION

## FLY SAYS FCC HAS 'NO DESIRE' TO SUCCEED OWI

Domestic operations of OWI is doing a very essential job and doing it in a very splendid manner, FCC Chairman James Lawrence Fly told a news conference early this week.

He made this remark in connection with rumors to the effect that the FCC might take over some of these operations in connection with radio. Fly said that insofar as he knows the FCC does not have the slightest desire to enter into this work in any way. He said that it is his opinion that it would be an inappropriate line of work for the Commission.

Chairman Fly told the conference that this would be a particularly bad time for the FCC to enter into the picture when there are so many false and malicious rumors and statements about the Commission's undertaking to run the programs of the radio stations and he said he thinks that it should be made doubly clear that it has not done anything of that sort and does not plan anything of that sort, in view of the importance of not merely keeping radio free, but also of having everybody understand that it is completely free so far as the licensing power is concerned. Fly said he felt that such suggestions came from those who want to make trouble for the Commission and perhaps for the OWI. The Chairman said that he thinks that the suggestions came from somebody in the radio industry and "some of those parasites."

## PAYNE RENOMINATED

President Roosevelt on Wednesday sent the name of George Henry Payne to the Senate to succeed himself as

a member of the Federal Communications Commission. His name has been referred to the Senate Committee on Interstate Commerce. The reappointment is for a seven year term as of June 30.

## DODD CHARGES DROPPED

The FCC held a full hearing on the administrative charges made against William E. Dodd, Jr. on May 19, 1943 and May 24, 1943, to the effect that he had made false, misleading or conflicting statements to government officials in the course of recent inquiries. On the basis of all of the pertinent documents, the records of other hearings and upon the testimony given in the hearing, the Commission found that none of the charges is substantiated. It accordingly directs that the said charges be dismissed.

## FCC TO PERMIT OCD TO OPERATE WERS AS NEEDED

To provide for the rapid mobilization of the nation's protective facilities in meeting "emergencies endangering life, public safety, or important property," the FCC has amended Part 15 of its Rules, effective immediately, to permit Civilian Defense stations in the War Emergency Radio Service to operate in any emergency which might adversely affect the war effort.

Under the amended rules, Civilian Defense licensees in the WERS may now use their stations to provide essential communications over limited distances in the event of emergencies such as floods, explosions in munitions plants, hurricanes, fire and other emergency situations affecting the nation's security. Prior to this amendment, these stations were authorized to be on the air only "for essential communication relating to civilian defense and only during or immediately following actual air raids, impending air raids," and other enemy operations, or for purposes of testing and drill.

To implement the "mutual aid" program inaugurated by the Office of Civilian Defense, the amended rules also provide for the designation of one or more of the licensed WERS stations as "control units." So that fire-fighting and other facilities to be used in "mutual aid" programs may always be in readiness, Civilian Defense licensees in this service may use their station units, under the supervision of such "control units," during the first 15 minutes of each hour, for the exclusive purpose of handling essential communications preparatory to any anticipated emergency.

The use of Civilian Defense Stations in connection with "mutual aid" programs is under the jurisdiction of the station licensee and radio aide for the purpose of providing emergency communication relating directly to the activities of the United States Citizens Defense Corps or other officially recognized organizations.

It is anticipated that this change in the Rules will provide increased opportunities for amateur radio operators as well as other qualified radio operators, technical men, and engineers to contribute their time, energy and talent to the war effort. At the present time, there are in the War Emergency Radio Service 192 Civilian Defense, eight State Guard, and two Civil Air Patrol station licensees, as well as many more licensed operators. Each station licensee may use from two to 100 or more radio station units, whose operation is coordinated to form a comprehensive local communications system.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, July 5th. It is subject to change.

Wednesday, July 7

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Renewal of license, 570 kc., 1 KW, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WGRC—North Side Broadcasting Corp., New Albany, Ind.—Granted construction permit (B4-P-3522) to move main studio and transmitter from New Albany, Ind., to Louisville, Ky.

WDAK—L. J. Duncan, Leila A. Duncan, Josephine A. Keith, Effie H. Allen, Aubrey Gay, d/b as Valley Broadcasting Co., West Point, Ga.—Granted construction permit (B3-P-3529) to move transmitter and studio from West Point, Ga., to Columbus, Ga.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted petition for waiver of Sections 2.53 and 13.61 of the Commission's Rules so as to permit operation of WWDC's synchronous amplifier by remote control from the main transmitter location for the duration of the war emergency.

WBNX—WBNX Broadcasting Co., Inc., New York, N. Y.—Granted renewal of license for regular period.

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Adopted an Order granting petition for postponement of effective date of the Commission's Order of June 23, 1943, cancelling, effective June 26, the special service authorization issued on June 1 to Jamestown Broadcasting Co., Inc., to operate Station KSJB on 600 kc.; changed effective date of the Order of cancellation from June 26 to July 7, 1943. (Docket No. 6519)

### DOCKET CASE ACTION

The Commission has announced adoption of an Order granting the application of Port Arthur College (KPAC), Port Arthur, Texas (B-179), to increase power on 1250 kilocycles from 500 watts using directional antenna at night, to 1 kilowatt unlimited time, and to make changes in the directional antenna for nighttime operation, subject to the condition that no interference will be caused in contravention of the terms of the North American Regional Broadcasting Agreement.

### MISCELLANEOUS

WOKO—WOKO, Inc., Albany, N. Y.—Denied petition to continue from July 1, 1943, hearing on application for renewal of license of Station WOKO. (Docket No. 6486)

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Adopted Order, effective 12:01 a. m., June 26, 1943, cancelling the special service authorization issued KSJB on June 1, 1943. The special service authorization granted authority to KSJB to operate on 600 kc. for the period pending hearing on and until determination by the Commission of application of KSJB for modification of license to decrease nighttime power and change frequency from 1400 kc. to 600 kc. It now appears that Station KSJB has retained in its possession the crystals for operation on 1400

kc. and that, therefore, the grounds given by the Commission as to why in its opinion public interest, convenience or necessity would be served by a grant of the special service authorization no longer exist. (B4-ML-1115)

WINS—Hearst Radio, Inc., New York, N. Y.—Granted modification of construction permit which authorized increase in power, change in hours of operation, installation of new transmitter and directional antenna for day and night use, and move of transmitter, for extension of completion date from June 6 to December 6, 1943. (B1-MP-1714)

WINS—Hearst Radio, Inc., New York, N. Y.—Granted modification of construction permit which authorized increase in power, change in hours of operation, installation of new transmitter and directional antenna for day and night use, and move of transmitter, for extension of completion date from June 6 to December 6, 1943. (B1-MP-1715)

KGBK—Helen Townsley, area of Great Bend, Kans.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of relay broadcast station license, in no event later than August 1, 1943. (B4-SRY-240)

WAEA—W. A. Patterson, area of Chattanooga, Tenn.—Granted further extension of license upon a temporary basis only, pending determination upon application for renewal of relay broadcast station license, in no event later than August 1, 1943. (B3-SRY-132)

Beauford H. Jester, Individually and as Trustee for W. W. Callan, DeWitt T. Hicks, Hilton W. Howell, Wilford W. Naman, Robert E. Levy, Ross M. Sams, and Davis Stribling.—Adopted an order granting petition for a continuance of the oral argument on the application for construction permit for new standard broadcast station; continued oral argument until October 6, 1943. (Docket No. 6218)

### APPLICATIONS FILED AT FCC

#### 810 Kilocycles

KOAM—The Pittsburg Broadcasting Co., Inc., Pittsburg, Kans.—Special service authorization to operate unlimited time, with power of 500 watts night, 1 KW day, for period ending 2-1-44.

#### 930 Kilocycles

KTKN—Edwin A. Kraft, Ketchikan, Alaska.—Authority to install new automatic frequency control.

#### 990 Kilocycles

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Construction permit to make changes in equipment.

#### 1090 Kilocycles

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Special service authorization to install new transmitter and operate with power of 1 KW, for period ending 4-1-44.

#### 1240 Kilocycles

KFXM—J. C. Lee & E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Authority to determine operating power by direct measurement of antenna power.

#### 1490 Kilocycles

KYOS—Merced Broadcasting Co., Merced, Calif.—Authority to determine operating power by direct measurement of antenna power.

### FM APPLICATION

W43B—The Yankee Network, Inc., Boston, Mass.—License to cover construction permit (B1-PH-51) for new high frequency (FM) broadcast station, *in part*.

### TELEVISION APPLICATION

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—License to cover construction permit (B5-PVB-33) as modified for new experimental television broadcast station.

## FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Hillyard Optical Company.**—Misrepresentation in the sale of eye glasses, lenses and frames is alleged in a complaint issued against Francis R. Hillyard, Sr., Bernard B. Hillyard, Francis R. Hillyard, Jr., and Frederick C. Hillyard, who operate optical stores in Washington, D. C., under the firm names Hillyard Optical Co., Hillyard's Optical Service, Dr. F. Hillyard & Son, and F. R. Hillyard & Son. John Giddings, who was an employee of the Hillyards prior to February 1, 1943, also is named a respondent in the complaint. (4984)

**Preferred Havana Tobacco Co.,** which has its principal office at 257 Fourth Ave., New York, is charged in a complaint with falsely representing that the cigars it manufactures at its Tampa, Florida, factory are made in Cuba and imported into the United States. The respondent company trades under the names Bustillo Bros. & Diaz, Inc., Calixto Lopez & Co., Lopez Hermanos and Bances Y. Lopez. (4983)

**H. D. Shipp Co., Inc.,** 12 S. Capitol Ave., Indianapolis, and its president, H. D. Shipp, are charged in a complaint with misrepresentation in the sale of a drinking glass designated "Sneaker," which is designed to eliminate the objectionable tastes of liquids drunk from it. (4986)

**United Art Studios,** 1615 G St., S. E., Washington, D. C., and Benjamin Kadet and Ada Kadet, trading as Kadet Art and Frame Company, 909 Fifth Avenue, Pittsburgh, have been ordered to cease and desist from the use of false and deceptive practices in the sale and distribution of photographic enlargements and frames produced by the Kadet Company and sold by the respondent Klein. (4924)

**United States Forwarding System,** Prudential Building, Buffalo, and Samuel Rosenthal, manager of the business, are charged in a complaint with misrepresentation in connection with the sale of postal card questionnaires used in obtaining information concerning alleged debtors of the firms and individuals who purchase the cards from the respondents. (4985)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Clear Springs Hatchery,** McAlisterville, Pa., entered into a stipulation to cease and desist from the use in advertising matter of any statement or representation which tends to convey the belief that the chicks he sells are hatched from eggs produced at his hatchery when actually they are hatched from eggs obtained from supplying farmers or poultry raisers, or which tends to create the impression that breeder stock of the Hanson or any other U.S.R.O.P. strain has been placed in the flocks of all supplying farmers; that all chicks sold by his hatchery reflect the strain of U.S.R.O.P. poultry; or that chicks sold under any specific trade designation as, for example, "Clear Spring Hanson Strain Leghorn Big Type," are procured from J. A. Hanson or any other U.S.R.O.P. breeder. (3674)

**National Academic Publications,** 22 South St., Catherine Place, Atlantic City, N. J., engaged in the sale of yearbooks and school annuals, stipulated that he will discontinue representing that he operates a printing, engraving, lithographing or binding business or that he owns and operates or directly controls an establishment in which yearbooks or other publications are printed or produced. (3673)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Empire Peat Soil Sponge Company.** 1781 Riverside Drive, New York, has stipulated to cease and desist from using the words "peat moss" or "moss peat" to designate any peat not derived from Sphagnum moss, or otherwise representing that any of the peat he sells is moss peat when it is not derived from Sphagnum moss. (4641)

**Motion Picture Advertising Service Co., Inc., et al.**—Five corporations engaged in the production and distribution of commercial motion picture films used by national advertisers, and two booking agencies and a trade association they organized, have been ordered to cease and desist from entering into, carrying out or continuing any planned common course of action or conspiracy which has the effect of unduly restraining trade or creating in the respondents a monopoly in the sale, lease, rental and distribution of such films.

Respondent distributors named in the order, who are said to control more than 90 percent of the business done in their industry, are Motion Picture Advertising Service Co., Inc., 1032 Carondelet St., New Orleans; United Film Ad Service, Inc., 2449 Charlotte St., Kansas City, Mo.; Ray-Bell Films, Inc., 2269 Ford Parkway, St. Paul; Alexander Film Co., Colorado Springs, Colo.; and A. V. Cauger Service, Inc., 109 Winner Rd., Independence, Mo. Their trade association is the respondent Association of Advertising Film Companies. (4736)

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# More Details on the War Advertising Council Broadcast

Preliminary information regarding the nation-wide broadcast under the auspices of the War Advertising Council and OWI was given in last week's NAB REPORTS (page 291). Chester La Roche, chairman of the War Advertising Council, advises that James F. Byrnes, director of war mobilization; Judge Marvin Jones, food administrator; Elmer Davis, OWI director; and Donald Nelson, WPB head, will appear in addition to La Roche himself on this outstanding program.

Time of the broadcast has been lengthened and will start at 1:15 p. m., eastern war time, over the complete facilities of the NBC, and will continue to 2:00 p. m., giving ample time for all speakers to present fully their views.

The purpose of this program is to enlist the cooperation of the important business elements in every community in aiding the war effort by judicious placement and use of advertising budgets. This subject is one of deep interest to all advertising media and particularly to radio broadcasters.

In many communities large luncheon meetings are being arranged so that the community business leaders may be gathered in one place to listen to the broadcast. These luncheons are the joint undertaking of all of the advertising media. In other communities leading business organizations are being urged to hold meetings of their key executives in board rooms to listen to the broadcast. Some radio stations advise that they have invited a list of outstanding business and community leaders to gather in the studio to hear the broadcast.

It is unnecessary to point out to all broadcasters the tremendous importance of this program. It marks the beginning of new phases of the War Advertising Council's activity. In fact it might be termed the culmination of much of the activity which has gone before. Broadcasting more than any other medium, is now in a position to cash in on this plea to business men and advertisers to assist in the campaign of advertising the war. We should make the most of the opportunity.

## SENATOR WHEELER AGAIN SAYS HE WILL HOLD FCC HEARINGS

Senator Burton K. Wheeler, chairman of the Interstate Commerce Commission, reaffirmed his intention to give regulation of radio broadcasting by the Federal Communications Commission a "thorough airing" when members of Congress return from summer recess in an interview reported July 8 by the Associated Press.

Senator Wheeler made this statement in connection with comments he gave AP on Senator Robert Taft's speech (see Special Legislative Bulletin No. 8 enclosed with this issue of the REPORTS) in Congress July 8.

## WAR LABOR BOARD HOLDS HEARING ON PETRILLO CASE

The National War Labor Board is holding a public hearing today (Friday) to determine whether the con-

troversy between the music transcription companies and James Caesar Petrillo and his union is a labor dispute over which the Board should take jurisdiction.

On July 5, the Secretary of Labor certified the strike of the musicians to the Board. Four days earlier, the U. S. conciliation service of the Department of Labor, to whom the transcription companies had submitted the dispute, saw negotiations between them and Petrillo break down completely.

At that time, Petrillo said his union would not make transcriptions any more at any price, observing that if the transcription companies gave his union their entire gross receipts of \$4,000,000 a year, "it's still small peanuts to the Federation." He also said it was the broadcasting stations that he was after.

At the public hearing Friday, A. Walter Socolow, attorney for the transcription companies, will ask the Board to exercise its jurisdiction and order the striking musi-

*(Continued on page 302)*



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NAational 2080

Neville Miller, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## WAR LABOR BOARD HOLDS HEARING ON PETRILLO CASE

(Continued from page 301)

cians back to work at once. It is reported that Petrillo is prepared to argue, in order that he may escape the jurisdiction of the National War Labor Board, that his ban does not constitute a strike. It will be recalled, however, that he has repeatedly maintained that his ban is a strike, and that his union, in fighting the Department of Justice's anti-trust suit last winter, successfully argued that the controversy was a typical labor dispute and thus not subject to the jurisdiction of the Federal Court. The Court upheld the union's contention, which was thereafter sustained by the United States Supreme Court.

After the National War Labor Board makes its decision in respect to the jurisdictional question, NAB will issue a Special Bulletin reviewing all recent developments and bringing the situation up to date.

## COMMISSIONER CRAVENS DISSENTS

In an interview he granted a *Washington Times-Herald* reporter on July 6, 1943, Commissioner T. A. M. Cravens of the FCC is quoted as saying:

"I got in a row recently with some of the other Commissioners about some new regulations which I thought were interfering with the freedom of speech and private initiative. According to the Supreme Court vote on the matter, I was two-fifths right."

## FTC ALLOWS MORE TIME ON ADVERTISING SURVEYS

The following statement was issued today by the Federal Trade Commission:

"At the direction of the Commission the Radio and Periodical Division has placed into operation a new schedule, wherein the usual typed copies of radio advertising script will be procured from individual radio stations, representing commercial announcements originating in their respective studios as individual broadcasters, at an average rate of twice yearly per station, starting with the opening of the new fiscal year on July 1, 1943.

"The actual calls for the commercial script covering station broadcasts in the interest of products moving in commerce, will continue to be issued for 15-day broadcast periods, as specified in advance notices sent out by the Federal Trade Commission, which allow adequate time for preparation of extra carbon copies as occasion may require. Also, the Commission will continue the issuance of its requests on a staggered monthly basis to groups of individual radio stations, selected both as to geographic location and proportionately as to transmittal power.

"The sampling of individual station commercial broadcasts covering the 15-day specified periods, should be considered as entirely separate from the weekly rendering by certain individual stations of commercial network announcements which may have originated in their respective studios, as originating key outlets of nation-wide and regional networks. Such commercial network script should be forwarded as in the past, on a weekly basis, to the Federal Trade Commission, through the head offices of the networks (or direct by the key stations, where centralized head offices are not maintained by certain cooperative regional network groups)."

## Broadcast Advertising

### DIETRICH DIRKS OF KTRI HEADS SALES MANAGERS COMMITTEE

Last Saturday, Neville Miller announced the appointment of Dietrich Dirks of KTRI-Sioux City, Ia., as Chairman of the Sales Managers and Sales Managers Executive committees. At the same time, he released the following names of the personnel of the Sales Managers Executive committee for the coming year:

C. K. Beaver, KARK, Little Rock, Ark.  
Sam H. Bennett, KMBC, Kansas City, Mo.  
Arthur Hull Hayes, CBS, New York, N. Y.  
James V. McConnell, NBC, New York, N. Y.  
John M. Outler, Jr., WSB, Atlanta, Ga.  
W. B. Stuht, KOMO-KJR, Seattle, Wash.  
John E. Surrick, WFIL, Philadelphia, Pa.

### NEW COMMITTEE TO MEET IN NEW YORK JULY 14-15

The newly appointed Sales Managers Executive committee will hold its first meeting at the NAB New York office on Wednesday and Thursday, July 14 and 15, 1943. The meeting on the first day has been called for 10:30 A. M. and will be devoted to a discussion of industry sales problems arising in part from the war and its effects on advertising.

On the second day, the committee will hold a joint morning meeting with the Retail Promotion committee to see a preview of the widely-heralded Retail Promotion Plan.

## WE NEED YOUR HELP

Much of the down-to-earth selling power of the Retail Promotion Plan depends upon an analysis of the present use of broadcast advertising by department stores and leading retail establishments. To help the Committee and Sheldon R. Coons to include the most complete analysis possible, won't you please do *two* things today:

1. Fill out and return the Statistical Questionnaire on page two of the folder mailed you on May 27, 1943.
2. Write a letter immediately, telling in your own words and in your own way, some of your recent experiences with retail advertising.

Your co-operation will be of genuine benefit in the preparation of the presentation.

## COMMITTEE TO SEE PREVIEW OF RETAIL PROMOTION PLAN

Paul W. Morency of WTIC-Hartford, Chairman of the Retail Promotion committee, has called a two-day meeting of that group in New York on Thursday and Friday, July 15 and 16, 1943. The opening day will be devoted to a preview of the Retail Promotion Plan and to a discussion of the itinerary of the presentation that will be made from coast to coast.

"This is the most important meeting the committee has ever held," declared Mr. Morency in announcing the two-day session. "With sufficient funds assured to complete the project," he added, "we are now ready to review the work of the eminent counsel, Sheldon R. Coons, the specialists employed at the direction of the committee and the Jam Handy Organization which has been entrusted with the physical production of the presentation."

Although sufficient funds have been made available, Mr. Morency urged all stations which have not yet subscribed to this movement to do so at once, in order to insure showings of the presentation in as many communities as possible. At the same time, he urged all stations to fill out and return the Statistical Questionnaire and to write the letter requested by the committee in its mailing on May 27, 1943.

He has also invited the Sales Managers Executive committee to witness the preview of the Retail Promotion Plan on Thursday morning, July 15, 1943, since the project originated with a recommendation of that group to the Board of Directors following the NAB Convention in Cleveland in May, 1942.

Soon after the meeting, it is expected that the definite itinerary for the presentation will be announced to participating radio stations.

In addition to Chairman Morency, the personnel of the Retail Promotion Committee includes:

Robert E. Bausman, WISH, Indianapolis, Ind.  
Gene L. Cagle, KFJZ, Fort Worth, Tex.  
William Crawford, WOR, New York, N. Y.  
Dietrich Dirks, KTRI, Sioux City, Ia.  
John Esau, KTUL, Tulsa, Okla.  
Kenneth K. Hackathorn, WHK-WCLE, Cleveland, O.  
Arthur Hull Hayes, CBS, New York, N. Y.  
Walter C. Johnson, WTIC, Hartford, Conn.  
C. L. McCarthy, KQW, San Francisco, Calif.  
James V. McConnell, NBC, New York, N. Y.  
John M. Outler, Jr., WSB, Atlanta, Ga.  
Oliver Runchey, KOL, Seattle, Wash.

## Engineering

### WPB PROMISES TUBES FOR THIRD QUARTER

A promise of radio tubes for civilian use was made to Honorable James F. Byrnes, director, Office of War Mobilization, by Ray C. Ellis, director, radio and radar division, War Production Board, on June 28, it was announced today by the NAB war committee.

The promise was given Director Byrnes after he had acted on the suggestion of Neville Miller to investigate the tube situation.

Since the seriousness of the tube situation is now officially recognized with relief promised by the government agency responsible for all tube production in the United States, opinion is widespread that Ellis will make good his promise.

The exchange of correspondence covering tubes appears below:

Letter to Director Byrnes from Neville Miller  
Dated June 17, 1943

"Lack of radio tubes for home sets has created an alarming problem. It has already seriously endangered the delivery of vital war messages from various government agencies and departments into the homes of citizens.

"It is our belief that the continued operation of mass communication throughout this nation is of the utmost importance and depends upon the immediate implementation of a balanced program which recognizes the needs of both the military and the civilian economy.

"National minimum requirements call for between two million and three million tubes per month. This is based on the maintenance of one set per radio home and excludes from consideration all automobile and portable receivers.

"Practically all dealer and jobber civilian tube stocks are exhausted. Only a limited quantity of tubes have reached civilians during the past eighteen months.

"The recently issued Order L-265 may control distribution. However, no directive is in effect to insure production of tubes in the quantity and of the type required to satisfy now critical needs. A program exists in WPB which should solve the tube problem if put into operation immediately.

## FREE

### "ABC of Radio"

Approximately 50,000 copies of the ABC of Radio remain at NAB Headquarters.

These should be distributed to schools, churches, educational and civic organizations, as well as interested private individuals.

NAB member stations who can make such use of the booklet will be supplied quantities desired upon request without charge.

Please try to file your request immediately.

"Concerning farm radio batteries, production and delivery to farmers for the quarter ending June 30th show improvement, but farm battery production continues insufficient to balance consumption, let alone overtake the accumulated deficit.

"It is my hope that in the national interest you will investigate these matters and take steps to insure the continued operation of civilian radio, without which no domestic government war program can succeed."

Letter to Director Byrnes from Ray C. Ellis  
Dated June 28, 1943

"Referring to your memorandum of June 18, 1943, regarding a letter of June 17, 1943, addressed to you by Mr. Neville Miller, President, National Association of Broadcasters, pertaining to radio receiving tubes.

"We recognize that there is a serious situation concerning radio receiving tubes for home receivers. We know that some tubes are being made available for civilian use and that material has been allocated and production has been authorized for civilian tubes, but due to the needs of the Military the production and distribution has not been effective in adequately providing for civilian radio needs.

"WPB Limitation Order L-265 should control distribution. Steps are now being taken to review all tube requirements, both civilian and military, and in the light of this review to work out schedules of production. This Division will see to it that the minimum civilian requirements are provided in the production during the third quarter.

"We recognize the need for the maintenance of civilian radio and we also appreciate that conservation is necessary to keep civilian radio requirements to a minimum in the light of Military radio requirements. This having been accomplished, we feel justified in insisting on the production of some civilian tubes.

"The Radio and Radar Division does not handle dry batteries for powering farm and portable radio receivers. We are turning your letter over to the Consumers Durable Goods Division, Mr. Dudley P. Felt, Director, in order that you may receive an answer concerning that portion of the National Association of Broadcasters letter dealing with batteries.

"We trust the foregoing information will be of assistance to you but if this office can be of any additional help, please feel free to call on us."

Mr. Ellis' letter was attached to Director Byrnes' reply to Mr. Miller.

## STATION WHIO WORKS WITH HOME CITY WAR COMMITTEE

Officials of WHIO and the Dayton "Emergency Committee" are working together to increase the city's output of war goods. Additional war contracts are awaiting local industries as soon as it can be demonstrated to the local WMC area director, Marion Gregg, that capacity, manpower, and housing facilities exist for the purpose.

Appointment of the "emergency committee" was the first step in the campaign. This group immediately met with Robert Moody, WHIO general manager, Lester Spencer, assistant manager, and Bill Hamilton, production manager, all of WHIO. They agreed that the first job was to get housewives and other women, who had never before worked, into war production in the factories. To this end WHIO scheduled nine 5 minute programs weekly, urging the women to join the battle on the home front. Each broadcast originated in a Dayton war plant where women who are working the factories for the first time are interviewed by Mr. Hamilton.

While the programs are in progress the committee is engaged in easing the housing problem.

At the end of the first two weeks of combined effort, Gregg stated that he was already able to detect a large

## TO STATION MANAGERS:

If any of your capable and experienced former engineers or technicians, now in service, write you that they are not using their radio training, NAB may be able to help, providing such men desire to work in radio.

Send complete details of the man's former experience to Arthur Stringer, together with his present military address. He will bring the matter to the attention of the appropriate armed service.

Though two men were reassigned to radio this week, no promise of results are implied or intended by this offer. It is made solely in an effort to assist in the war effort.

increase of housewives and other women who had responded to the call as result of the radio interview.

## ORCHIDS TO NAB FROM BSA

The following message was sent to Neville Miller by Elbert K. Fretwell, chief scout executive, Boy Scouts of America:

"At the thirty-third annual meeting of the National Council of the Boy Scouts of America held in this city on May 20, the delegates representing our five hundred and forty-one councils passed a resolution extending its greetings and appreciation to the many agencies and organizations which have cooperated and contributed to the effectiveness of the Boy Scouts of America during the past year.

"It gives me pleasure to convey on behalf of these delegates the appreciation and cordial good wishes of the Boy Scouts of America to you, representing the National Association of Broadcasters. All of us in Scouting feel that we could not accomplish our objects of character building and citizenship training without the intelligent support you and your associates so cheerfully give."

## GIRL SCOUT LEADER REPORTS ON NATIONAL RADIO POLICY

Mrs. Lucille Clarke, head of the radio programs division of the Girl Scouts public relations division, wrote the following report after a recent trip which took in several NAB stations, to Dorothy Lewis, NAB coordinator of listener activities:

"First of all, I wish to say that without exception the station managers and other personnel with whom I talked were cordial to me and generous with their time. I think I'm not distorting the picture when I say also that after I had explained our official viewpoint on the use of radio by our members, they were pleased, and in some cases, surprised.

"Briefly, the points I touched on were: first, our desire to develop an intelligent and discriminating radio audience among the Girl Scouts, particularly by setting up local radio workshops through which the girls would have an opportunity to learn what makes radio tick. Second, our radio policy (emphasizing) quality not quantity broadcasts. Third, our need for assistance from the local radio station, as consultants for the workshop, and as the responsible agent who would audition all broadcasts before they went on the air. In this connection I said that we at National would back up any station which advised a Girl Scout group that it was not ready to put on a particular broadcast, but had better work on it further and come back later for another audition.

"I was very frank in telling these station men that I felt we were doing a public relations job for the (radio) industry. I explained that my reasons for undertaking this program were because I, and my organization, of course,

felt so strongly about radio being such a powerful medium for molding opinion that as a youth organization we were under obligation to see that it was used to the advantage of our members, and because radio is a vocation which should be opened up as one of the Girl Scout activity fields. "I hope that when the occasion arises you will express my appreciation again for the cooperative attitude of your member stations."

### DES MOINES RADIO COUNCIL IS FORMALLY ORGANIZED

The Des Moines Radio Council was formally organized in June at a meeting at which civic, club, government and broadcasting leaders from 40 Iowa cities attended. Mrs. Cyrus B. Hillis, appointed director of the council by Mrs. R. K. Stoddard, of Cedar Rapids, regional director of listener activities, NAB, presided.

Speakers presented were: Mrs. Stoddard; Ralph Evans, Davenport, public relations director of the Central Broadcasting Co. (WHO); Craig Lawrence, vice-president, Iowa Broadcasting Co.; Peral B. Broxam, Iowa City, WSUI program director, and W. I. Griffith, Ames, WOI manager.

Selected to form the council advisory council were:

Mrs. Bourke Hickenlooper, wife of Iowa's governor; Mrs. F. R. Kenison, Iowa PTA Congress president; Dr. Bruce E. Mahan, Iowa State University extension division director and radio committee chairman, National University Extension Association, Griffith; Mrs. S. E. Lincoln, Iowa PTA Congress; Newell McComb, Des Moines public schools superintendent; Mrs. Fred W. Weitz, editor, *Iowa Clubwoman*, IFWC organ; George Haskell, Iowa manpower commission; Jessie Parker, state superintendent of public instruction, and Forrest Spaulding, Des Moines librarian.

Others are: Mrs. E. D. Strong, president, Iowa League of Women Voters; Mrs. Gardner Cowles, Sr., Iowa Broadcasting Co.; Edwin Barrett, Drake University radio department superintendent, Evans; Agnes Samuelson, executive secretary, Iowa State Teachers Association; Mrs. Nyrton Skelley, Iowa American Legion Auxiliary department executive secretary; Dan O'Brien, Iowa American Legion commander; Rabbi Louis J. Cachdan, B'nai B'rith and Conference of Christians and Jews; Bishop Gerald T. Bergan; Bishop J. Ralph Magee; Mrs. Carl Weeks, Des Moines DAR radio chairman; Verner Haldene, community theater director, and Dr. Guy Wagner, Iowa PTA Congress radio chairman.

Committees and chairmen named were: allocation, Mrs. R. J. Laird; continuity, Mrs. W. P. Keasbye; talent and production, Mrs. Wesley C. Darby; survey and program evaluation, Mrs. Reuel H. Sylvester; promotion, Mrs. L. H. Bunce, and public relations, Mary Little.

### CEDAR RAPIDS COUNCIL ELECTS

Mrs. J. C. Milner has been elected president of the Cedar Rapids Radio Council, of Cedar Rapids, Iowa. Mrs. Margaret Stoddard, regional director of listener activity for Iowa and chairman of the local Peabody awards committee, founded the Cedar Rapids council.

### RADIO COUNCIL OF GREATER KANSAS CITY IS ORGANIZED

Representatives of 40 organizations, including broadcasting leaders, met in Kansas City, Mo., in June and formed the Radio Council of Greater Kansas City with Mrs. R. O. Baker, radio chairman of the local PTA, as president. A constitution and by-laws have been adopted.

Other officers are: vice-president, Mrs. J. H. Stales, State Federation of Womens Clubs; recording secretary-treasurer, Grace Franens, Kansas City University and Altrusa Club; corresponding secretary, Mariska Pugsley, Junior League, and executive board members, Edwin Browne, station KMBC; Dr. J. C. MacDonald, Council of

Churches; Mrs. George P. Truitt, National New England Women, and Mrs. Charles Coplin, Council of Jewish Women.

Mrs. Truitt is chairman of the Peabody awards committee for the Kansas City area.

Rev. M. D. Garrett

NAB has received from one of its member stations, word of the activities of Rev. M. D. Garrett, styling himself an Evangelist. Should any station desire information regarding this person, NAB will be very glad to refer the request to the proper party.

### FOREIGN PRONUNCIATIONS TIP FOR NEWS EDITORS

Jim Aull, news editor of KYW, has an angle on the foreign pronunciations problem which has worked out nicely in his shop.

Many months ago Aull began to work up a series of large panels, each panel representing a country. As foreign pronunciations information came in on his wire association machines, Jim would paste them up on the panel of the respective country in which the person or town whose name was involved existed.

As the war spread and the world became involved, proper foreign name pronunciations became a major broadcasting headache, but not at KYW's news room. All newscasters there have to do is check the panels and mark their copy accordingly.

Jim also pasted up pronunciations he and his staff culled out of dictionaries and from other sources when the press wires didn't come through.

### Edward F. McKay

Edward F. McKay, legal assistant to Paul Walker, Federal Communications Commissioner, died here Sunday, after an illness of two weeks.

Mr. McKay was well known in newspaper and utility circles in Oklahoma where he formerly managed the Oklahoma Utilities Association. He had been assistant to Walker for five years.

### 912 Stations

There were no additions or deletions reported by the FCC during the month of June, 1943. A comparative table by months follows:

	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1
Operating . . . . .	906	905	906	908	910	909	910	910	910	911	911	911	911
Construction . . . . .	19	16	14	11	9	9	7	6	5	2	2	1	1
	925	921	920	919	919	918	917	916	915	913	913	912	912

### FEDERAL COMMUNICATIONS COMMISSION

### FLY WON'T TALK ABOUT PAYNE NOMINATION WITHDRAWAL; SAYS COX CHARGES TO BE MET

At a press conference on Tuesday FCC Chairman James Lawrence Fly said he had not requested the President to withdraw the nomination of George Henry Payne

# Winners and Citations

## The Billboards 6th Annual Radio Publicity Exhibit

### United States

#### CLEAR CHANNEL STATIONS

First	Second	Third
WGN, Chicago	WOR, New York	WCKY, Cincinnati

#### Special Awards

WTIC, Hartford, Conn.—For public service (commercial station).  
 WNYC, New York—For public service (non-commercial station).  
 WJR, Detroit—Intelligent promotion of radio as an entertainment medium.  
 WLIB, Brooklyn—Outstanding programing in relation to labor problems.  
 WHAM, Rochester, N. Y.—Over-all war programing.  
 WWVA, Wheeling, W. Va.—Humanitarian service.  
 WBAL, Baltimore—Intelligent use of transcriptions in relation to the war.

#### REGIONAL STATIONS

First	Second	Third
KFEL, Denver	WKBN, Youngstown, O.	WFIL, Philadelphia

#### Special Awards

WMCA, New York—Over-all war programing.  
 WKNE, Keene, N. H.—Intelligent approach to specific local problem.  
 WOV, New York—Creating new public acceptance.  
 WPDQ, Jacksonville, Fla.—Outstanding trade-mark promotion.  
 WSGN, Birmingham—Over-all integration of publicity, programing and promotion.  
 KLZ, Denver—Comprehensive employment of publicity media.  
 KSAL, Salina, Kan.—Intelligent merchandising.  
 WPEN, Philadelphia—Vigorous public relations.

#### LOCAL STATIONS

First	Second	Third
WEMP, Milwaukee	WINX, Washington	WITH, Baltimore

#### Special Awards

WSKB, McComb, Miss.—The idea of the year.  
 WGKV, Charleston, W. Va.—The stunt of the year.

#### NETWORKS

Columbia Broadcasting System.

#### Special Awards

Mutual Broadcasting System—For outstanding trade relations.  
 Don Lee Broadcasting System—Best all-round regional network job.

#### Canada

First	Second
CKOC, Hamilton, Ont.	CKBI, Prince Albert, Sask.
Third	
CJCA, Edmonton, Alta.	

#### Special Awards

CJCA, Edmonton, Alta.—For exceptional social service programing.  
 CFGP, Grand Prairie, Alta.—Contribution to community life.  
 CKCK, Regina, Sask.—Effective dramatization of women's role in the war.  
 CKAC, Montreal—Outstanding bilingual programing.

#### AWARDS COMMITTEE

##### For Daily Newspapers:

Ben Gross Radio Editor New York Daily News	Harriet Van Horne Radio Editor New York World-Telegram	John K. Hutchens Radio Editor New York Times
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##### For The Billboard:

Lou Frankel Radio Editor	Leonard Traube Editor	Joseph M. Koehler Associate Editor
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to succeed himself as a member of the Commission. On Wednesday of last week the President nominated Payne to succeed himself and the following day he withdrew the nomination without explanation. There had been some talk that Fly had asked the President to make this withdrawal.

At the conference Chairman Fly said he had been called to the White House to discuss another communication matter with the President and that it was not until he arrived at the White House that he knew the name was to be withdrawn or the reason for it. While he did not specifically say so Fly intimated that he now knows the reason for the withdrawal but he would not discuss it. During the course of discussing this matter he called attention to the fact that Payne had voted in most cases as he voted and supported the same policies that he did.

Fly, in answer to a question, refused to say what attitude the Commission will take regarding Messrs. Watson and Dodd in recommending that they be reappointed. He called attention to the fact however that up to this time the Commission had upheld them, leaving the inference that the Commission would in the future.

The chairman told newsmen that the army and the Commission had got along very well since the war began in Communication matters and he expressed the belief that it was not the army who had given the service letters to the Cox committee. He deliberately said nothing about the navy.

Fly said he thought he knew who had given the letters to the Cox committee and that that matter would be developed in the future.

Answering a question, Fly stated that the Commission has never received a reply from Representative Sumner, chairman of the House judiciary committee, in which it was asked that Cox be removed from the chairmanship of the special committee investigating the FCC.

The chairman told the conference the Cox investigation has impeded the work of the Commission and has taken up a lot of time of the Commission and its employees. He also said the Commission has never been notified of any of the hearings of the Cox committee except recently when he personally was called before the committee on an hour's notice. He stated that the Commission will meet all of the Cox charges in a convincing way at the proper time.

#### FCC TO CONTINUE TECHNICIAN SURVEY

In answer to a letter to Chairman James Lawrence Fly sent by Neville Miller (REPORTS, June 25, 1943, page 285), the FCC has notified NAB it will continue its postcard test survey of radio telephone operators.

All operators indicating interest in a professional career or change of position will have their names forwarded to NAB by FCC and, in turn, NAB will send these persons regular application forms for enrollment in the NAB technician pool.

Howard Frazier, NAB director of engineering, reports more than 300 names of technicians on hand available for employment.

He also urged station managers who employ technicians obtained through the NAB pool to advise NAB so names may be cleared from our files, else NAB will continue to issue their names and this may lead to a person being hired "away" from a station which itself had obtained the person's name through the pool.

#### CARLSON AND ROBERTSON NEW FCC APPOINTEES

Appointment of RICHARD CARLSON as director of personnel and WILLIAM B. ROBERTSON as director of



budget and planning was announced by the Federal Communications Commission. Both men have had a wide and varied experience in government service.

Carlson comes to the commission with 28 years' diversified administrative and personnel experience in industry and government. Before his appointment to the FCC, Carlson was technical director of the supervision improvement program of the U. S. Civil Service Commission. From 1939 to 1942 he served as director of personnel for the Civil Aeronautics Administration and from 1935 to 1937 directed the personnel activities of the Farm Credit Administration. He was for eight years director of the personnel research bureau of San Francisco, Calif., a private consulting service in industrial relations.

Born in Nebraska, March 27, 1893, Carlson attended the University of Nebraska and graduated from Heald College in San Francisco. His publications include numerous books and articles on employee training and personnel management.

\* \* \* \*

Born in Charlotte County, Virginia, August 17, 1900, Robertson grew up in West Virginia, attending grade school and high school in Charleston. He was graduated from Harvard College in 1923 and from the graduate school of business administration of New York University in 1928.

Robertson was employed by the Columbia Gas & Electric Corporation from early in 1924 until November 1, 1934, when he accepted a position as fiscal officer in charge of the finance division of the Federal Surplus Commodities Corporation, later becoming treasurer of that Corporation. He was connected with the Federal Surplus Commodities Corporation and affiliated bureaus of the Department of Agriculture until his transfer to the FCC.

## FM RULES MODIFIED

Because the demands of the military have greatly decreased the supply of trained personnel available for broadcast station operation, the FCC en banc has adopted order No. 111-A which further relaxes Section 3.261 of its Rules with respect to minimum operating requirements of high frequency (FM) stations. Order 111-A continues the requirement that each FM station shall render at least 6 hours program service each day, except Sunday, between 6 a. m. and midnight, but suspends the requirement that two hours of this service shall be devoted to programs not duplicated simultaneously as primary service in the same area by any standard or any high frequency broadcast station.

It is noted, however, the Commission did not suspend that section of its Rule 3.261 which places upon each FM licensee the duty to develop, insofar as possible, a distinct and separate broadcast service from that otherwise available in the service area.

At the same time, the Commission announced that it will authorize technical changes in the operation of high frequency (FM), television and noncommercial educational broadcast stations during the war period, where desirable to conserve equipment, particularly vacuum tubes, or where necessary to permit continued operation of a station, provided such changes are consistent with the maintenance of a substantial public service. Under this arrangement, licensees may file with the FCC informal requests to reduce operating power or to make other changes in the operation of authorized equipment. In view of the difficulty of obtaining replacement tubes and equipment and the shortage of skilled personnel needed in effecting repairs, the Commission feels this simplified procedure will aid in maintaining continuous FM and television service during the war.

# FEDERAL COMMUNICATIONS COMMISSION DOCKET

## HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 12th. They are subject to change.

Monday, July 12

WNYC—City of New York Municipal Broadcasting System, New York, N. Y.—For special service authorization; 830 kc., 1 KW; 6:00 a. m. to 10:00 p. m.; Dir. Antenna.

Wednesday, July 14

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Renewal of license, 1150 kc., 500 watts, DA-night, unlimited.

Thursday, July 15

KSJB—Jamestown Broadcasting Co., Jamestown, N. Dak.—Modification of license, 600 kc., 250 watts, unlimited.

# FEDERAL COMMUNICATIONS COMMISSION ACTION

## APPLICATIONS GRANTED

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Adopted an order granting petition to reconsider and grant without hearing the application for renewal of license of Station WCOP; cancelled hearing set for July 14, 1943. (Docket No. 6476)

WEDC—Emil Denmark, Inc., Chicago, Ill.—Granted renewal of license on a regular basis. (B4-R-551)

Stanley G. Boynton, Detroit, Mich.—Granted authority to transmit religious programs from Highland Park Baptist Church of Detroit to Canadian Station CKLW, Windsor, Ontario, from 8:00 to 8:45 p. m., EWT, on Sundays only for 52-week period. Applicant has no interest in any domestic or foreign radio broadcast station. (B2-FP-110)

WEMP—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Leo T. Crowley and James E. Markham, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Granted renewal of license to Station WEMP (and auxiliary) on a regular basis. Applicant has been operating on a temporary license since June 1, 1943. (B4-R-868)

WKBV—Knox Radio Corp., Richmond, Ind.—Granted authority to transfer of control of Knox Radio Corp., licensee of Station WKBV, from William O. Knox (transferor) to Central Broadcasting Corp. (transferee), a newly organized corporation, for a total consideration of \$30,000. (B4-TC-317)

## MISCELLANEOUS

WEEU—Berks Broadcasting Co., Reading, Pa.—Dismissed without prejudice petition of WEEU to broaden issues and continue the hearing on application of Matheson Radio Co. (WHDH), Boston, Mass., for construction permit to operate on 850 kc., 5 KW, unlimited, directional antenna night. (Docket No. 5453)

WOKO—WOKO, Inc., Albany, N. Y.—Denied petition to amend and enlarge issues in re application for renewal of license. (Docket No. 6486)

Iowa Broadcasting Co., Cedar Rapids, Iowa—Denied motion to enlarge issues and to designate a Commissioner to conduct hearings in re application of Jamestown Broadcasting Co., Inc. (KSJB), Jamestown, N. Dak., for modification of

license to change frequency to **600 kc.** on 250 watts, unlimited time. (Docket No. 6519) Exceptions noted by petitioner's attorney.

Worcester Telegram Publishing Co., Worcester, Mass.—Granted petition to amend application for new FM station and remove from hearing docket. (Docket No. 5980)

KFXM—J. C. and E. W. Lee, d/b as Lee Brothers Broadcasting Co., San Bernardino, Calif.—Granted motion for leave to take depositions in re application for modification of license. (Docket No. 6432)

KMTR—KMTR Radio Corp., Los Angeles, Calif.—On the Commission's own motion, continued the hearing now set for July 7 until July 28, 1943, in re application for renewal of license. (Docket No. 6437)

WNYC—City of New York Municipal Broadcasting System, New York City, N. Y.—Granted authority to determine operating power by direct measurement of antenna power for auxiliary transmitter. (B1-Z-1526)

## APPLICATIONS FILED AT FCC

### 620 Kilocycles

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Modification of construction permit (B4-P-3489 as modified which authorized move of transmitter and studio) for extension of completion date from 7-26-43 to 1-26-44.

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Modification of construction permit (B-P-3501 as modified for move of auxiliary) for extension of completion date from 7-26-43 to 1-26-44.

## FM APPLICATION

NEW—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Construction permit for a new high frequency broadcast station to be operated on **46100 kc.**, coverage 10,000 square miles, amended to change coverage to 4,465 square miles, make changes in transmitting equipment and changes in antenna system.

## MISCELLANEOUS APPLICATIONS

NEW—Savannah Broadcasting Co., Area of Chatham County, Ga.—Construction permit for a new relay broadcast station to be operated on **30820, 33740, 35820 and 37980 kc.**, 2 watts power, A3 emission, and to be used with Station WTOC.

NEW—World Wide Broadcasting Corp., Scituate, Mass.—Construction permit for a new international broadcast station to be operated on **6040, 9700, 11730, 15350, 17750 and 21460 kc.**, 50 KW power, unlimited hours of operation.

NEW—Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to CKLW, stations owned and operated by Canadian Broadcasting Corporation and stations licensed by the Canadian Minister of Transport for period ending 9-1-43.

WRUS—World Wide Broadcasting Corporation, Scituate, Mass.—Modification of construction permit (B1-PIB-33 for new international station) for change in frequencies to **6010, 9700, 11730, 15350, 17750 and 21460 kc.**, power 50 KW, and changes in equipment.

WLWK—The Crosley Corporation, Cincinnati, Ohio.—License to cover construction permit (B2-PIB-43) which authorized construction of a new international broadcast station.

WEOC—South Carolina Broadcasting Co., Inc., Area of Charleston, S. C.—Voluntary assignment of relay broadcast station license to John M. Rivers.

WEOY—South Carolina Broadcasting Co., Inc., Area of Charleston, S. C.—Voluntary assignment of relay broadcast station license to John M. Rivers.

# FEDERAL TRADE COMMISSION DOCKET

*Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.*

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Colorado Mattress Manufacturing Company et al.**—Twenty-three manufacturers of mattresses, bed springs and related products, and Sealy, Inc., 316 Broadway, New York, a nonprofit corporation organized to promote the manufacturers' mutual interests, are charged in a complaint with maintaining a combination to restrain competition in the sale of that portion of their merchandise which they designate as Sealy Products.

The complaint alleges among other things that the respondents, by agreement, adhere to prices promulgated by Sealy, Inc., for Sealy Products.

Respondent manufacturers named in the complaint, who constitute all of the stockholders of Sealy, Inc., are:

Morris Stein and Morris Nierenberg, trading as Colorado Mattress Manufacturing Co., Denver; Willford R. and Sidney Southerland, trading as Dixie Mattress Co., Richmond, Va.; Eagle Mattress Co., Inc., Alleton, Mass.; Fort Pitt Bedding Co., Pittsburgh; Gordon Sleeprite Corp., Baltimore; J. L. and T. O. Metcalfe, trading as Graham Mattress Co., Bluefield, W. Va.; F. G. Hodges Bedding Co., Reading, Pa.; Long Island Mattress Co., Inc., Brooklyn; Samuel Hertz and Morris Lewis, trading as Made-Well Bedding Co., Passaic, N. J.; The Charles A. Maish Co., Cincinnati; Osiason, Inc., Fall River, Mass.; The Ohio Mattress Co., Cleveland; Arthur H. and Blanche C. Rasch, trading as Pettit Bedding Co., Portland, Oreg.; Rogers Manufacturing Co., Houston, Tex.; Schmitt & Henry Manufacturing Co., Des Moines; Sealy Mattress Co., Chicago; The Sealy Mattress Co., Dallas, Tex.; Sealy Mattress Company of Kansas City, Kansas City, Mo.; Sealy Mattress Company of Milwaukee, Milwaukee; Lucille Willens and Helen Solomon, trading as Sealy Mattress Company of Northern California, Oakland, Calif.; Seniel Ostrow, trading as Sealy Mattress Company of Southern California, Los Angeles; U. S. Bedding Co., Memphis, Tenn., and Zimmerman Manufacturing Co., East Point, Ga.

Also named as respondents are the executives of Sealy, Inc., including Jacob R. Haas, president, and John M. Brody, executive vice president. (4987)

**Dean Studios**, 118 North Fifteenth St., Omaha, and its officers are charged in a complaint with misrepresenting the quality, price and terms of sale of the colored photographic enlargements and frames they sell in interstate commerce. The respondents maintain a branch studio at 211 Seventh Street, Des Moines. (4991)

**MacDougal Brothers**—A complaint has been issued charging MacDougal Brothers, Avoca, N. Y., with falsely representing that potatoes grown in the State of New York, and which they sell in interstate commerce, are Maine potatoes. (4990)

**Sorbtex Foundation, Inc.**, 210 East Franklin St., Richmond, Va., is charged in a complaint with misrepresenting the effectiveness of Sorbtex, a solution it advertises as being capable of improving the qualities and lengthening the life of towels and other fabrics. (4979)

**Tracer System**, and Earl H. Wilson, both of 330 South Wells St., Chicago, are charged in a complaint with employing false and deceptive practices in the operation of a scheme to obtain, by subterfuge, information concerning debtors. (4988)

### CEASE AND DESIST ORDERS

No cease and desist orders were issued by the Commission last week.

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Hugo Gernsback**, 25 West Broadway, New York, who, in addition to his business as a publisher, engaged in the sale of various electrical and mechanical devices, which included so-called ultraviolet sun lamps, under the trade name "Hudson Specialties Company," has stipulated to cease and desist from certain representations concerning the products. (3676)

**Hale Drug Company**, 112 South Main Street, Memphis, Tennessee; Krohn Sales Company, an Ohio corporation, each corporation having the same stockholders and officers; M. H. Krohn, Vice President; B. G. Krohn, Secretary-Treasurer, both directors of each corporation, and Milton E. Yales, an employee of the Krohn Sales Company who buys for its retail outlets and prepares advertising copy used by the Hale Drug Company, in connection with the offering for sale, sale or distribution of their merchandise, have stipulated to cease and desist from certain unfair methods of competition in connection with the sale and distribution of drugs, cosmetics and other articles of merchandise. (3677)

**King Fig Plantation**, 1095 Kansas St., San Francisco, selling and distributing fig trees under the trade name "King Fig," has stipulated to discontinue representing that his products are not affected by cold climatic conditions or that they will produce ripe fruit regardless of such climatic conditions; that they can be depended upon to produce perfect fruit in northern California, Oregon or Washington or consistently to produce ripe fruit in such an area; that the trees can be depended upon to produce ripe fruit within five months after planting or to bear ripe fruit twice a year; that they will produce ripe fruit where no other fig will ripen; are the only trees that produce ripe fruit in northern California, Oregon or Washington; that such an area is no fig land or that the tree is miraculous, marvelous or amazing, a freak of nature, a modern plant miracle or a horticultural phenomenon. (3675)

**Osco Motors Corporation**, 3627 North Lawrence Street, Philadelphia, Pa., engaged in converting automobile motors into marine engines and the sale of engine parts to be used as means to increase the horse-power of motors of the Ford V8 type, and George L. Callery, its vice president and secretary, also trading as Power Associates, have stipulated to cease and desist from representing as "simple" the "instructions" offered for use as means to accomplish an increase or transformation in the horse-power of a motor; and from use of the word "simple" in referring to such "instructions" so as to convey the belief or impression that, with the aid of such instructions, the power capacity of a motor can be increased or transformed easily or readily by one who does not have the necessary skill, or that the increase or transformation in motor power can be accomplished without the use of extra equipment and its attendant cost. (3678)



# "BUSINESS AT WAR"

Donald Nelson, Elmer Davis, Judge Fred M. Vinson, Marvin Jones and Chester LaRoche Appeal for Advertising's Support of War—Laud Radio

## REQUEST WAR MESSAGE IN EVERY ADVERTISEMENT

In a special broadcast to the business leaders and advertising executives of every state, city and community in the nation, prominent government officials, speaking from Washington, D. C., over the facilities of the National Broadcasting Company, 1:15 to 2:00 P. M., EWT, Wednesday, July 14, praised the part business and advertising are playing in the war and pleaded for even greater support with "A War Message in Every Ad."

Preceded by a closed circuit talk on July 6, this broadcast was directed at specially called meetings of luncheon clubs, business groups of all kinds and thousands of individuals, to mobilize advertising as never before on the war front.

Scripts of both the closed circuit talk and the special broadcast are reproduced in full, as follows:

### NBC Closed Circuit Talk, July 6, Opened by Frank Mullen, Vice-Pres., National Broadcasting Company

MR. MULLEN: We in radio have long been proud of our public service record. We have recognized that radio, as a democratic institution, can count its progress only in direct proportion to the service it renders to the people of the nation. Throughout the years, we have expanded our program structure in terms of entertainment, education and information. These are the ingredients in our public service formula.

In arranging this closed circuit hookup, the National Broadcasting Company is motivated by a desire to acquaint you with a new opportunity for public service. We have a special message for you today. It is a vital message, not only because it concerns a critical phase of the war effort, but also because it concerns everybody who hears these words, whether he be station manager, salesman, production man or announcer.

We have asked you to gather in this studio today to tell you about a special program that will be broadcast next week—at 1:30 P. M. EWT, Wednesday, July 14. This program may well prove to be a milestone in the organization of our home front. It will also be a milestone in the relationship between government and business. For both of these segments of our democratic system will join forces to help all the citizens on the home front understand better the meaning of total war.

(Continued on page 312)

## COX COMMITTEE TO RESUME

The Cox FCC Investigating Committee plans to resume hearings beginning Monday, July 19, it was announced Wednesday. It is expected that the hearings will continue during the week but names of the witnesses to be heard have not been announced.

With this issue of the REPORTS you will find a Special Legislative Bulletin containing news of developments following the hearing of Friday, July 9, together with statements issued by Chairman Fly and the Cox Committee.

## Notice!

The postal zone of the NAB is Washington, 6, D. C. Won't you please send a memo to your staff to advise them to use this zone number on all mail addressed to NAB? Also have them change any addressograph plates necessary. Thanks!

## OREGON-WASHINGTON ASK REMEDIAL LEGISLATION

Resolution Passed at Joint Meeting of  
OREGON BROADCASTERS ASSOCIATION AND WASHINGTON  
BROADCASTING ASSOCIATION  
Held in Portland, Oregon  
July 2, 1943

## THE RADIO BROADCASTERS OF WASHINGTON AND OREGON

In joint session, have recognized a grave danger to the radio industry in existing legislation governing radio, and in its interpretation.

### IT IS THE DESIRE OF THIS GROUP

that the Congress of the United States be urged to democratically review this legislation in light of free

(Continued on page 319)



THE NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NATIONAL 2080

Neville Miller, President

C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Walter L. Dennis, Chief, News Bureau; Willard D. Egolf, Assistant to the President; Howard S. Frazier, Director of Engineering; Joseph L. Miller, Director of Labor Relations; Paul F. Peter, Director of Research; Arthur C. Stringer, Director of Promotion.

### "BUSINESS AT WAR"

(Continued from page 311)

American business, which has already performed production miracles, is rapidly undertaking its second great conversion job—the job of converting its advertising to war needs. The focal point of this contribution to the war program is the War Advertising Council. This was set up immediately after Pearl Harbor to act as liaison between government and business in the development of home front information campaigns. Time does not permit a complete resume of the achievements of this organization, which represents all phases of advertising activity—Advertisers, agencies and the four great media, radio, newspapers, magazines and outdoor. But standing beside me is the man who has been the motivating force in this farsighted activity. He is Chester J. LaRoche, chairman of the War Advertising Council, whose energy and leader-

NAB, through the cooperation of NBC, ordered master recordings made of the broadcast, "Business at War." Pressings are available of the complete 45 minute program at a total cost of only \$3.00, express collect.

A complete set includes one double-face record and one single-face record, 16", 33 1/3 R.P.M.

\$3.00 brings you the complete set, express collect, which you may use locally before civic clubs, for private auditions in your studios, etc. The recordings are not to be re-broadcast.

Order your set today!

ship have contributed so much to the Council's success. Mr. LaRoche will give you the details of next week's broadcast and will explain why it is so essential for every advertiser and media representative to participate in this program. Mr. LaRoche:

### CLOSED CIRCUIT TALK

July 6, 1943

MR. CHESTER LA ROCHE: Thank you, Frank Mullen, for your generous cooperation in making these facilities available and for your desire to make this a cooperative, united effort of all media, rather than of radio alone.

The purpose of this closed circuit broadcast is to ask those who are listening to *organize* meetings of advertisers—national and local—and agency executives, to listen to a nationwide live broadcast over 138 stations of this network at 1:30 Eastern War Time on Wednesday, July 14th.

The subject of the broadcast will be "The Role of Business in Furnishing the People with Essential War Information." The speakers from the government will be Elmer

Davis, Judge Marvin Jones, Donald Nelson and Justice Byrnes.

This broadcast may well be a milestone in the relationship between business and government. Certainly it will represent one of the most important gatherings of business leaders since the outbreak of war.

Why has this July 14th broadcast been arranged?

It is clear that our armed forces can do their job. The momentum of their might increases daily. It is also increasingly clear that our Home Front is sagging. The *certainty* of victory and its *nearness* is threatened, unless we act promptly.

What are we to do? Are we helpless? Must we wait until Washington has settled every policy, has every detail worked out? *No*. Fortunately, there is a greater power than any in Washington. That is the resourcefulness, initiative and will of the people.

Of course, it is important what Washington does about subsidies, inflation and food. The laws and directives that are issued are vital. But no matter what our leaders do, unless the people *understand* and *act*, Democracy cannot go all out in total war. But given understanding, our Democracy can be more efficient than any political organization known.

Tell our people the scope of a problem—the result expected and why—and soon unusual, ingenious solutions come along and the best solution of one is passed along until it often becomes the common method of us all.

What will bring about this understanding?

The speeches of our leaders and the news columns will play their part. But the part advertising can play,—its great responsibility and opportunity,—is not so clearly understood.

Now advertising does not seek to do the complete information job on its own. It should be coordinated with the news. *Both* news and advertising must be used in planned information programs.

But it is the function of the news columns to report. It is the function of advertising to get action; to clarify and interpret; to make readable to masses of people how large social, economic and military problems scale down and touch their daily lives;—to repeat and repeat and inspire until desired actions are taken.

What an opportunity we have to arouse this nation to a mighty wrath, and to finish this war with *amazing speed* and the *minimum loss* of our lives.

Not to understand the part advertising can play in this war job is the equivalent of a military error.

Through the individual actions of many, and through the War Advertising Council, advertising has already done much.

The War Advertising Council is composed of the owners and principals of magazines, radio, outdoor, the country's advertising agencies, and national advertisers. It is sponsored and financed by the following organizations, whose representatives also serve on its board.

- Association of National Advertisers
- American Association of Advertising Agencies
- National (Magazine) Publishers
- American Newspaper Publishers
- Outdoor Advertising Association
- National Association of Broadcasters

It should be made very clear that the War Advertising Council represents no political party, no pressure group, no special interest, no selfish axe-grinders, and it is not concerned with increasing appropriations. Anyone who thinks it seeks to make money for this business is **MILLIONS OF DOLLARS WRONG** as what follows will show.

The Council renders all services to government *gratis*. With the exception of a staff of ten principals, the work is done by volunteer experts, who donate their time. The

council asks nothing and wants nothing except a chance to serve the nation in a field it knows best.

It may be fairly said that the War Advertising Council has placed at the disposal of the Federal Government since the outset of the war the creative talents of the entire advertising field. The government wisely saw that the huge machine advertising had built to serve the ways of peace was best qualified to do the war information job. The government, in this case, decided not to raise billions and create departments to spend these billions, if the advertising industry would do the job. Let's see what Advertising has done.

Since the start of the war, the public has over-subscribed two great War Loans, has turned in so much scrap metal as to create a huge national stockpile, has planted 2 million Victory gardens, saved and turned over to munition plants 57 million pounds of fats and grease, has volunteered by the hundreds of thousands for part-time work as civilian defense workers, as ration board members, as auxiliary helpers on farms and in food processing plants.

These things have not just happened. They are the result of an enormous amount of hard, tough fact-finding, opinion study and planning. Let me cite a few examples of this planning.

The entire mechanism by which the nation is given war messages over commercial radio programs was worked out by the War Advertising Council in close cooperation with the Office of War Information.

Every line of Washington-released Advertising supporting the Second War Loan was prepared by the War Advertising Council, without its costing the taxpayers a penny either for the creation of the material or the space and time.

To give you a quick idea of how much advertising is already being contributed at no cost to the government, I think you should know that since April 27, 1942, 120 advertisers have contributed time on 202 coast-to-coast network programs every week. On these shows 115 messages are delivered weekly to an average audience of 300,000,000 listeners a week.

On 85 spot programs 38 messages are delivered to 9,000,000 listeners weekly.

70 advertisers have contributed, at various times, their entire shows to war information projects and without any mention of their own products.

In addition to this national effort, 891 stations broadcast 8,000 messages locally per day.

Combined with the networks' contribution of time and talent for shows, like the Army Hours, This Is Our Enemy, business has made a total contribution of \$100,000,000 through radio to the government's Information Program.

National Magazines, too, have contributed generously. 444 of them have given one page a month to inspirational messages concerning total war. These 444 magazines will continue to contribute a page a month to the new campaign on inflation worked out with Justice Byrnes and Judge Vinson, starting in August. Those anti-inflation ads will reach a circulation of 90,000 monthly.

The Newspapers of the country not only helped organize the scrap drive, but have been instrumental in organizing local and national advertisers to contribute toward the Treasury advertising. As an example of the type of support the government is getting, on the recent Second War Loan Drive, the newspapers through their soliciting efforts, secured from advertisers the equivalent of 36,000 full-page ads which ran during a period of three weeks. This was the largest newspaper campaign in the history of our business.

In 1943 it is estimated that 63% of all outdoor posters will be devoted to wartime advertising. Outdoor will contribute 100,000 wall panels and 30,000 twenty-four sheets to the Third War Loan Drive which starts September 9th, at

no cost for space to the government, and has a soliciting quota of 20,000 twenty-four sheets to be secured from business firms.

More than 450 advertising agencies have contributed \$4,000,000 of the only thing they have to sell—time and skill.

National and local advertisers have devoted more than \$100,000,000 in the past year in magazine and newspaper space to war themes. The drug industry alone devoted \$2,000,000 to the sale of war bonds.

The total contribution of all advertising in the past twelve months was at least \$250,000,000.

And now twice that amount is needed,—\$500,000,000 or one-third of the total of all advertising; twice as much because the job this Fall is easily twice as big.

To help reach this goal, the War Advertising Council is launching a campaign which starts with asking your help to make the July 14th broadcast a well organized, resultful event.

The slogan of this campaign is "A War Message in Every Ad."

In order to make clear exactly what subjects advertising can deal with, our nation's leaders have agreed to participate in the special program on Wednesday, July 14th. These leaders will explain to business men the vital part their advertising can play in creating a better informed army of civilian fighters.

The keynote of next Wednesday's broadcast will be sounded by Justice Byrnes, Director of the Office of War Mobilization, who will tell the business men of this nation and the public at large how important the Home Front is to a successful and quicker completion of the war. Justice Byrnes will explain what the government's responsibilities are and what the people's responsibilities are. He is accustomed to speaking frankly and convincingly. I believe that he will adhere to this pattern next Wednesday.

Elmer Davis, Director of the Office of War Information, will discuss the many new problems that have arisen in connection with his office. He is both aware and appreciative of the help OWI has had from business.

Donald Nelson, Chairman of the War Production Board, whose support and suggestions helped organize the War Advertising Council, will give us the latest news on production, and his plans to keep our economy vital through production of needed things.

Marvin Jones, newly appointed War Administrator, will discuss the subject that directly affects more citizens than any other—food.

All these government spokesmen will make clear that they cannot do their jobs without understanding and help from the public. War advertising can bring that understanding.

What is war advertising? It is not brag advertising—not advertising which simply shows pictures of tanks, ships, planes. War advertising is advertising which interests people through information, understanding or persuasion to take certain action necessary to speedy winning of the war. It is this type of war advertising with which the July 14 broadcast will concern itself.

The July broadcast will obviously be more successful if in the listening audience there is a high percentage of top management executives as well as sales and advertising executives. For the most part advertising people are better acquainted with the role of advertising in wartime than are management people. But the story must be impressed upon both, if business is to discharge this public service.

For this reason, it is essential that every ounce of energy be exerted on the part of all media representatives to be certain that the top business men of the nation sit before the loud speakers at 1:30 P. M. Eastern War Time on Wednesday, July 14th.

I strongly urge everyone within the sound of my voice

to constitute himself a committee of one to turn out the listenership that we must have if the objectives of this program are to be achieved.

The way to organize listening meetings is a matter for individual or company decision. In the smaller cities possibly the media will get together and arrange joint meetings of their own to which advertisers and agency men will be asked.

In the larger cities, *numbers* will make joint meetings difficult, so it is suggested that each media and each company work out its own method of separate meetings, preferably at luncheon time. There will be overlapping invitations, to be sure. But the advertiser is used to being approached by the different media for a share in his business, so he won't be confused or mind if he gets several invitations to lunch. In the West, the meetings can either be a *late* breakfast or an *early* luncheon. In all cases time should be allowed for discussion as to what follow-up action is suggested by the talks.

You, the members of the Radio Industry and all advertising men, carry a heavy responsibility to see it goes well. You have helped to create this great information machine. In effect, you are the West Pointers and Annapolis men of our information army. The importance and size of the audience of this broadcast is very largely in your hands. On its success depends the first organized attempt to create the fighting Home Front we must have to back up our invading armies.

## "BUSINESS AT WAR"

WEDNESDAY, JULY 14, 1943

NATIONAL BROADCASTING COMPANY

1:15-2:00 P.M. EWT

ANNOUNCER: "Business At War" . . . the National Broadcasting Company, in association with the War Advertising Council, invites you to participate in one of the most important business meetings held since the beginning of the war. Gathered before radios and speakers in conference rooms all over the nation, in radio studios, and at special luncheon meetings, are the business leaders of America. In hundreds of communities management, sales, and advertising executives have met to hear this broadcast during which the leading government officials will speak to American business. Elmer Davis, Director of the Office of War Information will open the meeting and introduce the speakers . . . Mr. Davis.

DAVIS: The purpose of this broadcast meeting is to complete the mobilization of American advertising to help win this war. Each of the speakers to be heard on this program is in charge of one or more aspects of the home-front war effort that affect the lives of every citizen. Justice James F. Byrnes, Director of the Office of War Mobilization, who had hoped to be with us, is detained by unavoidable commitments; but you will hear from Judge Fred M. Vinson, the head of the Office of Economic Stabilization; from Donald Nelson, Chairman of the War Production Board; from Marvin Jones, War Food Administrator, and finally from Chester J. La Roche, Chairman of the War Advertising Council.

Now, these operations are very satisfactory beginnings; but the liberation of Europe, the Pacific Islands, and southeast Asia will not be briefly or easily accomplished. We can expect our offensive action to grow swifter and heavier, which means that we shall have to expend larger and larger amounts of material, and suffer heavier casualties. And that means that we need a better organized, more efficient home front.

Our Army and Navy have the tough part of the job, and they are doing all right. But it is up to the rest of us to help them just as much as we can. What the supporting

cast of civilian fighters on the home front may do can either hasten the victory, or delay it; but the difference between an earlier and a later victory is worth working for just as hard as we can. Every twenty-four hours the government of the United States spends three hundred million dollars on the war. Shorten the war by one day, you save three hundred million dollars; also, almost certainly, you will save hundreds or thousands of American lives. Every man, woman and child in this country ought to be doing everything we can to shorten the road to victory.

To help attain this objective, some of our war leaders on the civilian front are today outlining some of the urgent problems they face. They are asking that business, through its advertising, help create the public understanding that is essential to whole-hearted cooperation by the people. We know from experience that if the people know what is expected of them, and why, and believe that it makes sense, they will respond magnificently. But the job of bringing them essential war information, in a war so complex as this, is gigantic. It calls for the use of all the channels of communication—the news and editorial columns of newspapers and magazines; radio broadcasting—and the radio industry has done an immensely valuable job of transmitting war information to the public; the job needs also books, and posters; and it needs the technique that is the voice of American business—advertising.

The Office of War Information is fully aware and deeply appreciative of the help that business has already given us, by contributing advertising space and time for war messages. This would not have been possible without the help of the War Advertising Council—the voluntary, non-profit organization representing all branches of advertising, which has served so ably and effectively since Pearl Harbor. We in the Office of War Information, who have worked with the Advertising Council ever since our organization was established, can testify to the work it has accomplished; for we have seen the results—results that can be measured.

In telling the people about every one of these home-front projects, the War Advertising Council, the Office of War Information, and the Federal agency or agencies involved have worked as a team; and this team work has resulted in advertising space and time contributions estimated at more than a quarter of a billion dollars during the past year. Yet all this, like our military offensive operations, is just a start. It is clear that our men on the fighting fronts can do their jobs; that is being made plain every day. What is not yet quite so clear is our ability to organize a home front which in energy, morale and fighting power is worthy to be compared with them. In the months ahead, the need for people to do and not to do certain things having a direct bearing on the war will multiply enormously. Every move by every citizen is a factor that will help determine the speed of the victory. The government leaders gathered at this microphone want to explain to the business men of the nation how urgent is this job of getting people to do what must be done, and how business can help enormously, by contributing even more space and time for war messages than heretofore.

Your government has adopted a policy on the use of advertising for war needs that seems to be sound and practicable. We have recognized the need for harnessing this great American force to do the job that all citizens, as well as the government that serves them all, want to get done. Two alternatives presented themselves: the government could either appropriate a huge advertising budget—hundreds of millions of dollars, perhaps a billion, would be necessary to do the job; or government could turn to the people who are experts in using the advertising mechanism that already exists, and ask them to assume this responsibility.



We decided against huge government advertising appropriations. We decided in favor of asking business to assume the responsibility of converting its advertising to war themes. And in view of the magnitude of the job ahead, we believe it is important that business should support the War Advertising Council's campaign—"A War Message in Every Ad"—of which you will hear more later.

Now here is Judge Fred M. Vinson, the new director of the Office of Economic Stabilization.

VINSON: On the home front, our deadliest and most insidious enemy is inflation. Inflation threatens the security of the people's savings. It is the mortal foe of every bank deposit, every insurance policy and every war bond.

To the average man and woman, inflation reveals itself in a soaring cost of living. You may rest assured that those associated with me and I will exercise all the powers which we possess to hold this line. If we allow prices and wages to rise, the cost of war will be materially increased. The resulting economic confusion and the bitter struggle among pressure groups which would follow from it, would reduce the effectiveness of our productive effort and cost needless thousands of American lives. Rising prices now mean falling prices later. Inflation in wartime means deflation after the war; and with deflation come panic, bankruptcy, unemployment and financial ruin. To speed the day of victory and to build a solid foundation for a prosperous peace, we must hold the line against inflation.

Here is the situation we face: Total war demands that we strain every nerve to produce the munitions of war. We can meet our production goals only by converting all our available resources to the production of military goods. In order to produce more of the things which the fighting forces need, we must produce less of the goods which we at home are accustomed to use. At the same time, we must put every available man and woman to useful work at longer hours.

The job of stopping inflation is almost unbelievably difficult. In all frankness I must tell you that, up to now, we have not entirely succeeded. Neither have we failed. Between May, 1941, and May, 1942, when the first General Maximum Price Regulation was imposed, the cost of living rose 12%. In the next twelve months, between May, 1942, and May, 1943, the cost of living rose only 7.8%. We did not lose as much ground during the second year as we lost during the first.

But we lost too much, and we cannot afford to lose more. Indeed, we must regain some of the ground we have lost, and that is the purpose of the so-called "rollback" program about which you have heard so much.

Most of the ground we have lost has been in the field of food costs, and we are fighting hard to hold this line. Simpler and more easily enforced ceilings have been placed upon food prices—ceilings which every housewife can understand. These new dollars and cent ceilings, along with the limited use of subsidies, should enable us more nearly to achieve our goal of stabilizing food prices at the level directed by the Congress last October.

In other fields, we have been more successful. Between May, 1942, and May, 1943, the level of rents was actually reduced by 1.7%. Clothing prices, during the same period, rose only 1.3%, despite the fact that during the previous year they had gone up 23%.

The battle is not won, but I believe that the tide is turning. To win, the Government must offer firm and vigorous leadership. You, the people, must also take firm and vigorous action. Those who are fighting inflation can act more firmly and more vigorously if they know that you are backing them in their fight against inflation.

In my job as Economic Stabilization Director, I must lead the fight against inflation. I cannot win without the energetic support of an informed public opinion. For our country's sake, I ask you business men who are listening

to me now to make full use of Advertising—that powerful information machine which serves you so well in peacetime—to help secure for us the support which we now must have.

There is not a single battlefield in this struggle against inflation where the support, the understanding and the informed opinion of the American people are not more important than any law or regulation.

There are some who doubt the willingness of our people to accept the hardships and restrictions that total war requires. On this score I have no doubts. But I am not so certain that all of our people have yet been given sufficient information to understand the specific needs and the specific requirements of total war on the home front. I realize that it is difficult, at best, to determine how far a free Government can go in guiding the opinions and the habits of a free people. I realize also that there are many who honestly and sincerely disagree with the Government's anti-inflation policy.

But, regardless of what we do in Washington, it is essential that we have the understanding cooperation of you, the business leaders of this nation.

Perhaps I am a special pleader, but I shall run the risk of being called a special pleader to suggest that, in considering controversial economic questions, we must take special account of the other fellow's difficulties. To hold the cost of living, we must hold wages, prices and profits, and we must impose a heavier burden of taxation. Naturally, therefore, each of us is likely to be slightly more eager to hold down the other fellow's prices, wages or profits, and to raise the other fellow's taxes. Each of us will feel the squeeze of total war, each of us is only human, and each of us will be looking for the moat in the other fellow's eye. Yet, unless we all stand together, there will be little or nothing for any of us. If the American people understand exactly what we are doing and why we are doing it, I am convinced that they will stand together. Our people need to know why they should buy and hold war bonds, why they should pay higher taxes and save more money, why they should abominate black markets and chiselers, buy only what they need, at only ceiling prices, and only, in the case of rationed goods, with ration stamps, and why they should not demand higher prices, higher wages or greater profits.

In large measure, this is an advertising job. Advertising is not a charitable institution—it is the handmaiden of business. And there is no business in this nation so strong that inflation will not work havoc and ruin upon it.

That is why the War Advertising Council has seen the issue so clearly. Cooperating with that Council, almost 450 magazines are going to contribute a full-page advertisement every month. These advertisements will spread information as to what every American citizen can do to help hold the line. It will not cost the Federal Government a single cent.

I am also informed that the insurance companies of the nation are considering a similar major advertising effort. I hope that others will join in the procession. I am making a special plea that you business men everywhere work with the War Advertising Council and the Office of War Information to inform every individual in America how he can help fight inflation. As advertisers, each one of you can, like Paul Revere, warn that inflation is coming unless the American people take up arms against it.

DAVIS: Thank you, Judge Vinson. The Office of War Information is, of course doing all it can to help in this campaign, but the job is so enormous that it needs the help of everyone in a position, as advertisers are, to reach the public eye and ear. Judge Vinson, do you think the job of holding down the cost of living can be done successfully?

VINSON: It can, Mr. Davis—but we can't do the job without the help of every citizen. And we'll get that help to the

degree that the people understand the importance of fighting rises in the cost of living, and how they can join in the fight. Advertising can give them that understanding.

DAVIS: Our next speaker is a man who is an expert on the relationship between government and business. He was one of the nation's leading management and merchandising executives when he came to Washington to tackle one of the biggest of all war jobs. As head of the War Production Board, he is perhaps in closer touch with business men than any other leader in Washington. From the outset Mr. Nelson recognized the tremendous importance of war information. He played an important role in the creation of the War Advertising Council.

Mr. Nelson. . . .

NELSON: One of the questions which every American should ask himself these days is this:

"How are we getting on with war production?"

It is about the answer to this question that I want to talk for a few minutes.

Let me make it clear at once that there is no one, quick, glib, easy answer. When talking about a program so complex and so vast as ours, oversimplification is full of hazards, and it is easy to select a few random figures and produce a series of different answers.

Here, for example, are two facts:

First, we are still behind schedule in our production effort, and we face a really staggering job in the months immediately ahead if we are to meet those schedules.

Second, production in May, as I reported, was not so good, and the preliminary figures for last month, though better, did not show enough improvement to satisfy me.

These are the kinds of facts which give daily, hourly concern to those of us in Washington who are engaged in the production effort. But now, let me give you two other facts that sound a little different:

First, we produced over 7,000 airplanes last month, according to preliminary figures, and that means about 270 every working day, or about ten very hour, around the clock. Compare this 7,000 plane figure for June with the production of 5,000 planes back in January, at the start of the year. The increase in the January-June period for planes is about 40 percent.

Second, our munitions and construction program for last month ran over the \$6,000,000,000 mark, compared with an output of only \$5,293,000,000 during the first month of the year. And remember that the construction part of this figure is declining according to plan. The munitions figure alone increased about 25 percent during the first half of the year.

Such figures, you see, when considered alone, are likely to give only part of the picture. For the real fact of the matter is that the picture is mixed—production has risen greatly this year; some important items are *on* schedule; other items are *behind* schedule. I might sum up with a paradox and say that, although American industry has done a job which in part is amazing, it is just not nearly amazing enough to suit me, or to suit the high goals we have set. We must do better—a lot better. I cannot say with too much vigor that we have not done enough.

It is true that some problems have been solved and are behind us, such as building the basic plants and factories for war production. But these problems give way to new ones, and we must still struggle over such tough problems as steel production, and airplane building, and petroleum questions, and the job of adequately engineering some of our newer devices of war. Perhaps it will serve to clarify the distinction between the rather creditable job we have done and the harder task that lies ahead if I remind you of what I said last week in an address I gave in Toronto.

At that time, I said that the United Nations output this year will probably be nearly three times as high as total Axis production and that some of our production figures for certain important items are almost astronomical. But in that same speech, I went on to say—and I must emphasize it again today:

"We can clearly see that the hardest part of our job remains ahead, both for our fighting men and for the producers of the home front . . . this is no time to speak of easing up in our efforts. . . . Our production schedules for this year and the next will tax us to the utmost."

All of you who are listening to these figures may wonder what they have to do with the subject of this especially arranged broadcast—advertising and the war. Well, the connection is simple, for advertising is one of the instruments that can be used to get more facts before the people and thereby help the people cooperate on the home front in getting the production job done.

Let me show you why this is true. The War Production Board does not produce airplanes with a magician's wand, nor by waving the big stick of legal power. We get planes, in the final analysis, by the cooperation of the men and women who make them. And the same thing is true all along the line. In case after case, war production succeeds because of the cooperation of *all* the people—not just the people on the production line, but also the people who quietly save tin cans and metal and who join car pools and who insulate their homes to make precious oil go farther and who save waste fats.

I need not list all the many campaigns in which the War Production Board is interested, but I must emphasize that the programs just mentioned, together with such other efforts as industrial safety and the correction of absenteeism, are all extremely important to the winning of the war.

Moreover, every one of these campaigns is a job that cannot be done merely by rules and regulations; every one is a task that can only be done on the basis of willing cooperation—a cooperation given willingly, because the facts have been made clear, and because the cooperators are well informed.

Since the fulfillment of our goals in these fields depends on a free flow of accurate and clear information, it is fitting during this special broadcast to point out that industry's own special medium—advertising—can benefit both the people and the Government by the inclusion of war messages. I have no hesitation in saying that, in my opinion, the well coordinated use of advertising to give the people more facts about the war will mean an earlier victory, faster solutions for our production problems, less bloodshed, and less red tape for industry.

It has already been demonstrated that the American people, once they know what is needed, and why, will do a tremendous job. Think back, for example, to the newspaper scrap salvage campaign, in which the War Advertising Council had a part, when more than 6,000,000 tons of metal were collected. Or recall that just last month, despite the rationing of meats, housewives turned in an estimated 8,000,000 pounds of waste fats and grease. These things came about not by accident, but because the people were informed of the need—and in my opinion no request that we make can be effective unless that request is made clear to the people who must answer the call.

So far on the information front, as in the case of war production, a mixed job has been done. And, frankly speaking, I think that there is also a much bigger job still to be done here in informing the people about the progress of the war and in letting them know *concretely*, how they can help. Industry has converted its tools and machines to war production—yes; but now there is an

opportunity for industry to convert its *advertising* to the same goal.

I have a special interest in this kind of conversion—not only because of the immediate help it can give us in solving some of the problems I spoke of, but also because I have been interested in the War Advertising Council since it was created in those days when advertisers and advertising men and magazine and newspaper owners and others came together to make their facilities available to the war effort. Now, because of the continuing and growing problems we face, this kind of cooperation is more important than ever, and we all have an opportunity to make the cooperative effort more effective.

One final note: During the next twenty-four hours, by the middle of the tomorrow, this nation will turn out 270 more airplanes to hurl at the Axis. That is not enough. If everyone in America knew all the issues, knew exactly *what* to do and *how* and *when* to do it, and knew *why*, we might be making 300 or 350 planes a day. We could use them. And one quick way of boosting that production total higher and higher is to complete the conversion of advertising—by putting “A War Message In Every Ad.”

DAVIS: One question, Mr. Nelson. Are your WPB problems such that they can best be handled in the so-called mass-media, which carry messages to the general public?

NELSON: Not at all. *Some* of our campaigns require the help of everybody—like car-sharing—but others, like conservation of cutting tools, and the absenteeism, and industrial safety, are particularly good for handling in the business press and trade journals.

DAVIS: Among all our war problems, none strikes home to the average citizen so intimately as does the question of food. Whereas many a war problem may seem remote and abstract, the subject of when, where, and how much do we eat is as personal as breathing. We have had 100 years of thinking in this country behind the point of view that our food supply was inexhaustible. Now, in our first total war, we find that there is a bottom to our food basket just as there is a bottom to everything else.

The men charged with the responsibility of shaping the country's food program is War Food Administrator Marvin Jones. No one knows better than Judge Jones that he faces an educational job of enormous scope, that he must adjust the food producing and eating habits of 130 million Americans to war conditions. Judge Jones, in his first radio broadcast since taking office, will tell you how he sees the picture.

JONES: Today we are announcing the allocations of canned fruits and vegetables for the coming 12 months. Because of increased war demands, civilians will get considerable less canned fruits and somewhat less canned vegetables than average. On Monday we announced allocations of dairy products. Civilians will get less than average of several products including butter, cheese and condensed milk.

Is this because farmers are turning out less? No, far from it! Farm Production is on the increase and new high records have been set in each of the past six years. But war is a very hearty eater. As it increases in size and overseas strength the armed forces require greater quantities of canned fruits and vegetables. Our armed forces and our allies require large amounts of dairy products. To make food fight most effectively civilians are limiting their consumption of foods like these so that these other claims may be met. We are going to try to push production even higher than in the past. The July crop report indicated that farmers have increased their crop acreage by 7 million acres more than in 1942. They have done this in the face of adverse Spring weather and shortages of labor and equipment. Yesterday, we announced a food production program for 1944 that calls

for planting the largest acreage of crops ever put in by American farmers.

But great as is our accomplishment in production, we could not last year, we cannot this year or next year produce enough to supply all claimants with all the kinds of food they want. This year, our food stocks are called on to supply the people at home, our armed forces on 60 fighting fronts, our fighting Allies, and the liberated peoples. Still, of our total food supply, three-quarters will be consumed on our home front. All remaining claimants will get one-fourth of our output.

Every group would like to have more than can be apportioned to it. If we can provide more, we can help shorten the war. Therefore, the management of food is a wartime job of top importance. It is a front for all of us. Every one of America's 40 million families has a battle station on the food front.

For example, in peacetime the average American wastes some 380 pounds of food each year. Multiplied by 130 million, this represents almost 50 billion pounds of food thrown out into American garbage pails—enough to supply a large part of our Army and Navy and our Lend-Lease commitments as well. This waste is criminal in wartime and must stop.

As we study the wartime food problem we find there are four pillars upon which our program must be built. First, we must secure maximum production of the needed crops and livestock; second, we must conserve food and use it wisely; third, we must share—share with our armed forces and allies, share fairly among civilians; and fourth, we must change food buying and eating habits as required by wartime circumstances.

We must see to it that our citizens understand the facts about how our food is being used to fight this war. We must engender a new respect for food as a crucial weapon of war and establish a wartime code of food conduct so that every American—whether he be a farmer—producer—a processor or packer—a food distributor or consumer will help make our food fight by doing their best with what's available.

Helping citizens understand and adopt such a wartime code of food conduct is one job on which we are asking the assistance of business, through its advertising. This is one of the vital problems I hope you will think about, as you proceed with the work of putting “A War Message in Every Ad.” If you will roll up your sleeves and become partners with us in this task, it is not too much to say you will be helping to shorten the war. For there is not just food at stake; there are the lives of tens of thousands of American fighting men.

DAVIS: We have heard Judge Marvin Jones, War Food Administrator. And before he leaves this microphone, I'd like him to answer one question for me. Judge, am I correct in summing up the points you have just made by saying that as the war progresses and we come closer to final victory, the more all of us may have to tighten our belts?

JONES: That is right, Mr. Davis, but if we can make the best possible use of our food at home and accept calmly and cheerfully the changes and inconveniences in our eating habits, we'll be helping food help win the war.

DAVIS: Our final speaker on this program comes not from government, but from business. He heads a voluntary non-profit organization that enjoys a semi-official status in Washington—the War Advertising Council. This group of earnest, public-spirited business men is one of which American business may well be proud. They have been serving the interest of the war unselfishly, almost before the echo of Pearl Harbor died away. I, for one, think the work of the War Advertising Council typifies in the best sense the teamwork between government and business with

the common aim of winning the war. Here is Mr. Chester J. LaRoche, Chairman of the War Advertising Council.

CHESTER J. LAROCHE: As Mr. Davis and the previous speakers have recognized, we have, in this nation, channels of communication unmatched anywhere in the world. Through the combination of news and advertising—news to report, advertising to inform and persuade—we can reach the eyes, ears, and hearts of 130 million Americans. We can secure a degree of unity, understanding and fervor which can help us end more quickly the waste and slaughter of war.

The organization formed by business to harness the great power of advertising to the war is the War Advertising Council. The War Advertising Council is a peculiarly American organization. I know of no other country where such a group could be brought together, or so much combined power could be geared to an entirely unselfish purpose. The Council is composed of owners and principals of magazines, newspapers, radio, outdoor, printing and direct mail, the country's advertising agencies, and the great industrialists who use advertising.

I want to emphasize here that the War Advertising Council has no selfish axe to grind. It is a business group representing no political party, and no pressure groups. Anyone who thinks it seeks to make money for the advertising business is wrong—*millions of dollars* wrong—as the following facts will show:

The advertising agencies of the country—the people who have written the Washington-released advertising on war bonds, scrap, black markets, etc.—have contributed more than four million dollars worth of the only thing they have to sell—their time and skill. Radio advertisers and the radio industry have contributed \$100,000,000 worth of time and talent during the past year to promote war messages. 440 magazines have been contributing at least one page of space a month for a campaign on total war. The newspapers of the country during the Second War Loan drive organized the contribution of 36,000 full pages of advertising, 25% of which they contributed themselves. 63 per cent of all outdoor posters are devoted to war messages. The car-card industry contributed 100,000 units of space monthly for war messages. In addition to their contribution on radio, national and local advertisers have contributed more than \$100,000,000 worth of space in magazines and newspapers. The drug industry alone is devoting \$2,000,000 for a special war bond drive.

The total contribution of the entire advertising field in the past 12 months was at least \$250,000,000.

And now *twice* that amount, or \$500,000,000 worth of space and time—is needed. Twice as much because the job ahead is twice as big. \$500,000,000 is roughly one-third the total annual amount of all advertising expenditures.

Our goal for the coming year is therefore two-fold:

First, one-third of all advertising space devoted exclusively to war messages.

Second, a war message in *every* ad.

As an advertiser this means that *some* of your space should be devoted entirely to war messages, and *all* of your space should *contain* a war message.

In other words, because your ad devotes most of its space to a product is no reason why a war message cannot also be included. A lot of information can be packed into a few paragraphs.

Let me say right here that this proposal does not in any way conflict with the radio network allocation plan or the various other radio allocation plans of the Office of War Information. These need supplementing, not disrupting.

One-third of all space devoted *exclusively* to war advertising. And a war message in *every* ad. If these two goals are realized, the cumulative power behind war messages will penetrate into every community and every home in the land. Understanding will replace uncertainty. There will

be no room for indifference and life-as-usual. No longer will one-half the population say about the other half, "They don't know there's a war on."

Nor is this a program for national advertisers alone. The biggest percentage of advertising is local advertising. Dislocations in life and living strike into every community. Our great national problems are merely the sum of hundreds of thousands of local problems.

This is why local advertising media and local business men should arrange pools of space or money large enough to cover the local war advertising needs for the next six months. Such cities as Houston, Cleveland, Louisville, Portland, Hartford have already done this. No community in this country can fairly say that it is doing its war job until its is similarly organized.

During these talks, you have heard many references to "war advertising." When we speak of war advertising, exactly what do we mean?

We do not mean advertising that simply shows pictures of planes or tanks or guns. Everybody knows we're at war—it is eighteen months since Pearl Harbor. Is war advertising that which tells how a company's products are helping win the war? Generally no. It certainly is not if it doesn't help get action by the people. In the midst of a struggle for survival, while American boys are dying by the thousands, blatant brag advertising is in questionable taste.

*By war advertising we mean advertising which induces people, through information, understanding or persuasion, to take certain actions necessary to the speedy winning of the war.*

War advertising follows agreed-upon themes. As every advertising man knows, best results are achieved when all advertising on a given subject adopts the same approach, tells more or less the same story, makes more or less the same appeals.

These official campaigns are all things that virtually anyone would agree need doing. They have nothing to do with *politics*; they have a lot to do with winning the war.

What are some of these official campaigns? In the months ahead we will be called upon to help recruit housewives by the millions to leave their kitchens for the jobs men left behind, we will have to persuade millions to help harvest the food, can and process it, see that it is shared; we will have to persuade Americans to eat nutritious foods, to shun black markets, to understand the overall food picture; we will have to recruit part-time volunteers by the hundreds of thousands for rationing boards, Civilian Defense Councils, Army ground observers or spotters; we will have to help get our people to buy more and more war bonds, to spend less; they will have to learn to conserve—to eat it up, wear it out, make it do. We will be called upon to quicken public responsibility to stay on jobs every working minute, to work harder, without grumbling. We will need to make the meaning of the war clearer, to curb disunity, to halt loose talk, to de-bunk rumors. These are the action messages which badly need consistent mass circulation.

The War Advertising Council and the Office of War Information are ready and eager to assist advertisers in the development of war theme advertising. Many of you will receive shortly a booklet entitled "A War Message in Every Ad" which will, we hope, enable you to make an immediate start on advertising that is really "converted for war." If you wish further information on any war campaign, get in touch either with OWI in Washington or the War Advertising Council, 60 East 42nd Street, New York City.

On the other side of the world, our invasions have now begun. During the hard months to come, American boys from your home town and mine will fight and die on foreign soil. As they endure suffering and hardships

that put our petty inconveniences to shame, we who stay at home—if we have a spark of conscience—must form a solid front line behind them.

There must be an end to bickering, petty jealousies, suspicion of one group of Americans for another. At this time, of all times, we must have unity. That is why this group of war leaders have taken time from their busy lives to speak to you today. We can achieve that unity, provided only that our people understand clearly what must be done, and why.

What will an invading soldier see as he looks to his homeland? Will he see a nation aroused—effective in action? Upon what he sees depends in no small part his morale. And upon his morale, his fighting spirit, depends our way of life.

DAVIS: Thank you, Mr. LaRoche.

ANNOUNCER: (WASHINGTON—WRC) The National Broadcasting Company in association with the War Advertising Council has presented a special program broadcast as a meeting between American business and the United States Government. The speakers included Judge Fred M. Vinson, Director of the Office of Economic Stabilization; Donald Nelson, Chairman of the War Production Board; Marvin Jones, War Food Administrator; Elmer Davis, Director of the Office of War Information, and Chester J. LaRoche, Chairman of the War Advertising Council. This program came to you from Washington. This is the National Broadcasting Company.

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### OREGON-WASHINGTON ASK REMEDIAL LEGISLATION

(Continued from page 311)

enterprise and free speech and to propose and enact remedial legislation.

### RADIO-TRANSCRIPTION BILL INTRODUCED

78TH CONGRESS, 1ST SESSION

## S. 1332

IN THE SENATE OF THE UNITED STATES

JULY 8 (legislative day, MAY 24), 1943

Mr. TUNNELL introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To make unlawful certain practices relating to the making of records for radio transcription, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the date of enactment of this Act, it shall be unlawful for any person, for the purpose of preventing the manufacture or production of records for radio transcription, whether made of wood, wax, metal, or any other material, to counsel, persuade, direct, induce, threaten, or compel either singly or through conspiracies any employee or employees or prospective employee or employees from working to produce or manu-

facture such records for transcription. Further, it shall be unlawful for any person to threaten or compel radio-broadcasting stations or other broadcasters to refrain from the use of radio-transcription records because of objection to the manner in which such records were manufactured or produced, or because the same were not produced by particular persons or organizations. Any person convicted of a violation of any of the provisions of this Act shall be deemed guilty of a felony, and shall be punishable by fine of not more than \$5,000 or imprisonment for not more than five years, or both fine and imprisonment in the discretion of the court.

## Broadcast Advertising

### SALES MANAGERS EXECUTIVE COMMITTEE MEETS IN NEW YORK

“The Community War Advertising Plan is one which every radio station should embrace and promote to the fullest extent,” declared Dietrich Dirks of KTRI-Sioux City, Iowa, Chairman of the Sales Managers Committee, following a luncheon at the Hotel Roosevelt in New York on Thursday, July 14, 1943, at which the group and several invited guests listened to the forty-five minute broadcast by the War Advertising Council, Inc., over the National Broadcasting Company.

“This nationwide, localized campaign offers radio stations both an obligation and an opportunity,” he added, pointing out that the program would provide vastly increased promotion of the government programs of war information as well as opening new sources of revenue to many radio stations.

Following the luncheon the committee passed a resolution unanimously commending and endorsing the Community War Advertising Plan and urging radio stations to co-operate with all other media in their communities in order to develop the project to the fullest possible extent.

The two-day meeting of the committee was called to order at 10:30 a. m. by Chairman Dirks with the following members present: C. K. Beaver, KARK, Little Rock, Ark.; Sam H. Bennett, KMBC, Kansas City, Mo.; Arthur Hull Hayes, CBS, New York; James V. McConnell, NBC, New York; John M. Outler, Jr.; WSB, Atlanta, Ga.; and John E. Surrick, WFIL, Philadelphia, Pa.

Because of the pressure of business, W. B. Stuht, KOMO-KJR, Seattle, Wash., was unable to come east for the meeting. Lewis H. Avery of NAB served as secretary of the committee.

At the outset of the meeting, the committee reviewed the recent releases of the department of broadcast advertising, expressed approval of the form and material and voiced the hope that circumstances will permit the issuance of frequent stories and case histories of the type recently sent to NAB member stations.

After a lengthy review of the proposed Sales Manual on Local Accounts (authorized at the committee meeting in New York on March 9, 1943), the committee instructed Avery to proceed with its preparation even though most small stations have shown a lack of interest in the publication.

Preceding a discussion of the proposed revision of the NAB-AAAA Recommended Standard Contract form to incorporate a continuing discount clause, William A. Fricke, Assistant Secretary of the AAAA, was invited to present the views of the agencies on the proposal. Fricke reported that the Time Buyers' Committee is unanimously in favor of such a provision and distributed copies of the

text proposed by that group. He pointed out that advertising agencies believe the clause will help to keep advertisers on the air who are not in a position to sign a 52-week renewal upon the expiration of an initial 52-week contract.

Following a detailed discussion of the problem, the committee went on record as unanimously favoring the principle of the continuing discount, but rejecting all of the proposed texts. It instructed Avery to prepare a new version of the clause and to submit it to the committee as soon as possible.

In addition to Fricke, Miss Linnea Nelson of J. Walter Thompson Company and Charles Ayres of Ruthrauff & Ryan, Inc., were guests of the committee at luncheon and listened with the committee to the War Advertising Council broadcast.

Following luncheon, the committee reviewed the proposed releases of the department of broadcast advertising and endorsed the material to be covered in these releases as well as their method of presentation. It also urged Avery to study industries, which are not now prospects for broadcast advertising, but which may develop into important consumer advertisers after the war. He is to submit recommendations at the next meeting of the committee with a view toward the preparation of presentations to such industries on the advantages and uses of broadcast advertising.

In a discussion of five-minute commercial programs, stations were urged to remember the provisions of the NAB Code of Ethics relating to such programs and to abide by its self-imposed restrictions. Stations were also urged to restrict the number of announcements in participating programs to improve the showmanship and listenership of such broadcasts.

Recognizing the confusion that exists where an advertiser pays the one-minute rate but uses live copy, the committee urged NAB to make a study of the problem with the ultimate aim of preparing recommended industry standards.

The increasingly irritating problem of "cow-catcher" and "hitch-hike" announcements was discussed in some detail. Outler finally introduced a motion condemning the practice on both network and spot programs and announcements, and urging the NAB Board of Directors to investigate remedial action. The motion was seconded by Beaver and passed unanimously.

The meeting recessed at 5:00 p. m. to reassemble at 11:00 a. m. on Friday to see a preview of the Retail Promotion Plan. Full details of the Friday meeting will appear in the next issue of the NAB REPORTS.

### DISTRICT PUBLIC RELATIONS CHAIRMAN APPOINTED

The following Public Relations Chairmen have been appointed by their District Directors, to work with the Public Relations Committee and Willard D. Egolf, Assistant to the President of NAB, in formulating and executing a plan for industry activity.

This is in line with the decision of the Public Relations Committee, meeting in Chicago, June 23-24, that responsibility for public relations rests primarily with local station management, coordinated through national headquarters and a Public Relations Chairman for each NAB District. Other appointments are expected in due course from District Directors.

District 1—Edward E. Hill, WTAG, Worcester, Mass.

District 7—Vernon H. Pribble, WTAM, Cleveland, Ohio.

District 8—Clarence Leich, WGBF-WEOA, Evansville, Ind.

District 13—Karl O. Wyler, KTSM, El Paso, Texas.

District 17—Harry Buckendahl, KALE, Portland, Ore.

District 2—Michael Hanna, WHCU, Ithaca, N. Y.

## WHITE HOUSE PRESS MEETINGS NOW "PRESS AND RADIO"

The following exchange of correspondence occurred between Walt Dennis, NAB news bureau chief, and Stephen T. Early, secretary to President Roosevelt. The correspondence is self-explanatory. Station managers are asked to act on paragraph 5 of Dennis' letter by advising their news editors. Similar letters have been sent to James F. Byrnes, Edward R. Stettinius, Harold Ickes, Mrs. Roosevelt, Secretaries Hull, Stimson and Knox, Donald Nelson and Elmer Davis.

June 29, 1943.

Dear Mr. Early:

This is a small request in a time of big things, but having dealt with you as a newsman in several sections of the country on various occasions I know you will give it your usual generous consideration.

The conferences President Roosevelt holds with newspaper and radio reporters are generally referred to as "press" conferences. This does an injustice to what is now the greatest news medium in the world—radio.

I realize that the word "press" may be considered now to have a general meaning and not apply specifically to newspapers in connection with "press" conferences, but we offer an easy way out—

Substitute the word "news" and you have "news" conference.

The radio industry through our association is being urged to effect this changeover and to edit all copy for broadcasting to read "news" conference or "news" source, or "news" association, etc.

We ask your consideration on this matter and hope to have the favor of your approval so far as the White House official naming of "news" conferences is concerned.

July 1, 1943.

Dear Mr. Dennis:

This is in acknowledgment of your letter of June twenty-ninth. The suggestion that you make is entirely consistent and in principle I am quite willing to go along with you. Accordingly, we will hereafter at the White House designate the President's stated meetings with the news gatherers as "press and radio conferences."

### A CASE STORY ON THE VALUE OF CHECKING FREE-TIME REQUESTS

To give you a suggestion on the advisability of trying to sell a person or organization commercial time when the request for free-time is based on appeal which, if granted, would result either directly or indirectly in financial profit for the person or organization, the NAB department of broadcast advertising offers the following case history:

The S. B. Penick company of New York City requested free time on a station to promote stimulation of production among farmers who produce the raw material from which the Penick company processes its products.

Basis of the appeal was to request farmers and their families to gather (which provide essential oils) and to advise the farmers of the market conditions.

As such stimulated production would indirectly result in more income for the Penick company, it was advised to buy a regular series of spot commercials through an advertising agency.

The company at once complied and is now testing with a campaign over a southern station.

## Special Mailings Notice

This week you should have received the following special mailings: "The Beam," second issue; transcripts of the Cox Committee Hearings, session No. 2, and the Petrillo hearings. If you wish extra copies, please advise C. E. Arney, Jr., at NAB Washington headquarters.

### KERN TIPS IS NAMED HOME COUNTY OCD DIRECTOR

Kern Tips, manager of KPRC, has been appointed civilian defense director of Harris county, Texas.

A veteran of OCD work in the county, Mr. Tips is an air raid warden. He was cited for the position of director in a statement issued by the mayors of the 12 cities and towns in the county and a county judge.

Mr. Tips will immediately bend his efforts to enlarging and expanding the staff and work of the county defense units, he advised the county leaders.

### WAR TALKS AVAILABLE TO LOCAL RADIO STATIONS

American radio stations are now being offered free use of a large group of brief talks on various phases of the war effort. Through the facilities of the Writers' War Board, New York City, speeches have been written by some of America's foremost writers. These speeches which must be presented without any reference to the individuals who wrote them, run from 8 to 13 minutes in length and deal with such diverse war topics as: the nature of the enemy; the need for post-war planning; the civilian's place in the war effort; the origins of the war, etc.

### ACCOUNTING COMMITTEE

The NAB accounting committee is in session at the Statler Hotel in Washington as this issue of the "Reports" goes to press. A full report of the meeting will be issued with next week's "Reports."

Any or all of them are available to radio stations for use on either sustaining or sponsored programs. No charge is made for their use and, although it is preferred that credit for their preparation by the Writers' War Board be given, it is not obligatory.

A full list of these speeches with a brief description of each can be obtained by addressing the committee on speeches and speakers, Writers' War Board, 122 East 42nd Street, New York 17, N. Y.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, July 19th. They are subject to change.

Thursday, July 22

### Further Hearing

WOKO—WOKO, Incorporated—Albany, N. Y.—Renewal of License (main and auxiliary), 1460 kc., Main: 500 W night, 1 KW day; Auxil.: 500 W, unlimited.

Friday, July 23

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. Dak.—Modification of license, 600 kc., 250 watts, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

—Baylor University and Carr P. Collins, Corpus Christi, Texas.—Granted construction permit (B3-P-3524) for a new station to operate on 1010 kc. 50 KW directional antenna, from daytime to sunset at Little Rock, Ark.

KFMB—Worcester Broadcasting Corp., San Diego, Cal.—Approved amended application for consent to transfer control of the Worcester Broadcasting Corp. from the Estate of Warren B. Worcester, deceased, to the First National Trust and Savings Bank of San Diego, (B5-TC-315), and renewal of license application for a period of one year.

### LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1945.

KFVS, Cape Girardeau, Mo.—KGFL, Roswell, New Mex.; KIUP, Durango, Colo.; KRLC, Lewiston, Idaho; KVRB, Rock Springs, Ky.; WBTH, Williamson, W. Va.; WDAS and auxiliary, Philadelphia; WHBQ, Memphis, Tenn.; WJLD, Bessemer, Ala.; WMIN, St. Paul, Minn.; WRRN, Warren, Ohio.

The following stations were granted renewals for the period ending June 1, 1945:

WDAK, West Point, Ga.; WGAA, Cedartown, Ga.; WGH, Newport News, Va.; WKEY, Covington, Va.

KICA—Hugh DeWitt Landis, Clovis, New Mexico.—Granted renewal of license for the period ending April 1, 1945.

### MISCELLANEOUS

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1527).

WMT—Iowa Broadcasting Co., Inc., Cedar Rapids, Iowa—Adopted an Order granting petition of Iowa Broadcasting Co., Inc., for a continuance of the hearing in re application of Jamestown Broadcasting Co., Inc., KSJB, Jamestown, N. D., for modification of license; hearing continued until July 23, 1943 (Docket No. 6519).

### APPLICATIONS FILED AT FCC

#### 1230 Kilocycles

KRLH—Millard Eidson, Independent Executor of the Estate of Clarence Scharbauer, Deceased, Midland, Texas.—Involuntary Assignment of License from Clarence Scharbauer to Millard Eidson, Independent Executor of the Estate of Clarence Scharbauer, Deceased.

#### 1240 Kilocycles

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—Modification of license to change frequency from 1290 kc. to 1240 kc. change hours of operation from Daytime

to Sharing Time with WBBL. Amended to change hours of operation to unlimited, except on Sunday when WBBL operates.

#### 1280 Kilocycles

WDSU—WDSU, Inc., New Orleans, La.—Transfer of control of corporation from J. H. Uhalt to E. A. Stephens, H. G. Wall and Fred Weber (150 shares).

#### 830 Kilocycles

WNYC—City of New York, Municipal Broadcasting System. New York, N. Y.—Special service authorization to operate from 6 a. m. to 10 p. m. with power of 1 KW. Amended re directional antenna.

### MISCELLANEOUS APPLICATIONS

NEW—National Broadcasting Co., Inc., Bound Brook, N. J.—Construction permit for a new International Broadcast Station to be operated on 6100, 9670, 11890, 15150, 15190, 17780, and 21630 kc., 50 KW power, A3 emission.

NEW—National Broadcasting Co., Inc., Bound Brook, N. J.—Construction permit for a new International broadcast station with power of 50 KW, A3 emission.

NEW—National Broadcasting Co., Inc., Bound Brook, N. J.—Construction permit for a new International broadcast station with power of 50 KW, A3 emission.

NEW—National Broadcasting Co., Inc., Bound Brook, N. J.—Construction permit for a new International broadcast station with power of 50 KW, A3 emission.

WAHL—Paducah Broadcasting Co., Inc., Area of Paducah, Ky.—Modification of license of relay broadcast station to add to the service area Henderson, Ky., to be used with Standard Station WSON in addition to WPAD.

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Bemis Bro. Bag Company et al.**—Four corporations and a copartnership engaged in the manufacture and sale of tarpaulins are charged in separate complaints with mislabeling their products with respect to their dimensions. Respondents in the five complaints are:

Bemis Bro. Bag Co., 601 South Fourth St., St. Louis (4994); Canvas Products Co., 1240 South Seventh St., St. Louis (4995); The Hettrick Manufacturing Co., Summit and Magnolia Sts., Toledo, Ohio (4996); Frank M., David W., and Thomas C. Powers, copartners trading as Powers & Co., 18 South Throop St., Chicago (4997); and H. Wenzel Tent & Duck Co., 1035 Paul St., St. Louis (4998). (4994-4998, inc.)

**Bishop & Babbitt, Inc.**, Atlanta, Ga., engaged in the sale and distribution of potatoes, is charged in a complaint with falsely representing potatoes grown in New York State as having come from Maine. (5000)

**W. W. Gambill, Jr., et al.**—Misrepresentation of the properties and effectiveness of so-called anti-freeze solutions, advertised for use in automobile cooling systems, is alleged in a complaint issued against Wheelless W. Gambill, Jr., Russell M. Campbell and M. Yubas, who manufacture the products at their place of business at 117 Ninth Ave. North, Nashville, Tenn. (4999)

**General Dairies, Inc.**—A complaint has been issued charging General Dairies, Inc., 145 West 41st St., New York, and its officers, Albert A. Friedman and Mrs. Elizabeth Friedman, with misrepresentation in the sale of a book designated "Dial," used by professional people for recording appointments. (5002)

**Miller Manufacturing Co.**, 1100 32nd St., Camden, N. J. is charged in a complaint with misrepresentation in the sale of a compound designated "Wonderweld," which he recommends for use in repairing water jackets, cylinders or other metal parts of machinery. (5001)

**Miles Laboratories, Inc.**, Elkhart, Ind., is charged in a complaint with disseminating advertisements which fail to reveal the harmful potentialities that may result from excessive use of Dr. Miles Liquid Nervine, Dr. Miles Nervine Tablets and Dr. Miles Anti-Pain Pills. The complaint also charges that the respondent corporation's advertisements misrepresent the therapeutic value of Liquid Nervine and Nervine Tablets. (4993)

**E. E. Paddock**—A complaint has been issued alleging misrepresentation of the therapeutic properties of medicinal preparations designated "Dr. Paddock's Palliative and Symptomatic Treatment for Gallbladder Irritations, Gallstones and Associated Conditions" against E. E. Paddock, trading as Doctor E. E. Paddock and E. E. Paddock, M.D., 103 Glen Ridge Building, Kansas City, Mo. The treatment sold by the respondent consists of three tablets known as No. 1 (Blue Tablet), No. 2 (Yellow Tablet) and No. 3 (White Tablet). (4992)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**American Button Mould Manufacturers Association, Inc.**, 274 Madison Ave., New York; its officers, Isidore A. Weidhorn, Sidney Baritz, Harry Chalfin, and Samuel Luloff; and its members, Liberty Die & Button Mould Company, Inc.; C & C Button & Trimming Company, Inc.; Jacob Rabinowitz, Inc.; Handy Button Machine Company of New York, Inc.; Defiance Button Machine Company, and Elias Jaffe and Solomon Jaffe, copartners trading as Jaffe & Jaffe, all of New York City, and their agents, representatives and employees have been ordered to cease and desist from entering into or cooperating in any planned common course of action to restrain and suppress competition in the sale and distribution of button and buckle moulds. (4726)

**Central Sales Co.**, 108 West 19th St., Kansas City, Mo., engaged in the sale of smokers' supplies, sporting goods and novelties, have been ordered to cease and desist from selling or distributing any merchandise so packed and assembled that sales are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme. (4948)

**Fisher Nut & Chocolate Co.**, 2327 Wycliff St., St. Paul, has been ordered to cease and desist from selling or distributing candy and nut products so packed or assembled that sales of such merchandise are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme. (4594)

**General Dairies, Inc.**—Samuel Perloff, Harry Perloff, Earl Perloff and Morris Perloff, 919 No. Front St., Philadelphia, engaged in the wholesale distribution of food products, have been ordered to discontinue using the trade name Atlantic Packing Co., or any trade name containing the word "Packing," in connection with the sale or distribution of any product which is not packed by them. They are also ordered to cease and desist from representing that any product is packed by them when such is not a fact. (4882)



**International Trustees**—An order to cease and desist from misrepresentation in the sale of form letters and questionnaires used to facilitate the collection of delinquent accounts has been issued against Guy C. Beals, trading as International Trustees, 217 East Third St., Des Moines, and Spiegel, Inc., 1061 West 35th St., Chicago. (4863)

**Maurice J. Kellner**, Eighth and Madison Sts., Springfield, Ill., broker and jobber of general food products, has been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act. The respondent trades as M. J. Kellner Brokerage Co., M. J. Kellner, broker, Illinois Brokerage Co., and O-K Sales Co. (4796)

**Lekas & Drivas, Inc.**, 19-21 Roosevelt St., New York, importer and distributor of olive oil, has been ordered to cease and desist from disseminating any advertisement which represents that its products designated "Aristocratic Imported Virgin Olive Oil" and "L. & D. Olive Oil" have any specific therapeutic value in the treatment or prevention of any disease or condition. (4815)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Brown & Williamson Tobacco Corp.**, Louisville, Ky., stipulated that in advertising its Avalon Cigarettes it will discontinue representing that the report of laboratory tests appearing in the July, 1942, issue of The Reader's Digest proves that Avalons are the finest quality. The stipulation also was entered into by Russel M. Seeds Co., Inc., Chicago advertising agency, which prepared and disseminated advertisements for Avalon Cigarettes. (03121)

**Cabinet Manufacturing Co.**, Quincy, Ill., and Mace Advertising Agency, Inc., Peoria, Ill., have stipulated that they will cease representing that the device designated "Superior Bath Cabinet" is safe, economical or effective in reducing weight and that it will help to build or maintain resistance against disease. Advertisements for the bath cabinet, which is sold by Cabinet Manufacturing Co., are prepared and disseminated by Mace Advertising Co. (03118)

**Craftsman Sales Co.** and trading as Sterling Sales Co., 775 West Jackson Blvd., Chicago, stipulated with the Federal Trade Commission that he will cease and desist from representing in his advertising matter that cameras he sells under the designation "Cinex-V" will take pictures in color without the use of special films. (3680)

**Great Western Paint Mfg. Corp.**—A stipulation to discontinue certain misrepresentations in the sale of paint products has been entered into by Great Western Paint Manufacturing Corp., 1207 West 11th St., Kansas City, Mo., and Rolla E. Showalter, who at one time was a distributor of certain paints manufactured by the Great Western corporation in accordance with formulas worked out by him in cooperation with an official of the company. (36791)

**Monarek Camera Co.**, 2222 Diversey St., Chicago, has entered into a stipulation to cease and desist from representing, through use of the word "color" in brand names, that the cameras it sells under the designations "Monarek Color Camera" and "Regal Color Camera" are in fact color cameras. (03117)

**R. Q. Laboratories**, 1117 South Ninth St., Alhambra, Calif., has entered into a stipulation to discontinue certain misrepresentations in connection with the advertising and sale of a medicinal preparation designated "R-Q," recommended for the treatment of various diseases and conditions of the skin. (03120)

**Benjamin Zwanger**, 793 Wyckoff Ave., Brooklyn, stipulated in connection with the sale of his "Laxo Method" of dieting, which includes the use of a laxative designated "Laxo," he will cease and desist from the dissemination of any advertisements which fail to reveal that the preparation should not be used when abdominal pain, nausea or other symptoms of appendicitis are present and that its frequent or continued use may result in dependence on laxatives. The stipulation provides that such advertisements need only contain the statement, "CAUTION: Use Only as Directed," if the directions for use, wherever they appear on the label or in the labeling, contain a warning to the same effect. (03119)

### FTC DISMISSES PART OF CASE

In its case against The Best Foods, Inc., New York, the Federal Trade Commission has dismissed those portions of the complaint which charged the respondent corporation with misrepresentation of the color of Nucoa Oleomargarine and with misrepresenting that the product is churned in milk. The dismissal was ordered because the respondent had abandoned the practices in question.

Under an order previously entered in the same case, the Commission had closed without prejudice the other portions of the complaint in which it had alleged as misleading and deceptive the respondent's representations that Oleomargarine "is a fit food for children" and that "wholesome margarine and butter are equally delicious and nutritious."



## FLY DEMANDS HEARING

FCC Chairman James Lawrence Fly Thursday released the following letter to the Select Committee to Investigate the Federal Communications Commission:

"In the record of hearings on yesterday, Congressman Cox made the following statement:

"Mr. Fly, the Chairman of the Federal Communications Commission has, according to press reports, been insisting that the Commission be given opportunity to put its position on record as regards complaints made against it. You will recall we had Mr. Fly up here about ten days ago and he refused to talk. So the Committee has called you (Commissioner Craven)."

"I am not conscious of ever having had an opportunity to testify before your Committee on any of the various matters coming within the scope of the resolution adopted by the Congress to investigate the Commission. On my one brief appearance before the Committee I was called upon to produce one file of the Board of War Communications.

"I cannot but reiterate the importance of the full Committee giving to me and the Commission a prompt hearing on the charges which the Committee has made public. I stand ready at any time to appear before the Committee, and I again want to urge that I be given this full and complete opportunity to be heard at an early date. I shall await your advises."

Sincerely yours,

JAMES LAWRENCE FLY.

## Petrillo

The War Labor Board, it is reported, has accepted jurisdiction in the Petrillo transcription ban case. A tri-partite panel is to be appointed to investigate the entire situation after which the WLB will decide whether to order the musicians to make recordings or not.

## LEGISLATIVE COMMITTEE

The NAB legislative committee met in Washington on Wednesday (July 21), to review developments which have taken place since its last meeting. A thorough discussion of the White-Wheeler bill and the prospective hearings on that measure, which Senator Wheeler has announced will be held shortly after the reconvening of Congress, was had. The Holmes bill was also reviewed and discussions were held regarding the possibility of hearings before the House Interstate and Foreign Commerce Committee on that measure. A report was made on the developments which have occurred in the hearings before the House Select Committee investigating the Federal Communications Commission. It was the concensus of the Committee that district

meetings be held in as many districts as possible in the very near future in order that broadcasters may develop satisfactory plans for contacting members of Congress to inform them regarding radio matters and the need for an examination of the present radio law. Following luncheon, a brief discussion of future plans took place.

The following were present: Don S. Elias, Nathan Lord, Clair McCollough, Joseph Ream, Frank M. Russell, G. Richard Shafto, James D. Shouse, James W. Woodruff, Jr., Ed Yocum, Neville Miller, Chairman, C. E. Arney, Jr., Secretary.

## NATIONAL ENTERTAINMENT GROUP ORGANIZED; SWINGS INTO ACTION

### Dennis Named to Key Committees

The National Entertainment Industry Council in a two-day meeting in the Waldorf-Astoria hotel in New York City this month completed formal welding of 45 organizations into NEIC and named a coordinating committee of 25 persons to carry on all routine and administrative work between meetings of the council.

C. E. Arney, Jr., and Walt Dennis represented NAB at the sessions. Dennis, who was named on the nominating committee, also is the representative for the Advertising Federation of America.

The NEIC adopted a three-point national program:

1. Immediate establishment of a national pool of entertainers to be used in filling requests for any and all entertainment to be used in war or other activities locally, regionally, nationally or internationally.
2. Education of the nation to the fact that the entertainment industry is an industry and should be recognized as such and not as a collection of people who commit crimes against morals and who earn fabulous salaries.
3. Set up a list of 15 major projects to be undertaken in the interest of the war work and morale building.

At the first meeting of the coordinating committee Tuesday, July 20, Dennis was named to the NEIC permanent finance committee and an administrative budget of \$12,500 was approved. Funds will be raised by contributions from the supporting organizations.

## Broadcast Advertising

### MEET THE NEW SALES MANAGERS EXECUTIVE CHAIRMAN

Dietrich Dirks, of KTRI, newly appointed chairman of the sales managers executive committee, is a real pioneer in the field of broadcasting, having spent 17 years in station operation and sales direction.

Born on a farm in Auburn, Nebr., Dee was educated in  
(Continued on page 326)



NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NAional 2080

Neville Miller, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## BROADCAST ADVERTISING

(Continued from page 325)

the public schools of Hildreth, later attending the college of business administration of the University of Nebraska. Following his graduation, he returned for one year of postgraduate work in business administration. During his undergraduate days at Nebraska, he spent considerable time with the Lyceum and Chautauqua circuits, getting his first experience with "showmanship."

Appointed program director of KFAB in 1926, he was jumped to vice president and general manager of the Central States Broadcasting Co., operators of KFAB, KFOR and KOIL, in 1928. He continued in that capacity until 1936, when, in association with the Sioux City Tribune Co., he became half-owner and manager of the Sioux City Broadcasting Co., operator of KTRI.

During his service in various fields of broadcasting, he has been active in association affairs, having served in several capacities and for the last two years as a member of the sales managers executive committee.

He is married and has a two-year old son.

## FOR DISTINGUISHED SERVICE

Few chairmen of the sales managers executive committee, in the seven-year history of that group, have served with the distinction or attained the objectives which have marked the tenure of John M. Outler, Jr., of WSB., retiring chairman.

Famed throughout the industry as a raconteur of distinguished ability, Johnny combined a rare sense of humor with unusual executive direction to carry the work of the sales managers group to new heights of accomplishment and to open new roads for exploration by this group.

As a member of the committee that recommended to the NAB board of directors the creation of a Retail Promotion Plan and the appointment of a special committee to carry this project forward, he has given unlimited time and exceptional abilities to the prosecution of this effort.

During the district meeting tour in the fall of 1942, Johnny talked at the meetings in Pinehurst, Atlanta, Nashville, Des Moines, Chicago, Indianapolis and Columbus in support of the plan and in solicitation of pledges. Except for the late arrival of a train, he would also have appeared at the meeting in Minneapolis.

At his suggestion, the retiring sales managers committee recommended to the incoming group a study and presentation, comparable to the one now nearing completion for the retail field, to be directed to the automotive industry. This project has been enthusiastically endorsed by the press of the broadcasting industry and viewed with special alarm by the trade papers of other media.

Symbolic of the appreciation of the industry for his services was the rousing cheer that greeted the motion of

Arthur Hull Hayes of WABC, at the conclusion of the sales managers meeting in Chicago on April 26, 1943, that Johnny be given a rising vote of thanks for his leadership and inspiration. Fortunately, he will continue to serve on the committee during the 1943-44 term.

Special thanks, too, are due J. Leonard Reinsch, general manager of WSB, for assuming Johnny's duties as commercial manager from time to time in order to permit his participation in industry activities. This generous attitude on the part of Mr. Reinsch has been in no small measure responsible for the achievements of the sales managers group during the past year.

## ANOTHER DEPARTMENT STORE MAKES RADIO ADVERTISING PAY

"Stores Can Make Radio Advertising Pay" is the intriguing title of an article that appeared in the May issue of *Department Store Economist*. Through the courtesy of that publication, a reprint of the article is enclosed with this issue of the "NAB Reports."

As you read the article, you will find it analyzes in unusual detail the problems a department store faces in the use of broadcast advertising. You will find some real "meat and potatoes" in this searching description of the experiences of J. N. Adams & Company—the largest department store in Buffalo, N. Y.

There are several references to Herbert C. Rice of the Buffalo Broadcasting Corporation, who is a member of the NAB program managers executive committee and, obviously, as the article indicates, very commercially minded. Undoubtedly the program manager at your station will also be interested in this article.

Like all recent releases of the department of broadcast advertising, this reprint has been prepared on 8½ x 11 inch paper, with three-hole punching, so that it can be included in your copy of "A Manual of Radio Advertising." And, again, plenty of additional copies are available for your use. A note will bring as many as you want.

## RETAIL PLAN PREVIEW ENTHUSIASTICALLY RECEIVED

"It far exceeded my expectations," declared Gene L. Cagle of KFJZ, following a preview of the Retail Promotion Plan at a joint meeting of the retail promotion and the sales managers executive committees in New York on Thursday, July 15, 1943.

John E. Surrick of WFIL, a guest at the preview as a member of the sales managers executive committee, summed up the consensus when he said: "I knew it was going to be good because of the amount of thought and work that has been devoted to it—but I didn't know it was going to be *that good*." Without exception, those who witnessed the preview unanimously agreed that the Retail Promotion Plan tells the most complete and convincing story of broadcasting as an advertising medium that has ever been told.

Following the preview, the committee discussed the proposed itinerary of the master showings of the plan, reviewed the budget for the project and authorized the final production of the presentation using sound motion pictures, animated slide film and charts. During the discussion of the itinerary, a tentative world premiere was set for Washington, D. C., early in October.

Production of the five "How to Do It" booklets will begin immediately. These supplement and implement the sales story of the presentation, bringing it down to numerous outstanding case histories and pointing the specific application of broadcast advertising to individual retailers' problems.

At the conclusion of the luncheon on the second day of the meeting, the committee voted unanimous appreciation of the superb direction and organization of the study and presentation by Sheldon R. Coons, counsel to the committee. It also moved a rising vote of thanks to Paul W. Morency, chairman, Walter Johnson and Lewis H. Avery for their untiring work on the project.

With one exception, all members of the retail promotion committee were present at the preview. In addition to Chairman Morency, these included: Robert E. Bausman, WISH; Gene L. Cagle, KFJZ; Dietrich Dirks, KTRI; Kenneth K. Hackathorn, WHK-WCLE; Arthur Hull Hayes, CBS; Walter Johnson, WTIC; C. L. McCarthy, KQW; James V. McConnell, NBC; John M. Outler, Jr., WSB; Oliver Runchey, KOL.

The meeting was also attended by C. K. Beaver of KARK; Sam H. Bennett of KMBC and John E. Surrick of WFIL, members of the sales managers executive committee who are not also members of the retail promotion committee.

Three members of the advisory committee of promotion executives, appointed by Chairman Morency to assist in the production and presentation of the plan, were also present: M. F. Allison of WLW-WSAI; Charles B. Brown of NBC and John J. Hade of WJZ.

Several guests of the committee were also present at the preview, including: Neville Miller, president, NAB; C. E. Arney, Jr., secretary-treasurer, NAB; Robert H. Leding of the Sheldon R. Coons organization; R. S. Evans and Gordon Miller of the Jam Handy Organization; Dr. Paul S. Lazarsfeld, director of the office of radio research, Columbia University; Charles F. Phillips of WFBL and C. Robert Thompson of WBEN.

## REPORT ON NAB ACCOUNTING COMMITTEE MEETING

The NAB accounting committee held its first meeting since its membership was appointed following the NAB War Conference. The meeting was held in Washington with Chairman H. K. Carpenter of WHK, Cleveland, presiding. Members present were: Messrs. John B. Conley, WOWO, Fort Wayne; Charles C. Leonard, WAVE, Louisville; Harry F. McKeon, NBC, New York; Jess Swicegood, WKPT, Kingsport; Lloyd C. Thomas, KGFV, Kearney. Samuel R. Dean of CBS, New York was unable to attend. Paul F. Peter, the committee secretary and Mrs. Helen H. Schaefer, his assistant, represented NAB. J. Harold Ryan, Chairman of the broadcast sub-committee of the advisory committee on government questionnaires attended as a guest.

Mr. Ryan told of the functions of his committee and its

decision to confer with the FCC on certain questionnaires and forms sent to stations prior to their formal submission to the Bureau of the Budget for approval. The purpose of such conference is to establish a better understanding between the industry and the FCC concerning the Commission's gathering of information. Mr. Ryan called upon the accounting committee to review the FCC annual financial and employee data form used for reporting the year 1942. He also asked that the committee review any other Commission forms which it felt should be included in such discussions with the Commission.

The committee reviewed the FCC financial and employee data form and is submitting its recommendations for revision to Mr. Ryan's committee. The accounting committee also discussed the program and transmitter log requirements of the Commission and the forms employed for reporting changes in stock ownership of stations. The committee reviewed the NAB program log recommendation which was prepared by the accounting committee in 1940. It was decided to make minor revisions necessitated by certain changes in FCC rules and regulations and submit the revised recommendation to Mr. Ryan's committee for inclusion in discussions with the FCC.

The committee decided to review the NAB accounting manual to ascertain whether revision is necessary to increase its usefulness; first, as to its contribution to station accounting as a management tool; second, its contribution to stations in producing information required by the FCC; and third, its assistance to stations in tax matters. To accomplish this work, a sub-committee was appointed consisting of Mr. Leonard, Mr. McKeon, Mr. Conley and Mr. Dean, who are to review the accounting manual in detail and recommend revisions.

The committee received a complete file of the work done by previous committees in an effort to evolve a recommended invoice form as requested by the American Association of Advertising Agencies. A complete review of the file resulted in the instruction of the secretary to prepare a revised report which can be used for consultation with the 4A's.

No date was set for the next meeting. However, there will undoubtedly be a meeting called early in the fall.

## RED CROSS NEEDS HELP! YOU CAN FURNISH IT

Fighting on the battle fronts around the globe has already placed new burdens on the American Red Cross and the Red Cross must have help.

This was made known at a conference recently held at

# We Need Your Help

Much of the down-to-earth selling power of the Retail Promotion Plan depends upon an analysis of the present use of broadcast advertising by department stores and leading retail establishments. To help the Committee and Sheldon R. Coons to include the most complete analysis possible, won't you please do *two* things today:

1. Fill out and return the Statistical Questionnaire on page two of the folder mailed you on May 27, 1943.
2. Write a letter immediately, telling in your own words and in your own way, some of your recent experiences with retail advertising.

Your co-operation will be of genuine benefit in the preparation of the presentation.

NAB between Neville Miller and Messrs. Brown, Bowen and Ruthrauff of the Red Cross headquarters staff.

Broadly speaking the Red Cross has a three-way health plan as follows:

1. Recruitment of registered nurses for duty with the armed forces.
2. Recruitment of 200,000 volunteer nurse's aides to work in over 2,000 civilian and military hospitals in the United States. These nurse's aides help bridge the gap left by registered nurses going overseas.
3. Recruitment of 500,000 people to take simple Red Cross home nursing instruction so that they may be prepared to give simple medical care at home until the services of a doctor may be secured.

F. Bourne Ruthrauff, chief, radio section, explained that the Red Cross had been given a quota of 2,500 registered nurses monthly, 2,000 for the Army and 500 for the Navy. This is a total of 30,000 registered nurses for the next twelve months.

Already 30,000 registered nurses are serving in the Army Nurse Corps. They are on duty in 537 stations in the United States and in 35 countries outside the U. S.

More than 4,000 nurses are serving in the Navy Nurse Corps, on duty in 212 U. S. stations and in 27 foreign countries.

Promotion in each of the three categories listed above is in order. Before long the Red Cross hopes to provide chapters with a variety of material for offering to stations. To make certain that the situation is understood, here are the facts:

**Army and Navy quotas were reached in March. But in April there was a slight drop; and a drop was 50 per cent in May. June figures are showing a similar decrease.**

**The Army Nurse Corps reports that it is now 1,400 short of estimated needs while the Navy Nurse Corps reports that its constantly maintained reserve has been exhausted and that all nurses who have taken their oaths of office have been assigned.**

## OREGON STATE BROADCASTERS MEET; HEAR SPENCE, PENGRA

Oregon State Broadcasters Association met this month in a joint session with the Washington Broadcasters Association in Portland with Henry Spence, KXRO, and Marshall Pengra, KRNR, as principal speakers.

Spence told the broadcasters the history of the recent Supreme Court decision and the White-Wheeler legislation as well as analyzed the present need for legislation, the difference between the network rules and the unrestricted powers now established.

The broadcasters agreed to contact their congressmen while they are on recess.

Pengra reported on the work of the small market stations committee and the meeting resolved against the discriminating aspects of the Bankhead bill (\$30,000,000 for newspaper ads—none for radio), against OWI for allowing newspapers to sell space for War Bond advertising while radio is prohibited from doing this, and to have NAB hire a staff director representing small stations.

The following persons attended:

James Murphy, KIT; Carl Haymond, KMO; Dick Dunning, KFPY; Charles Chatterton, KWLK; Bob Chandler, United Press; Art Morey, KWJJ; Lee Bishop, KMED; Chester Duncan, KOIN-KALE; Chet Wheeler, KWIL; Joe Chytil, KELA, and Bob Brister, KELA.

Frank Loggan, KBND; Kessler Cannon, KBND; O. A. Runchey, KOL; Hal Wilson, KXL; Allen Miller, KOAC; Harry Buckendahl, KOIN-KALE; Mark Knight, Associated Press; Luke L. Roberts, KOIN-KALE; H. M. Swartwood, Jr., KOIN-KALE; Ted Kooreman, KALE; Harry

Spence, KXRO; Marshal Pengra, KRNR; "Q" Cox, KGW-KEX; Homer Welch, KGW-KEX; Arden X. Pangborn, KGW-KEX; H. B. Read, KSLM; Tom Olsen, KGY, and C. W. Myers, KOIN-KALE.

Mrs. M. E. Gilmore, KBPS; Ben E. Stone, KOOS; Dave Foster, KGW-KEX; Barney Kenworthy, KODL; J. Kendall, KODL; Grant Feikert, KOAC; Johnny Carpenter, KOIN-KALE; Lester Spillane, FCC; Kenneth Clark, FCC; Ted W. Cooke, KOIN-KALE, and James McLoughlin, Keating Studios.

## NO DISCRIMINATION SAYS MARITIME COMMISSION

An NAB member station advises that a local U. S. employment office and a government contractor have stated that the Maritime Commission has advised that while it is allowing reimbursement for newspaper ads, it will not reimburse advertisers for radio expenditures.

The matter has been taken up with the public relations division of the Maritime Commission and the NAB has been assured there is no such rule. Any advertising expenditure of a legitimate character, whether made with radio or newspaper, will receive the same consideration at the hands of the Maritime Commission.

## LISTENER GROUPS WIN PRIZE IN MINNESOTA

A study of day time programs has been made recently by members of the Minnesota Radio Council, under the direction of Mrs. George B. Palmer, regional director of listener activities for the area. The listeners were organized into teams with specific periods each day assigned for listening. Each member was required to listen five days a week. Written daily reports with personal data as well were made. The promotion was developed by Mrs. Palmer to raise money for the Minnesota Federation's Nursing Scholarship Fund. Knox Reeves Advertising Agency worked out the details and checked the findings.

At the close of the test, the sum of \$250.00 was given to Mrs. Palmer for the scholarship fund. This meant that the listeners did a research job without remuneration except to the club war project. The agency was well pleased with the results. As Mrs. Palmer stated in the letter giving general instructions:

"... it is not our job to tell professionals how to write and produce shows, but we can contribute very materially as a group in giving agencies and sponsors some idea as to what we like best and so help them to give us what we want."

## BATTERY PRODUCTION UP; SEARS WILL NOT LIST

Production of farm radio batteries at present is about equal or a little better than in the second quarter when, according to WPB, 1,350,000 packs were produced.

One of the "big three" battery manufacturers said Thursday that corn starch was giving them more trouble than any other material entering into battery construction.

The mail order house of Sears, Roebuck and Co. has decided not to list farm radio batteries in forthcoming fall catalogs not yet printed. The company will, however, accept delivery of their regular quota of batteries from suppliers. Because catalog readers assume that all articles listed therein are instantly available for purchase, the company will be able to eliminate considerable letter writing. Manufacturers actually are doing a good job of dividing their output on the basis of past purchases. No outlet for batteries receives more batteries than have been handled in the past.

Reproduced below is a letter to the Hon. James F. Byrnes, director, Office of War Mobilization, from the former director of WPB's consumers durable goods division which handles radio batteries. The director, Edwin P. Felt, is no longer in this post. His letter, dated July 8, was mailed to Neville Miller, NAB president, with an attachment from Mr. Byrnes.

"We have received a letter from the National Association of Broadcasters addressed to you under date of June 17, 1943. This letter which we are returning to you, refers to the shortage of farm radio batteries.

"In order to conserve zinc in accordance with the provisions of M-11-b, Order L-71, as issued October 2, 1942, entirely eliminated the production of portable radio batteries and restricted the production of farm radio batteries to approximately 60% of pre-war production. During the winter months, the production of military batteries was such that some manufacturers could not even make this quota and we suffered a very serious shortage of batteries for farmers who have no other source of power.

"The situation became so serious that in March of this year steps were taken to determine if additional zinc was available for use in radio batteries. Although the Zinc division had been under pressure to conserve even more of that metal, they could see the unfortunate results of our severe limitation on farm radio batteries and allowed sufficient additional zinc for the period from March 20th to June 30th, 1943, to enable manufacturers to operate at capacity. At the present time additional zinc has not yet been provided for third quarter capacity operations but we are working on this and hope that nothing will interfere with our program. Capacity operation will provide approximately twice as many batteries as the previous program.

"Mr. Miller mentions that 'farm battery production continues insufficient to balance consumption, let alone overtake the accumulated deficit.' Unless military requirements are larger than anticipated, or unless the labor situation becomes more critical, we have every hope of producing enough batteries to keep up the consumption and provide a small surplus to overtake the deficit. However it is obvious that we are unable to get more batteries than the capacity of the industry will allow. Most of the factories are working at least two shifts; we are doing everything we can to induce other battery manufacturers, who previously had a very small radio battery production, to re-arrange their facilities for increased production of this item.

"We believe that the demand for farm radio batteries is greater today than at any time since the advent of the electric-powered radio. Due to increased rural purchasing power many battery radios were sold during 1941 and 1942 and, in addition, farmers are in a better position to buy replacement batteries. Also, listener interest in newscasts, war programs, etc., has increased and no doubt the curtailment of gasoline has contributed generally to the increased use of radio.

"There are no less than 3,200,000 farmers who depend on dry batteries for their radios and we believe it of prime importance to provide them with between 1½ and 2 sets of batteries a year. At the present capacity of the industry, we can provide about 1¾ batteries a year, if materials are made available for this production."

### SHEPHERD NOW HEADS WAYS

G. O. Shepherd, former manager of WORD, has been appointed general manager of WAYS, according to the Inter-City Advertising Company and Harold H. Thoms.

Mr. Shepherd has also been manager of WWNC. He is well known in national radio circles and among Southern broadcasters.

### WKBN WAR PROMOTION

Station WKBN has sent its promotion booklet "Radio at War" to NAB and it is an outstanding job in the opinion of headquarters. Done in color with tasteful half-

tones and make-up, the booklet contains the full story of the station's war work.

Considerable space, in fact the entire first half of the booklet, is devoted to the overall picture of radio in the war nationally and internationally. A catalogue of complete military insignia and rank also is included.

### KVOO SOLVES PROBLEM OF AD LIB DANGERS ON SHOWS

Station KVOO has posted the following circular in prominent places in its studios and waiting room to help in eliminating dangers of improper release of information over the air during guest, quiz or audience participation appearances:

#### Caution

In the interest of national security, the more than 900 radio stations making up the American System of Broadcasting are operating in these war times under a code of voluntary self-censorship. We wish to call to your attention the following phases of information which might give aid and comfort to the enemy, and request that you keep them in mind and refrain from mentioning any of them while you are on the air:

- Weather conditions, past, present, or future.
- Information regarding the type, strength, or movement of units of our armed forces,
- Information regarding types or movements of ships, convoys, or planes,
- Information regarding the location or description of fortifications of air installations,
- Any information on production plants, secret designs, statistics, or transportation of war materials,
- Any information about the movements of the President of the United States.

We also request that you refrain from acknowledging any requests or making any dedications of musical numbers or other broadcast material.

Please do not repeat on the air any unconfirmed reports or rumors.

We will appreciate your co-operation in helping us maintain the excellent record the broadcasters have attained in their part in the war effort. Thank you.

RADIO STATION  
K V O O

(Signed) WM. B. WAY,  
*General Manager.*

Any station which has issued a circular upon this subject is invited to send it to NAB.

### JOHN COWLES RESIGNS

John Cowles, special assistant to E. R. Stettinius, Jr., Lend-Lease administrator, has resigned his post to return to private life as president of the Minneapolis Star-Journal and Tribune. Mr. Cowles had been connected with the government department since January, 1943. He is also co-owner of stations KSO and KRNT.

### NEW GUIDE FOR USE OF RECORDINGS ISSUED

New Tools For Learning, an association which functions in cooperation with the American Council on Education, has issued a new booklet titled "Recordings—for Classrooms and Discussion Groups."

This is a guide for teachers, students and group leaders prepared by the Recordings Division, of the New York

University Film Library, for use with recordings of the University of Chicago Round Table broadcasts of last August (1942) on the Post-war World.

Copies are 15¢ each and they may be obtained from the New York University Film Library, New York City.

## CANADIAN SETS NEAR 2,000,000

The radio division of the Canadian Government sold 1,728,000 private radio receiving licenses during the year ended last March, an increase of six per cent, according to the Department of Commerce.

Sales in Toronto of 604,981 licenses topped all other Provinces. Licenses sold in Quebec totalled 400,902; British Columbia, 138,191; Alberta, 122,498; Saskatchewan, 122,304; and Manitoba 104,304.

## Note to Radio Jobbers

Attention of radio jobbers was called today to the fact that they may apply for relief to the War Production Board on form PD-470 (WPB-1161) listing frozen stocks of copper wire mill products by amounts, sizes and types which cannot be sold in accordance with CMP regulation 4. It should be pointed out that in the event an application should be approved by WPB, copper wire sold under such authorization cannot be replaced in stock.

# FEDERAL COMMUNICATIONS COMMISSION

## FTC MAKES SECRET ANALYSIS

In connection with its regular routine survey of radio and periodical advertising, the Federal Trade Commission recently made special analyses of advertisements dealing with war related subjects and reported to the Office of Censorship, the WPB and OPA. The analyses were not made public, but were for the respective federal agencies alone.

## 'FALSE!' SAYS FLY

In response to public charges made yesterday by Counsel for the Cox Committee, Chairman James Lawrence Fly of the Federal Communications Commission today made the following statement:

The Cox Committee publicly asserted on yesterday that the Commission's Foreign Broadcast Monitoring System had sent 31 employees to the North Africa Area; and that except for a few of these, these employees had been transferred to North Africa by Chairman Fly without clearance with the Commission. The statements are false.

In the first place, the Commission has never had more than a total of fifteen persons connected with its work there. All of them were assigned to the Psychological Warfare Branch of the Army in North Africa. For that matter, the Commission has had no other employees there in any capacity.

Of the 15, only five are regular employees of the Commission and their transfer to North Africa was authorized by the full Commission in meeting assembled. The remaining ten were people who were living in the area and who were recruited locally to assist temporarily in the clerical and other detailed work connected with the monitoring unit. They were paid at rates ranging from \$10 to \$100 per month. These local people were hired by the Commission's staff in North Africa and the Psychological Warfare Branch of the Army through the good offices of the Department of State.

## 'NOT TRUE!' JETT SAYS

In response to public charges made this morning by Counsel for the Cox Committee, E. K. Jett, chief engineer of the Federal Communications Commission, made the following statement:

"The Cox Committee stated that most of the work performed by the Radio Intelligence Division had been published, thereby leaving the inference that the activities of the Radio Intelligence Division are not secure. This is not true. During the past three years this Division has received nearly 10,000 complaints regarding unlicensed amateurs, unlicensed broadcasts, subversive operations, and miscellaneous matters. More than 3,000 such complaints have been received from the FBI, and approximately 850 from the Army, and 800 from the Navy and Coast Guard. The local police have filed more than 1,000 complaints, and more than 2,000 have been received from the general public. All of these cases have been investigated, with the result that the Radio Intelligence Division of the Commission located 345 unlicensed stations. Except in a very few instances when matter was no longer confidential, no publicity whatsoever has been given to this work.

"The Radio Intelligence Division has always enjoyed the cooperation of the Army, Navy, FBI, and other agencies which it serves. While the work of this Division is devoted primarily to policing the ether to guard against possible Fifth Column radio activities and to assist in reducing interference to radio communications, it has, nevertheless, been possible with the facilities at hand to perform work for all agencies of the government which required monitoring service. It should be observed that only a small percentage of the work of the Radio Intelligence Division has been done for the armed forces and that such work is done only when the Commission is specifically requested to undertake particular projects."

## FLY CITES PRAISE FOR FBIS

In connection with proceedings before the Cox Committee, Chairman James Lawrence Fly today stated:

"Today it was charged before the Cox Committee that the Commission's Foreign Broadcast Intelligence Service (FBIS) is not performing a valuable function. To meet this charge the Commission tendered the Cox Committee 20 letters received from War Agencies using FBIS material, giving an appraisal of its value. The Committee refused to accept the letters for the record.

"They bear the signatures of such persons as General Strong and General Lee of the Military Intelligence Division, Rear Admiral Turner of the Office of Naval Operations; Elmer Davis, Nelson Rockefeller, Coordinator of Inter-American Affairs, Breckinridge Long, Assistant Secretary of State, and John Winant, American Ambassador to England.

"These letters show the great value and importance of FBIS work.

"Thus the War Department finds FBIS reports contain 'very valuable information' and are 'of substantial value from a military standpoint' and 'strongly recommends that the Service's coverage be extended.'"

"The Navy Department considers that the service rendered is 'well adapted to its needs' and 'extremely useful and important'; and that the material received has 'considerable value in sometimes giving inadvertent notice of operations.'

"The Director of the Office of War Information says 'Your service (FBIS) constitutes a major source of information on what is happening in Germany, Italy and occupied countries' and 'without the service supplied by the FBIS, the OWI could not function.'

"The Department of State reports that the FBIS is 'a most valuable addition to our foreign intelligence' and our Ambassador to England asks that the Service be furnished to the 'Embassy, American armed services and missions attached to the Embassy' so that the Embassy 'could swiftly and adequately inform Army, air and Navy services here (in England) in any period of active



operations when enemy radio reports might prove vitally important.'

"The Coordinator of Inter-American Affairs reports that 'every phase' of the Service's work 'has been of great assistance to us.'

"Of particular importance, in view of the almost complete drying up of ordinary sources of news from Japan and Japanese occupied territories, is the information obtained from radio broadcasts. The Office of Strategic Services says that 'without the monitoring service of the F.C.C. our knowledge of current events in Japan would be meager' and that the various reports of FBIS are found 'indispensable' to the work of its Far Eastern Section. Similarly the Far Eastern Division of the Board of Economic Warfare makes 'very extensive use of the economic information' provided by FBIS.

"Both OSS and BEW urge 'it is vital to the war effort' that FBIS expand operations to ensure greater coverage of Japanese broadcasts.

"It will be noted that in one particular, the information obtained by FBIS is of direct importance to every soldier's family. Broadcasts by Axis stations frequently mention American prisoners of war. The War Department has asked that any such information be promptly forwarded to it as it 'is necessary in order that the American public, particularly the next of kin of American nationals in the hands of the enemy, may be properly advised.'"

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, July 26th. It is subject to change.

Wednesday, July 28

KMTR—KMTR Radio Corporation, Los Angeles, Calif.—Renewal of license, 570 kc., 1 KW, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WGST—Georgia School of Technology, Atlanta, Ga.—Granted extension of temporary license for a period of 30 days.

WTAW—Agricultural and Mechanical College of Texas, College Station, Tex.—Granted modification of license (B3-ML-1166) to increase hours of operation from specified hours dividing use of frequency 1150 kc. with Station KTBC, to full daytime operation on same frequency.

KTBC—State Capital Broadcasting Assn., Inc., Austin, Tex.—Granted modification of license (B3-ML-1168) to change frequency assignment from 1150 kc. to 590 kc., increase hours of operation from specified to full time, operation to be with 1 KW power daytime, 250 watts nighttime; granted subject to future requirements.

KHUB—Luther E. Gibson, Watsonville, Calif.—Granted renewal of license (B5-R-916) subject to the express condition "that this action is without prejudice to the application to the licensee of any report, rule or regulation which may result from the proceedings under Order No. 79."

KICD—Iowa Great Lakes Broadcasting Co., Spencer, Iowa.—Granted modification of license (B4-ML-1158) to move main studio to transmitter location, approximately .8 mile outside city limits of Spencer, Iowa.

WBBZ—Adelaide Lillian Carrell, Executrix of Estate of Charles Lewis Carrell, deceased, Ponca City, Okla.; WBBZ—Ade-

laide Lillian Carrell, Ponca City, Okla.—Granted consent to assignment of the license for Station WBBZ from Adelaide Lillian Carrell, executrix of the estate of her husband, Charles Lewis Carrell, deceased, to herself in her individual capacity (B3-AL-371). Granted renewal of license upon a regular basis (B3-R-572).

### DESIGNATED FOR HEARING

WJBW—Charles C. Carlson, New Orleans, La.—Designated for hearing application for renewal of license of Station WJBW.

### LICENSE RENEWALS

Granted renewal of following licenses for the period beginning August 1, 1943, and ending not later than August 1, 1945:

KOBH, Rapid City, S. D.; KONO, San Antonio, Tex.; KWYO, Sheridan, Wyo.; WAGF, Dothan, Ala.; WSLB, Ogdensburg, N. Y.; KENO, Las Vegas, Nevada.

KGFW—Central Nebraska Broadcasting Corp., Kearney, Nebr.—Granted renewal of license for the period ending no later than June 1, 1945 (B4-R-703).

### MISCELLANEOUS

KTKN—Edwin A. Kraft, Ketchikan, Alaska.—Granted authority to install new automatic frequency control equipment (B-F-253).

KEHJ—WDAY, Inc., Fargo, N. D.—Cancelled relay broadcast license authorization, in accordance with written request of licensee (B4-BRE-202).

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Adopted order granted petition for reconsideration and grant of its application for renewal of license, heretofore designated for hearing; application for renewal of license (B5-R-17) granted. (Docket No. 6437)

W83C—WHFC, Inc., Chicago, Ill.—Placed in pending file application for modification of construction permit (B4-MPH-116) for move of transmitter and studio location, changes in antenna system, change in type of transmitter and extension of commencement and completion dates.

W731—Associated Broadcasters, Inc., Indianapolis, Ind.—Denied petition for authority to install available equipment for operation on a temporary basis until materials required to complete construction, as originally contemplated, become available; placed in pending file application for modification of permit for new high frequency station (B4-PH-122).

### APPLICATIONS FILED AT FCC

1380 Kilocycles

WSYB—Philip Weiss, trading as Philip Weiss Music Co., Rutland, Vt.—Authority to determine operating power by direct measurement of antenna power.

1240 Kilocycles

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent, Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

930 Kilocycles

WKY—WKY Radiophone Company, Oklahoma City, Okla.—Modification of construction permit (B3-P-3114 as modified, which authorized installation of directional antenna for night use, move of transmitter and increase in power) for extension of completion date from 7-20-43 to 1-20-44.

710 Kilocycles

KIRO—Queen City Broadcasting Co., Seattle, Wash.—Authority to determine operating power by direct measurement of antenna power.

### MISCELLANEOUS APPLICATIONS

NEW—Columbia Broadcasting System, Inc., Brentwood, L. I., N. Y.—Construction permit for a new International Broad-

cast Station to be operated on 6060, 6120, 6170, 9650, 11830, 15270, 17830, 21520 and 21570 kc., 50 KW power and unlimited hours of operation except share time on all frequencies with WCRC, WCBX and WCDA; also share time on 6060 kc. with KWID and KWIX; use 6120 kc. by special authorization.

NEW—KTRH Broadcasting Co., Portable-Mobile, area of Houston, Texas.—Construction permit for a new relay broadcast station to be operated on 1606, 2074, 2102, 2758 kc., power of 50 watts, A3 emission, to be used with Station KTRH.

NEW—Pensacola Broadcasting Co., Portable-Mobile, area of Pensacola, Fla.—Construction permit for a new relay broadcast station to be operated on 31220, 35620, 37020 and 39260 kc., power of 15 watts, A3 emission, to be operated with Standard Station WCOA.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Extension of authority to transmit programs to CFRB and CKAC and other stations under the control of the Canadian Broadcasting Corp. for the period 9-15-43 to 9-15-44.

W9XMB—The Moody Bible Institute of Chicago, Chicago, Ill.—Modification of construction permit (B4-PST-4 as modified, which authorized construction of a new ST broadcast station) for extension of completion date from 8-16-43 to 11-16-43.

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Ex-Lax, Inc.**, 423 Atlantic Ave., Brooklyn, the The Joseph Katz Co., Baltimore advertising agency, are charged in a complaint with disseminating advertisements which misrepresent the therapeutic properties of a medicinal preparation designated "Ex-Lax" and which fail to reveal the harmful consequences that may result from use of the preparation. The Joseph Katz Co. prepares advertising material for Ex-Lax. (5007)

**Kay-Sherman Luggage Company, et al.**—A complaint issued charges Max L. Kizelstein and Leon Sherman, trading as Kay-Sherman Luggage Co., 3 West 46th St., New York, retailers of luggage, with misrepresenting to the purchasing public that they are wholesalers and sell their merchandise at wholesale prices. (5008)

**Los Angeles Pharmacal Co., et al.**—Dissemination of false advertisements in connection with the sale of medicinal preparations is alleged in a complaint against Robert Salazar, trading as Los Angeles Pharmacal Co. and Hidalgo Pharmacy, 204 North Main St., Los Angeles. The respondent sells the preparations under the names "Pulmotol," "Femovita," "Renatone Pills," sometimes known as "Runaton," and "Stomavita," and advertises them in the Spanish language in newspapers and periodicals and by radio continuities. (5006)

**National Secretaries' Association**, 1005 Grand Ave., Kansas City, Mo., and its officers and executives, are charged in a complaint with misrepresentation in the sale of books entitled "Better Letters-Lessons in English" and "Better Letters-Quiz Book," designed for use by secretaries, and "Webster's Encyclopedic Dictionary." The officers and executives of the Association are H. Robinson Shepherd, president, who resides in Leavenworth, Kans.; and Ruth Hostetler, secretary; Hilary A. Bufton, manager and treasurer, and George Turner, sales manager, who have their place of business at the Kansas City address. (5003)

**Tru-Health Garments Corp.**, 25 West 26th St., New York. is charged in a complaint with misrepresentation in the sale of shoulder braces and body belts designated "Tru-Health," advertised as being capable of preventing and correcting malformations and malpositions of the body. (5004)

**Watts-Wagner Co., Inc.**—A complaint has been issued charging Watts-Wagner Co., Inc., 109 West 64th St., New York, and its officers, Allen P. Wagner and William W. Wagner, with misrepresentation in the sale of a compound designated "Prema-Weld," recommended by the respondents for use in repairing water jackets, cylinders, or other metal parts of machinery. (5005)

### STIPULATIONS

No stipulations were issued by the Commission during the past week.

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**American Rug and Carpet Co., Inc.**, 105 Madison Ave., New York, has been ordered to discontinue representing that certain of the domestic rugs it sells are Oriental rugs. (4499)

**Cement Institute** and 75 member corporations who produce and distribute more than three-fourths of the portland cement manufactured in this country, and their officials and agents, have been ordered to cease and desist from engaging in or continuing any combination or conspiracy to sell cement at prices arrived at by use of their multiple basing-point delivered-price system. The Commission finds that the respondents' practices constitute unfair methods of competition in violation of the Federal Trade Commission Act and their delivered-price system results in discrimination in price among their respective customers, in violation of the Robinson-Patman Act. (3167)

**Dearborn Supply Co.**, 2350 Clybourn Ave., Chicago, engaged in the manufacture and sale of a cosmetic designated "Mercolized Wax Cream," is ordered to cease and desist from the dissemination of advertisements that fail to reveal the harmful consequences that may result from the indiscriminate use of the preparation. (3593)

**Progress Tailoring Co.**, trading as J. C. Field & Son, and four of its subsidiaries, all of Chicago, and their officers and agents have been ordered to cease and desist from certain representations in connection with the sale of men's clothing. The respondent subsidiaries are Stone-Field Corp., W. Z. Gibson, Inc., Pioneer Tailoring Co., and Certified Tailoring Co. (3747)

**Rhode Island Plush Mills, Inc.**, 1112 River St., Woonsocket, R. I., has been ordered to cease and desist from misbranding textile fabrics in violation of the Federal Trade Commission Act and the Wool Products Labeling Act. (4881)



### PETRILLO OFFERS FREE CONCERTS; 'HYPOCRISY' IS NAB ANSWER

An idea which President Roosevelt has had for several years—sending large orchestras throughout the nation to give the people the “best possible music” flowered into full growth this week under the careful cultivating of James Caesar Petrillo, AFM president, who announced some 570 concerts by leading symphony orchestras of the nation would be given starting within a few days in smaller American cities. AFM has allotted \$500,000 for this. Final plans are maturing, Mr. Petrillo allowed today.

#### Neville Miller Terms Plan “Hypocritical”

Following is the text of Mr. Miller’s official statement on Mr. Petrillo’s plan:

“James Caesar Petrillo’s announcement that his union intends to give 570 symphonic concerts in small towns is unequalled for hypocrisy. Mr. Petrillo has done more to prevent symphonic music in the United States than any other man in the history of our country.

“Before Mr. Petrillo prevented the making of all recordings of symphonic music last August, the great orchestras could reach all of our people in all parts of the country through the phonograph record. The recordings so made were available for the home, schools, broadcasting stations and for all of our citizens wherever situated and whenever they wanted to hear symphonic music, not merely once each in 570 communities hand-picked by the union. The very orchestras which Mr. Petrillo now wants to bring to the people, are those which, for one full year, have been prevented from making phonograph records. If Mr. Petrillo were sincerely interested in the welfare of symphonic music, he could, by lifting his ban, permit the equivalent, not of 570, but of hundreds of thousands of times 570 concerts.

“All of the symphony organizations are non-profit institutions. A substantial part of their revenue, in some cases as much as one-third, was derived from royalties on phonograph records, 98 per cent of which, according to Mr. Petrillo’s own testimony before the United States Senate, went into the American home and formed a permanent contribution to musical education. Moreover, the musician in the symphony orchestras has been deprived by Mr. Petrillo of the substantial revenue which he previously received from his recording activity. The musicians in symphony orchestras received, in addition to the royalty obtained by the orchestra itself, a minimum fee of \$28 per man for no more than 80 minutes playing time.

“Mr. Petrillo has, therefore, stifled the major source of income for the symphonic orchestras, deprived the symphonic musicians of normal compensation and withdrawn from the American people the benefits of recorded symphonic music.

“It should be noted that in making this transparent gesture, Mr. Petrillo drops the last vestige of justification for his ban on recordings. He has contended that records commercially used in the smaller cities deprived local musicians of employment opportunities. Yet, when the union sets aside \$500,000 to bring some music to the American people it does not employ local musicians, but instead spends it on bringing into the communities the performances of the fully employed musicians who had always made recordings.

“The good faith of Mr. Petrillo’s proposal may be attacked not only on these grounds, but on the basis of his own figures. His announcement says that the men in the orchestras will be paid for their services, and he sets the normal personnel of a symphony orchestra at 90 men, although in travelling, the services of baggage men, librarians, etc., are also required. At his own figures, Mr. Petrillo is allotting less than \$10 a man per concert to cover salary, railroad fares, hotels, meals, baggage car for instruments, cartage of instruments and music stands to place of performance, and incidental expenses. When a non-profit symphony society wishes to give a concert out of town today, it must pay, in addition to the high union scale, \$7.50 a man per day for mere maintenance, and the lowest union scale of symphony concert tours is \$100 a week a man, exclusive of the obligation of the orchestra to furnish first-class transportation, including sleepers. It is obvious, therefore, that Mr. Petrillo proposes to pay the men no compensation or only nominal compensation.

“The essence of Mr. Petrillo’s gesture, therefore, is that he is going to compel some of his members to render free services and the orchestral societies to lend their names and reputations to his enterprise so that he may take unto himself the credit for their services.”

#### WLB TO ACT SOON ON PETRILLO CASE

Within a few days the War Labor Board will issue an order stating how it will deal with the Petrillo case.

The board decided last week to appoint a panel to determine the facts in the case and to report to the board. Announcement of this decision has been held up pending its incorporation in a formal order and appointment of the panel.

#### STRIKE TO COMPEL EMPLOYMENT OF UNNECESSARY MUSICIANS IS RULED UNLAWFUL IN MICHIGAN

The Supreme Court of Michigan has held that a strike to compel the employment of unnecessary musicians was unlawful.

In the case of *Lafayette Dramatic Productions Inc. v.*  
(Continued on page 334)

### Cox Hearings

Special Legislative Bulletin No. 11 is enclosed with this issue of the “Reports” to bring the Cox Select Committee hearings up to date.



NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NAional 2080

Neville Miller, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## STRIKE TO COMPEL EMPLOYMENT OF UNNECESSARY MUSICIANS IS RULED UNLAWFUL IN MICHIGAN

(Continued from page 333)

Jack Ferentz, et al., decided April 8, 1943, Judge Starr held that:

(1) Where a labor union of stage hands, acting in combination with a musicians' union, threatened to call a sympathetic strike of the stage hands, shortly before the opening of a performance as a means of coercing a theatre owner to sign a contract for the employment of musicians which were not needed, the objective sought to be obtained invaded the theatre owner's right to conduct its business without unjust interference and its right to a free flow of labor, and did not involve a labor dispute since the object sought to be obtained was unlawful. The right to strike and carry on peaceful picketing is subject to the limitation that it shall not be employed to obtain an unlawful labor objective.

(2) Where a theatre manager, who, two hours before the opening of a theatre is confronted with the alternative of executing a contract employing unnecessary musicians or submitting to a sympathetic strike by stage hands, which would make it impossible to operate the theatre and result in the sacrifice of a financial investment, signs the contract, such a contract is induced by duress and coercion and is null and void.

## REPORT ON 7TH DISTRICT MEETING AT CINCINNATI

A very enthusiastic meeting of the broadcasters of the 7th district, NAB, was held at the Netherland-Plaza, Cincinnati, Friday, July 23. The meeting was opened by director Nate Lord, WAVE, who presided and called for discussion of the May 10th Supreme Court decision as the first order of business. There was general discussion participated in by James Shouse, WLW, Leonard Reinsch, WHIO, Neville Miller, NAB, Nate Lord, WAVE, and others.

The broadcasters were the guests at luncheon of WAVE and the principal speaker was Congressman Clarence J. Brown of Blanchester, Ohio, a member of the Interstate and Foreign Commerce Committee, who made an excellent speech on the subject of "Freedom of Radio," which is printed elsewhere in this week's "Reports."

Guests at the luncheon included Congressmen Brent Spence, of Fort Thomas, Kentucky, and Edward O. McCowen, of Wheelersburg, Ohio, and representatives of Cincinnati newspapers. A telegram of greeting was read from Senator Alben W. Barkley, of Kentucky, expressing his regret at not being able to attend.

In the afternoon Robert T. Mason, of WMRN, made a report for the NAB committee on small market stations, and discussed the work and plans of that committee. "Chick" Allison, of WLW, reported for the retail promo-

tion plan committee giving a vivid account of the recent preliminary showing held in New York. Neville Miller reported on the Petrillo ban, stating that the ban had proved a serious detriment to the war effort.

In connection with advertising plans, Vernon Pribble, WTAM, reported on the Cleveland plan which is now being considered by many other cities. A legislative committee was appointed consisting of J. Lindsay Nunn, WLAP-WCMI, Leonard Reinsch, WHIO-WSB-WIOD, Frazier Reams, WTOL, and W. Lee Coulson, WHAS, and this committee proposed the following resolution which was unanimously adopted:

(Partial Text)

"Resolved that this group petition the Congress of the United States to review sympathetically the present law and revise and enact remedial legislation to the end that radio may continue to serve the American people to its fullest possibilities."

The meeting also adopted a resolution thanking Mr. Lord and WAVE for being hosts at luncheon, and Mr. Shouse and WLW for being hosts at a cocktail party which immediately followed the meeting.

The following broadcasters were present:

Nathan Lord, WAVE, Louisville, Ky.; J. Lindsay Nunn, WLAP, Lexington-WCMI, Ashland, Ky.; Paul Wagner, WPAY, Portsmouth, Ohio; Kenneth B. Johnston, WCOL, Columbus, Ohio; Neal Smith, WCOL, Columbus, Ohio; Carl M. Everson, WHKC, Columbus, Ohio; R. D. Borland, WHK-WCLE, Cleveland, Ohio; Vernon H. Pribble, WTAM, Cleveland, Ohio; S. Bernard Berk, WAKR, Akron, Ohio; Ronald B. Woodyard, WING-WIZE, Dayton, Ohio; R. T. Mason, WMRN, Marion, Ohio; Carl George, WGAR, Cleveland, Ohio; Harry McTigue, WINN, Louisville, Ky.; Arch Shawd, WTOL, Toledo, Ohio; Frazier Reams, WTOL, Toledo, Ohio; W. Lee Coulson, WHAS, Louisville, Ky.; Henry McClaskey, WHAS, Louisville, Ky.; J. Leonard Reinsch, WHIO, Dayton, WSB, Atlanta, WIOD, Miami; R. H. Moody, WHIO, Dayton, Ohio; W. P. Williamson, Jr., WKBN, Youngstown, Ohio; Len Nasman, WFMJ, Youngstown, Ohio; James M. Patt, WKRC, Cincinnati, Ohio; James Shouse, E. K. Bauer, Walter Callahan, J. Leonard, M. F. Allison, W. Chamberlain, George C. Biggar, WLW, Cincinnati, Ohio; Carl Kindt, WMAN, Mansfield, Ohio; Sky Fields, WMAN, Mansfield, Ohio; Fred Palmer and Bob Fleming, WCKY, Cincinnati, Ohio; and Neville Miller, NAB.

## REPORT OF SPEECH MADE BY CONGRESSMAN CLARENCE BROWN BEFORE 7TH DISTRICT GROUP

Congressman Brown said he believed Congress had delegated too much power to bureaus and commissions and that the bureaus had misinterpreted the will of Congress and had assumed power which had not been delegated. He believes that Congress is now in a mood to take back some of that power because of the faulty thinking of many of those in the various commissions. For example, the FCC today is raising the question as to whether a newspaper can be trusted with a radio station. Congressman Brown cited this as just another indication of the thinking of bureaucracy.

He praised the opinion written by Justice Murphy in the network case, stating that he thought Justice Murphy was right and that he could not agree with Justice Frankfurter, when he said that Congress had not limited the authority of the Commission. Congressman Brown's thoughts regarding delegated power are that Congress does not have to set limits, but the only power a commission receives is the power which is delegated. That's the fault with the decision he said. It extends the power originally granted to the Commission. However, since the Supreme Court has spoken the FCC has the power and

the answer is for Congress to so write a new act that the court can understand it.

The decision was a strong blow against freedom of the press, freedom of speech and freedom of radio he continued because it is impossible to separate freedom of radio from freedom of speech. There is no reason for government to control program content of radio stations, so long as there is no question of morals, obscene language or libel. Congressman Brown stated that he had read the Act of 1934 and was sure that Congress did not intend for the government to be other than a referee, but he noticed that there had been a tendency on the part of the FCC to reach out for more and more power which was not good for the press, was not good for radio and was not good for the country. He believes so long as broadcasts do not violate the public interest it is no business of government. Stations which do not serve the public right will become a dead spot on the dial.

The Congressman expressed his views further by saying:

"I believe Congress was as much shocked as you were with the opinion of May 10th, and I believe you can well do something about it. Congress has been busy on many other things, on the aviation code, but it is about time for Congress to say that the FCC acts merely as a referee or a policeman and that, if a policeman, it does not go about butting into other people's business. One of the troubles is that too many businessmen are afraid of government, too many want to compromise; too few want to fight for their rights. Congress is interested in the views of businessmen. It hopes that they will speak out and that they will stand up and fight for their rights."

He hopes that the radio industry will tell Congress what kind of a law they want and then Congress will write a law which will protect radio and the public.

## STATION AEF, BRITAIN

The following article is reprinted by permission from the July 19, 1943, issue of *Newsweek Magazine*. We thought it a good job of telling the British radio story and its effect on the AEF (American Expeditionary Forces).

*Radio has something for the boys in Britain, at last. Al Newman, one of Newsweek's correspondents abroad, tell what it means:*

It is no military secret that BBC programs leave the average American G. I. colder than a top sergeant's glare. This is no particular reflection on anybody with the possible exception of the top sergeant. The BBC seems to suit the Britisher on the street or in the camp. He would rise in righteous wrath and start assaulting cops if anybody dared sully his precious wireless with advertisements for mouthwash.

But to the Yank accustomed to elaborate displays of talent in lavish, advertising-supported shows over four major networks and countless independent stations, British broadcast is incredibly small time. Listening as I write this, I have, for instance, learned from the BBC two valuable facts which undoubtedly will make later life happier; starfish can be stranded by the receding tide and survive till the next flood tide reaches them, and eels breed in the Sargasso Sea, preferably at a depth of 1,500 feet.

In Britain you PAYS your ten shillings a year license fee for your set (which completely finances the BBC), and you TAKES your choice of two networks, the Home or the Forces. If you don't like either you can turn your set to hell off. (I once made the mistake of bragging to a Britisher that in New York you had your choice of some fifteen different programs, and he pointed out that awfter all, old boy, you can only listen to one at a time.) Or you can listen to Germany, which is impossible on most sets here because lack of servicing has made them insensitive. Indeed, many of them have to be thumped from time to time like recalcitrant mules to keep them going at all.

Nevertheless some sets can still get Das Reich. I have witnessed the strange spectacle of American fliers listening

with pleasure to a program of Nazi jazz immediately before taking off to beat the living daylight out of a target in the immediate vicinity of the transmitter.

In fairness it must be said that the United States forces have gotten more than their share of time in BBC programs. Command Performance and Mail Call are prominent features, but the whole United States Army here waits for 12:40 p. m. Sunday, when a transcribed Fred Allen program, carefully denuded of advertising, takes the air. Unfortunately these canned shows are usually pretty old, and many of Allen's jokes are topical. Last Sunday's was recorded from the week of Washington's birthday.

There is no more disappointing experience than introducing an Englishman to an Allen or Bob Hope show. He sits there, deadpan, as quip succeeds quip, and you think each succeeding joke will fetch him sure. But it never does. The only way to get revenge is to wait until an English comedian comes on and then sit there deadpan yourself—no great effort on the average—while he curls up and dies over moldy wheezes which used to do no more than irritate you when you were a boy.

Thus, radiowise, east is east and west is west. And last week, to the relief of practically everybody, they got a quiet divorce with the hush-hush opening of the American Forces network, first venture of its kind in history, which took the air on the afternoon of July 4. Here again the BBC showed its good will to the Yanks in providing transmitters and studios for the use of the Special Services section of the United States Army, which stocks the new chain from 5:45 to 10:30 each evening with home news, sports reporters, and transcriptions of such favorites as Bob Hope, Bing Crosby, Edgar Bergen, Kate Smith, and top-flight American dance bands—any of which, as far as United States doughboys are concerned, makes the best British dance band sound like Ima Hick and his Six Original Hoptoads from Corn Center, Iowa.

At this date nearly everything about the American Forces network is a military secret. Nobody will admit where the studios are, and the locations of the low-power transmitters, which are designed merely to cover the small areas thickest with troop concentrations, naturally are unmentionable. Thus most newspaper correspondents treated the debut as a small and routine story. But shrewder observers who know the importance of radio in American life pronounced its creation the most important morale move in this theater since the inception of the Stars and Stripes and Yank.

## DISTRICT MEETINGS AGENDA

The following NAB district meetings have been listed by C. E. Arney, Jr., NAB secretary-treasurer:

District 11—Hotel Nicollett, Minneapolis, August 4-5.

District 15—San Francisco, August 6 (informal, coinciding with visit of Mr. Arney at that time).

District 14—Hotel Utah, Salt Lake City, August 30-31 (Mr. Arney also will attend this meeting which will elect a district director).

District 4—Asheville, North Carolina, September 3 (election of district director).

## Broadcast Advertising

### OUR SINCERE APOLOGIES

The July 23, 1943, issue of the NAB REPORTS assured its readers that a reprint of the article entitled: "Stores Can Make Radio Advertising Pay," from the May issue of *Department Store Economist* was enclosed. But it wasn't!

Nothing the department of broadcast advertising has ever tried to do has been as ill-fated as the comparatively simple process of reprinting this article.

We hope you will find the article was worth waiting for. And we do guarantee that it is enclosed with this issue.

## EAST AND WEST ASS'N REPORTS ON ASIA RECORDS

*(The following report was received from Hugh D. Beach, of the East and West Association radio department. Pearl S. Buck, the novelist, is head of this group, which is devoted to mutual knowledge and understanding of the life of the Oriental and the American peoples.)*

Recently, the East and West Association, through the NBC transcription division, offered to the first one hundred stations requesting it, a free set of thirteen recordings under the general heading, "China and India Speak to America". In a surprisingly short time the quota was filled with forty-one states heard from, including six 50,000 watt stations. The records contained talks by experts in the Oriental field. (A complete list of subjects and speakers is listed below.) To supplement coverage given by local outlets, the association also offered sets gratis to school boards in ten metropolitan districts around the nation. Requests were received from boards in Chicago, Cleveland, Detroit, St. Louis and Los Angeles. Various uses have been made of the records in these cities. Wherever the school system owned its own radio station the records formed a regular educational series. In other cases, the records are handled by the visual and aural department which sent them to schools, supplying turntable equipment whenever necessary.

Such was the interest in the series that the association notified one hundred and fifty teachers colleges that the records could be obtained at cost price (\$10.00 plus postage). Again, the results were most encouraging. Requests have been received from colleges in Ohio, New Mexico and Indiana, among others. Recently the Library of Congress requested a set for its files.

So encouraging has been the reaction to this project that the East and West Association is planning a similar series on Russia. The same plans will be followed in producing the new programs. Experts in their field will be chosen to record. All political and controversial material will be avoided. An earnest effort to present the people of Russia, their past and present and their future, in a simple, dignified and interesting manner, will be made. Only in that manner can the East and West Association fulfill the aims with which it was established by Pearl S. Buck in 1942.

I—PEARL S. BUCK—"How To Learn About Other People"

II—JEN-YING YEN—"Life in China Today."

III—ELIZABETH SEEGER—"Forty Centuries of Chinese History"

IV—LIN MOUSHENG—"China's Philosophy and Religion"

V—PEARL S. BUCK—"Chinese Humor"

VI—BANGNEE A. LIU—"China's Contributions to America"

VII—AGNES SMEDLEY—"The Fighting Chinese"

VIII—ANUP SINGH—"Life in India Today"

IX—HORACE I. POLEMAN—"India's Contributions to American Life"

X—ANANDA K. COOMARASWAMY—"India's Philosophy and Religion"

XI—TARAKNATH DAS—"Milestones of Indian History"

XII—SIR NORMAN ANGELL—"The Indian People and World War II—Part I"

XIII—KRISHNALAL SHRIDHARANI—"The Indian People and World War II—Part II"

Available to all educational institutions and groups at ten dollars plus postage. Write to Hugh D. Beach, Radio

Department, The East and West Association, 40 East 49th Street, New York 17, New York.

## NAB GETS PRAISED IN A.T.A.E. BULLETIN

(The following paragraphs appeared in a recent bulletin of the American Trade Association Executives Association)

During the first weeks of war, advertisers and agencies were being approached by numbers of Government departments and bureaus, seeking advertising aid in disseminating the essential facts about the cooperation needed from the public in order to make our war effort more effective. Due to the number and lack of central control of these requests, a chaotic situation resulted.

Early in 1942, "allocation plans" for network and radio spot broadcasting were put into effect by OWI at the suggestion of WAC. Acceptance of these plans by advertisers and their advertising agencies brought order out of chaos and has resulted in the contribution of \$100,000,000 worth of well-spaced radio time and top-flight radio talent by advertisers, their agencies, networks and stations.

Under the network allocation plan, one of the three plans in effect, 202 coast-to-coast programs, sponsored and paid for by 120 advertisers, broadcast 150 messages a week every week since April 27, 1942, covering 56 important war subjects ranging from fats salvage to Bonds, and reaching an average of 300,000,000 listeners a week.

Under the national radio spot allocation plan (for individual stations) there are approximately 9,000,000 listeners per week to war messages.

Under the station announcement plan, an additional 8,000 messages a day are broadcast to an uncounted number of listeners.

**The National Association of Broadcasters has been instrumental in setting up and operating these important allocation plans.**

## CAB SENDS OUT NAB TALKS

Three of the outstanding addresses made at the Chicago NAB War Conference and the Columbus Ohio Radio Institute have been distributed to members of the Canadian Association of Broadcasters by its president, Glen Banerman.

The addresses are: "What Is Public Interest, Convenience and Necessity as Applied to Radio?" by Earl J. Glade and these delivered by Dr. James R. Angell of NBC and William S. Paley, president, CBS, before the War Conference.

## ABELOFF NAMED P. R. HEAD

Irving G. Abeloff, program director of WRVA, has been appointed public relations chairman of the 4th district, NAB, by G. Richard Shafto, district director.

## LOTS OF "F" IN THIS SIG

Many radio stations are doing grand jobs of getting out publications of staff news and notes to be sent their per-

## J. S. McCarrens

John S. McCarrens, Sr., president of the United Broadcasting Company of Cleveland, died Monday. He was also president of the Forest City Publishing Company, publishers of the *Cleveland Plain Dealer* and *Cleveland News*, and a well-known figure in national radio and newspaper circles. United Broadcasting Company operates Station WCLE.

sonnel in the Armed Forces, but the gang at WBTM really has a clever signature to their bulletin. It is:

"Your Loving Friends, The Fathers, The Females and the 4-Fs."

## FEDERAL COMMUNICATIONS COMMISSION

### FLY SAYS SMALL STATIONS "PROTECTED" BY FCC

FCC Chairman James Lawrence Fly said at a news conference Monday that the Commission has had quite a bit of reaction from the broadcast industry as the result of the Cox hearings, particularly from small stations throughout the country and "I must say that I have been quite pleased with the reactions that have come to us. I think most of the stations realize that the Commission has perhaps done more to protect them than anything else."

Mr. Fly told newsmen the comment has been mostly favorable and encouraging. "There has been some backfire from the stations" he said, "that have been pressed by the staff of the committee to give evidence or make statements against the Commission when those stations were unwilling to do so. There has been a pretty broad circularization of the various stations by the committee's counsel in an effort to get them to make statements against the Commission and in certain cases where they have declined to make such statements they receive sharp reprimands from the counsel of the committee."

The Chairman said that the FBIS monitors placed the Mussolini ouster in the hands of the various government agencies ahead of any other government or news service.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 2nd. They are subject to change.

Tuesday, August 3

J. C. & E. W. Lee (Lee Brothers Broadcasting Company), San Bernardino, Calif.—C. P., 1240 kc., 250 watts, unlimited.

Further Hearing

WOKO—WOKO, Inc., Albany, N. Y.—Renewal of license (main and auxiliary), 1460 kc.; main: 500 watts night, 1 KW day; auxiliary: 500 watts; unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WTAL—Florida Broadcasters, Inc., Tallahassee, Fla.—Granted consent to assignment of license of station WTAL, from Florida Capital Broadcasters, Inc., to Capital City Broad-

casting Corp., for a total consideration of \$22,500 (B3-AL-370). Also granted renewal of license (B3-R-869).

WAIT—WAIT, Inc., Chicago, Ill.—Granted consent to assignment of license of station WAIT, from WAIT, Inc., to a partnership composed of the 6 corporate stockholders, viz., Gene T. Dyer, Evelyn M. Ringwald, Elizabeth M. Hinzman, Adele Moulds, Vivian Christoph, and Wm. F. Moss, d/b as Radio Station WAIT (B4-AL-369).

WELI—Patrick J. Goode, New Haven, Conn.—Granted consent to transfer of control of station WELI from Patrick J. Goode to Arde Bulova (B1-TC-323).

WNBC—William J. Sanders, Hartford, Conn.—Granted consent to transfer of control of station WNBC, from William J. Sanders to Arde Bulova (B1-TC-322).

First Baptist Church, Pontiac, Mich.—Granted extension of authority to transmit programs from applicant's studio in Pontiac, over the wire line facilities of Mich. Bell Telephone Co., to Windsor, Ontario, Canada, there to be broadcast over Station CKLW (B2-FP-111).

Edwin H. Armstrong, New York City.—Granted license (B1-LH-41) for new station (transmitter at Alpine, N. J.) to operate on 43100 kc., 40 KW power, and serve an area not to exceed 15,610 square miles.

W43B—The Yankee Network, Inc., Boston, Mass.—Granted license (B1-LH-44) to cover construction permit, in part, for high frequency broadcast station; 44300 kc., unlimited time, 19,000 sq. mi.

W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—License for high frequency broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1943.

W9XLA—KLZ Broadcasting Co., Denver, Colo.—License for high frequency broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1943.

W49BN—Wylie B. Jones Advertising Agency, Binghamton, N. Y.—Granted license (B1-LH-18) to cover construction permit (B1-PH-10 as amended) in part, and specifying 134 Chenango Street, Binghamton, N. Y., as the location of its main studio.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1943.

### LICENSE RENEWALS

The following stations were granted renewal of licenses for the period ending August 1, 1945:

KFPW, Fort Smith, Ark.; KRKO, Everett, Wash.; KTSW, Emporia, Kans.; KTTS, Springfield, Mo.; KWON, Bartlesville, Okla.; WARM, Scranton, Pa.; WATW, Ashland, Wis.; WBNY, Buffalo, N. Y.; WBTM, Danville, Va.; WCNC, Elizabeth City, N. C.; WFOR, Hattiesburg, Miss.; WGBR, Goldsboro, N. C.; WGRC, New Albany, Ind.; WEST, Easton, Pa.; WKWK, Wheeling, W. Va.; WJAC, Johnstown, Pa.; WJLB, Detroit, Mich.; WRJN, Racine, Wis.; WSAU, Wausau, Wis.; WSRR, Stamford, Conn.; WTCM, Traverse City, Mich.; WJZM, Clarksville, Tenn.; KELD, El Dorado, Ark.; KLUF, Galveston, Texas; KTOK, Oklahoma City; KVPD, Fort Dodge, Iowa; KFRU, Columbia, Mo.; KRE, Berkeley, Calif.; KTEM, Temple, Texas; WABY, Albany, N. Y.; WCOS, Columbia, S. C.; WGIL, Galesburg, Ill.; WHLB, Virginia, Minn.; WHUB, Cookeville, Tenn.; WHYN, Holyoke, Mass.; WKMO, Kokomo, Ind.; WKPT, Kingsport, Tenn.; WMBR, Jacksonville, Fla.; WMGA, Moultrie, Ga.; WORD, Spartanburg, S. C.; KOKO, La Junta, Colo.; WMFD, Wilmington, N. C.; WRAK, Williamsport, Pa.; WLLH and Synchronous Amplifier, Lowell and Lawrence, Mass.; KTNM, Tucumcari, N. Mex.; WCBM, Baltimore; WDWS, Champaign, Ill.; WINC, Winchester, Va.; WDEF, Chattanooga, Tenn.; KTUC, Tucson, Ariz.; WRDO, Augusta, Maine.

The following stations were granted renewals for the period ending June 1, 1945:

KAND, Corsicana, Texas; KPDN, Pampa, Texas; WEXL, Royal Oak, Mich.; WJPR, Greenville, Miss.; WWPG, Palm Beach, Fla.; KROC, Rochester, Minn.; WFIG, Sumter, N. C.; WLAK, Lakeland, Fla.

Licenses for the following stations were further extended upon a temporary basis only, for the period ending October 1, 1943, pending determination upon application for renewal:

KBST, Big Spring, Texas; KCMC, Texarkana, Texas; KGGF, Coffeyville, Kans.; KGKL, San Angelo, Texas; KIUL, Garden City, Kans.; KPLT, Paris, Texas; KRBC, Abilene, Texas; KRLH, Midland, Texas; KSUB, Cedar City, Utah; KVGB, Great Bend, Kans.; KVSF, Santa Fe, N. Mex.; KWFC, Hot Springs, Ark.; WABI, Bangor, Me.; WCBI, Columbus, Miss.; WCBT, Roanoke Rapids, N. C.; WCOV, Montgomery, Ala.; WGGA, Gainesville, Ga.; WHOM, Jersey City, WHOM auxiliary; WLBK, Bowling Green, Ky.; WNBZ, Saranac Lake, N. Y.; WOCB, Near Hyannis, Mass.; WSAY, Rochester, N. Y.; WSYB, Rutland, Vt.; WTEL, Philadelphia; WJW, Akron, Ohio.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon application for renewal, for the period ending October 1, 1943:

KORN, Fremont, Nebr.; KSJB, Jamestown, N. Dak.; KWLK, Longview, Wash.; WATL, Atlanta, Ga.; WBLK, Clarksburg, W. Va.; WELL, Battle Creek, Mich.; WEOA, Evansville, Ind.; WHDF, Calumet, Mich.; WJHO, Opelika, Ala.; WMSL, Decatur, Ala.; WSAM, Saginaw, Mich.

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted renewal of license for the period ending April 1, 1945.

KXL—KXL Broadcasters, Portland, Ore.—Granted renewal of license for the regular period (B5-R-88).

KIUN—Jack W. Hawkins & Barney H. Hubbs, Pecos, Texas—Granted renewal of license for the regular period (B3-R-863).

KAVE—Barney Hubbs, et al., d/b as Carlsbad Broadcasting Co., Carlsbad, N. Mex.—Granted renewal of license for the regular period (B5-R-906).

### MISCELLANEOUS

WKAQ—Radio Corp. of Puerto Rico, San Juan, P. R.—Granted modification of construction permit (B-MP-1716) for extension of completion date from 7-26-43 to 1-26-44, in re permit to move transmitter and studio location. Also granted modification of construction permit (B-P-3501 as modified) which authorized move of auxiliary transmitter, for extension of completion date to 1-26-44 (B-MP-1717).

KMA—May Broadcasting Corp., Shenandoah, Iowa.—Granted license to cover construction permit for installation of directional antenna for night use and increase in power to 5 KW (B4-L-1768); also granted authority to determine operating power by direct measurement (B4-Z-1528).

KYOS—Merced Broadcasting Co., Merced, Calif.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1530).

KTSA—Sunshine Broadcasting Co., San Antonio, Texas—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1514).

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile, Area of New York City—Granted modification of construction permit which authorized new experimental television relay broadcast station, for extension of completion date to 1-7-44.

WRDI—Northwestern Publishing Co., Danville, Ill.—Cancelled relay broadcast license in accordance with written request of licensee dated July 10, 1943.

W3XWT—Allen B. DuMont Labs., Inc., Washington, D. C.—Granted modification of construction permit authorizing new experimental television station, for extension of commencement and completion dates to 6-23-43 and 12-26-43, respectively (B1-MPVB).

Chattahoochee Broadcasting Co., Columbus, Ga.—Denied petition for rehearing directed against Commission's action on June 29, granting application of WDAK, West Point, Ga., for construction permit to move station from West Point to Columbus, Ga.

### APPLICATIONS FILED AT FCC

#### 560 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Modification of construction permit (B5-P-3150 as modified, which authorized installation of new transmitter, directional antenna for night use, increase in power, and change in frequency) for extension of completion date from 8-25-43 to 12-1-43.

#### 640 Kilocycles

WOI—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa—Special service authorization to operate from

6 a. m. to local sunrise, CST, with power of 5 KW, for the period ending 2-1-44.

#### 850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Authority to determine operating power by direct measurement of antenna power.

#### 1210 Kilocycles

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Authority to determine operating power by direct measurement of antenna power of auxiliary transmitter.

### MISCELLANEOUS APPLICATIONS

W71NY—Bamberger Broadcasting Service, Inc., New York, N. Y.—License to use transmitter formerly licensed to High Frequency Experimental Station W2XOR as an auxiliary transmitter with power of 1 KW.

NEW—Columbus Broadcasting System, Inc., New York, N. Y.—Construction permit for a new international broadcast station to be operated on 6060, 6120, 6170, 9650, 11830, 15270, 17830, 21520 and 21570 kc., with power of 50 KW, A3 Emission, unlimited time except share time on all frequencies with WCRC, WCBX and WCDA; share time on 6060 kc. with KWID and KWIX, and use 6120 kc. by special authority.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new international broadcast station to be operated on 6060, 6120, 6170, 9650, 11830, 15270, 17830, 21520 and 21570 kc., with power of 50 KW, A3 Emission, unlimited time except share time on all frequencies with WCRC, WCBX and WCDA; share time on 6060 kc. with KWID and KWIX, and use 6120 kc. by special authority.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs originating in NBC's studios at 30 Rockefeller Plaza, New York and/or points in U. S. where network programs may originate, to CMX, Havana, Cuba, for the period beginning 8-20-43.

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Gattis Chemical Co.**, 214 Woodland St., Nashville, Tenn., is charged in a complaint with disseminating false advertisements concerning a medicinal preparation designated "Gattis' K and B. Pills", recommended for use in the treatment of diseases and ailments of the kidneys. (5014)

**Globe Insurance Bureau**—A complaint has been issued charging Gladys H. Peiser, trading as Globe Inheritance Bureau, 401 Land Title Building, Philadelphia, with using unfair and deceptive practices in the operation of a business which she represents as an agency engaged in locating heirs to estates, but which actually is conducted to assist her customers in obtaining information concerning their debtors. (5012)

**Gotham Premium Novelty Co.**, 303 Fourth Ave., New York, are charged in a complaint with the use of lottery methods in the sale of their merchandise to ultimate purchasers and with placing in the hands of others the means of conducting lotteries. Merchandise sold by the respondents includes wearing apparel, luggage, watches, cameras, novelty jewelry, and cosmetics. (5015)



**D. E. Hamiel**—Misrepresentation of a solution designated "All-Winter Anti-Freeze" is alleged in a complaint issued against D. E. Hamiel, 329 East Long St., Columbus, Ohio, trading as All-Winter Anti-Freeze Co. (5016)

**Huddersfield Worsted Mills Corp.**, 257 Fourth Ave., New York, is charged in a complaint with misrepresentation in the sale of textile fabrics used in the manufacture of suits, slacks and other wearing apparel for men. (5009)

**Isabelle Beautetics Co.** and as **R. H. Tillson Co.**, 4058 Wyoming St., St. Louis, engaged in selling a cosmetic designated "Velskin," is charged in a complaint with misrepresenting the properties and effectiveness of the preparation. (5010)

**National Biscuit Company**, 449 West 14th St., New York, largest producer and distributor of bakery packaged food products in the United States, is charged in a complaint with violation of the Robinson-Patman Act by discrimination in price between different purchasers of its products. (5013)

**Ruberoid Company**—A complaint has been issued charging The Ruberoid Co., 500 Fifth Ave., New York, with violation of the Robinson-Patman Act by discriminating in price between different purchasers of its products. The respondent corporation is one of the country's largest manufacturers and distributors of asbestos and asphalt roofing, insulating materials and allied products, selling directly to wholesalers, retailers and applicators. The latter class of purchasers consists of contractors who apply the respondent's products to buildings. (5017)

**Union Trading Stamp Company** and **Frank A. Hayes**, individually and as an official of the corporation, 549 West Randolph St., Chicago, engaged in the manufacture of sales promotion plans or devices, trading stamps and trading cards, and in their sale and distribution to retail merchants and others, are charged in a complaint with unfair methods of competition and unfair acts and practices within the meaning of the Federal Trade Commission Act. (5011)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Associated Laboratories, Inc.**, 5112 21st St., Long Island City, New York, has been ordered to cease and desist from misrepresenting the therapeutic properties of Kelp-A-Malt Tablets, which it advertises as a competent treatment for persons who are underweight and in a run-down condition. The respondent trades as Allied Laboratories, Kelp-A-Malt Co. and Seedol Co. (2979)

**Cigarette Smoker's Survey** and Credit Advisory Service has been ordered to cease and desist from unfair and deceptive practices in connection with the sale of printed matter consisting of circular letters with reply card attached, designed for use by creditors and collection agencies in obtaining information concerning debtors. (4935)

**Bertha M. Urban**—An order has been issued directing Bertha M. Urban, Ewing, Nebr., to cease and desist from disseminating false advertisements concerning a fruit juice product designated "Lakota," which she sells and recommends as a remedy for migraine headache, constipation, and certain other conditions. (4761)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Federal Victory Garden Research Institute**, 16th and West End Ave., Nashville, Tenn., stipulated that they will cease and desist from representing that instructions contained in a pamphlet they publish and sell will enable the inexperienced Victory Gardener to grow, without soil, an ample supply of "vitamin-laden" vegetables in his attic, garage, basement, or in "most any other available space." (3685)

**Albert G. Groblewski & Company**, Plymouth, Pa., selling and distributing medicinal preparations designated "Groblewski's Headache Powders," "Groblewski's Nasal Jelly," "Groblewski's Jadol," "Nervoteine," "Groblewski's Preparation 'C,'" "Groblewski's Powders for Round Worms," "Oohotin," "Groblewski's Revila Powders" and "Egiutero," has stipulated to cease and desist from disseminating any advertisement pertaining to the preparations or any other preparations of substantially the same properties, whether sold under such names or any other names, which fail clearly to reveal that use of the Headache Powders may cause collapse or that repeated doses may cause dependence upon the drug, that not to exceed two powders should be taken within 24 hours, and that the preparation should not be given to children; that repeated use of "Groblewski's Nasal Jelly" by aged or debilitated persons or by infants may produce oil injury in the lungs, and that the preparation should not be used by persons afflicted with heart disease or high blood pressure; that "Groblewski's Jadol" is a laxative and should not be taken in the presence of nausea, vomiting, abdominal pains or other symptoms of appendicitis. (3684)

**Joyce Art Studio**, 7908 Justine St., Chicago, selling and distributing photographs or enlargements of photographs, has stipulated to cease and desist from use of the words "Art Studio" or "Studio" as part of its trade name, and from use of words of like meaning implying that it actually owns, operates or controls a studio or photographic establishment; representing that an offer of photographs or photographic enlargements is an introductory or special offer, when in fact it is a regular offer; and from the use of fictitious price figures on advertising cards or circulars used in connection with the sale of such products, or from otherwise representing as the customary or usual prices thereof prices which, in fact, are fictitious and in excess of the prices that he regularly and customarily charges for his products. (3682)

**James Lees & Sons Company**, Bridgeport, Pa., selling and distributing knitting yarns, has stipulated, in connection with the sale of its products, to cease using the words "Spanish," "Scotch," "Persian," "Shetland," "Saxony" or other words connoting foreign geographical origin as designations for or as descriptive of products not made of materials grown or produced in the country or locality indicated by such geographical designation or term. (3681)

**National Service and National Forwarding**, Post Office Box 200, Oklahoma City, engaged in selling club memberships in the National Service and lists of names purporting to be members of such service or club, have stipulated to cease representing that introductions of members are made in a confidential manner; that any of the results claimed in their advertising is guaranteed; that their statements relating to the financial standing, education, character, age, occupation or profession of those whose names appear on membership lists are other than mere statements of the members themselves, in the absence of some responsible investigation into the truth or falsity of such statements; that any specified price is the regular membership fee when such price is in excess of the amount regularly charged; that any offer is limited as to time, when such is not the fact, or that any offer is a "special" offer unless it is less in price than the usual or regular price and limited in time. (03122)

**Rossi Cigar Co., Inc.**, Oakland, Calif., selling and distributing cigars, has stipulated to cease representing that it is the largest manufacturer on the Pacific Coast of "Toscani" cigars or cigars simulating Italian cigars, or of cigars generally, or that the smoking of Rossi Brand cigars or any other cigars is harmless, easy on the throat, or will not cause dryness of the mouth. (3683)

**Williamsburg Galleries**, High Point, N. C., manufacturing and distributing furniture, has stipulated to cease and desist from

use of the trade or corporate name "The Williamsburg Galleries" and the legend or motto "That the Future May Learn from the Past"; from use of the word "Williamsburg" or any other word, term or expression which may convey the belief or impression that Tomlinson of High Point or any subsidiary or agency thereof has a working agreement with, is a subsidiary of or is connected with Colonial Williamsburg, Inc.; and from using, or placing in the hands of others the means to use, any depiction or representation, the effect of which may tend to convey the belief that its furniture or any part thereof is a reproduction, that is, a true counterpart or reconstruction, of the original or reproduced Eighteenth Century furniture with which the reconstructed homes at Williamsburg, Va., are furnished. (3687)

**Winslow Engineering Company**, Oakland, Calif., engaged in manufacturing filtering elements designed for use as replaceable inserts in various alleged standard makes of oil filters, and H. G. Makelim, trading as Magneto Repair Company, Oakland, Calif., selling filtering elements supplied to him by the other respondents, have stipulated that in connection with the sale or distribution of the "Winslow Oil Conditioning Element," they will cease and desist from representing that it will consistently pass and filter more oil than, or assure superior performance to, any other type of filtering element, when used in connection with any of the alleged standard makes of oil filters; or that it will perform as represented when used in any type of oil filter or is capable of performing in excess of what is actually the fact. (3686)



## NAB BOARD RESOLUTIONS

Upon adjournment of the special meeting of the NAB Board of Directors in Chicago, July 30, the following resolutions were released:

### RESOLUTION NO. 1

WHEREAS the Board of Directors of the National Association of Broadcasters met in Chicago on July 30th to consider proposals of its Legislative Committee and WHEREAS the purpose of this meeting was misrepresented to some sections of the industry as bearing on the termination of the contract of the incumbent as President, before the termination thereof, therefore BE IT RESOLVED that the Board of Directors of the National Association of Broadcasters emphatically declares that such was not the purpose of the meeting, nor did it form any part of its deliberations.

### RESOLUTION NO. 2

WHEREAS the name of Wilbur B. Lewis was suggested to the Board of Directors of the National Association of Broadcasters as a possible successor to Neville Miller at the expiration in 1944 of the latter's six years incumbency in office, and WHEREAS the Board of Directors sincerely desires to consider the name of Mr. Lewis for this post, and WHEREAS Mr. Lewis, for reasons which the Board respects and admires, found it necessary to withdraw his name from such consideration. BE IT RESOLVED that the Board expresses its regret that extenuating circumstances intervened to preclude Mr. Lewis' availability.

### RESOLUTION NO. 3

RESOLVED that a Nominating Committee of six be elected to present to the Board its recommendation for Presidency of the National Association of Broadcasters at the expiration of the incumbent's contract; the Committee to report to the Board at its next regular meeting or a special meeting called for that purpose. Members elected were: Don S. Elias, WWNC, Asheville, N. C.; G. Richard Shafto, WIS, Columbia, S. C.; John J. Gillin, Jr., WOW, Omaha, Neb.; J. O. Maland, WHO, Des Moines, Iowa; James D. Shouse, WLW, Cincinnati, Ohio; Paul W. Morency, WTIC, Hartford, Connecticut. Chairman of the Committee to be elected by the Committee.

## Cox Hearings

A digest of the current hearings in New York City of the Cox Select Committee will be prepared for issuance to NAB members so soon as the transcripts are forwarded to Washington headquarters of NAB. The hearings are centering around activities of the Federal Communications Commission in the foreign language broadcasting picture in the U. S. A.

## TELEVISION REPRINT COMING

NAB headquarters has completed arrangements with *Fortune* magazine to reprint the article "The Promise of Television" in the August issue for distribution to the broadcasting industry. Your copy will be in your hands very soon.

## A CHALLENGE

(The following excerpt was taken from an article in *Fortune* magazine for July, 1943, entitled "Ferment in Education." We have given this excerpt the above title, reasons for which are obvious after it is read.)

"There can be no question, of course, whom we shall educate. Education may at one time have seemed a charitable grant to those who received it; today it is a necessity to the community that gives it. We cannot afford an ill-educated electorate, and we can insist that any child who has learned to talk—speech is probably the greatest achievement in every person's life—should have twelve years' schooling.

"These twelve years are necessary not because the schools have so much more information to impart. Too much information and too few standards of judgments are the causes of cultural inflation. They are necessary not because the home and the church and the community have abdicated to the schools; but to the forms of cheap, mechanical, mass entertainment and mass information—to the movies, the radio, the press, and the advertisements. These may seldom have an educational purpose, but they have a pronounced educational effect. *They tend to present as desiderata the trappings of material success, of false comfort, of egotistic adventure; they appeal to personal avarice and personal vanity: they play up and down on the child's nerves, and furnish him mechanical emotional outlets at the same time that they apply to him that most insidious of regimentations, mass anathesia.* (italic type is ours.—Ed.) Against this deadly passivity, our schools are the only bulwark. If they are not strengthened and if they do not teach the student to discriminate and to evaluate, not they but commercial indoctrination or, still worse, political mobstering will form the minds of our children, and in so doing destroy whatever capacity is within them for democratic thinking."

## Labor

### WLB PANEL WILL HEAR TRANSCRIPTION PRO AND CON

A hearing by a War Labor Board panel on the A. F. of M. transcription ban is tentatively scheduled to start August 16 in New York.

The WLB appointed the panel this week simultaneously  
(Continued on page 342)

Neville Miller, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## WLB PANEL WILL HEAR TRANSCRIPTION PRO AND CON

(Continued from page 341)

with the release of its order, taking jurisdiction in the dispute but refusing to terminate the strike "at this time."

Members of the panel:

Public—Arthur Meyer, chairman of the New York State Mediation Board.

Industry—Henry Woodbridge, assistant to the president of the American Optical Company.

Labor—Max Zaritsky, president of the United Hat, Cap and Millinery Workers (A. F. of L.).

This panel is to report its findings of fact and recommendations to the WLB which will make the final decision.

## CHECK UNION REPRESENTATION

A recent decision by the National Labor Relations Board shows how a radio station (or any employer) can get into trouble by signing a closed shop contract with a labor union without first making sure that the union represents the employees involved. Copies may be obtained at the NAB or at the NLRB (Case C-2622).

## NINE MORE LABOR SHORTAGE AREAS NAMED BY WMC

The War Manpower Commission has added nine labor market areas to its "critical shortage" list. Radio stations in those areas must now justify any work week of less than 48 hours.

The areas added:

Anderson, Ind.; Everett, Wash.; Los Angeles; New Bedford, Mass.; Oklahoma City; Racine, Wis.; Spokane, Wash.; Brownsville, Tex., and Hawaii.

The WMC does not want any station to increase any work schedules that would not result in the release of manpower or would not obviate the necessity for hiring additional manpower. It is up to each station to show that its present (or proposed) schedules of less than 48 hours meet these requirements.

Local WMC officials should be consulted.

## WOMEN'S GROUP URGES WLB ACTION ON PETRILLO BAN

The board of directors of the General Federation of Women's Clubs meeting recently in Massachusetts passed the following resolution among numerous others:

### Radio Transcription

WHEREAS, James Caesar Petrillo, President of the American Federation of Musicians, since last August 1 (1942), has banned the recording of music for both home and radio; and

WHEREAS, In accordance with our national wartime labor policy, the manufacturers of radio transcriptions referred their dispute with Mr. Petrillo to the United States Conciliation Service, be it therefore

RESOLVED, That the Board of Directors of the General Federation of Women's Clubs, in meeting assembled in Swampscott, Massachusetts, July 1, 1943, hereby urges the Director of the United States Conciliation Service to certify this dispute to the National War Labor Board for appropriate disposition if conciliation fails to bring settlement within a reasonable time; and be it further

RESOLVED, That the Board of Directors of the General Federation of Women's Clubs urges the National War Labor Board to give prompt consideration to this prolonged strike, if and when it is certified to the Board.

Presented by: Mrs. J. Warren Burgess,  
Chairman Fine Arts Department.

## Broadcast Advertising

### PLANNING A RATE INCREASE? PUT CARDS ON TABLE

Recently a few letters from member stations have indicated that rate increases were being contemplated. Discussing that problem with William B. Maillfert of Compton Advertising, Inc., 630 Fifth Avenue, New York, N. Y., brought out some suggestions that may interest you, if you are faced with a similar problem. They are reproduced through his permission.

"It is extremely helpful to both agencies and advertisers if the station is considerate enough to attach a letter to the newly issued rates card, explaining:

1. Why the rate card is being changed (i.e., new transmitter with increased coverage, power increase, frequency improvement, increased operating costs, etc.).
2. Exactly which rates are increased and the approximate percentage.
3. Which rates are decreased and the approximate percentage.

"After receiving such a letter, the picture is immediately clear for agencies and advertisers. They can then say: 'Aha—Station YXXX has a new transmitter and they have increased their power from 1000 to 5000 watts at night, so they have decided they are justified in increasing their nighttime rates 17%.—I guess that isn't too bad.'"

Doesn't that sound like a logical approach to the problem of a rate increase?

### VICTORY GARDENERS' MEAT, BUT NOT FOR RADIO STATIONS

That perennial purveyor of per-inquiry propositions—Huber Hoge and Sons—is again offering "The Garden Encyclopedia" on a contingent basis. It seems that this will prove the salvation of many inept Victory gardeners—but we don't think it offers radio stations the same opportunity—unless you have found some way to give time away at a profit.

### RECORDED PROGRAM SERVICE 'DISCOVERS' P-I POSSIBILITIES

One of the most naive letters sent to NAB in a long time is one written to some radio stations by Associated Recorded Program Service. It seems that someone has

just told that estimable organization about the possibility of selling "Masterpiece Reproductions" on a per-inquiry basis. This proposition gets the scallion of the week.

### DON'T BE AN ALICE ABOUT THESE WONDER BOOKS

Several stations have sent in copies of the letter and broadside from Airmart Incorporated, offering the super-duper "Wonder Books" on one of the frankest propositions we have ever seen. The deal is very simple: 50¢ per inquiry for the first free volume; 60¢ per inquiry if you can produce 60 or more leads per week; but only 45¢ per inquiry on a guaranteed basis. In other words, if the advertiser has to do any worrying about the returns, you can't be paid as much. Isn't that proof of the insolent attitude of most advertisers offering per-inquiry business?

### TODAY'S GOLD BRICK BLIND MERCHANDISE

The Gibson Company of Harlan, Iowa, has a strictly new angle on the alleged plight of some radio stations. Sell merchandise on a commission basis. What kind of merchandise? Any kind! Fill out and return the card and you will get complete details. Off the record, we used to have more fun for a quarter at the church bazaar grab-bag.

### SANDO SANDBAGGING AGAIN

When we first glanced at the letterhead of this company, we thought it read "The Soandso Company." At least, the offer sounded that way. It's another of the "Service Record" offers. If every "Service Record" offer pulls as well as the promoters of such offers insist, then every man, woman and child in America must have a dozen service records for every soldier, sailor and marine. Let's get on with the war and save that paper!

### "HOST STATIONS" URGED BY J. LEONARD REINSCH

Following the recommendation of J. Leonard Reinsch, managing director of WIOD, WHIO and WSB, the headquarters staff at NAB has been exploring the possibilities of stations acting as hosts to ex-radio personnel in the armed forces on leave or stationed in their towns.

Mr. Reinsch prefaced his recommendation with the following:

"I have talked to many service men and know the feeling of aloneness they all get at one time or another. With the increased drafting of higher calibre men, there is more of a tendency to periods of depression.

We have tried, between our three stations, to entertain the men from our organization as they are assigned to Atlanta, Miami or Dayton, and as the opportunity presents to entertain other radio men in the service. We would like to expand that expression of friendliness to other radio station men."

He outlined a plan under which all stations shall provide personnel now in the armed forces, or entering the armed forces, with identification cards. These cards, coupled with a telephone call, would set up the machinery for recognition, entertainment or other forms of hospitality.

It is a known fact that many service men and women, on their own volition, seek out radio stations for the company of "brothers and sisters" in radio when on leave or assigned to new localities.

Very little need be done in the industry to make this an official activity, viz.:

1. Issue identification cards to all former personnel now in the armed forces, and to personnel entering the armed forces, as follows, signed by the manager:

#### TO BROADCASTING STATIONS:

..... formerly held the position of ..... with this broadcasting station.

Personal courtesies will be greatly appreciated by the management.

..... Station ..... (Address) .....

2. Post at U.S.O. headquarters and other centers, in cooperation with other stations in your city, signs with the following heading:

#### Attention Former Radio Personnel!

List call letters, location, telephone number and name of someone to ask for.

Close with: "We'll be glad to see you."

Use of the line "HOST STATIONS" may not be advisable unless you are prepared to extend courtesies to service men and women of all classes, as this has a general implication in a local community.

Traffic through your station may not be great in this undertaking but provision should be made for a warm welcome and ready assistance, if requested.

Comments on this proposal are requested by NAB headquarters, where a file of "HOST STATIONS" is desired, and further cooperation is offered those who wish to participate in this activity. Please address Willard D. Egolf, assistant to the president.

### DAVE BOONE HAS A LAUGH AT PETRILLO'S 'TRAVELLERS'

The following column appeared in the Thursday, July 29, issue of the *New York Sun* and is reprinted by permission:

"DAVE BONE SAYS:

"It's pretty hard to keep a straight face when you read J. Caesar Petrillo's announcement that in response to a personal plea from the President that the people of America be permitted to enjoy good music like the people of other countries, Mr. Petrillo has arranged to put an orchestra on tour.

"In no other country on earth is it easier for the people, rich, poor or medium, city dweller or country hermit, to get good music from the best artists. The radio has made it possible. Yet Mr. Petrillo asks the public to swallow the stuff about needing a traveling orchestra so Americans can have the same opportunity Europeans have. Oh boy.

"The President pointed out to me that in many countries concert orchestras are sent from city to city so that the people not in a financial position to travel to the big cities to hear the largest orchestras can hear the finest music free of charge, and I promised I would be happy to take the matter up," says J. Caesar. "I'll bet the President had to laugh at that one.

"Well, it's going to be a great privilege to the great mass of American men, women and children to be able to hear good music and shake off that terrible feeling of being deprived of the great advantages peoples have everywhere except in America. They've heard a lot of rumors about music but they don't know what it is like. And it's just too bad."

## RADIO SPACE CUTS LOOM AS NEWSPAPERS ACT ON SHORTAGE

Shortage of newsprint and continued rationing of same among newspapers is likely to force elimination of most radio columns in New York newspapers, *Billboard* magazine reports in its August 7 issue.

The *New York Daily News* column "Listening In" has been axed after 18 years' run with veteran columnist Ben Gross slated for other duties.

Program listings will remain as will paid space (the last to go any time).

NAB headquarters is interested to know if station managers have encountered this situation elsewhere over the country and, if so, what steps, if any, have been taken to counteract it. Please advise Willard Egolf at NAB headquarters of your comments, findings and actions on this matter.

Mr. Egolf also would like reports on:

Any "Program Pre-vues" types of shows now carried by stations (including script if possible) for report to the Program Managers Executive Committee.

NBC has programmed "Your Radio Reporter" as a counteraction to this loss of space. Many NBC affiliates are promoting this show vigorously, we have been informed.

Main problem confronting broadcasters is to program a "listenable" type of program pre-vues shows. This is also a good time to reiterate the fact that radio more and more must stand on its own feet and tell its own stories in its own way.

## CENSORSHIP ASKS CAUTION IN ANY MENTION OF RADAR

Bryon Price, director, Office of Censorship, has released the following statement:

"The extent of current public discussion of radar is causing increasing concern to the Government.

"The principle of radar is generally understood here and abroad, and some limited disclosures have been made officially. New methods of applying the principle are being developed, however, and there is much the enemy does not know.

"The fact of prior publication should not be used to cover added description, discussion, and deduction, or to support a theory or draw a conclusion.

"Radar is a secret weapon within the meaning of the Code. Editors and broadcasters are especially requested to be alert to every mention of radar and military electronic devices; to establish beyond all question that there is appropriate authority for every statement made; and to submit all material on the subject—other than that released by appropriate Government authority—to the Office of Censorship for review in advance of publication or broadcast.

"So inclusive a request would not be made if the highest considerations of national security were not directly involved."

## U. S. BROADCASTERS DEFEAT AXIS IN BATTLE TO CONTROL AMERICAN RADIO INFORMATION

(The following release is reprinted from a release by the Coordinator of Inter-American Affairs.)

Nazi Propaganda Minister Goebbels' radio rantings to the Americas are falling on deaf or cynical ears these days, because of a successful fight by United States broadcasters to wrest control of the American ether from the Axis. Goebbels' dutiful mouthpieces in Tokyo and Rome are faring no better.

These facts were brought out by recent surveys of broadcasting to the other American Republics. Polls showed that Latin America's 4,000,000 receivers now tune more

frequently to Allied frequencies than to enemy wavelengths, while more of its 200 shortwave stations prefer to tie up with United States and British networks.

Even before the outbreak of war the Axis was running wild in the ether over America. Powerful shortwave senders beamed a constant stream of propaganda on Brazil and the Spanish speaking nations in an attempt to undermine American unity and discredit democracy.

But this Axis domination of the American air is a thing of the past. Allied radiomen and government agencies have made willing converts in the southern republics with Spanish and Portuguese programs aimed at telling the truth about the United States and its allies.

These broadcasts—news, features, commentaries, music and radio plays—have been so successful that United States networks now average 420 hours a week to the other Americas, with the British Broadcasting Company averaging 32 hours more.

Six BBC men are in South and Central America to arrange for an expanded Latin American service, while a recent agreement enables Radio Mil, of Mexico City, and the 242 stations in the Mutual network to pick up and rebroadcast one another's programs.

United States programs are beamed simultaneously in Spanish over 10 shortwave stations and in Portuguese over 3 more, operating on 3 frequencies for best coverage. Facilities of CBS, NBC, Westinghouse, General Electric, Crosley and World Wide networks are used for the transmissions.

The Office of Inter-American Affairs, besides supervising and coordinating programs, prepares a daily average of about 40,000 words of news and commentary in 3 languages for the networks. Distinguished visitors from the other Americas daily interpret the United States war effort to their countrymen on the *Americas All* shortwave hour.

Other programs include a quiz program, *Caravan of Questions*, with experts trying to answer questions on inter-American affairs; radio plays illustrating Axis barbarism, espionage methods and anti-American activities, and a program in which a pretended Axis commentator tries to reconcile conflicting Axis propaganda until he gives up in ludicrous confusion.

New plans call for short news broadcasts every hour, in addition to the regular 15-minute news programs. Many of these broadcasts are handled by distinguished Latin Americans, including Dr. Enrique Rodriguez Fabregat, former Foreign Minister of Uruguay; Carlos Garcia Palacios, former Chilean diplomat; Alejandro Sux, United States correspondent for *El Mundo*, of Buenos Aires; Vicente Tovar, author and lecturer, and Mario Comargo, Colombian vice-consul.

Hitler once said that he had won more psychological battles with radio propaganda than with his armies. But the battle for the American ether adds another resounding defeat to the many setbacks the Axis is suffering on the world's fronts.

## RADIO COUNCIL LEADER SAYS CHILD LISTENING HABITS ARE RESPONSIBILITY OF PARENTS

(The following article was submitted to the *New York Herald-Tribune* for publishing in its August 1 issue in answer to an article by Margo Pitts of Beacon, New York, which appeared in a previous issue and compared children's radio programs with comic books in content and influence. This was written by Dorothy L. McFadden, chairman, committee on children's programs, Radio Council of New Jersey.)

May I go just a step further than Miss Margo Pitts, of Beacon, New York, in placing responsibility for children's

radio listening habits on the parents? There are fine programs on the air designed for young audiences, but many of them are on local stations, not always the networks, and are blandly ignored by the very parents and organizations that are most vocal in their concern over the "children's radio problem." In a survey made by Mrs. Dorothy Lewis, Vice-President of the Radio Council on Children's Programs, covering over 200 cities in 44 states and including a study of programs presented over some 400 stations, she discovered that there were 1500 different children's programs on the air.

In discussions with club, civic, and educational organizations and individual leaders in each city, it appeared that, while they were greatly concerned about "getting some of the bad programs off the air," actually little encouragement was being given to those programs that were approved. Her study resulted in spontaneous and very encouraging action. In many of these cities the local leaders and broadcasters decided to form groups to really study the relationship of the listener and the radio station, to become thoroughly informed on the problems of both and to give constructive suggestions and assistance whenever possible. These groups became known as Radio Councils, and I am happy to be an active member of the one recently formed in New Jersey, which is headed by Mrs. R. W. Cornelison of Somerville.

### Parents' Child-Listening Study Urged

Surely it is high time that we, parents or other interested laymen, turned to a thorough study of the problem of children's radio listening as it affects us in our own localities. Each state and city has different program material available to the listener. Do we really know what is on the air? Are we sure that there is no program at hand that just fits our Johnny's new enthusiasm for Victory Gardening, or Susie's mania for riddles and tongue twisters? Should we not become really familiar with our local stations and the general picture of radio for children before condemning all programs wholesale or even making suggestions for new ones?

Lest I be misunderstood, let me hasten to say that I do not consider the present children's serials on the networks to be perfect. They are, to a great extent, all of a pattern, with little variety or character originality in many of them. They completely lack humor, that delightful ingredient used by good dramatists as a leaven to give moments of relaxation in contrast to suspense. Children love to laugh. As president of Junior Programs, Inc., the non-profit organization that has taken the living theater to some four million children, I have watched their glee over every bit of comedy. Why should we not hear more laughter when children are listening to the radio programs planned for them? They do enjoy Aunt Agatha's comic voice and lines in "Hop Harrigan."

### Program Suggestions

When we consider the hours spent by children with ears glued to the radio, I do think we should capitalize on this golden opportunity by encouraging more of the series that have something of value to give to their development. Family hobbies are particularly needed in the strain of wartime and should be stimulated in more programs. More newscasts for children, like those presented by Catherine Clark, Station WCAU, in Philadelphia; fine music series like the delightful ones formerly broadcast by Mary Van Doren from the Toledo Museum over the NBC network; "Safety" programs like those of Irving Caesar's that are really fun; nature series like "Afield with Ranger Mac" in Wisconsin (which won the George Foster Peabody Award this year); the "Reading is Fun" programs of Portland, Oregon. These are examples of the

variety that we should add to our children's menu of listening. Groups like our Radio Council of New Jersey can help to encourage such programs in every area. In Louisville, Kentucky, and in middle Tennessee the Radio Councils have published and distributed thousands of bookmarks, in cooperation with the libraries, listing recommended books and radio programs for children. These have had a great effect in increasing discriminating reading and listening.

A nation-wide study made by the Nashville Radio Council resulted in a newscast series, "Children Analyze the News" over WLAC. In Texas, a "School of the Air" reaches 500,000 students each week day, because 200,000 parents and taxpayers recognized the importance of radio education and established through legislature a radio division in the State Department of Education. Our own Radio Education Committee in New Jersey is planning a study of conditions here.

The tastes and radio listening habits of the family strongly influence those of the child. We cannot simply banish programs from our children's ears or, heaven forbid, "put pressure on the radio industry." We must know our subject before we criticize. We should know what is lacking in our particular area to give the child a balanced menu of radio listening from which to choose. Only then are we ready to go to a radio station with suggestions.

### Parents' Responsibilities

I can hear the immediate question, always brought up by parents at meetings where I have spoken, "But will the radio stations listen to us? Do they even read our letters?" My answer is another question: "Have you ever written to the stations *commending* them for programs you like? Have you proved that you know your subject, and most of all, that you are willing to get behind a really fine program? Have you helped, individually or as a group, to build a bigger audience for the best things on the air?" If you have done this, and are willing to do it again, your radio people will be delighted to listen and will cooperate in every way. Encouraging good programs is not so difficult. My own Girl Scout troop became very interested in the "Game Parade" and "Let's Pretend" programs since I turned them on Saturday mornings while we were working on crafts badges. Many of our children are cooperating with the Write-a-fighter Corps, a wartime activity of the Jack Armstrong program. Group listening can be great fun, and has hardly been tried with children's amusement programs. There are many ways in which we can improve this picture of radio listening for our children, but let's have a constructive plan this time.

This is what the Radio Councils are trying to do. My own committee has ready a plan of Group Study of Children's Radio Listening, including a list of suggested reading. We plan to study the programs available to children in our state, and then to help publicize the best ones in every possible way to keep them on the air. This can easily be done through the groups which our committee represents—children's libraries, parents organizations, Boy and Girl Scouts, etc.—but only if each individual in those groups will really become an active "booster of the best."

### WHAT GOES ON AT WHO RED, WHITE AND BLUE!

Clever stunt of the editors (or editor or editoress) of the station WHO publication for service men "What Goes On At Who"—a three-page deal—is to have page one white, page two blue and page three red. Type is all black. Fair enough, WHO!

## THE TRIPLE-A CENSORSHIP

For your information the NAB news bureau was in the middle of a fact-finding program to counteract, if found necessary, the recent censorship clamped on all personnel of the Agricultural Adjustment Administration when the ban was suddenly withdrawn.

## WIOD TELLS THE FOLKS

James M. LeGate, general manager, WIOD, Miami, recently used two column ads in the *Miami Daily News* to tell a brief story of the station's public service broadcasts for June.

Air time, opened and closed with martial music, was used to present the same material in greater detail.

## NEWS ANALYSTS CODE

At a recent meeting of the Association of Radio News Analysts in New York, the following Code of Ethics was drawn up. We print it for your information. H. V. Kaltenborn is ARNA president.

### Code of Ethics

of the

### Association of Radio News Analysts

The Association of Radio News Analysts, aware of the necessity of maintaining the independence and prestige of the profession, and of improving the standards of analytical news broadcasting, particularly in time of war, has adopted the following Code of Ethical Practice:

#### I

The Association expects and requires of the radio news analyst painstaking accuracy in his public statements, recognizing the difficulties attendant upon the dissemination of news during war time.

#### II

The Association expects and requires of the radio news analyst the exercise of sound judgment and good taste, and the avoidance of sensationalism in both the substance of his broadcast material and the manner of its presentation.

#### III

The Association believes that the inclusion in any radio news analysis of commercial, or "institutional" advertising material in the guise of news or personal opinion is undesirable from every point of view.

#### IV

The Association believes the reading of commercial announcements by radio news analysts is against the best interests of broadcasting. It requires its own members to refrain from this practice. The Association deplores the interruption of a news analysis by commercial announcements.

#### V

The Association endorses the standards of the National Association of Broadcasters restricting the time allotted to commercial announcements in connection with news broadcasts.

#### VI

The Association opposes all censorship of broadcast material, except insofar as duly required by governmental authorities in the interest of public safety during a national emergency.

## NAME ADDITIONAL PEABODY AWARD SUB-COMMITTEES

Sub-committees on recommendations for the annual George Foster Peabody radio awards have been named in the following cities. Committee chairmen are listed after the particular city.

Oklahoma City, Okla., Mrs. Milton B. Williams; Toledo, Ohio, Harry D. Lamb, president, Radio Council of Toledo; Cincinnati, Ohio, John F. Locke, community relations director, Cincinnati Board of Education; Eastern Massachusetts, Mrs. Benjamin F. Kraus; Rochester, N. Y., Mrs. George Howard, president, Rochester Federation of Women's Clubs; Champaign, Ill., Mrs. C. C. Wiley, NAB regional director of listener activity; Indianapolis, Ind., Mrs. R. F. Groskopf, Indiana Federation of Women's Clubs, and Des Moines, Iowa, Mrs. Cyrus B. Hillis.

## FABER NAMED FOR WPB

Peter J. Faber, radio buyer for the Montgomery-Ward Company, has been named an advisor to the domestic and foreign radio branch of the radio and radar division, War Production Board, it has been announced. Mr. Faber will advise the branch on the distribution of non-military radio equipment.

## FEDERAL COMMUNICATIONS COMMISSION

## MINDERMAN NAMED TO FCC

The Federal Communications Commission today announced the appointment of Earl Minderman as director of information. For the past year Mr. Minderman has been director of the division of research and information of the bureau of motion pictures, Office of War Information. Previously, he had been national director of information of the Work Projects Administration here and state information director of the same organization in Ohio. Before entering government service, he had been on the editorial staff of the *Columbus (Ohio) Citizen* and the *Toledo (Ohio) News-Bee*.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARING

No broadcast hearings are set before the Commission for the week beginning August 9th.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

KINY—Edwin A. Kraft, Juneau, Alaska.—Granted modification (B-MP-1478) of construction permit, which authorized installation of new 5 KW composite transmitter, for extension of commencement and completion dates.



- WOI—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa.—Granted special service authorization to operate from 6 a. m. to local sunrise, with 1 KW power, for the period ending February 1, 1944.
- WBEZ—Board of Education, City of Chicago, Chicago, Ill.—Granted authority to construct a new non-commercial educational broadcast station to use frequency 42500 kc. with power of 1 KW, limited time for frequency modulation (B4-PED-25).

### MISCELLANEOUS

- KGCX—E. E. Krebsbach, Radio Station KGCX, Sidney, Mont.—Dismissed without prejudice petition to intervene in the hearing on application of KCMO for license to change frequency to 1480 kc.
- WKY—WKY Broadcasting Co., Oklahoma City, Okla.—Granted modification (B3-MP-1718) of construction permit authorizing increase in power, installation of DA and move of transmitter, for extension of completion date to 1-20-44.
- WBBL—Grace Covenant Presb. Church, M. A. Sitton, Agent, Richmond, Va.—Granted authority to determine operating power by direct measurement of antenna power (B2-Z-1534).
- KIRO—Queen City Broadcasting Co., Seattle, Wash.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1533).
- WSYB—Philip Weiss, d/b as Philip Weiss Music Co., Rutland, Vt.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1535, and action taken 7-26).
- KGBK—Helen Townsley, area of Great Bend, Kans.—Present relay broadcast station license further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending October 1, 1943 (B4-SRY-240).
- WAEA—W. A. Patterson, area of Chattanooga, Tenn.—Present relay broadcast station license further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending October 1, 1943 (B3-SRY-132).
- B-175—Newark Broadcasting Corp., Newark, N. J.—Ordered that the Proposed Findings (B-175) entered on June 22, 1943, be adopted as the Findings of Fact and Conclusions of the Commission, and ordered that the application of Newark Broadcasting Corp. for construction permit be denied.
- WABY—Adirondack Broadcasting Co., Inc., Albany, N. Y.—Reconsidered and set aside its action of July 27, granting renewal application of WABY on a regular basis, and placed the station on a temporary extension of license pending final disposition of the WOKO application.

### APPLICATIONS FILED AT FCC

#### 920 Kilocycles

- WTTM—Trent Broadcast Corp., Trenton, N. J.—Acquisition of control of licensee corporation by Elmer H. Wene through purchase of 43 $\frac{3}{8}$  shares of stock from A. Harry Zoog.

#### 1220 Kilocycles

- NEW—Detroit Broadcasting Company, Detroit, Mich.—Construction permit for a new standard broadcast station to be operated on 1220 kc., 50 KW power, unlimited hours of operation, using a directional antenna day and night.

#### 1240 Kilocycles

- NEW—Charles Swaringen, Alex Teitlebaum, Myer Wiesenthal, Jack N. Berkman, Richard Teitlebaum, John J. Laux, Louis Berkman, Joseph M. Troesch, John L. Merdian—partners doing business as Buckeye Broadcasting Co., Akron, Ohio.—Construction permit for a new standard broadcast station to be operated on 1240 kc., 250 watts power, unlimited hours of operation.

#### 1260 Kilocycles

- WNAC—The Yankee Network, Inc., Boston, Mass.—Construction permit to move auxiliary transmitter from Dorchester St., Quincy, Mass., to corner Vershire St. and Harriett Ave., Quincy, Mass.

### 1310 Kilocycles

- WCAP—Radio Industries Broadcast Company, Asbury Park, N. J.—Construction permit to install a new transmitter.

### MISCELLANEOUS APPLICATIONS

- WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026 as modified, which authorized increase in power to 50 KW, unlimited time, move of transmitter, installation of new transmitter and directional antenna) for a change in frequency from 1000 kc. to 1010 kc., and make changes in directional antenna system.
- W9XG—Purdue University, West Lafayette, Ind.—Modification of construction permit (B4-PVB-52 as modified, which authorized changes in equipment, frequencies, decrease in power and addition of aural channel using special emission), for extension of completion date from 9-24-43 to 9-24-44.

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Durakote Paint Corp.**—A complaint has been issued charging Durakote Paint Corp., 1775 Broadway, New York, and its officers with misrepresenting the quality and price of paint they sell and the status and character of the business of the corporate respondent. The respondent officers are Philip H. Eisgrau, Cele Eisgrau, Nathan Pashman and Theodore Shapiro. (5018)

**Holzbeierlein & Sons, Inc.**, 1849 Seventh St., N. W., Washington, D. C., manufacturing and distributing bakery bread under the name of "Bamby Bread," is charged in a complaint with violation of the Robinson-Patman Act. (5020)

**West African Specialty Company** and African Specialty Company, 309 E. 47th St., Chicago, selling and distributing powders, oils, books and other goods, are charged in a complaint with misrepresentation. (5019)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Belvedere Products**, 29 West 57th St., New York, engaged in the sale of medicinal preparations designated "Polanka" and "Zielanka," stipulated that they will cease and desist from certain misrepresentations in connection with the sale of their products. They agree to cease representing that Polanka will aid the digestive system, regulate the stomach or provide relief for digestive disturbances generally, or that it has any therapeutic value other than that of temporarily relieving constipation. (3692)

**M. Binkovitz & Sons, Inc.**, 458 Broadway, stipulated that it will cease and desist from use of the words "Sanotick," "Sanibed," or other words connoting "sanitary," as trade names for its products; from representing that its products are sanitary, anti-septic, germ repellant, bacteriostatic or mildew resistant, or that they prevent the growth of bacteria life; and from using the words "health tick" or "health" as descriptive of its products,

and the word "health" in any manner implying that its products are of therapeutic value in the cure or prevention of disease or will assure health to the users. (3689)

**H. Bogin & Son, Inc.**, 30 Steinway St., Long Island City, N. Y., trading as Grand Rapids Furniture Co. and as Western Furniture Showrooms, entered into a stipulation to cease and desist from using the words "Grand Rapids Furniture Company" as a trade name, and the name "Grand Rapids" in any manner the effect of which tends to convey the belief that any of its furniture not actually produced in Grand Rapids, Mich., is manufactured in that city. (3690)

**Fair Store**, a Cincinnati department store, stipulated that in advertising or selling so-called rebuilt Eureka vacuum cleaners it will cease and desist from using the phrase "Completely rebuilt at the factory" in connection with the word "Eureka" so as to imply that the cleaners in question have been rebuilt at the factory of the Eureka Vacuum Cleaner Company, of Detroit. (3691)

**McCampbell & Co., Inc.**, 40 Worth St., stipulated that it will cease and desist from representing that its ticking fabrics are antiseptic, sanitary, germ repellent, or mildew resistant. (3688)

**M & M Mail Order Company**, 206 Madison Street, New York, selling and distributing second-hand or previously used clothing, has stipulated to discontinue advertising, labeling or selling any worn, second-hand or previously used article of clothing unless there be securely attached to the exposed surface of it a tag or label bearing a conspicuous statement that the article is second-hand or has been previously used or worn, and from the use of any fiber designation in connection with the advertising, labeling, selling or offering for sale of any merchandise unless such designation truthfully discloses each constituent fiber thereof in the order of predominance by weight, beginning with the largest single constituent. (3693)

**Milton University, Inc.**, and William James Heaps, president of the corporation, 3700 North Charles St., Baltimore, engaged in the sale and distribution of publications for use in connection with a home study course of instruction and of so-called diplomas or documents purporting to represent the attainment of academic degrees, have stipulated to cease and desist from offering for sale, selling, conferring, distributing, delivering, or otherwise disposing of, any documents or writing purporting to represent any academic degree as, for example, Bachelor's Degree, Master's Degree, or Doctor's Degree, or any diploma or other document purporting to have been issued by a duly qualified institution of higher learning authorized to confer academic or scientific degrees; use of the word "University" as part of or in connection with the corporate or trade name under which they conduct their business, or of any other word or words of like meaning which may tend to convey the belief or impression that they maintain, operate or conduct a university. (3694)

**Plough, Inc.**, 121 So. 2nd St., Memphis, Tenn., manufacturing various preparations, including a dry cleaning compound designated "Mufti," has stipulated that it will cease and desist from representing that the preparation "Removes Spots Instantly or Quickly," "remove spots from anything," "spots disappear almost instantly," "The Perfect Dry Cleaner," or any other statement or representation of similar meaning which would imply that use of the product will have the effect of removing spots or stains, regardless of kind, either instantly, quickly or effectively or completely, from fabrics generally. (3696)

**Spratt's Patent (America) Limited**, a British corporation, 17 Congress Street, Newark, N. J., engaged in selling various dry dog food preparations designated "Spratt's Fibo," "Spratt's Ovals," "Spratt's Spix," "Spratt's Fish and Meat Ovals," "Spratt's Meat-Fibrine Dog Biscuits," "Spratt's Dog Biscuits" and "Spratt's Assorted Dog Biscuits," has stipulated to cease and desist representing that "Spratt's Charcoal Ovals" will maintain a dog's breath in a sweet and clean condition, prevent canine ills or remove systemic impurities, and be of benefit to the intestinal tract; that Spratt's Biscuits will eliminate pyorrhea and disorders of the bowel and skin; that Spratt's Biscuit Foods will tone the dog's stomach, prevent dog odors and dental decay, or that Spratt's Dog Foods contain meat. (03123)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Amogen Co.**, 147 North St., San Antonio, Tex., has been ordered to cease and desist from disseminating advertisements which misrepresent the therapeutic properties of Amogen Tablets and which fail to reveal the harmful consequences that may result from long continued use of the tablets. (4836)

**J. E. Todd, Inc.**, Kenmore, N. Y., engaged in the sale of Todd's Capsules, has been ordered to cease and desist from disseminating any advertisement which represents that the preparation has any therapeutic value in the treatment of arthritis, neuritis, rheumatism or similar diseases or conditions. (4549)

### FTC COMPLAINT DISMISSED

The Federal Trade Commission has ordered the dismissal of a complaint issued by it against Judd A. Brown and Barry A. Brown, trading as Eureka Fibre Company, Eureka, Calif., and Charles H. Brown, of Neenah, Wis., associated with them in the manufacture and distribution of a loose-fill insulating material designated "Shredded Redwood Bark."

Charles H. Brown is now deceased, and it appearing to the Commission that there is failure of proof with respect to the other respondents, the Commission has ordered the complaint be dismissed.

### WHITE-WHEELER BILL REPRINTS

A number of requests for additional reprints of the White-Wheeler FCC Bill have been made of NAB headquarters and we have ordered another printing. If you wish additional copies of this bill please address Willard Egolf at NAB headquarters.

### 11TH DISTRICT RESOLUTION

Broadcasters of the 11th district, NAB, at their meeting August 4 in Minneapolis, presided over by Director Ed Hayek, passed the following resolution:

**“Resolved that we view with alarm the jeopardy in which the American system of broadcasting is placed by the interpretation of the powers of the Federal Communications Commission as handed down by the Supreme Court, and we urge that Congress give immediate consideration to a new radio law, and that the United States Senate at once take the initial steps by passing the White-Wheeler bill.”**

### FCC LOOSENS UP ON SMALL STATION PERMITS

Power of some 100 watt stations would be increased to 250 watts and new 100 watt or 250 watt local stations would be authorized in certain localities under an FCC ruling of August 10. FCC believes it would be in the public interest to grant such applications when the use of idle equipment is involved.

The applicant for a new station must show that:

1. All required materials, except vacuum tubes, may be obtained without priority assistance.
  2. Such applications involve no inconsistencies with the Commission's Rules and Regulations.
  3. Such applications tend toward a fair, efficient and equitable distribution of radio service, are consistent with sound allocation principles, offer substantial improvement in standard broadcast service, and
  4. Such applications are otherwise in the public interest.
- If building construction is involved WPB clearance also is mandatory.

Thirty days are allowed for reinstatement of applications for new local stations or modification of existing local stations which previously were dismissed without prejudice.

### NEW TRANSMITTER TUBES WILL BE SCARCER

Indications are now prevalent that new transmitting tubes, especially those used by the higher powered stations, will become increasingly difficult to obtain. This is expected to be true during the balance of 1943, and the coming year.

During almost 21 months of wartime operation the

availability of transmitting tubes has been generally satisfactory.

This fact, however, should not lull the industry into a false sense of security. Broadcasters are urged to maintain a full inventory of tubes consistent with WPB regulations. Broadcasters can do much to improve their individual positions and the industry by minimizing new tube requirements and by making fullest possible use of tube repairing facilities.

Any lengthening of operational hours is to be avoided. Tube life is measured in hours of operation and any extension of the operating schedule will automatically deteriorate the tube situation.

### WMC MANPOWER LIST MAY CRAMP BROADCASTING INDUSTRY

Within a few days the War Manpower Commission will issue its long awaited revision of manpower policy. Included in the new regulations will be a new list of critical occupations.

This list is expected to include only a few of the occupations previously listed in the series of occupational bulletins now in the hands of local draft boards. In all probability the broadcast industry, along with other industries, will suffer many deletions.

It is not expected that the new regulations will specifically rescind the occupational bulletins (No. 29 as applicable to broadcasting). However, the issuance of the new super-critical list will probably cause draft boards to give less consideration to the jobs listed in the occupational bulletins.

These new regulations together with the announced intention to draft fathers indicate that stations should intensify efforts to obtain and train replacements.

### ‘BUSINESS AT WAR’

NAB, through cooperation of NBC, has on hand master recordings made of the broadcast “Business At War,” which featured Donald Nelson, Elmer Davis, Judge Fred M. Vinson, Marvin Jones and Chester LaRoche in an appeal to advertising to support the war. Radio is lauded.

Pressings are available of the complete 45-minute program at a total cost of only \$3.00, express collect.

A complete set includes one double-face record and one single-face record, 16", 33 1/3 r.p.m. The records may be used before civic clubs, private auditions in your studios, etc., but must not be broadcast. Order your set today from NAB headquarters!



1760 N St., N.W. WASHINGTON Phone NATIONAL 2080

Neville Miller, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## ANALYSIS—JUNE 1943 WAR EFFORT BROADCAST REPORT

Here is an analysis of programs and announcements, of local origination, tabulated from station War Effort Broadcast Reports for June, 1943.

A sharp rise in the number of topics broadcast by stations becomes quickly apparent by reference to the last published analysis on page 677 of NAB REPORTS, Dec. 4, 1942.

The figures herein are minimum, not maximum. From a long time inspection of reporting forms, it is apparent that many stations do not report all war effort broadcasts.

	Type & Length	Number
Get Ready for Winter	1-Min. ET	4,640
Fats and Greases	1-Min. ET	11,340
Nutrition	1-Min. ET	5,850
Fuel Oil Ration (33 States)	1-Min. ET	3,090
Student Nurses	1-Min. ET	10,240
Women Engineers Training	1-Min. ET	7,770
Legal Prices	1-Min. ET	5,630
Ration Book III	1-Min. ET	4,600
Merchant Marine	1-Min. ET	11,300
Stop Unnecessary Travel	1-Min. ET	12,500
Social Security Cards	18-Seconds	8,680
War Bonds	1-Min. ET	46,720
War Bonds	1-Min. ET	9,730
		142,090
Performance on above items but not itemized		38,760
		180,850
Uncle Sam Programs	15-Min. ET	15,850
This Is Our Enemy	30-Min. ET	1,620
Coordinator of Inter-American Affairs	15-Min. Live	430
<i>Treasury Department:</i>		
Song Parade	3-Min. ET	25,710
Star Parade	15-Min. ET	10,840
U. S. Army (Voice of the Army)	15-Min. ET	2,770
U. S. Army: Other than above	Live Spots	3,910
	5-Min. Live	60
	7-Min. Live	50
	10-Min. Live	10
	15-Min. Live	740
	30-Min. Live	210
	30-Min. ET	10
U. S. Army & Navy: (Includes Air)	Live Spots	330
	5-Min. Live	20
	10-Min. Live	10
	15-Min. Live	150
	25-Min. Live	10
	30-Min. Live	130
	15-Min. ET	120

	Type & Length	Number
U. S. Navy & Coast Guard:	Live Spots	4,500
	5-Min. Live	160
	7-Min. Live	20
	15-Min. Live	550
U. S. Marines:	Live Spots	1,870
	5-Min. Live	10
	10-Min. Live	10
	15-Min. Live	110
	25-Min. Live	10
	30-Min. Live	40
	15-Min. ET	40
U. S. Maritime Service:	Live Spots	4,580
	15-Min. Live	10
	30-Min. Live	10
Agriculture:	Live Spots	1,730
	2-Min. Live	70
	4-Min. Live	400
	10-Min. Live	220
	15-Min. Live	2,150
	30-Min. Live	60
	5-Min. ET	180
	15-Min. ET	350
Child Care:	Live Spots	190
Civic & Fraternal:	Live Spots	1,300
	5-Min. Live	10
	15-Min. Live	170
	30-Min. Live	60
Civilian Defense:	Live Spots	3,700
	5-Min. Live	330
	15-Min. Live	210
	25-Min. Live	30
	30-Min. Live	70
	ET Spots	360
	15-Min. ET	520
Disaster:	Live Spots	320
Education:	Live Spots	740
	15-Min. Live	60
Flag Celebration:	Live Spots	1,230
	5-Min. Live	10
	15-Min. Live	20
	30-Min. Live	10
Forest Service:	Live Spots	470
Health:	Live Spots	80
	15-Min. Live	50
Housing:	Live Spots	390
Insurance:	Live Spots	850
Morale:	Live Spots	11,510
	5-Min. Live	420
	10-Min. Live	10
	15-Min. Live	480
	25-Min. Live	40
	30-Min. Live	400
	50-Min. Live	120
	90-Min. Live	10
	15-Min. ET	810
	30-Min. ET	10
OPA:	Live Spots	15,540
	4-Min. Live	230
	5-Min. Live	40
	7-Min. Live	50
	10-Min. Live	10
	15-Min. Live	120
	65-Min. Live	280
Post-Office:	Live Spots	2,900
	3-Min. ET	50
Post-War Programs:	5-Min. Live	10
	7-Min. Live	10
	15-Min. Live	10
	15-Min. ET	70

Type & Length Number

<i>Programs of Foreign Countries:</i>	Live Spots	20
	2-Min. Live	720
	5-Min. Live	290
	7-Min. Live	20
	15-Min. Live	370
	25-Min. Live	10
	30-Min. Live	50
	5-Min. ET	110
	15-Min. ET	440
<i>Quinine Pool:</i>	ET Spots	120
<i>Red Cross:</i>	Live Spots	11,290
	5-Min. Live	60
	7-Min. Live	40
	10-Min. Live	40
	15-Min. Live	480
	20-Min. Live	40
	30-Min. Live	40
	15-Min. ET	20
<i>Religion:</i>	Live Spots	100
	7-Min. Live	10
	15-Min. Live	40
	30-Min. Live	40
<i>Rubber Conservation:</i>	Live Spots	500
<i>Safety:</i>	Live Spots	1,860
	5-Min. Live	40
	10-Min. Live	40
	15-Min. Live	90
	ET Spots	550
	15-Min. ET	30
<i>Secret Service:</i>	Live Spots	170
	15-Min. Live	90
	15-Min. ET	20
<i>Social Security:</i>	Live Spots	260
<i>South American:</i>	15-Min. Live	70
	15-Min. ET	250
<i>Taxes:</i>	Live Spots	4,630
	15-Min. Live	10
	15-Min. ET	10
<i>Transportation:</i>	Live Spots	1,920
<i>United Nations:</i>	Live Spots	20
	15-Min. Live	20
	25-Min. Live	10
	15-Min. ET	180
	5-Min. ET	40
<i>USO &amp; Service for Soldiers:</i>	Live Spots	5,720
	5-Min. Live	80
	15-Min. Live	160
	25-Min. Live	20
	30-Min. Live	70
	ET Spots	20
<i>War Bonds:</i>	Live Spots	12,450
	5-Min. Live	90
	15-Min. Live	560
	25-Min. Live	10
	30-Min. Live	80
	60-Min. Live	10
<i>War Dept.:</i>	Live Spots	150
<i>War Manpower—Civil Service</i> <i>—U. S. Employment—Dept.</i> <i>of Labor:</i>	Live Spots	10,630
	4-Min. Live	40
	5-Min. Live	290
	7-Min. Live	10
	10-Min. Live	60
	15-Min. Live	600
	25-Min. Live	10
	30-Min. Live	10
	ET Spots	390
	15-Min. ET	10
<i>WPB:</i>	Live Spots	1,380
<i>Women in Wartime:</i>	15-Min. Live	230
	30-Min. Live	10

RESUME OF PROGRAMS AND SPOTS, JUNE, 1943

Type & Length	Number
Live Spots	116,970
2-Min. Live	790
4-Min. Live	670
5-Min. Live	1,920
7-Min. Live	210
10-Min. Live	410
15-Min. Live	7,980
20-Min. Live	40
25-Min. Live	150
30-Min. Live	1,290
50-Min. Live	120
60-Min. Live	10
65-Min. Live	280
90-Min. Live	10
18-Seconds	8,680
ET Spots	163,880
3-Min. ET	25,760
5-Min. ET	330
15-Min. ET	32,330
30-Min. ET	1,640

NAB Research Department

August 12, 1943

**'HASTEN THE DAY' IS  
TIMELY NEW OCD SHOW**

The United States Office of Civilian Defense, beginning the week of August 15, is releasing to broadcast stations a new and totally different type of government wartime radio show. The new transcription series, "HASTEN THE DAY," will be a weekly fifteen-minute dramatic comedy of the "Aldrich Family" type.

Advance billing is that "it can hold its own with the best commercial shows." Stations wishing to carry the series may obtain the platters through OWI, Washington, or the radio section, Office of Civilian Defense, Washington, D. C.

"HASTEN THE DAY" is a series of episodes about the Tucker family, each show complete in itself, with a one-minute spot at the end of the show where local speakers may be scheduled if desired by the station and/or the local civilian defense organization. OWI has cleared the shows.

Leaning heavily on entertainment qualities to build a popular audience, "HASTEN THE DAY," is a sparkling, well-produced show with good music and an excellent professional cast. It is done without guns, tanks, planes and flag-waving speeches. The "message" is put across with expert showmanship and constant consideration of the importance of entertainment values.

**FEDERAL COMMUNICATIONS  
COMMISSION**

**FCC RULE AMENDED**

In view of the present shortage of electrical indicating instruments and the need for uninterrupted production of marine radio equipment for war uses, the FCC has amended Subsection 8.142 of its Rules, effective immediately, deleting the requirement for additional meters for a main transmitter completed by the manufacturer after January 1, 1944.

The amended Subsection 8.142 now reads:

"Subsection 8.142(d). A main transmitter shall be equipped with suitable indicating instruments of approved

accuracy to measure (1) the current in the antenna circuit, (2) the potential of the heating current applied to the cathode or cathode heater of each electron tube or a potential directly proportional thereto, and (3) the anode current of the radio frequency oscillator or amplifier which supplies power to the antenna circuit, or in lieu thereof, the anode current of such oscillator or amplifier plus the anode current of any other radio or audio frequency oscillator(s) or amplifier(s) normally employed as part of the transmitter."

## 912 STATIONS

During the month of July, one construction permit was granted by the FCC. A comparative table of the number of stations by months, follows:

	1942					1943							
	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1
Operating	905	906	908	910	909	910	910	910	911	911	911	911	911
Construction	16	14	11	9	9	7	6	5	2	2	1	1	2
	921	920	919	919	918	917	916	915	913	913	912	912	913

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, August 16th. It is subject to change.

**Monday, August 16**

Further Hearing in Washington, D. C.

KRBA—Ben T. Wilson, R. A. Corbett and Thomas W. Baker, Co-partners d/b as Red Lands Broadcasting Association, Lufkin, Texas—Renewal of license, 1340 kc., 250 watts, unlimited.

KRBA—Ben T. Wilson, R. A. Corbett and Thomas W. Baker, Co-partners, d/b as Red Lands Broadcasting Association (Assignor)—Voluntary assignment of license, 1340 kc., 250 watts, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WSLS—Roanoke Broadcasting Corp., Roanoke, Va.—Granted modification of license to change frequency from 1490 kc. to 1240 kc. (B2-ML-1164)

WABY—Adirondack Broadcasting Co., Inc., Albany, N. Y.—Granted construction permit to authorize the installation of a new 250 watts transmitter, subject to decision on pending application for renewal of license. (B1-P-3530)

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted extension of authority to transmit programs to Station CKLW, Windsor, Ontario, Canada, to stations owned and operated by the Canadian Broadcasting Corp., and to stations licensed by the Canadian Minister of Transport. (B4-FP-112)

KWKW—Marshall S. Neal, Individually and as Trustee of all other stockholders (transferor), and L. W. Peters (transferee), Southern California Broadcasting Co., Pasadena, Calif.—Granted motion to dismiss without prejudice application for consent to transfer control of Southern California

Broadcasting Co. (KWKW), Pasadena, Calif., from Marshall S. Neal, Individually and as Trustee of all other stockholders, to L. W. Peters. (Docket No. 6523)

## LICENSE RENEWALS

Granted renewal of licenses of the following stations:  
KPLT, Paris, Tex.; KGKL, San Angelo, Tex.; KBST, Big Spring, Tex.; KCMC, Texarkana, Tex.; KRBC, Abilene, Tex.

## DOCKET CASE

The Commission has adopted Proposed Findings of Fact and Conclusions (B-183) denying the application of the Bremer Broadcasting Corporation, licensee of Station WAAT, Jersey City, N. J., for a construction permit to increase power from one to five kilowatts, install a new transmitter and effect changes in its directional antenna system for night use. WAAT is presently licensed to operate on 970 kc., 1 kilowatt, unlimited time, with a directional antenna at night.

At the same time, the Commission adopted Proposed Findings of Fact and Conclusions (B-184) denying the application of The Tribune Company, licensee of WFLA, Tampa, Florida, for a construction permit to increase its power from one to five kilowatts during nighttime operation and to make corresponding changes in its directional antenna. WFLA now operates on 970 kc. with power of 5 kilowatts day and 1 kilowatt night, with directional antenna, unlimited time.

The Commission's action on both these applications followed its policy, announced in the Memorandum Opinion of April 27, 1942, with respect to the use of critical materials during the war period.

In another action, the Commission adopted a Decision and Order modifying a construction permit granted December 9, 1941, to the Miami Broadcasting Co., licensee of Station WQAM, Miami, Florida, so as to permit utilization of its present transmitter site and antenna, with 5 kilowatts power, subject to certain specified conditions. WQAM is now operating on 550 kc., 1 kilowatt day and night, unlimited time.

## MISCELLANEOUS

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted petition for postponement of hearing to October 4 in re application for modification of license to increase power to 5 KW.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1536)

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1537)

WSYB—Philip Weiss, tr/as Philip Weiss Music Co., Rutland, Vt.—Granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1535)

WOKO—WOKO, Inc., Albany, N. Y.—Adopted an Order granting petition for a continuance of the further hearing now set for August 10, on the application for renewal of license of Station WOKO; hearing continued until September 20, 1943. (Docket No. 6486)

The Commission adopted an Order modifying its Order of July 29, 1943 (which denied the application of Newark Broadcasting Corporation for a construction permit for a new broadcast station at Newark, N. J.), to include at the end of the last paragraph the words, "without prejudice". (B-175; Docket No. 6190)

KWSC—State College of Washington, Pullman, Wash.—Adopted an order denying petitions to modify Commission freeze policy of September 22, 1942, and to strike issues 6 and 7 and to amend notice of hearing in re application for modification of license. (Docket 6499)

## APPLICATIONS FILED AT FCC

### 620 Kilocycles

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine—Modification of construction permit (B1-P-2868) as modified, which authorized increase in power, installation of new equipment and directional antenna) for extension of completion date from 8-11-43 to 9-11-43.

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Special service authorization to install new transmitter and operate with power of 1 KW for the period ending 4-1-44. Amended to request authority to broadcast point to point messages.

### MISCELLANEOUS APPLICATIONS

WRUS—NEW—World Wide Broadcasting Corp., Scituate (Boston), Mass.—License to cover construction permit (B1-PIB-46) which authorized construction of a new international broadcast station.

WRUA—NEW—World Wide Broadcasting Corp., Scituate (Boston), Mass.—License to cover construction permit (B1-PIB-27) which authorized construction of a new international broadcast station.

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why cease and desist orders should not be issued against it.

**American Business Survey, Inc.**, 160 Fifth Ave., New York, and its president, Milton Strauss, are charged in a complaint with misrepresentation in connection with the sale of a so-called "magazine" having the title "American Business Survey" and purporting to be a "recording of the achievements of commerce and industry." (5021)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Ballard & Ballard Co.**, 912 E. Broadway, Louisville, Ky., selling a dog food designated "Ballard's Insurance Dog Food," has stipulated to cease representing that the product contains meat or that it will insure the health of dogs. (03124)

**Bio-Mineral Products Company**, 2708 Myrtle St., Detroit, selling and distributing a mineralized water called "Bio-Mineral," has stipulated that it will cease and desist from representing that use of the product would constitute an adequate or dependable remedy, treatment or relief for a number of ailments or conditions which include tuberculosis, cancer, heart disease, goiter, infantile paralysis, arthritis and sciatica; that the product contains a therapeutically scientific or effective amount of any mineral which is recommended by medical science as a preventative of or as a treatment for any of the ailments enumerated by it, or that the product is drugless and that its use will assure health. (3693)

**Infleo, Incorporated**, 325 W. 25th Place, Chicago, selling and distributing an apparatus for chemically treating ordinary city or well water, has stipulated that in the dissemination of any advertising of its product it will cease and desist from the use of the word "distilled" as descriptive of any water or fluid treated by the process, or from the use of any word or words that represent, directly or impliedly, that any water or fluid treated by said process is distilled. (03125)

### CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

**Electrovita Sales Company of Ohio**, Norwalk, Ohio, selling and distributing an artificial mineral water designated "Elsaco

Mineralized Water," has been ordered to cease and desist from misrepresentation of its product. The Commission finds the water is processed at the respondent's place of business at Norwalk, where it is subjected to a secret process involving an electrolytic treatment which the respondent claims in its various descriptive advertising alters the chemical or mineral composition of the water. (4858)

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### REPORT ON LEGISLATIVE COMMITTEE MEETING

(Released by NAB News Bureau)

The broadcasting industry is strongly united in the demand for new legislation re-defining the powers and scope of the Federal Communications Commission, Neville Miller, NAB president, has announced.

Mr. Miller's statement followed a meeting of the NAB legislative committee held here August 17 over which he presided as chairman and during which reports from meetings in nearly half the 17 NAB districts, the first held since the Supreme Court FCC decision of May 10, were reviewed.

"Most of the meetings have resulted in the passage of resolutions and the appointment of district Legislative Committees. Recognition of the industry's peril is evident in these moves," Miller concluded.

Continued formulation of plans and policies occupied the Committee during its all-day session, including discussions of the White-Wheeler bill, scheduled for hearings in September, and the Holmes bill, recently refiled in the House of Representatives.

Committee members present were: Nathan Lord, WAVE, Louisville, Ky.; Clair McCollough, WGAL, Lancaster, Pa.; Joseph Ream, CBS, New York; William Barlow, appearing for James D. Shouse, WLW, Cincinnati, Ohio; Ed Yocum, Billings, Montana; G. Richard Shafto, WIS, Columbia, S. C.

Don S. Elias, WWNC, Asheville, N. C., Frank M. Russell, NBC, Washington, D. C., and James W. Woodruff, Jr., WRBL, Columbus, Ga., were unable to attend.

Willard D. Egolf, Assistant to the President of NAB, served as Secretary.

Sir Thomas Beecham, English conductor who has found the heavy dough in his trade in this country. Jack Gould reported in last Sunday's *Times*, however, that Mr. Petrillo felt the legislative road to his goal was too long and that Mr. P. felt direct action was better. In this connection Representative Joe Baldwin of New York, who runs with the international *élite* now headquartered in New York, says he will push for the enactment of copyright legislation for the musicians.

### WMC TIGHTENS JOB TRANSFERS

At the same time that Selective Service issued its new list of 149 critical jobs (see Selective Service Bulletin No. 13, enclosed), the War Manpower Commission issued an order that all transfers of such jobs must be made through the United States Employment Service. A certificate of availability from the former employer is no longer sufficient. In other words, chief engineers and maintenance engineers no longer can be hired except through the USES. Local WMC boards were given until October 15 to incorporate this national rule (regulation No. 7) into their rules. If in doubt about hiring a technician, consult your local WMC or USES officials.

### PLEASE NOTE

If any member has had a job classification and salary plan approved by the WLB, please advise the NAB Labor Relations Department.

### WEBR CONDUCTS AGGRESSIVE ABSENTEEISM CAMPAIGN

For the past six weeks WEBR, Buffalo, has conducted an aggressive and successful campaign over the station to reduce absenteeism.

One thousand dollars in prizes for suggestions to reduce  
*(Continued on page 356)*

## Labor

### A. F. OF M. DEVELOPMENTS

The WLB panel hearing on the dispute between the A. F. of M. and the transcription companies is now set for September 6 in New York. The hearing was postponed from August 16 because of the illness of Joseph Padway, Mr. Petrillo's lawyer.

Other developments:

Henry Woodbridge, industry member of the tripartite panel, has found it will be impossible for him to serve. His successor will be named within a few days.

Olin Downes, music editor of the *New York Times*, has been running on his Sunday page a series of letters advocating legislation to give musicians a copyright right in recordings. This would give musicians a right to collect a fee for public performances. Among the writers was

### Four Bulletins

With this issue of the "Reports" are four special bulletins as follows:

1. Third War Loan Bulletin
2. Broadcast Advertising Bulletin
3. Selective Service Supplement
4. Special Legislative Bulletin

If you do not get any one or all of these, please notify NAB headquarters at once and they will be sent you.

Neville Miller, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## WEBR CONDUCTS AGGRESSIVE ABSENTEEISM CAMPAIGN

(Continued from page 355)

absenteeism and accidents in Buffalo were offered according to Cy King, station director.

The promotion included daily programs with dramatizations, talks by labor leaders and safety officials and the use of material from the National Safety Council.

Some sixty-one representative Buffalo area firms participated in the series and "are very happy with it."

WEBR is now in the process of judging entries in the \$1,000 contest for the awarding of prizes. Ceremonies concerned with the presentation of prizes will be broadcast in the near future.

## WOMEN TECHNICIAN BROCHURE IS ON WAY

Women in increasing numbers are coming to the aid of broadcasters by performing control room and transmitter duties formerly handled by men now in service.

An illustrated sixteen-page brochure, featuring women technicians at work, in all sections of the country, was mailed to all stations today. In a note accompanying the brochure Arthur Stringer, secretary, NAB War Committee, said that the purpose of the brochure was to provide broadcasters with a tool to aid in securing the cooperation of all concerned in the training of women technicians. It will also encourage women now in training or who contemplate training, he pointed out. What so many others have done, they, too, can do.

The influence of NAB's launching and promotion of the federally financed course, "Fundamentals of Radio," is evidenced in the many captions in the brochure. Some of the girls holding FCC Licenses, they reveal, are graduates of this course. Many of the station engineers were instructors.

The brochure pictures 117 women technicians employed in 61 member stations.

It is the feeling at NAB headquarters that the number of women technicians twelve months hence will increase many fold.

## WKBN ON THE BARRELHEAD

WKBN, Youngstown, uses the columns of the Youngstown Shopping News each week to publicize spots and programs of its advertisers. At the bottom of the sheet to which clippings are attached appears the following statement of policy and practice:

"Radio is advertising. We never forget that fact. WKBN believes in advertising and believes in full promotional cooperation with its network and spot advertisers. When you buy the CBS Station for the Youngs-

town, Ohio, Market Area you automatically receive this additional service regardless of whether you ask for it or not. And you receive it without any charge. The above publicity, promoting your scheduled program over WKBN, was placed by our publicity department and appeared in the. . ."

## ENOCH IS 12TH DISTRICT PUBLIC RELATIONS CHAIRMAN

Robert D. Enoch, general manager of station KTOK, Oklahoma City, has been appointed public relations chairman for the twelfth district by William B. Way, district director. Mr. Enoch is the ninth P.R. chairman appointed to date.

## MR. FLY TALKS ON FREEDOM OF SPEECH AND THE ROLE OF RADIO INTERNATIONALLY

(The following excerpts are taken from an NBC broadcast of July 31, 1943, in a series with the general title "For This We Fight." The particular broadcast was "The World of Sight and Sound" and participants included FCC Chairman James Lawrence Fly, Walt Disney of Hollywood and Francis S. Harmon, of the War Activities Committee, Motion Picture Industry. Ben Grauer was discussion chairman. We are reprinting only the remarks concerning radio.)

### INTRODUCTION

**Mr. Fly:** The war has given radio new stature! It has made clear its potentialities as a weapon of offense. And—what is infinitely more important for the post-war era—it has for the first time brought home to the American people the role which radio can and must play in international affairs.

The realization of the four freedoms, FOR WHICH WE FIGHT, depends, perhaps more than anything else, upon mutual understanding among the peoples of the world. For understanding, knowledge is the first prerequisite; the strange must become familiar; the way must be clear for the peoples of all nations to become thoroughly acquainted with the music, literature, games and living habits of their world-neighbors.

We in the Western Hemisphere, particularly, have already come to a closer understanding through our exchange of short-wave programs, which, rebroadcast by local stations on both continents, reach many thousands of radio listeners. Broadcasts from Central and South America have given many of us our first sustained draught from the deep well of Pan-American culture. Its singers, its dance orchestras, are becoming as familiar to us as our own artists, and ours are becoming known in all America. In the same manner, people of the United Nations have come to know more of each other's way of life.

Radio can broaden the horizons of international understanding in the post-war world. Radio waves know no national boundaries. Encircling the globe as they do in the fraction of a second, they link together instantaneously sender and listener in the most distant parts of the world. Furthermore, radio, like the movie "talkie" is a peculiarly democratic medium; it speaks to those who cannot even read. Technical innovations after the war will further improve the quality of radio transmission. A few years of peace, for example, will make possible the use over wide areas of frequency modulation broadcasting with its freedom from static. More important, to the aural will be added the visual in the post-war period. Wide exploitation of television,—at first in black and white and eventually in full color,—will make us eye-witnesses as well as auditors of events throughout the world. Televised pro-

grams will be filmed, say, in Hollywood, shipped abroad, and broadcast locally in Buenos Aires, Warsaw and Chungking.

The potentialities of television for fostering international understanding are tremendous. What the eye can see, the mind can absorb. Television and comparable media can materially help in removing the frictions and misunderstandings between peoples, which ignorance and suspicion based on half-knowledge have traditionally engendered. After the war television and radio broadcasting together can do much toward developing the sort of mutual understanding between neighbors that will keep the bombers on the ground.

The power of radio, of course, like the forces unleashed by the Industrial Revolution, can be as productive of harm as of good. Without intelligent direction, it can be a serious detriment rather than a rich asset. It is our responsibility to provide this intelligent direction. The nations of the world must begin now to plan for a sound, workable system of world radio. Through this one development alone, we will go a long way toward realizing our ideal of lasting peace based upon common understanding and mutual respect.

## DISCUSSION

**Mr. Grauer:** We have one question here which is a compound of something that came from a number of our listeners. I will direct it at Mr. Fly.

"One of the expressed aims of international broadcasting is that nations shall speak peace to nations. How can we be sure some nations won't misuse international radio?"

**Mr. Fly:** Mr. Grauer, I don't think we can be sure. Where a transmitter is devoted to an evil cause, as of course it may be, it can only mean we have failed in our job. We must be better acquainted with our neighbors. There must be a common and sympathetic understanding between us and upon that we must rely to avoid any abuse of the great power of radio.

**Mr. Grauer:** Mr. Harmon, I see you are raising your hand. Do you want to say something on that?

**Mr. Harmon:** Mr. Grauer, we of motion pictures oppose compulsion as a method of control. We believe in self-discipline. Our voluntarily adopted production code has a paragraph in it, for example, which provides that the history, institutions, prominent people and citizenry of other nations shall be represented fairly. This is a standard to which Hollywood is adhering with increasing fidelity.

**Mr. Grauer:** Well, you speak of a standard. Is that standard violated when pictures present the United States, let's say, in an unfavorable light and are exported that way?

**Mr. Harmon:** No. The first criterion of a plot is honesty. To present this country always in terms of sweetness and light is as unfair as to show only the seamy side of our life. If all films sent abroad adopted this, it would quickly undermine confidence in our intellectual and artistic integrity. Americans are not perfect, Mr. Grauer, and a portrayal of various aspects of our national life produces a wholesome result in the long run. For example, Jessie James and Abraham Lincoln are both parts of the American scene. The same film distributor sent the two films, "Jessie James" and "Young Mr. Lincoln" to Latin America the very same month. Incidentally, I might say "Jessie James" paid the traveling expenses of "Young Mr. Lincoln" throughout that continent.

**Mr. Grauer:** Mr. Fly, here is a radio question: "In post-war discussion, the thought of an international bill of rights comes up. Wouldn't the right to listen in to foreign broadcasts be an essential part of such a bill?"

**Mr. Fly:** I think, Mr. Grauer, that the freedom to listen is one of the things for which we fight. Freedom to listen must be universal if freedom in general is to prevail. Free speech is futile where people may not listen freely. Now that we finally have in radio a great practical mechanism of free speech, I think it must be obvious that the interest of the millions of listeners is of much greater significance than the right of the single speaker at the transmitter. We must assume that all of us will remain completely free to listen.

**Mr. Grauer:** While we are talking about radio, Mr. Fly, one of the essential things, of course, in listening is to have a set, and there are many nations which do not have as high a per capita listener average as others. Isn't one of the problems of this post-war world, in which international radio will be more widely used, to get radios to the vast number of people who just can't afford to buy them?

**Mr. Fly:** Yes, that is one of our very serious problems. I am not sure that I know the answer. At least I know a part of the answer, however. We expect to have more efficient and economical machines after the war. We must rely heavily upon our modern mechanism for mass production and distribution, and the governments themselves may need to take an interest in this very serious problem.

**Mr. Grauer:** Mr. Fly, I have a question for you. "Since the line between education and propaganda is extremely thin sometimes, do you think it might be necessary to set up an international board to control broadcasts? Do you envision something remotely like that being necessary?"

**Mr. Fly:** No, I hardly think so. It seems to me that in the main, we must rely heavily upon the basic principles of free speech, and, as I indicated a while ago, the freedom to listen. I do think that whoever has the continuing control of the transmitters has an awfully significant job. It is a continuing affair. There are many delicate problems and they must be watched from moment to moment. But I should think it very unfortunate if there were anything resembling a scheme of censorship set up to control the international broadcasting in time of peace.

**Mr. Grauer:** Let honesty govern the art, as Mr. Harmon indicated a little earlier.

**Mr. Fly:** I think so.

**Mr. Grauer:** That brings up a question. They will be hand-maidens, won't they, Mr. Harmon, television and motion pictures, in this expanding world we envision?

**Mr. Harmon:** Yes, I think so.

**Mr. Grauer:** The product of Hollywood will be transferred to telefilm which will be televised?

**Mr. Harmon:** Right. May I supplement what Mr. Fly said a moment ago? I am reminded of the comment the President made in his letter to Toscanini on the latter's birthday: Art can flourish only where men are free. And because these two great media have enjoyed freedom, we must accept the responsibilities that go with that freedom.

## QUESTIONS & ANSWERS ON THE NEW CHANGES IN SELECTIVE SERVICE

*(See also the Special Selective Service Supplement enclosed with this issue of the "Reports.")*

**Q.** What are the main purposes of the War Manpower Commission's recently announced plan for the utilization of manpower?

**A.** It is a plan to hold essential workers on war-useful jobs if that is where they are employed now, to assure the transfer of workers to jobs aiding in the war effort and to supply men needed for the armed forces without cutting war production.

Q. What are the main features of the program?

A. There are four principal steps: (1) Establishment of a list of critical occupations, covering skills urgently needed in the war effort. (2) Instruction to Selective Service Boards to give greater consideration than ever before to occupational deferment. (3) Establishment of new standards for permitting the transfer of civilian workers from job to job. (4) Extension of the list of non-deferrable activities and occupations providing that all men of military age must transfer from such jobs or be placed first in the list for induction by local boards.

Q. How will the new list of Critical Occupations and the additions to the List of Nondeferrable Activities and Occupations affect the drafting of fathers?

A. Fathers who are in nondeferrable activities or occupations, regardless of their order numbers, will be the first called for military service. Fathers who transfer to essential occupations and thus release single men who are otherwise eligible for military service also help to decrease the need for drafting fathers.

Q. After October 1, will the occupation of a registrant otherwise qualified for military service be the main factor in determining whether he will be inducted or deferred if his order number is called?

A. Generally speaking, yes. In the cases of men with dependents, the question of hardship to dependents must always be given grave consideration. But as a general proposition, when a registrant is being considered for 1-A classification after October 1, the main question will be whether he can serve his country better in the armed forces or in war production and support of the war effort.

Q. Does the new List of Critical Occupations replace the List of Essential Activities and Occupations which has previously guided Selective Service local boards in considering occupational deferments?

A. No. It simply tells local boards that among the occupations on the previously issued list, the 149 named on the List of Critical Occupations are those most urgently needed in war industry and supporting civilian activities and that they also require lengthy training and considerable experience. For these reasons, local boards are instructed to give particular and grave consideration to the deferment of registrants having these critically needed skills provided they are engaged in war production or in support of the war effort. However, any registrant qualified for an occupation on the critical list who is not engaged in an essential activity by October 1, 1943, will not be considered for occupational deferment.

Q. What are the chances for occupational deferment of registrants whose jobs are included on the List of Essential Activities and Occupations but not on the List of Critical Occupations?

A. The basis for all occupational deferment is that the registrant must be a "necessary man" in war production or in support of the war effort. The decision in each individual case, subject to the right of appeal, is made by the registrant's local board. The list of "Critical Occupations," "Essential Activities and Occupations," and "Nondeferrable Activities and Occupations" are issued by the War Manpower Commission to guide the local boards in making these decisions. Local boards also are instructed to obtain all available information from national, state, and local levels to assist them in determining whether a registrant is a "necessary man," and particularly to use the facilities of the United States Employment Service for information as to whether there is a national or local shortage of persons with his qualifications.

Q. What is the status of registrants whose activities and occupations are not included on the "List of Essential Activities and Occupations" or on the "List of Nondeferrable Activities and Occupations"?

A. The inclusion of a registrant's employment on the "List of Essential Activities and Occupations" or its omission from that list and the "List of Nondeferrable Activities and Occupations" does not conclusively determine his occupational status. The question to be determined by his local board, in consultation with the United States Employment Service and other national, state and local agencies, is whether or not the registrant is needed in his current occupation in support of the war effort. If the board so finds, when the registrant is called by his order number for possible induction into the armed forces, the board can defer him.

Q. How long is a "necessary man" continued in occupational deferment?

A. Until he can be replaced by someone not qualified for military service. In the cases of men deferred in war production or activities supporting the war effort deferment cannot be granted for a period longer than 6 months at one time, and the deferment can be revoked at any time a registrant's local board finds that a registrant has left the job in which he was deferred or is no longer needed in it. On the other hand, the board can continue the deferment, by not more than 6-month periods, so long as in its judgment the registrant is needed in the war effort and is irreplaceable. Registrants deferred in agriculture, however, come under the Tydings' Amendment and are deferred for indefinite periods as long as they are found necessary to and regularly engaged in an essential agricultural occupation or endeavor.

Q. What special restrictions apply with respect to workers in occupations in the new "List of Critical Occupations"?

A. When employment stabilization programs are amended to conform with Regulation No. 7, workers last employed in critical occupations may be hired only in jobs to which they are referred by the Employment Service. Likewise, no employer may hire a worker for a job in one of these occupations unless the worker has been referred by the local USES or such office has approved the employment.

## LISTENER RESPONSIBILITY IN RADIO CITED BY CALIFORNIA WOMAN RADIO CHAIRMAN

*Mrs. Leo Viano, State Radio Chairman for Northern California, recently made the following annual report (in part):*

"This Department asks that listeners shoulder more responsibility in judging radio programs and making it a habit to send to the stations both commendation and criticism of all types of broadcasts. Only in this manner, may American radio stay as it is—the democratic organ of a free thinking people. We have been tardy in recognizing that we, the listeners, have a part to play in radio as much as have the members of the industry. During the coming year "Listener Activity" will become organized in many more communities through Radio Councils in many of the larger sections of the country. These groups are composed of representatives of many civic organizations such as the Federated clubs, PTA, Daughters of the American Revolution, American Legion and others, together with educational leaders, librarians and members of the radio industry. Among the committees of the average Radio Council is the Evaluation Committee which studies the radio offerings of the local area.

"Radio institutes are being held during the summer at many of the universities, giving instruction in the technical and public service angles to radio production. Radio conferences have been held every year bringing together representatives of civic and educational organizations to meet with radio representatives in discussion of the problems and interests of the medium. The public service activity of radio has been brought to the front through

these conferences, giving the listener the realization of the fact that radio is much more than purely entertainment and that the future will find it a new force in educational dissemination.

"Presenting a series of sustaining programs over a long period of time, the Federation found its time cut the past two years in nearly every section, but continued to cooperate with the stations wherever they wished our programs.

"The goal of all who work with radio groups is to develop better informed radio listeners since it is a cooperative affair of broadcaster and public."

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

No broadcast hearings have been set before the Commission for the week beginning Monday, August 23.

#### BLUE NETWORK HEARING

In view of the national importance and general public interest in the proposed sale of the Blue Network, Inc., licensee of three radio stations and operator of a major network, the FCC designated for public hearing on September 10 next, the application for consent to transfer control of the Blue Network Company, Inc., from Radio Corporation of America to the American Broadcasting System, Inc.

Under Section 310(b) of the Communications Act, the Commission must act upon the transfer of control of the three stations—WJZ (New York City), WENR (Chicago), and KGO (San Francisco)—which are licensed by the Blue Network, Inc. Also involved in the transfer and subject to Commission approval are 48 relay stations licensed to the Blue and authority to transmit programs to Canada.

The procedure of public hearing on this application, it was noted, will provide opportunity for presentation of all material evidence and enable the Commission to obtain full information regarding the proposed transfer. The full Commission will preside at the September hearing.

#### DESIGNATED FOR HEARING

The Commission designated for hearing the application for renewal of license of Georgia School of Technology (Station WGST), Atlanta, Georgia (B3-R-441). (Chairman Fly and Commissioner Craven voted "No".)

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WAPO—W. A. Patterson (Assignor), Joda Patterson, Executrix of the Estate of W. A. Patterson, Deceased (Assignee), Chattanooga, Tenn.—Granted consent to involuntary assignment of license of Station WAPO and relay station WAEA, from W. A. Patterson to Joda Patterson, Executrix of the Estate of W. A. Patterson, Deceased. (B3-AL-374; B3-ALRY-17)

WAPO—Joda Patterson, Executrix of the Estate of W. A. Patterson, Deceased (Assignor), Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Granted consent to voluntary assignment of licenses of Station WAPO and relay station WAWA, from Joda Patterson, Executrix of the Estate of W. A. Patterson, Deceased, to Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, doing business as WAPO Broadcasting Service, a newly formed

partnership. No monetary consideration is involved. (B3-AL-375; B3-ALRY-18)

Churchill Tabernacle, Buffalo, N. Y.—Granted petition for intervention in re applications for renewal licenses of Buffalo Broadcasting Corp., Stations WKBW and WGR, Buffalo, N. Y., for the purpose of filing exceptions to the Proposed Findings of the Commission, making an appearance at the oral argument if any is held, and the submission of a brief. (Dockets Nos. 6324 and 6325)

In the Matter of Regulations governing the initial contract period and guarantee of revenue applicable to the rendition of teletypewriter exchange service within certain exchange areas of the West Coast Telephone Company and West Coast Telephone Co. of California—Granted petition to continue until September 22, 1943, the oral argument now scheduled for September 8, 1943, in Docket No. 5897.

### LICENSE RENEWAL

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted renewal of license for main and auxiliary transmitters of Station WHOM. (B1-R-170)

### DOCKET ACTION

The Commission has announced its Proposed Findings of Fact and Conclusions (B-185) denying without prejudice the application of R. O. Hardin and J. C. Buchanan, doing business as Nashville Broadcasting Company, for a permit to construct a new local broadcasting station at Nashville, Tennessee, to operate on the frequency 1240 kc. with power of 250 watts, unlimited time.

This action is in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, with respect to the use of critical materials during the war period.

### MISCELLANEOUS

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted license to cover construction permit, as modified, which authorized move of transmitter, new transmitter, change in frequency, changes in directional antenna for night use, and increase in power; also for approval of new type transmitter. (B3-L-1764) Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1519)

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine—Granted modification of construction permit, as modified, which authorized increase in power, installation of new equipment and directional antenna for day and night use, for extension of completion date from August 11 to September 11, 1943. (B1-MP-1721)

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Granted license to cover construction permit, as modified, which authorized new experimental television broadcast station. (B5-LVB-43)

KOAM—The Pittsburg Broadcasting Co., Inc., Pittsburg, Kans.—Denied request for special service authorization to operate unlimited time, power of 500 watts night, 1 KW day, for the period ending February 1, 1944. (Station operates on 810 kc., 1 KW, daytime.) (B4-SSA-76)

### APPLICATIONS FILED AT FCC

#### 560 Kilocycles

WQAM—Miami Broadcasting Company, Miami, Fla.—Modification of license to change hours of operation of auxiliary transmitter from for auxiliary purposes only to for auxiliary purposes and to operate from 12 midnight to 6 a. m., EST, during alternate weeks when operating as a key station for the local filter center.

#### 970 Kilocycles

WCSH—Congress Square Hotel Co., Portland, Maine—Transfer of control of licensee corporation from Henry P. Rines, Deceased, by Adeline B. Rines, Executrix of the Last Will and Testament of Henry P. Rines, to Adeline B. Rines, William H. Rines, and Mary R. Thompson, Trustees.

KOIN—KOIN, Inc., Portland, Ore.—Special service authorization to make changes in transmitting equipment and operate with 10 KW power using directional antenna at night.

- WFNC—W. C. Ewing & T. K. Weyher, doing business as Cumberland Broadcasting Co., Fayetteville, N. C.—Voluntary assignment of license to Cape Fear Broadcasting Company.
- WGOV—E. D. Rivers, Valdosta, Ga.—Authority to determine operating power by direct measurement of antenna power.

### MISCELLANEOUS APPLICATIONS

- NEW—Blue Network Company, Inc., New York, N. Y.—Transfer of control of licensee corporation from Radio Corporation of America to AMERICAN BROADCASTING SYSTEM, INC. (1000 shares of stock) (WJZ, WENR, KGO, 48 relay stations and B1-FP-109).
- NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States for the period beginning 9-15-43.
- NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to Stations CFCF and CBL and other stations under the control of the Canadian Broadcasting Corp. for the period beginning 9-15-43.
- W6XLA—Television Productions, Inc., Portable-Mobile (area of Los Angeles, Calif.)—Modification of construction permit (B5-PVB-87 as modified, which authorized construction of a new television relay broadcast station) for extension of completion date only from 9-1-43 to 11-1-43.

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Acme and Acme Mail Order House**, 120 East Broadway, New York, selling and distributing used, worn or second-hand clothing, is charged in a complaint with misrepresentation. (5023)

**Bennettsville Mattress Factory**, Bennettsville, S. C., manufacturing mattresses and other bedding, is charged in a complaint with misrepresentation. (5024)

**Frank Corwin Co.**, Frank Cohen, David Demerer, and Hanover Wool Stock Co., are charged in a complaint with violation of the provisions of the Wool Products Labeling Act of 1939 and the Federal Trade Commission Act. (5025)

**Cravat-Silks, Inc.**, 180 Madison Ave., New York, operating mills in Paterson, N. J., and manufacturing and distributing rayon and wool fabrics sold to manufacturers of men's ties, is charged in a complaint with violating the provisions of the Wool Products Labeling Act of 1939 and the Federal Trade Commission Act. (5022)

**Rock Crusher Manufacturers Assn. et al.**—A combination and conspiracy to suppress competition and create a monopolistic control over prices in the interstate sale of rock crushing and other heavy construction machinery is alleged in a complaint issued against the Rock Crusher Manufacturers Association, Cedar Rapids, Iowa, the Associated Equipment Distributors, National

Press Building, Washington, D. C., and the members of the two associations. The secretaries of the associations, Arthur W. Daniels of the manufacturers and C. F. Winchester of the distributors, also are named respondents, as are the officers, directors and governors of Associated Equipment Distributors. (5026)

### CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Foxstand Foods, Inc.**, 81 Arlington St., Boston, selling a dry dog food preparation designated "Sassified Dried Meat for Dogs," has stipulated to cease representing that "Sas," previously offered and sold as "Sassified Dried Meat for Dogs," contains any meat or beef; that the animal protein ingredient of "Sas" is produced in a plant licensed by the State of Massachusetts or that it is subject to inspection by duly appointed State health inspectors unless such is a fact; or that the animal protein ingredient in the product, in its original form, is fit for human consumption. (03126)

**Kennel Food Supply Co.**, Fairfield, Conn., selling dog food designated "Cero-Meato," "C. F. Meat Biscuits," "Cod Liver Oil Biscuits," "Terrier Food" and "Puppy Biscuits," and the Park City Advertising Agency, Inc., Bridgeport, Conn., an advertising agency which disseminated advertisements for the products on behalf of The Kennel Food Supply Co., have stipulated that in connection with the dissemination of advertising for "Cod Liver Oil Biscuits," "Terrier Food" and "Puppy Biscuits" they will cease and desist from using the terms "meat," "meat scrap," "dry meat" or any other terms of similar import or meaning to describe any ingredient which is not meat in fact, and that in connection with the advertising of "C. F. Meat Biscuits" they will cease using the terms "meat," "dry meat" or other terms of similar import to describe a product which is not meat in fact. They also agree to discontinue representing, by use of the word "Meat" in the brand or trade name of a product, that it contains meat, and to desist from use of the brand name "Cero-Meato" or any other brand name or designation in dissemination of advertising for the products unless composition of the products is truthfully described. (03127)

**C. R. Wade Medicine Co.**, P. O. Box 555, Hot Springs, Ark., selling and distributing a medicinal preparation designated "Wade's Wonder Worker," has stipulated to cease representing that the preparation will remove corns or callouses instantly or afford immediate relief from such conditions; that it contains ingredients not found in other preparations; that it is an effective treatment for bunions, chilblains, ingrowing nails, warts, rusty nail wounds, poison oak, or all skin diseases and ailments; that it is an adequate treatment for all deep-seated cases of athlete's foot or ringworm; that it is an effective treatment for bites or stings of poisonous insects, or that it can be depended upon to relieve all types of toothache. (3698)

**Wonder Peanut Co.**, 2000 N. Central Ave., Knoxville, Tenn., selling and distributing candy and peanuts, has stipulated to cease and desist from selling and distributing any merchandise so packed and assembled that sales to the public are to be made or, due to the manner in which such merchandise is packed and assembled at the time it is sold by him, may be made by means of a game of chance, gift or lottery scheme; supplying or placing in the hands of others push cards or other devices which are to be used in the sale and distribution of the merchandise to the public by means of a game of chance, or selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme. (3697)



### OWI NAMES RADIO ADVISORY COMMITTEE

The Office of War Information has announced the formation of an advisory Radio News and Policy Committee.

Elmer Davis, Director of War Information, and Palmér Hoyt, Director of Domestic Operations, have invited nine outstanding officials in the radio industry to serve as an Advisory Committee to consult with OWI from time to time upon war information problems as they relate to radio.

A similar Advisory Committee composed of newspaper editors and publishers was appointed several weeks ago and has already had an initial meeting with Mr. Davis and Mr. Hoyt. The new Radio News and Policy Committee will be invited to meet with OWI as soon as a satisfactory date can be arranged.

The radio officials who have consented to serve on the Advisory Committee are:

Lewis Allen Weiss, Vice President & General Manager of the Don Lee Broadcasting System.

Miller McClintock, President of Mutual Broadcasting System, Inc.

William S. Paley, President of Columbia Broadcasting System, Inc.

Mark Woods, President, The Blue Network.

Leo Fitzpatrick, Vice President & General Manager of the Goodwill Station at Detroit.

Herbert L. Pettey, Director of WHN, NYC.

Martin B. Campbell, Managing Director, WFAA, Dallas Studios, and WBAP, Fort Worth Studio.

Neville Miller, President, National Association of Broadcasters.

Niles Trammell, President, National Broadcasting Company, Inc.

### 4TH DISTRICT MEETING SEPT. 3-4 AT ASHEVILLE

District Director G. Richard Shafto of the 4th district, NAB, will preside at a meeting of the district September 3-4 at Grove Park Inn, Asheville, N. C.

Neville Miller and Lewis H. Avery will represent NAB. Legislative, A. F. M. and manpower problems are expected to be discussed.

### 2ND DISTRICT NAB RESOLVES FOR RADIO LEGISLATION; AGAINST HITCH-HIKE SPOTS

The 2nd district, NAB, met at the Hotel Syracuse, Syracuse, N. Y., August 24, with Kolin Hager, district director, presiding. Neville Miller represented NAB.

The meeting passed unanimously the following two resolutions:

#### Radio Legislation

“RESOLVED that the Broadcasters of New York and New Jersey in meeting assembled at Second District of

### Notice

An extra copy of Broadcast Advertising Bulletin No. 4 is being sent you with this week's "REPORTS" so your commercial staff may be more adequately covered. If you need more copies, please notify Lew Avery at headquarters.

Special Legislative Bulletin No. 14, dealing with further digest of the Cox Select Committee hearings in New York also is enclosed along with some special material.

NAB at Hotel Syracuse, Syracuse, New York, on Tuesday, August 24, 1943, call the attention of the Congress of the United States to the fact that present radio law was enacted in 1927 and although amended in 1934 in substance remains as originally enacted, that radio has made great progress since that date and a greater significance in American life, that it is now time for the Congress to reappraise the radio law in the light of this progress made since the enactment of the present law especially in view of the May Tenth decision of the Supreme Court giving greatly enlarged power to the Federal Communications Commission and that early dates be set for the hearings upon the bills now pending before both Houses of Congress.”

#### Hitch-hikers

“WHEREAS the so-called hitch hike and cow catcher announcements presently used on network programs and on national spot announcements tend to lower the standards of broadcasting, and

“WHEREAS such announcements are considered to be a violation of the responsibility placed upon radio station licensees to operate in the public interest and convenience and necessity, and

“WHEREAS the use of such announcements was permitted without the consent of affiliates save those spots sold on a national spot basis.

“NOW THEREFORE BE IT RESOLVED that Kolin Hager, Chairman of the NAB Second District of New York and New Jersey, is instructed to convey to the proper officials of NAB for action at the next regularly called meeting of NAB a request that immediate steps be taken to eliminate from network programs hitch hike, cow catcher or other similar announcements and form all announcements on a national spot basis as soon as may be practicable.”

Congressman Clarence Hancock of Syracuse was a guest speaker. He lauded radio and the American System of Broadcasting.

Neville Miller, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## EGOLF REQUESTS BALANCE OF DISTRICT PUBLIC RELATIONS CHAIRMEN APPOINTMENTS

Seven NAB district directors have not yet appointed public relations chairmen for their districts and Willard Egolf, NAB assistant to the president, asks that these appointments be made in time to present a full slate of p.r. chairmen to the September 15 meeting of the NAB p.r. committee.

Three district public relations chairmen visited Mr. Egolf at NAB Washington headquarters recently, including Clarence Leich, district 8, WGBF-WEOA; Irvin G. Abeloff, district 4, WRVA, and Karl O. Wyler, district 13, KTSM.

The seven other chairmen already appointed are: Edward Hill (1), WTAG; Michael R. Hanna (2), WHCU; Vernon H. Pribble (7), WTAM; Merle Jones (10), KMOX; Robert D. Enoch (12), KTOK; Harry Buckendahl (17), KALE, and John Elwood (15), KPO.

## Broadcast Advertising

### WHAT OTHERS SAY TO HELP YOU SELL

The Department of Broadcast Advertising tries to review as many advertising and business papers as possible in search of articles by leading authorities that will help you to sell more time on the air. Recently several articles, bearing principally on the use of broadcast advertising by department stores, have been read, checked and reprinted.

The appearance of such articles with increasing frequency in publications directed to retailers is proof of the timeliness of the Retail Promotion Plan—proof, too, that this project should have industry-wide support.

With this issue of the NAB REPORTS are enclosed three reprints—two of which bear directly on the use of broadcast advertising by department stores. Put these stories to work for you with your local prospects—and write for more copies if you can use some—they are available.

### WHY ADVERTISE NOW?

No other question is being asked more frequently of advertising solicitors today than that new bugaboo: "Why advertise now?" Although the director cited a number of reasons why present-day advertisers should continue their campaigns without interruption or reduction, at the District meetings last fall, an unusually pertinent summary appeared in the August 13, 1943, issue of *Printers'*

*Ink*. The article is entitled: "Why Merchandise-short Retailers Must Continue Advertising" and was written originally for the Gruen Watch house organ. It makes a common-sense case for the continuation of advertising with sound emphasis on the post-war market.

## STORE LAUNCHES RADIO PROGRAM

The July 26, 1943 issue of *Broadcasting* carried a convincing story on the "Hour of Melody" over KSFO, San Francisco, for Hale Bros. It is further proof of the importance of continuity and long-range planning in the sale of broadcast advertising to department stores.

## OTHER DEPT. STORE STORIES

The May, 1943, issue of *Dry Goods Journal* featured a story you should show every retail prospect. Entitled "Wartime Use of Radio Advertising," it recounts success stories that should build conviction with you and your prospects that department stores and retailers can make increased use of broadcast advertising, both profitably and promptly.

Be sure these stories reach your sales staff. Or, if you want to keep these copies for yourself, write a brief note and you will receive extra copies.

## THIRD WAR LOAN

If you didn't read "Broadcast Advertising Bulletin No. 4," enclosed with the last issue of the NAB REPORTS, why not read the enclosed copy right now? The nationwide campaign to promote the Third War Loan offers you an opportunity to write the biggest volume of business in the history of your station and, most important of all, to render a public service in your community that will be unmatched by any other medium. Read all about it in the enclosed bulletin.

## SALARY FREEZE RELIEF IS GRANTED RADIO

Some relief for radio from the salary freeze was granted by the War Labor Board this week when new rules for employers of 30 or less were issued.

Employers of 30 or less may now grant, without WLB approval, individual merit increases which individually do not amount to more than 10 cents an hour in any one year, and which, in total, do not amount to an average of more than 5 cents an hour in any one year starting July 1.

Employers of 8 or less are exempt from the salary freeze altogether.

The "30 or less" rules may be applied to various "establishments" within a company. For instance, it would appear that transmitters may be separated from studios for the purpose of determining the number of employees.

Additional increases, beyond the 10 cents an hour, may be granted without WLB approval if included in a plan approved by the WLB or meeting WLB requirements.

(See pages 260 and 282 in NAB REPORTS.)

## FULL USE OF VENEREAL DISEASE TERMS ON AIR URGED BY WOMEN'S GROUP

The following resolution, which is self-explanatory, was forwarded to NAB by Elliott Ness, director, social protection division, Federal Security Agency. Inasmuch as NAB has cooperated with this agency in the current nationwide venereal disease campaign, we are printing this resolution as part of that cooperation:



RESOLUTION OF THE NATIONAL WOMEN'S  
ADVISORY COMMITTEE ON SOCIAL PROTECTION

WHEREAS, venereal disease is causing millions of man-hours of service to be lost to the armed forces and to war industry, and is also endangering the health and welfare of the civilian population, and

WHEREAS, prostitution is the greatest contributing factor in the spread of venereal disease, and

WHEREAS, a nation-wide program to repress prostitution, control the spread of venereal disease and provide medical and social rehabilitation is an imperative war measure and an indispensable part of a sound welfare program,

BE IT RESOLVED THAT we, the National Women's Advisory Committee on Social Protection on this 9th day of June, 1943, do:

1. Declare our support of the Social Protection Program carried on by the War and Navy Departments, the Social Protection Division of the Office of Community War Services, and the U. S. Public Health Service, in cooperation with the American Social Hygiene Association and state and local officials.
2. Recommend to our several National women's organizations that they officially endorse this Social Protection Program, and further recommend that they undertake such activities as lie within the powers of each, and that they urge similar action by their local groups.
3. Recommend that the work of the National Women's Advisory Committee on Social Protection be continued, and that a more detailed and broadened plan of work to implement this resolution be presented to the several women's organizations, and

BE IT FURTHER RESOLVED THAT

1. In order to safeguard the health and welfare of the Nation, we urge the Press, Radio, Motion Pictures, and other information channels, to permit a full presentation of Social Protection information, including frank use of the words, "Prostitution", "Syphilis", "Gonorrhoea", and "Venereal Disease". We further urge that informed persons—in addition to medical authorities, be permitted to present this program.
2. That copies of this resolution be given to the managements of the Press, Radio, Motion Pictures, and other channels of information.

SIGNED: (Mrs. H. B. Ritchie), (Chairman); (Dr. Helen Gladys Kain), (Elizabeth Cecil Scott), (Caroline F. Ware), RESOLUTION COMMITTEE.

### NOTICE ON GENE NOBLES

Station KVAK, Atchison, Kans., would like to hear at once from any station manager or other broadcaster who has seen or know the whereabouts of the following described man:

GENE NOBLES, native of Texas, five feet three inches; black, curly hair parted on the right side; slightly crippled from rheumatism; left hand bent and crippled and he limps decidedly; 4-F draft status.

### WILLIAM TERRELL OF FCC RETIRES ON AUGUST 31

The Federal Communications Commission has made public a letter to Mr. William D. Terrell, Chief of the FCC's Field Division, Engineering Department, who will terminate 40 years of government service when he retires August 31, 1943.

Born August 10, 1871, in Golansville, Va., Mr. Terrell is one of the outstanding pioneers in communications science. As chief of the radio division of the Department of Commerce from 1915 to 1932 he contributed perhaps more than any other government official to the growth of broadcasting and high frequency communications. In 1932,

## Seen Your Congressmen?

It was to assist Arthur T. Whiteside, WPB vice chairman for civilian requirements, and the members of Congress, that Arthur Stringer sent the August 6 bulletin on tubes to all members.

Members who have not communicated with their Congressmen in accordance with this bulletin are urged to do so, by mail, if they have returned to Washington.

The bulletin was prompted by Mr. Whiteside's own letter to Congressmen, several weeks ago, when he stated that a 20 per cent reduction in dollar value of civilian business was expected during the last half of the year. He wrote, he explained, so that the Congressmen would be in a position to discuss conditions while they were at home during the congressional recess. He told the members that he wanted to hear of any "*particularly severe local complaints.*"

Mr. Terrell became chief of the division of field operations of the Federal Radio Commission and in 1934 took over the direction of the field division of the newly-created FCC. The letter follows:

"Mr. William D. Terrell,  
Chief, Field Division,  
Engineering Department,  
Federal Communications Commission,  
Washington, D. C.

Dear Mr. Terrell:

On the occasion of your voluntary retirement from government service August 31, 1943, may I convey to you on behalf of the Commission and its staff, as well as personally, our sincere best wishes and our hope that you will continue to enjoy for many years to come health, happiness, and the satisfaction of important work well done. We know that the friendships cemented during our association with you will endure, and that you will continue to hold the respect of all concerned with radio which you have earned during your forty years of meritorious service to your government.

In 1911, when you became the first United States Radio Inspector, you had already had twenty-two years of pioneer communications experience including eight years of government service. Thereafter, as Chief of the Radio Division of the Department of Commerce, you contributed more than any other government official toward the early growth of broadcasting and of high-frequency communication. Since 1932, as Chief of the Division of Field Operations of the Federal Radio Commission, and as Chief of the Field Division of the Federal Communications Commission, you have devoted yourself unremittingly and unsparingly to the duties of your office.

We especially wish to thank you for your last two years on active duty, undertaken at our request and with the approval of the President after you had passed seventy, the statutory age of retirement for Federal employees, thus giving us the benefit of your expert advice and assistance during the most difficult period of adjustment to war conditions when your help was urgently needed.

As tokens of your accomplishment and of the esteem in which you are held in your profession, you were elected a Fellow of the Institute of Radio Engineers in 1929 and made an honorary member of the Veteran Wireless Operators Association. You have represented this Government with distinction at many national and international meet-

ings, including the International Radiotelegraph Conference, London, 1912; National Broadcast Conferences called by the Secretary of Commerce, 1922, 1923, 1924, and 1925; International Telegraph Conference, Paris, 1925; International Radio Conference, Washington, 1927; Safety of Life at Sea Conference, London, and European Broadcasting Conference, Prague, 1929. In all these lines of duty, you have brought credit to yourself and the government.

Not the least of your services has been the selection and training of younger men who will now carry on the tradition of competence and integrity which you have established, and who will seek to maintain the high standards you have set. I know these men join with the Commissioners in appreciation and cordial best wishes.

BY ORDER OF THE COMMISSION.

JAMES LAWRENCE FLY,  
*Chairman.*

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 30.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted modification of construction permit (which authorized installation of new transmitter and antenna, increase power from 250 watts unlimited time to 1 KW day, 500 watts night, and change frequency from 1490 kc. to 560 kc.) for extension of completion date. (B5-MP-1719.) Granted extension of special service authorization to operate on 560 kc., with power of 1 KW day, 500 watts night, unlimited time, for the period ending December 1, 1943. (B5-SSA-78)

WCBI—Birney Imes, Columbus, Miss.—Granted renewal of license for regular period. (B3-R-1093)

WCBI—Birney Imes (Assignor), Birney Imes, Jr. (Assignee), Columbus, Miss.—Granted assignment of license of Station WCBI from Birney Imes, Sr., to Birney Imes, Jr. No monetary consideration is involved. (B3-AL-368.) Also granted power of attorney for Birney Imes, Sr., to act for Birney Imes, Jr., until his discharge from the Army of the U. S.

### DESIGNATED FOR HEARING

WJW—The Akron Broadcasting Co. (Assignor), The WJW Company (Assignee), WJW, Inc. (Permittee), Akron, Ohio—Designated for hearing application for consent to assignment of construction permit from The Akron Broadcasting Co. (formerly WJW, Inc.) to The WJW Company. (B2-AP-36)

WJW—WJW, Inc., Akron, Ohio.—Designated for hearing modification of license to change name of licensee to The Akron Broadcasting Company. (B2-ML-1167)

### NEW CALL LETTERS FOR FM BROADCASTERS

A new system of CALL LETTERS for Frequency Modulation (FM) broadcast stations, like that currently used by standard broadcast and commercial television stations, was adopted by the

Commission. The change in FM station calls, to become effective November 1, next, will affect approximately 45 high frequency broadcast stations in operation and all future licensees.

This system of CALL LETTERS for FM stations will replace the present combination of letter-numeral calls (such as W47NY, W51R, etc.) presently used by FM broadcasters. In cases where a licensee of an FM station also operates a standard broadcast station in the same city, he may, if he so desires, retain his standard call letter assignment followed by the suffix "FM" to designate broadcasting on the FM band. Thus, if the licensee of a standard broadcast station with the call letters "WAAX" (hypothetical) also operates an FM station in the same location, he will have the choice of using the call "WAAX-FM" or he may, on the other hand, be assigned a new four-letter call—say, WXRI. Similarly, an FM broadcaster on the West Coast, who also operates a standard broadcast station "KQO," may, if he likes, use the call "KQO-FM" or he may ask for a new four-letter call "KQOF" for his FM station. This choice will remain entirely with the FM operator.

FM licensees may inspect at the FCC a list of the approximately 4,000 four-letter calls which are available for assignments. This number appears ample to supply calls for all additional standard, commercial television, FM stations and non-broadcast classes for some time to come. (The Commission wishes to call attention to the fact, however, that all three-letter calls have already been assigned.)

All call letters beginning with "W" are assigned to stations east of the Mississippi River; all station calls beginning with "K" are located west of the Mississippi and in the territories. A breakdown of the 4,000 four-letter calls available shows approximately 2,900 "K" calls and 1,100 "W's" still unassigned.

FM stations are asked to have their requests, indicating a preference in call letters, filed with the Commission by October 1. If no request has been received from an FM licensee by that date, the FCC will, at its discretion, assign a new four-letter call to that station.

It is recommended that FM operators, who wish a new four-letter call, list their first, second and third choices, and in the event two stations seek identical call letters the request first received by the Commission will be honored.

All FM stations will use their new call letters on the air effective November 1, next.

Under the old system the first letter of an FM call, either K or W, indicated the geographical position of the station in relation to the Mississippi River, the number designation showed the frequency on which that station was operating and the last letter or letters gave a clue to the city from which the broadcast emanated. (FM stations are licensed in the 43,000 to 50,000 kilocycle band, on frequencies from 43,000 to 49,000 kc., progressing by 200 kilocycle steps.) Thus the call K37LA indicates a station operating on 43,700 kc. at Los Angeles; W53D, a station on 45,300 kc. at Detroit, etc.

The Commission's decision to discard the combination of letter-numeral calls for FM stations arose out of several disadvantages and inherent limitations in the system based upon the past experience of FM broadcasters themselves, and the advisability of making the change at this time when transmitter construction is halted because of the war. Licensees of FM stations have found that the letter-numeral system is somewhat cumbersome and does not meet with general public acceptance. In addition, a change in frequency of an FM station under the old system involved a change in its call with consequent confusion to the listening public. Finally, it was felt that as FM broadcast stations were licensed in more and more cities, it would become increasingly difficult to identify the station call with a particular city through the use of an initial letter or letters.

### MISCELLANEOUS

WILM—Delaware Broadcasting Co., Wilmington, Del.—Granted license to cover construction permit which authorized move of transmitter approximately 30 feet from present site and use of WDEL's south tower of directional array; granted authority to determine operating power by direct measurement of antenna power. (B1-L-1694; B1-Z-1495)

WDEL—WDEL, Inc., Wilmington, Del.—Granted license to cover construction permit as modified, for increase in power and installation of new transmitter and directional antenna for day and night use; granted authority to determine operating power by direct measurement of antenna power. (B1-L-1751; B1-Z-1496)

WORK—York Broadcasting Co., York, Pa.—Granted license to cover construction permit as modified, for installation of new directional antenna system for night use only; granted authority to determine operating power by direct measurement of antenna power. (B2-L-1769; B2-Z-1529)

National Broadcasting Co., Inc., New York, N. Y.—Granted extension of authority to transmit programs to Station CMX, Havana, Cuba. (B1-FP-114)

KFAR—The Midnight Sun Broadcasting Co., Fairbanks, Alaska—Denied request for authority to conduct tests for a period of 10 days on 610 kc., with power of 10 KW, between midnight and 4 a. m.

## APPLICATIONS FILED AT FCC

### 740 Kilocycles

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Modification of license to move main studio from 87 East San Antonio St., San Jose, Calif., to 140 Jessie St., San Francisco, Calif.

### 770 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of special service authorization to operate on 770 kc., 25 KW night, 50 KW daytime, unlimited hours of operation, using transmitter as specified in construction permit (B5-P-2783 as modified), for the period 10-1-43 to 4-1-44.

### 1260 Kilocycles

WNAC—The Yankee Network, Inc., Boston, Mass.—License to cover construction permit (B1-P-3445 as modified) which authorized increase in power, installation of directional antenna for night use, changes in equipment and move of transmitter.

WNAC—The Yankee Network, Inc., Boston, Mass.—Authority to determine operating power by direct measurement of antenna power.

### 1450 Kilocycles

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Transfer of control of licensee corporation from The First National Trust and Savings Bank of San Diego, as Trustee under Declaration of Trust for Warren B. Worcester, to O. L. Taylor and Jack O. Gross, 7500 shares of stock.

## MISCELLANEOUS APPLICATION

KWIX—The Associated Broadcasters, Inc., San Francisco, Calif.—License to cover construction permit (B5-PIB-40) which authorized construction of a new international broadcast station.

# FEDERAL TRADE COMMISSION DOCKET

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Associated Merchandising Corp.**, 1440 Broadway, New York, and its 21 member corporations which operate department stores in some of the largest cities of the country, are charged in a complaint with violation of the Robinson-Patman Act by knowingly inducing manufacturers, producers and suppliers to discriminate in price in their favor by selling them merchandise of like grade and quality at lower prices or higher discounts than those accorded competing stores. (5027)

**Columbia River Packers Association, Inc.**, Astoria, Ore., packing, canning and distributing salmon, shad and other sea food products, is charged in a complaint with violation of the brokerage section of the Robinson-Patman Act. (5033)

**Dawe's Products Co., Inc.**, trading as Dawe's Vitamelk Co., 4800 South Richmond St., Chicago, with branch offices at Denver, Colo., and Portland, Ore., is charged in a complaint with misrepresentation. (5029)

**Harvest House**, 50 West 17th St., New York, selling and distributing a book entitled "The Complete Guide to Bust Culture," is charged in a complaint with misrepresentation. (5028)

**Modern Home Diathermy**, 505 W. 8th St., Los Angeles, selling and distributing diathermy machines designated "Vitatherm Short Wave Diathermy," is charged in a complaint with misrepresentation and false advertising. (5032)

**Samuel B. Smith**, United Mine Workers Bldg., Springfield, Ill., using the name "Central Clearing House Occupational Information," and formerly engaged in selling and distributing printed mailing cards intended to be used by creditors and collection agencies in obtaining information concerning debtors, is charged in a complaint with misrepresentation. (5030)

**Zonite Products Corp.**, Chrysler Bldg., New York, engaged in the sale of Forhan's Toothpaste, a cosmetic preparation, and Erwin, Wasey & Company, Inc., 420 Lexington Ave., New York, advertising agency, which has participated in the preparation and dissemination of advertising matter for Forhan's Toothpaste, are charged in a complaint with misrepresentation. (5031)

## CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

**Dentists' Supply Company of New York**, 220 W. 42d St., New York, said to be the largest manufacturer and distributor of artificial teeth in the country, has been ordered to cease and desist from violation of the Robinson-Patman Act. (4915)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Chattanooga Medicine Co.**, Chattanooga, Tenn., selling medicinal preparations designated "Syrup of Black-Draught", "Black-Draught", and "Black-Draught (Granulated)", and Nelson Chesman Co., Chattanooga, an advertising agency which disseminates advertising for the products, have stipulated to cease and desist from representing that the preparations contain a tonic, help to tone lazy intestinal muscles or the digestive system, or have any effect upon a sallow complexion. They further agree not to publish any advertisement which fails to reveal that the preparations should not be used when abdominal pain, nausea, vomiting or other symptoms of appendicitis are present; provided, however, that such advertisements need only contain the statement: "CAUTION, USE ONLY AS DIRECTED", if the directions for use, whether appearing on or in the labeling, contain a caution or warning to the same effect. (03132)

**S. P. S. Chemical Co.**, 3404 Calumet Ave., Chicago, selling a medicinal preparation designated "S. P. S. Scalp Food", has stipulated to discontinue representing that his preparation will feed or nourish the scalp; that it is a cure or remedy for, or has therapeutic value in the treatment of, itching scalp, eczema, conditions which cause falling hair, or dandruff, except insofar as its use will facilitate the mechanical removal of the loose scales of dandruff; or that it will grow, promote the growth or improve the grade of hair. He further agrees to cease and desist from

representing through the use of the term "Scalp Food", or any other term of similar import, that the preparation will feed or nourish the scalp. (03130)

**Espiridion Gonzalez**, Laredo, Tex., selling a medicinal preparation designated "Pomade Gonzalez", has stipulated to cease and desist from representing that excellent results may be obtained by using the preparation in cases of ringworms, warts or skin sores or that it will get rid of all kinds of skin eruptions or pimples. He further agrees to desist from disseminating any advertisements which fail to reveal that the preparation contains 50 percent salicylic acid, and that a preparation of this strength, when repeatedly applied to the skin, other than two or three applications for hard corns and calluses, will cause local irritation; provided, however, that such advertisements need only contain the statement: "CAUTION, USE ONLY AS DIRECTED", if the directions for use appearing on the label or in the labeling contain a caution or warning to the same effect. (03128)

**Histex Corp.**, 604 No. Wells St., Chicago, selling a medicinal preparation designated "Histein Tablets", and **United Advertising Companies**, 205 No. Michigan Ave., Chicago, an advertising agency disseminating advertising for the product, have stipulated to cease and desist from disseminating any advertisement which fails to reveal that the product should not be taken by persons having heart or kidney ailments, except on competent medical advice, and that the product may cause serious blood disturbances if taken frequently or continuously; provided, however, that such advertisements need only contain the statement, "CAUTION, USE ONLY AS DIRECTED", if the directions for use, whether appearing on the label or in the labeling, contain a caution or warning to the same effect. (03133)

**Posture-Aid Company**, 509 Centre St., Dallas, Tex., selling a health device designated "Posture-Aid", and **John Brough** and

**Evelyn Brough**, trading as **John and Evelyn Brough**, Stewart Bldg., Dallas, conducting an advertising agency disseminating advertising for the product, have stipulated to cease and desist from representing that the device relieves constipation, headache, backache, nervousness, fatigue or tenseness; pulls muscles into place, relaxes or strengthens the muscles, relieves tired or cramped muscles or teaches the muscles to hold the body erect; corrects misplaced vertebrae, double chin, round shoulders, swayback or flat chest; lifts the chest or gives greater room for lung expansion, or flattens the stomach; promotes health, appetite, well-being, new energy, beauty of figure or improved posture; exercises the muscles of the neck, or tones, relaxes, straightens or stretches the spine. (03129)

**Uncas Manufacturing Co.**, 623 Atwells Ave., Providence, R. I., selling jewelry, has stipulated to cease and desist from representing by quality markings on rings and other articles of jewelry, or otherwise, the ratios of the weight of the gold alloy overlay to the weight of the metal of any such article, or the gold fineness of the gold alloy when the actual ratio of the weight of the gold alloy overlay to the total weight of the metal is less than indicated by the markings, or the actual gold fineness is less than that indicated by the markings. (03131)

**Williams Gold Refining Co.**, 2978 Main St., Buffalo, manufacturing and selling dental gold specialties, has stipulated, in connection with the offering for sale or sale of its products, to cease and desist from use of the figures "585" or "650" to describe or designate gold solder products not containing, respectively, 585/1000ths or 650/1000ths of fine gold content; and from the use of such figures or other indicia or symbols in any manner which may have the capacity or tendency to confuse, mislead or deceive purchasers respecting the quantity or quality of the gold content of such products. (3700)



**ROBERT T. BARTLEY  
NAB WAR DIRECTOR**

**Karl A. Smith, Special Counsel**

Two new appointments by Neville Miller reinforce NAB's war-depleted staff with a War Director and Special Legislative Counsel.

Robert T. Bartley, vice-president of the Yankee Network, will take the War Director's post, a newly created position, between September 15 and October 1.

Karl A. Smith, Washington attorney, will act as special legislative counsel and will work with the NAB special legislative committee, which authorized the appointment.

Cooperation with government bureaus and departments requires a directing head with wide experience in Washington. Bartley is well qualified for this important task as war director. He will also assume many of the duties of Russell Place, former counsel for NAB, who is now with the Office of Strategic Services.

Born in Ladonia, Texas, May 20, 1909, Mr. Bartley attended Southern Methodist university and was married to Ruth Adams of Washington in 1936. They have two children, Robert, Jr., 5, and Jane, 2.

Following his employment as assistant to Walter M. W. Splawn, special counsel to the house committee on Interstate and Foreign Commerce, in 1932-33, Mr. Bartley continued with Mr. Shawn when he became a member of the Interstate Commerce Commission in 1934. During these years, Speaker Sam Rayburn of the House, who is Mr. Bartley's uncle, was chairman of the House Interstate Foreign and Commerce committee.

When the Federal Communications Commission was formed in 1934, Mr. Bartley transferred there as telegraph division director, a post abolished in 1937 with Mr. Bartley becoming senior securities analyst with the Securities and Exchange Commission.

In March, 1939, he became John Shepard's executive secretary in the Yankee Network, and was elected a vice president of that organization in August, 1942, resigning effective September 25, 1943, to assume his NAB duties.

Mr. Smith will continue his connection with his law firm and act in a special consulting capacity for NAB.

expects to complete the panel prior to the Public Relations Committee meeting in New York, September 15-16, if District Directors will furnish him with the names of their appointees.

**FIFTH DISTRICT AND FLORIDA  
MEETINGS**

The fifth district will meet in Atlanta Sept. 10. The Florida Broadcasters Association will meet at the George Washington Hotel, Jacksonville, Sept. 12.

**NEWSPAPER-RADIO COMMITTEE  
RESOLVES ON NEWSPAPER  
OWNERSHIP OF STATIONS**

The steering committee of the Newspaper-Radio Committee, which is headed by Harold V. Hough, of KGKO, has adopted a resolution requesting legislation to do away with discrimination against newspaper ownership of broadcasting stations.

The resolution is:

"Resolved—that the Newspaper-Radio Committee should immediately advocate legislation which will make it impossible for there to be any present or future discrimination against newspaper ownership of broadcasting stations, and that this advocacy should include the support of provisions intended to accomplish this end in the White-Wheeler bill, the Holmes bill, as well as other legislation relating to the subject."

Appearance of members of the committee before hearings on the bills mentioned above and active support by them of other pertinent legislation which may be introduced was action approved.

Steering committee members present at the meeting in New York recently are: Walter J. Damm, WTMJ, committee vice chairman; H. Dean Fitzer, WDAF, treasurer; John E. Person, WRAK; Gardner Cowles, Jr., KSO-KRNT; A. H. Kirchhofer, WBEN; Truman Green, WFLA; Harry M. Ayers, WHMA, and Mr. Hough.

**MORE DISTRICT PUBLIC RELATIONS  
CHAIRMEN APPOINTED**

The names of three more district public relations chairmen have been received at headquarters. They are Walter Tison, general manager, WFLA, Tampa, Fla., appointed by James W. Woodruff, Jr., fifth district director; P. G. Paltridge, director of public relations, Earle C. Anthony, Inc., Los Angeles, appointed by Calvin J. Smith, director of the sixteenth district; and Edward E. Lindsay, WSOY, Decatur, Ill., appointed by Director Leslie C. Johnson of the ninth district.

Only four NAB Districts remain without Public Relations Chairmen. They are 3, 6, 11 and 14. Willard Egolf

**Labor**

**CIO PETITION REFERRED TO  
ENTIRE FCC BY COMM. CASE**

A decision on the CIO petition (see below) requesting a hearing on the radio industry's alleged unfair programming of labor programs now rests with the full FCC, following a preliminary hearing Wednesday, Sept. 2, before Commissioner Norman S. Case, sitting as a single delegated member.

*(Continued on page 368)*



1760 N St., N.W.

WASHINGTON

Phone NAational 2080

Neville Miller, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## CIO PETITION REFERRED TO ENTIRE FCC BY COMM. CASE

(Continued from page 367)

Commissioner Case, in referring the petition to the full Commission, said that a broad matter of policy was involved. Consideration of the petition is scheduled for the Tuesday, Sept. 7, regular Commission meeting.

CIO, in its petition, requests that the hearings on its allegations be made a part of public hearings on the transfer of the Blue network (changed to the American Broadcasting System by the new owner) from RCA to Edward J. Noble, now scheduled for Sept. 10 in Washington.

Eugene Cotton, representing CIO, presented oral arguments on the petition before Commissioner Case and was answered by Gustav B. Margraf, for RCA, who claimed that the subject matter of the petition was broad and irrelevant to the transfer hearings. John P. Lipscomb represented Mr. Noble and Willard D. Egolf represented NAB as counsel and secretary of the NAB Code Compliance Committee.

Following, in the order named, are the CIO petition and NAB's release answering the petition:

### CIO PETITION

The Congress of Industrial Organizations, acting to secure "relief necessary when labor organizations are not permitted either to buy time or to receive free time to put their programs on the air," today petitioned the Federal Communications Commission for permission to intervene in the transfer of the Blue Network from RCA to new owners.

The petition, filed by Lee Pressman, general Counsel of the CIO, follows in full:

The Congress of Industrial Organizations petitions the Federal Communications Commission to intervene in the above proceeding to be held on September 10, 1943, and states:

1. The Congress of Industrial Organizations is a labor organization representing approximately five million organized workers who with their families comprise over twenty million persons in the population of the United States.

2. The membership of the labor organizations affiliated to the Congress of Industrial Organizations have a vital interest in the operation of radio broadcast stations and radio networks. This interest arises from the fact that organized labor represents a substantial portion of the listening audience and is the largest single organization of persons composing that audience. Organized labor is also interested because it uses time on radio broadcast stations and radio networks.

3. This hearing affords an opportunity to present certain problems of organized labor in relation to radio broadcasting both to the Federal Communications Commission and to the radio broadcasting industry. Through the influence of the spoken word, and its ability to reach

audiences numbered in the millions, radio is the outstanding medium of mass communication. To achieve its greatest benefits organized labor must use this medium, and the radio industry in performing its role in the public interest must serve organized labor which forms so large a part of its listening audience.

4. Members of unions affiliated to the Congress of Industrial Organizations desire to present to the public at large as well as to potential members and themselves radio programs regarding the merits of collective bargaining and the value of membership in a trade union, the legislative programs of the unions, discussions of public affairs, and labor's point of view on current public issues.

5. At the present time business and commercial concerns buy time from radio broadcast stations and the networks not only for the purpose of selling their particular product but to a growing extent for goodwill programs and institutional advertising. Sustaining free time or a sustaining program is given by one of the networks at the present time to the National Association of Manufacturers. This is a half hour program weekly. From time to time spokesmen for employing interests on the other end of the bargaining scale from labor are given time for speeches to present their program.

6. Organized labor, however, has one fifteen-minute sustaining program once a week on one of the major networks. From time to time officials of labor organizations and other spokesmen secure free time for speeches.

7. Although organized labor also is anxious to present programs for the purpose of securing the goodwill of the community, certain restrictions exist which prevent labor's full participation in the public service of radio broadcast stations. Labor may not buy time on the networks or on a large number of individual stations.

It has not been given a large proportion of the regularly organized sustaining programs on networks. Labor may not solicit memberships on the air. These restrictions are based on the code of the National Association of Broadcasters.

8. The National Association of Broadcasters is, of course, a trade association of the owners of broadcast stations. Some years ago this association adopted a code which provided that time is not to be sold for programs involving controversial issues but sustaining time may be given for such program. Individual stations belonging to the National Association of Broadcasters, either acting on their own or with advice of the National Association of Broadcasters staff, have for practical purposes uniformly held that labor programs are controversial. It should be noted that the National Association of Broadcasters code has no provision that any time or a certain proportion of time need be given at all for controversial issues, so that a station or a network may abide by the code by neither giving nor selling labor any time on the air at all. In the spring of this year, this code was further amended to provide that solicitations of membership in organizations are deemed to be unacceptable under the basic theory of the code and therefore time should be neither given nor sold for this purpose. The major activity of labor organizations is to extend their membership and the benefits achieved by them to workers as yet unorganized. To the extent that broadcast stations and networks abide by this provision of the code, labor organizations are seriously crippled in one of their major activities.

9. A recent instance of the unfairness of the operation of the code, and indeed an example of the dangers inherent in the code, is the treatment accorded certain transcriptions of the United Automobile, Aircraft, Agricultural Implement Workers of America, affiliated with the Congress of Industrial Organizations, dealing with price control. The National Association of Broadcasters circulated its members on July 23, 1943, regarding these transcriptions for which the United Automobile, Aircraft, Agricultural Implement Workers of America sought to purchase time at commercial rates on various broadcast stations. The National Association of Broadcasters informed its members that this was a controversial program and should not be presented on paid time.

10. The above review of the National Association of Broadcasters code and its effects in restricting labor's use of the air points to a serious defect in the control and

operation of broadcast stations and networks. Decisions to exclude labor from the air are made either by the individual broadcaster, the owners of the network, or by the commercial broadcasters represented in the code committee of the National Association of Broadcasters. In none of these bodies is there representation of the public, including labor, nor is there any machinery for appeal or relief from unfair and discriminatory actions of the code committee.

11. Operation of radio broadcast stations and radio networks in the public interest requires that the Federal Communications Commission and radio broadcast station managements recognize:

- (a) That a larger proportion of free time should be made available to labor organizations in the form of organized weekly recurring sustaining programs.
- (b) That labor organizations should suffer no blanket restriction on their purchase of time on stations or on the networks.
- (c) That labor organizations should suffer no blanket restrictions on their solicitation of memberships or use of broadcasting programs in an organizing campaign.
- (d) That machinery should be promptly established for the relief necessary when labor organizations are not permitted to either buy or to receive free time to put their programs on the air.

## MILLER ANSWERS PETITION

(Released by NAB News Bureau)

American Labor is entitled to and has the same access to the facilities of American broadcasting stations as any other individual or group, Neville Miller, NAB president, declared.

Mr. Miller's statement was in answer to a petition sent by the Congress of Industrial Organizations to the Federal Communications Commission, requesting that FCC afford CIO time during the FCC hearings on the transfer of the BLUE network to present CIO's grievance against NAB and the radio industry in not giving CIO all the radio time it wants.

The NAB president pointed out that organized labor was given more than 100 broadcasts on the networks in 1942 and this gesture by radio to labor was heartily commended by William Green, A. F. of L. president, and Philip Murray, CIO president.

It was also recalled that at the NAB Code Compliance Committee meeting June 16-17 the four members of the Radio Committee of the National Council on Freedom from Censorship, Thomas R. Carskadon, chairman, met with the NAB group. As a result of that meeting, Carskadon himself issued the following statement to the effect that "labor has ample opportunity for the use of broadcasting facilities in this country."

Mr. Carskadon, who is also radio committee chairman of the American Civil Liberties Union, had the concurrence of Roger Baldwin, ACLU president, when he further stated that "no changes are recommended" in the NAB code.

Mr. Carskadon also suggested that labor organizations avail themselves of the opportunities to become educated as to what their broadcast privileges are and how better to take advantage of them.

In referring to Mr. Carskadon's suggestion, Mr. Miller said: "The ACLU has stated that labor should become better acquainted with its opportunities for the use of broadcasting facilities. This position is supported by the radio industry.

"A public hearing would not only reveal radio's cooperation with labor throughout the United States, but might also provide the education apparently most needed by the CIO."

## CHECK YOUR TURNTABLE NEEDS

A three sentence NAB memo on turntables, distributed at the Fourth District meeting in Asheville on September 3, read:

Patch up your present turntables as long as you can but—anticipate new turntable requirements for the first half of 1944 and place orders now:

"Apparently, turntables are to remain a hard-to-get item. It will be easier for factories to deliver on time if they know your needs months in advance."

## PETRILLO HEARING SEPT. 7

Gilbert Edmund Fuller, president of Raymond Whitcomb Co., Boston, has been appointed to succeed Henry Woodbridge as Industry Member of the War Labor Board Panel for the Petrillo Case. The Panel will start its public hearing Tuesday, September 7, in New York.

## SAN FRANCISCO WLB DISAPPROVES RULING

The Regional War Labor Board, San Francisco, has disapproved an arbiter's award which set the technicians scale at Station KPAS at \$1.68 per hour.

The Board substituted a scale ranging from \$1.25 to \$1.70, depending upon length of service.

The NAB intervened in the proceedings after the arbiter had found that all technicians were entitled to the same rate of pay, no matter what size station they worked in.

## Public Service

### 4 SAN FRANCISCO STATIONS CITED FOR FINE WORK BY TUBERCULOSIS ASSOCIATION

The following report compiled by the San Francisco Tuberculosis Association shows the amount of radio activity engendered by four local stations on behalf of the station over the last two years. The stations are KSAN, KJBS, KSFO and KYA.

Edward W. Koehler, association public relations director, wrote the report and it was sent to NAB by NAB Director Arthur Westlund, of KRE.

#### SERIES ONE

"The Tuberculosis Battle" as sponsored by the Department of Public Health and the San Francisco Tuberculosis Association, was originated by Dr. Edward A. Schaper. The first broadcast on KSAN was on September 6, 1941. This was a half-hour transcribed program, 15 minutes of which were given over to the discussion of the various phases of tuberculosis by qualified physicians. The second portion of the program was given over to a question and answer period in which Dr. Schaper answered questions sent in by listeners.

Between September 6, 1941 and June 27, 1942 there were forty-three weekly broadcasts from KSAN. The time was donated by the management of the station. The transcriptions were made at the expense of the San Francisco Tuberculosis Association, more than \$2,100 being expended for this purpose.

These same transcriptions were rebroadcast over KALW, the Board of Education's frequency modulation station, to all schools in San Francisco. Between February 20, 1942 and June 19, 1942 fifteen weekly half-hour broadcasts were made.

## SERIES TWO

In order to utilize fully the transcriptions it was felt that they should be offered to various other radio stations in San Francisco. The management of radio station KJBS agreed to use the transcriptions if only the first portion could be used. They felt that a full half-hour was too much for their listening audience.

Between February 14, 1942 and July 22, 1942 KJBS rebroadcast nineteen 15-minute transcriptions of "The Tuberculosis Battle."

KALW rebroadcast thirteen 15-minute programs from the same series of records between December 5, 1942 and March 23, 1943.

All of the radio time was donated free of charge by the radio stations as a public service. The only expense was that of having the transcriptions made.

## SERIES THREE

Resuming on KSAN sixteen 10-minute transcribed programs were broadcast between September 5, 1942 and December 26, 1942. The Association expended approximately \$365 for this series.

The management of KSFO selected and rebroadcast fourteen of the 10-minute programs originally produced for KSAN between January 7, 1943 and April 8, 1943.

KALW rebroadcast this same 10-minute series and between May 26, 1943 and January 12, 1944, eighteen records will have been broadcast to the schools of San Francisco.

KYA rebroadcast this same 10-minute series and between May 26, 1943 and January 12, 1944, eighteen records will have been broadcast to the schools of San Francisco.

KYA rebroadcasts this 10-minute series each Thursday evening and between July 6, 1943 and September 28, 1943 thirteen 10-minute records will have been broadcast.

## SERIES FOUR—"live" programs

10-minute "live" programs were released through KSAN starting January 2, 1943.

The first 5 of these broadcasts originating from the Telenews Theater featured tuberculosis specialists and public health nurses.

Fifteen additional "live" 10-minute broadcasts featured personnel of the following organizations:

- WACS
- WAVES
- SPARS
- Maritime Service
- Navy
- Coast Guard
- U. S. Maritime Corps Women's Reserve
- State Bureau of Vocational Rehabilitation
- California Tuberculosis Association
- Booker T. Washington Community Center
- San Francisco Tuberculosis Association
- U. S. Army
- Board of Education

The scripts for these programs were written and produced by the San Francisco Tuberculosis Association with the official sanction of the various services and the Office of War Information. This new format consisted of an 8-minute discussion of the particular branch of the armed service, their traditions, and uniforms. Two minutes were given over to a discussion of the type of examination for tuberculosis given by their particular branch of the service, the kind of X-ray equipment used, and the method of follow-up used when an inductee was found to have active tuberculosis.

One particular broadcast featuring Lt. Dorothy Davis of the U. S. Navy Nurse Corps resulted in more than 15 Bay Area nurses joining this organization. Between January 2, 1943 and May 5, 1943 there were twenty 10-minute "live" broadcasts from KSAN.

Because the management of KSFO liked the format used on KSAN they requested that we continue over KSFO as a "live" program. The scripts were rewritten and brought up-to-date for use over KSFO and between April 15 and July 1, 1943 there were 12 "live" broadcasts from this station. Mrs. Leo J. Clayburgh was guest speaker on the concluding broadcast over KSFO on July 1, 1943.

Approximately \$2,550 were expended to produce transcriptions between September 6, 1941 and December 26, 1942. Between September 6, 1941 and January 12, 1944 there will have been 178 weekly broadcasts of "The Tuberculosis Battle" without cost of radio time to the Association. This is approximately 36 hours of free radio time.

## THE STORY OF WNAX AND THE 'TYPICAL MIDWEST FARMER'

Station WNAX recently undertook to name the "typical Midwest farmer." As indicated in a fine report of this activity to NAB by Phil Hoffman, vice president of WNAX, it was a "giant" undertaking based on the desire to afford some recognition to that great soldier of the home front—the farmer.

September 4 is the day on which the climax of all the activities connected with this plan came to be.

More than two thousand bankers in the Dakotas, Minnesota, Iowa and Nebraska submitted case histories on outstanding farm families with Charles Worcester, CBS farm director in Washington, acting as judge.

An outstanding farm family for each state was selected for the five states and these families were invited to Yankton, South Dakota, on the big day.

Celebrities and notables present included the governors and senators of the five states, Commissioner John P. Carmody, Maritime Commission, and Commissioner M. Clifford Townsend, of the Food Commission, who together acted as a jury to select the one family of the five represented to be the typical Midwest farm family, and to award the family a tractor as a prize.

The evening doings saw Gardner "Mike" Cowles, jr., of the Cowles stations (of which WNAX is one) dedicate America's tallest radio tower—the new WNAX radiator, which was dedicated to the typical farmer and all Midwest farmers.

Speeches were an integral part of the day's activities, of course, with Governor Sharpe of South Dakota making the keynote address.

The Maritime Commission will name a Liberty ship "Midwest Farmer" and the wife of the typical farmer will be sent to the west coast with her entire family to dedicate the ship, which will be launched about Sept. 12.

Mary Little, Des Moines Register and Tribune radio columnist, handled publicity for the events, while Bob Hawk of the "Thanks to the Yanks" program was on hand with "Ma Perkins" to help glorify the Midwest farmer. Three CBS network "feeds" were made during the course of the day and evening.

All in all, an outstanding job by a great radio station.

## Engineering

### 10 ENGINEERING COMMITTEEMEN NAMED; 7 TO COME

Ten NAB district directors have notified NAB of appointments to the engineering committee. Howard Frazier, NAB director of engineering, asks that the chairmen for the remaining districts be appointed as soon as possible. It is anticipated that the growing shortage of transmitting



tubes and technical manpower will require the committee's early attention.

The ten chairmen already appointed and the NAB district director making the respective appointments are listed below:

- District 1 Paul W. Morency, Director  
F. M. Sloan, Chief Engineer  
Radio Station WBZ-WBZA  
275 Tremont Street  
Boston, Massachusetts
- District 3 Roy Thompson, Director  
T. C. Kenney, Chief Engineer  
Radio Station KDKA  
Grant Building  
Pittsburgh, Pennsylvania
- District 4 Richard Shafto, Director  
Clyde M. Hunt, Chief Engineer  
Radio Station WTOP  
Earle Building  
Washington, D. C.
- District 5 James W. Woodruff, Jr., Director  
J. C. Bell, Chief Engineer  
Radio Station WBRC  
2nd Ave. & 18 St. N.  
Birmingham, Alabama
- District 7 Nathan Lord, Director  
Lester H. Nafzger, Chief Engineer  
Radio Station WBNS  
33 North High Street  
Columbus, Ohio
- District 8 John E. Fetzer, Director  
A. Friedenthal, Chief Engineer  
Audio Division  
Radio Station WJR  
Detroit, Michigan
- District 10 John J. Gillin, Jr., Director  
Henry E. Goldenberg  
Radio Station WHB  
Scarritt Building  
Kansas City, Missouri
- District 13 Hugh Half, Director  
George W. Ing, Chief Engineer  
Radio Station KONO  
317 Arden Grove  
San Antonio, Texas
- District 15 Arthur Westlund, Director  
George Greaves, Chief Engineer  
Radio Station KPO  
420 Taylor Street  
San Francisco, California
- District 17 Harry R. Spence, Director  
Joseph Kolesar, Chief Engineer  
Radio Station KMO  
914 Broadway  
Tacoma, Washington

### TURNER APPOINTED TO FCC ENGINEERING STAFF

The FCC announces the appointment of George S. Turner as chief of the field division of the FCC's Engineering Department, replacing William D. Terrell, who retired from government service today after 40 years' outstanding work in the field of communications. Mr. Turner has been Assistant Chief of the Field Division since 1940.

A native of Independence, Md., Mr. Turner has the degrees of Bachelor and Master of Law from the Atlantic Law School in Atlanta, Ga. During World War I he served as radio instructor at the Great Lakes Naval Training Station and was subsequently commissioned Ensign in the Volunteer Naval Reserve.

After the war, Mr. Turner became the original radio operator-engineer at stations 9XAB, Kansas City, Mo.,

one of the first experimental radio broadcast stations in the Middle West, and in 1921 was employed by the Southwestern Bell Telephone Co. in Kansas City. From 1924 to 1931 he served with the Department of Commerce, first as a Radio Inspector and later as Assistant Radio Supervisor of the Radio Division. Mr. Turner came with the Federal Radio Commission in 1931 as Radio Inspector in Charge at Atlanta. He is a member of the Institute of Radio Engineers and the Georgia bar.

### ALFRED STEELE NAMED WAR BOND RADIO ADVISOR

Alfred M. Steele, vice president of the D'Arcy Advertising Agency of St. Louis, was today appointed by Secretary of the Treasury Henry Morgenthau, as radio advisor of the War Finance Division, in charge of production of the various War Bond air programs.

Mr. Steele is at present responsible for such radio programs as the Andre Kostelanetz program, the Spotlight Band series; the Morton Downey-Raymond Paige programs; the Home Front Reporter programs and others.

### REYNOLDS HITS AGAIN

A program titled "Armed Forces Week" to stimulate sale of war bonds during the impending Third War Loan drive has been accepted by Vincent F. Callahan, War Savings Staff advertising, press and radio director, according to John E. Reynolds, now with the Marine Corps, and formerly manager of station WJRD.

Private Reynolds is author of the program idea just accepted and also of the highly successful "War Bond Week" idea originated by him at WJRD and accepted by the Treasury last January.

"Armed Forces Week" would include naming each day during a specified week of the drive as "Navy Day", "Marine Day", etc. On each of these days special programs and stunts could be originated which would include the Armed Forces personnel represented on the particular day. Speeches by returned heroes could be made, letters from overseas could be read, etc.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WDSU—J. H. Uhalt (transferor), E. A. Stephens, H. G. Wall, and Fred Weber (transferees), WDSU, Inc., New Orleans, La.—Granted consent to transfer control of WDSU, Inc., licensee of Station WDSU, from J. H. Uhalt to E. A. Stephens, H. G. Wall, and Fred Weber, for a consideration of \$200,000 cash plus additional consideration. (B3-TC-327)

Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of authority to transmit programs to Stations CFRB and CKAC and other stations under the control of the Canadian Broadcasting Corp. (B1-FP-113)

WCAR—Pontiac Broadcasting Co., Pontiac, Mich.—Granted special service authorization to operate from 7 a. m. to local sunrise with 250 watts power for the remainder of the license period. (B2-SSA-71)

### LICENSE RENEWALS

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted renewal of license for the period ending not later than April 1, 1945. (B1-R-892)

**KVSF**—New Mexico Broadcasting Co., Santa Fe, N. Mex.—Granted renewal of license for the period ending not later than June 1, 1945. (B5-R-840)

**WLBK**—The Bowling Green Broadcasting Co., near Bowling Green, Ky.—Granted renewal of license for the period ending not later than June 1, 1945. (B2-R-1076)

**KWLK**—Twin City Broadcasting Corp., Longview, Wash.—Granted renewal of license for the period ending not later than August 1, 1945. (B5-R-959)

**WEOA**—Evansville on the Air, Inc., Evansville, Ind.—Granted renewal of license for the period ending not later than August 1, 1945. (B4-R-883)

**WSAM**—Saginaw Broadcasting Co., Saginaw, Mich.—Granted renewal of license for the period ending not later than August 1, 1945. (B2-R-1062)

## ACTION ON RELAY BROADCAST STATIONS

Upon consideration of a further report of its Committee on Critical Radio Materials, the Commission announced that under certain enumerated conditions it would be in the public interest to authorize judicious use of idle equipment to increase the power of relay broadcast stations when existing power is insufficient, to make other changes in relay equipment to render improved service, and to construct new relay broadcast stations for the following purposes:

- (a) To be used as an emergency program link between the studio and the main transmitter in case of failure of the normal wire lines.
- (b) To facilitate the transmission of programs in connection with the war effort, particularly from camps and other places where adequate telephone line facilities are not available or where the cost is prohibitive.
- (c) To facilitate the broadcast of programs from remote points where the shortage of lines has made it impossible or extremely difficult to obtain these facilities.

Applications for authorizations to change facilities or to construct new relay broadcast stations for the purposes set forth herein may be granted upon a satisfactory showing that:

- (1) All required materials may be obtained without priority assistance for either construction or maintenance;
- (2) Such applications involve no inconsistencies with the Commission's Rules and Regulations;
- (3) Such applications tend toward a fair, efficient, and equitable distribution of radio service, are consistent with sound allocation principles, and offer substantial improvement in relay broadcast service; and
- (4) Such applications are otherwise in the public interest.

Applications to change facilities or to construct new relay broadcast stations, which have been dismissed without prejudice pursuant to the policy announced in Memorandum Opinion of April 27, 1942, may be reinstated for consideration in the light of the new circumstances upon the filing of petitions within thirty (30) days of this date showing (1) that such applications are in conformity with the foregoing conditions; and (2) any and all changes with respect to facts and circumstances given in original applications.

## MISCELLANEOUS

**WBEZ**—Board of Education, City of Chicago, Ill.—Granted license to cover construction permit for new non-commercial educational broadcast station. (B4-LED-9)

In re Harold Gilliam, Fairbanks, Alaska.—Adopted order for substitution of parties in the proceedings in Dockets 5646, 5647, 5656, 5709 and 5710, to change the name of the applicant to Thomas H. Appleton and Thomas M. Donohoe, administrators of the estate of Harold Gilliam.

## APPLICATIONS FILED AT FCC

### 570 Kilocycles

**WNAX**—WNAX Broadcasting Co., Yankton, S. Dak.—Modification of construction permit (B4-P-3288 as modified) which authorized increase in power and installation of directional antenna for night use requesting extension of completion date from 9-7-43 to 11-7-43.

### 620 Kilocycles

**KWFT**—Wichita Broadcasting Co., Wichita Falls, Tex.—Voluntary assignment of license to Wichita Broadcasters, a partnership, Joe B. Carrigan, Mrs. Joe B. Carrigan, P. K. Smith, Trustee, P. K. Smith, Mrs. Claude M. Simpson, Jr.

### 790 Kilocycles

**KVOS**—KVOS, Inc., Bellingham, Wash.—Modification of construction permit (B5-P-3237 as modified) which authorized change in frequency, increase in power, installation of new transmitter and directional antenna and move, FOR decrease in power from 1 KW to 250 watts, using present licensed transmitter and antenna at licensed site, and extension of commencement and completion dates.

### 820 Kilocycles

**WTBO**—Associated Broadcasting Corp., Cumberland, Md.—Acquisition of control of licensee corporation by Aurelia S. Becker through the purchase of 50 shares of stock from Leon E. Pamphilon.

**WTBO**—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to change frequency from 820 kc. to 1450 kc. and hours of operation from limited to unlimited time.

### 930 Kilocycles

**WJAX**—City of Jacksonville, Jacksonville, Fla.—Construction permit to install an auxiliary transmitter.

### 1240 Kilocycles

**KFJI**—KFJI Broadcasters, Inc., Klamath Falls, Ore.—Involuntary transfer of control of licensee corporation from John A. Kincaid to George Kincaid, Executor of the Last Will and Testament of John A. Kincaid, Deceased (64% of stock).

### 1320 Kilocycles

**KXYZ**—Harris County Broadcast Co., Houston, Tex.—Special service authorization to operate on 1320 kc., unlimited time, with power of 5 KW day and 2½ KW night, employing temporary non-directional antenna, for the period ending 10-1-44.

**KXYZ**—Harris County Broadcast Co., Houston, Tex.—Authority to determine operating power by direct measurement of antenna power under above application for special service authorization.

### 1340 Kilocycles

**WSAV**—WSAV, Inc., Savannah, Ga.—Acquisition of control of licensee corporation by Harben Daniel and Catherine Murrey Daniel through transfer of 32 shares of stock from E. E. Murray, Sr., to Catherine Murrey Daniel.

**WDAK**—L. J. Duncan, Leila A. Duncan, Josephine A. Keith, Effie H. Allen, Aubrey Gay, d/b as Valley Broadcasting Co., Columbus, Ga.—License to cover construction permit (B3-P-3529) which authorized move of station from West Point, Ga., to Columbus, Ga.

**WDAK**—L. J. Duncan, Leila A. Duncan, Josephine A. Keith, Effie H. Allen, Aubrey Gay, d/b as Valley Broadcasting Co., Columbus, Ga.—Authority to determine operating power by direct measurement of antenna power.

## MISCELLANEOUS APPLICATIONS

**W8XAL**—The Crosley Corp., Cincinnati, Ohio.—Extension of special experimental authorization and modification requesting authority to operate a 1-KW transmitter on 6080 kc., with 1 KW power, A-0 and A-1 emission for identification purposes only to be used with WLWK and WLWO, for the period ending 11-1-44.

**KDNT**—Harwell V. Shepard, Denton, Tex.—Construction permit to increase power from 100 watts to 250 watts and make changes in transmitting equipment.

**NEW**—World Publishing Company, Omaha, Nebr.—Construction permit for a new high frequency broadcast station (FM) to be operated on 45,500 kc., with coverage of 11,660 square miles.

# FEDERAL TRADE COMMISSION DOCKET

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Good Value Bargain House**, 643 E. 9th St., New York, engaged in buying and selling new and old, worn and previously used articles of clothing, including dresses and overcoats, is charged in a complaint with violation of the Wool Products Labeling Act of 1939 and the Federal Trade Commission Act. (5034)

**Mid-West Drug Co., Inc.**—A complaint has been issued charging Mid-West Drug Co., Inc., Fort Wayne, Ind., and its officers, J. R. Dale and W. O. Duane, with misrepresenting the therapeutic properties of Ju-Van, advertised as a treatment for obesity, and with failing to reveal in advertisements that use of the preparation may be injurious to health. (5036)

**Peggy Shop**, 1412 Chestnut St., Philadelphia, selling women's clothing, is charged in a complaint with violation of the Wool Products Labeling Act of 1939, and the Federal Trade Commission Act. (5035)

## CEASE AND DESIST ORDER

The Commission issued the following cease and desist order last week:

**Utilities Engineering Institute**, 1314 Belden Ave., Chicago, has been ordered to cease and desist from representing that students who complete its correspondence courses of instruction in refrigeration, air-conditioning and welding qualify as experts in those fields and have unusual opportunities for employment. (4532)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Thomas W. Dunn Co.**, 546 Greenwich St., New York, selling and distributing various products, has stipulated that in connection with the sale and distribution of food gelatine it will cease and desist from representing that it makes or manufactures any such product unless it actually owns and operates, or directly and absolutely controls, a plant or factory wherein is made any and all products sold or offered for sale by it under such representation. (3702)

**Dwarfies Corporation**, Council Bluffs, Iowa, selling and distributing a breakfast cereal designated "Dwarfies Wheatmix," has stipulated to cease and desist from the use of any statement or representation the effect of which tends to convey the belief or impression that the product can be depended upon to provide increased energy, vigor or "pep"; supply children with vim, vigor or vitality, or put color in their cheeks; promote growth or energy, benefit the nervous system, improve the appetite, or result in strong nerves or nerve strength.

It also agrees to discontinue representing that the product, due to its iron or copper content, makes "red blood" or is a blood builder, or that it contains iron or copper in such significant or substantial amount as to render the product of therapeutic value in the treatment of any type of anemia. (3704)

**Fusion Engineering**, 1836 Euclid Ave., Cleveland, Ohio, and conducting an experimental and research laboratory for the development of formulas for solders to meet specific industrial needs, has stipulated that, in connection with the advertising, sale or distribution of its products in commerce, it will cease and desist from use of the words "Silver Fuse" as a brand name for the products; and from use of the word "silver" in any way as descriptive of said products, so as to imply that they are composed of silver. If the products are composed of silver in substantial part, and the word "silver" is used to designate such silver content, then the word "silver" whenever used shall be immediately accompanied by some other words printed in type equally as conspicuous so as to indicate clearly that the product is not composed of silver or of silver in excess of the quantity actually contained therein. (3706)

**Miller's Furs, Inc.**, 1235 G St., N. W., Washington, D. C., selling and distributing furs and fur garments, has entered into a stipulation in which it agrees to cease and desist from using the words "Civet Cat" or words of like meaning, either alone or in connection with other words, to describe furs or fur garments made from the peltries of little spotted skunks or any peltries other than civet cat peltries; the word "Mink" or other word of like meaning to describe furs made from rabbit or muskrat peltries or peltries other than mink peltries; the word "Sable" or other word of like meaning to describe or refer to furs made from rabbit, muskrat or any peltries other than sable peltries; the word "Beaver" to describe garments made from rabbit peltries or peltries other than beaver peltries; the word "Seal" or other word or term of like meaning to describe or refer to furs or fur garments made from rabbit peltries or any peltries other than seal peltries; the word "Caracul" to describe furs or fur garments made from kid peltries; or the word "Marmink" or other word connoting mink to describe furs or fur garments made from marmot peltries or any peltries other than mink peltries; unless each of the foregoing words or terms is compounded with the word "Dyed" and, when so compounded, is immediately followed in equally conspicuous type by the true name of the fur. (3701)

**Northern Research Industries**, 402 East First St., Dayton, Ohio, selling cosmetic preparations designated "Vita-Fluff," "Lovili" and "Glamour," has stipulated to cease and desist from representing that Vita-Fluff adds natural sheen or any sheen or luster to the hair; that Lovili is not similar to Vita-Fluff or that they are not identical except for a small content of synthetic oil added to Lovili; that Lovili creates a true sheen which will last indefinitely or for any longer time than that produced by ordinary oil shampoos; that Glamour is made from actual lemon, or that, as an acid-free product, it may be relied upon to accomplish results equivalent to those obtained from a lemon rinse. (3699)

**Pharmaceutical Products Co., Inc.**, 480 Lexington Ave., New York, selling and distributing electrically operated shaving devices called "Roto-Shavers," has stipulated to discontinue use of the statement "Thousands have been sold for \$18.75" and from use of any statement or representation which may convey the belief that the product is of an indicated value in excess of what is actually the fact, or that it has been regularly sold for a stated amount which is fictitious or in excess of the amount for which it has been customarily sold in the usual course of business. (3707)

**Plato Training Service** and formerly as Plato Institute, 15224 Plato Ave., Cleveland, Ohio, engaged in the sale and distribution of correspondence school courses of home study intended to assist students to pass civil service examinations, have stipulated to cease and desist from use of the word "Institute" as part of the trade name under which they carry on their business and from use of other words implying that the business conducted by them is an organization for the promotion of learning, such as philosophy, art or science, and has equipment and faculty such as to entitle it to be designated an institute; from referring to any persons as "President" and "Secy. Treas." of Plato Training Service and from any other representation which may convey the belief or impression that the business is incorporated; and from representing that a course of instruction or enrollment in the school

conducted by them is a condition precedent to qualifying for a civil service position or that subscription to or completion of such course or any other home study course of instruction is a prerequisite for success in passing civil service examinations. (3703)

**Morris Schwartz Corp.**, 363 Seventh Ave., New York, engaged in the sale and distribution of furs, has stipulated to cease and desist from use of the words "Menton Beaver", "Beaver" or words of like meaning, either alone or in connection with other words, to describe furs or fur products made of other than beaver peltries; from use of the words "Hudseal Sealine", "Norm. Sealines" or other words or terms to describe furs or fur products made of peltries other than seal peltries, and from use of the word "Persian" or any other word of like meaning to designate furs or fur products made of peltries other than true or pure bred Persian lamb peltries, unless in each case the word or term is compounded with the word "dyed" or the word "processed", and, when so compounded, is immediately followed in equally conspicuous type by the true name of the fur. (3705)

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## NAB 4TH DISTRICT MEETS AT ASHEVILLE; CAMPBELL ARNOUX ELECTED DIRECTOR

Broadcasters of the fourth district, NAB, met at Asheville, N. C., Sept. 3-4, and elected Campbell Arnoux, WTAR, district director to succeed G. Richard Shafto, WIS, who presided over the meeting sessions.

NAB Director-at-Large Don Elias and his WWNC staff were hosts at the gathering, which was termed enthusiastic and successful by all present.

First session was opened in the Grove Park Inn by Mr. Shafto who, after a brief talk, introduced Neville Miller, NAB president, who spoke on the need of legislation to clarify the powers of FCC due to the recent Supreme Court decision.

After general discussion on legislation, the following resolution was passed:

"RESOLVED: That the membership of the fourth district of the NAB, comprised of the owners and managers of radio stations in North Carolina, South Carolina, Virginia, West Virginia and the District of Columbia, view with alarm the possible effect of the May 10th decision of the Supreme Court of the United States, holding that the FCC was endowed with heretofore unsuspected, expansive powers.

"BE IT FURTHER RESOLVED: That the membership of this fourth district, in conjunction with other members throughout the United States, urges the Congress to adopt legislation which will definitely and clearly prescribe the powers which they wish delegated to the FCC and that the first step in obtaining this legislation be taken immediately by the United States Senate through the passage of the White-Wheeler bill or such other legislation as will provide for the security and safety of a free radio."

Discussion of the afternoon session, first day, centered around the A. F. of M. recording ban, with Cy Langlois, Lang-Worth; Carl Haverlin, BMI; Mr. Miller, Mr. Shafto, Mr. Elias, Ed Allen, Fred Fletcher and others participating. The broadcasters agreed all possible positive steps to solve the problem should be taken.

D. Hiden Ramsey, general manager, *Asheville Citizen Times*, talked on public relations (see account of this talk at end of this report), after which Harold Essex, of WSJS-W41MM, put on an FM demonstration and talk. A question and answer discussion ensued.

Senator Ed (Cotton Ed) Smith, of South Carolina, was scheduled as dinner speaker, but illness prevented his appearance. Mr. Shafto read Senator's Smith's speech, after which Toastmaster Elias introduced Sol Taishoff, editor, *Broadcasting*; Leonard Callahan, SESAC, and Earl Gammons, of CBS, Washington, all of whom made talks.

Second day sessions were opened by two breakfasts, one for sales managers, presided over by Stanton P. Kettler, WMMN, and the other for public relations directors, over which Irvin Abeloff, WRVA, presided.

Remainder of the meeting was taken up with discussions of the recording ban, election of Mr. Arnoux and a talk by Lewis H. Avery, NAB director of broadcast advertising,

who described the Retail Promotion Plan presentation, which "opens" in Washington October 5 and then will tour the nation.

Following are additional resolutions passed at the meeting:

### Resolutions Passed at Fourth District Meeting September 3-4, 1943

- 1) RESOLVED: That the members of the Fourth District of the NAB do here express their gratitude and appreciation to the management of the Grove Park Inn for the very courteous and efficient manner in which it has entertained Fourth District meeting.
- 2) RESOLVED: That the membership of the Fourth District extend its thanks and appreciation to Don Elias and the staff of WWNC for their untiring effort and gracious hospitality as hosts of this meeting.
- 3) RESOLVED: That the Fourth District membership does here express its deep appreciation to D. Hiden Ramsey for his clear, masterful, and sympathetic exposition of some of radio's most pressing problems. Be it further resolved that our appreciation be also extended to the Asheville Citizen Times Company for its generous cooperation.
- 4) RESOLVED: That the membership of the Fourth District of NAB extend its gratitude and appreciation to G. Richard Shafto for his unselfish devotion and his splendid contribution to the affairs and interests of his constituents in this District.
- 5) RESOLVED: That the membership of the Fourth District of NAB express to Honorable Ellison D. Smith, Senior Senator from South Carolina, sincere regret that illness precluded his attendance at this meeting, and resolved further, that we the members are deeply grateful for the sympathetic understanding of our problems so ably expressed in his address as delivered by Director Shafto.

### Mr. Ramsey's Talk

Mr. Ramsey discussed the activities of the press in the field of community service and told the radio officials that they must consistently strive to associate their industry with local affairs if they are to make the public fully conscious of its value on the American scene.

"If you would take a leaf from the book of experience of newspapers, make a local imprint with your radio station. Newspapers long ago learned that people are most vitally interested in the things they know—that an American gets a lot more excited about a dog fight in the next block than he does about a famine in China," Mr. Ramsey said.

"Radio has been too cosmopolitan," he continued; "you have bragged too much about the programs you bring the

(Continued on page 376)



The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NAational 2080

Neville Miller, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## NAB 4TH DISTRICT MEETS AT ASHEVILLE; CAMPBELL ARNOUX ELECTED DIRECTOR

(Continued from page 375)

people from New York; you have not had enough local interests; there has not been enough of continuous community service."

Mr. Ramsey said that the press long ago learned the truth of the expression, "Eternal vigilance is the price of liberty," and stated that the threat to the freedom of radio will not be lifted with the passing of certain individuals or groups from high places in public life.

"Efforts to take away this freedom are not peculiar to this administration or this generation," Mr. Ramsey said. "To give men long periods of power is to make men despotic. Even Thomas Jefferson, who had done more than any other man in behalf of freedom of the press up to his time, wondered at one time whether or not the press should be regulated.

"The decision which gave rise to grave fears for the freedom of radio was not a decision of Mr. Frankfurter, it was a decision of the supreme court of the United States. It is not only Mr. Fly who is going to carry out this decision; it will be other officials in the years that are to come."

Mr. Ramsey ended his address by warning his hearers that "there can be no secure independence for the individual unless you have government by law and not by men."

The speaker had referred to the supreme court decision of last May 10 which held that the Federal Communications Commission had power to regulate, under the present communications act, not only the frequency and power assignments of radio but also to regulate the composition of the traffic, or programs.

Broadcasters and guests who attended the 4th district meeting are: Irvin G. Abeloff, WRVA; Edward A. Allen and Mrs. Allen, WLVA-WBTM-WLSL; Campbell Arnoux, WTAR; W. E. Bray, WMRC; Harry Bright and Mrs. Bright, WGBR; Stanley H. Brown, WRAL; Carl Burkland and Mrs. Burkland, WTOP; Leonard Callahan, SESAC; Ollie L. Carpenter, WPTF; Charles Crutchfield, WBT; Don S. Elias and Mrs. Elias, WWNC; Harold Essex and Mrs. Essex, WSJS-W41MM; W. C. Ewing, WFNC, and Francis Fitzgerald, WSOC.

Fred Fletcher, WRAL; R. A. Furr, WIS; Earl Gammons and Mrs. Gammons, WTOP; Mahlon A. Glascock, WRC; James A. Hagan and Mrs. Hagan, WWNC; Wilbur M. Havens, WMBG; Carl Haverlin, BMI; Grady Hipp, WIS; Herman Hipp, WIS; W. Russ Holt, WOLS; Cecil B. Hoskins and Mrs. Hoskins, WWNC; Walter Huffington and Mrs. Huffington, OWI; W. C. Irwin, WSOC; J. F. Jarman, WDNC; R. A. Jolley, WMRC; Alice Keith, National Academy of Broadcasting; Herbert Kendrick, WJLS, and Frank Kesler, WDBJ.

Peter Kettler, WMMN; J. W. Kirkpatrick, WSPA; C. Y. Langlois, Lang-Worth; Ezra McIntosh and Mrs.

McIntosh, WWNC; Richard H. Mason, WPTF; Neville Miller, NAB; Robert E. Mitchell, WMBG; Durham Moore, WRAL; R. S. Morris, WSOC; Paul Moyle, WFNC; John New, WTAR; Edwin Otis, MBSE; Royal Penny, WBT; Lieut. Graham Poyner, Navy public relations; John M. Rivers, WCSC; Odes E. Robinson and Mrs. Robinson, WCHS, and J. D. Saumenig, WIS.

G. Richard Shafto, WIS; G. O. Shepherd, WAYS; George W. Smith and Mrs. Smith, WWVA; Carleton Smith, WRC; Stewart Spencer, WPTF; Sol Taishoff and Mrs. Taishoff, *Broadcasting*; Harold H. Thoms and Mrs. Thoms, WAYS; Zeno Wall, Jr., and Mrs. Wall, WWNC; Jonas Weiland, WFTC; E. S. Whitlock, WRML; Bevo Whitmire, WFBC; A. D. Willard, WBT; Easton Woolley, NBC, and T. Doug Youngblood, WFIG.

## MEETINGS NOTICE

James W. Woodruff, Jr., WATL, as director of the NAB 5th district, will be host to and will preside over the 5th district meeting at Atlanta, Georgia, September 10 (today).

Willard D. Egolf, NAB assistant to the president, will represent NAB and will discuss new radio legislation, the latest developments in manpower, materials, etc., in Washington and public relations. John Outler, WSB, will describe the Retail Promotion Plan presentation.

Mr. Egolf will also attend the Florida Broadcasters Association meeting September 12 at Jacksonville.

## RADIO NEWS COMMITTEE APPOINTED; TO MEET IN NEW YORK WITH P.R. GROUP

Neville Miller has completed appointments to the newly-formed NAB Radio News Committee and has announced that this committee will meet with the NAB Public Relations Committee at the Waldorf-Astoria hotel in New York City September 15-16.

Committee personnel is: Karl Koerper, managing director, KMBC; William Dowdell, news editor, WLW; Tom Eaton, news editor, WTIC; Rex Howell, manager, KFXJ; L. Spencer Mitchell, WDAE; Paul White, director of news broadcasts, CBS, and Bill Brooks, director of news and special events, NBC. Walt Dennis, NAB news bureau chief, will serve the committee as secretary.

The News committee will meet jointly with the Public Relations committee the opening session Wednesday and at the luncheon that day to which the Association of Radio News Analysts members have been invited. Major George Fielding Eliot, ARNA president, and H. V. Kaltenborn will make brief talks.

The News committee will convene separately Wednesday afternoon and will hear Charter Heslep, radio division, Office of Censorship, speak on "After 12,000 Newscasts," and Russell Hogin, division of information, War Production Board, on "A Government Press Agent Looks at Radio News."

Thursday's sessions will be taken up with discussions on standards of newscast handling; recognition of the medium, its news and its personnel; radio and its own news; editorializing on the air and the future of radio news.

Bruce Robertson, associate editor of *Broadcasting* magazine, will address the Thursday luncheon of the News committee on "News of Radio Within the Industry."

Principal business of the Public Relations committee sessions will be discussion of the NAB public relations working plan, in preparation by Willard Egolf, NAB assistant to the president, since last June, and hearing of reports concerning the activities of Mrs. Dorothy Lewis, NAB coordinator of listener activity. The committee also

will discuss NAB participation in the Peabody Awards during the coming year.

Edgar Bill, WMBD, is chairman of the Public Relations committee and Mr. Egolf is secretary.

### FCC DENIES CIO PETITION

The CIO petition to intervene in the hearings on the BLUE network transfer (see pp. 367-68-69 NAB "Reports") was denied without prejudice by the Commission last week.

CIO in a long bill of particulars charged the radio industry with being unfair to labor in restricting labor's use of radio facilities on either a free or commercial basis. The petition asked FCC permission to bring these charges, which named NAB, before the hearings. FCC refused, but said CIO could appear with any matters relevant to the BLUE network transfer.

### REVISED RESOLUTION AGAINST HITCH-HIKES

The following resolution, passed by the 2nd district NAB meeting in Syracuse, is a revised issue of the one which appeared on page 361 of the NAB "Reports," Aug. 27, 1943:

"WHEREAS, the so-called hitch-hike and cow-catcher announcements presently used on Network, National Spot and Local commercial programs tend to lower the standards of good radio broadcasting, because they are a confusing annoyance to the radio listener, and,

"WHEREAS, the use of such announcements are considered to be incompatible with the responsibility placed upon radio station licensees to operate in the "public interest, convenience and necessity," and,

"WHEREAS, the use of such announcements is a growing concern to the Radio industry,

"NOW THEREFORE BE IT RESOLVED that Kolin Hager, chairman of the second district of the NAB, is instructed to advise the Board of Directors of the NAB of their views and request said Board of Directors to include this subject of hitch-hike and cow-catcher announcements on the agenda of the next National Convention of the NAB. Mr. Hager is further instructed by this resolution to request the NAB offices to inform, by adequate means, other districts of this resolution to the end that said districts may take whatever action on the subject which they deem advisable. Should the National Convention pass a resolution similar to this one, it is suggested that such resolution be brought to the attention of all advertising agencies, advertisers, networks and others engaged in the planning, production and presentation of commercial radio programs."

### HORSE BETTING RACKET

The old "place-a-bet" racket, familiar in many industries, is getting into the radio industry, according to a report furnished NAB by an alert broadcaster.

Here's the operation: Someone purporting to be a well-known broadcaster, or a friend of a w.k. broadcaster, will arrive in a town and call a station manager and say: "I'm a friend of Ted Husing" or "your friend, Benny, told me to look you up when I got here and as I'm a stranger, will you do a little favor for me . . . etc."

The "favor" is for the station manager to place bets on some horses for the visiting fireman. If the horses win, the station manager is to send the check or checks to a certain address by mail; if the nags lose, the fireman will send a check to the station manager—but he never does.

If you get a call on this subject, the best answer is "no, I don't bet on horses, I just eat them."

## Fortune Reprint

The *Fortune* magazine reprint of the article "The Promise of Television" has been received at NAB headquarters and will be sent all NAB members next week (Sept. 17).

### USES TO RECOMMEND DEFERMENTS

Instructions for referring to the United States Employment Service of cases involving selective service registrants engaged in critical occupations in war production or a war supporting activity were issued September 1, 1943, by the Selective Service Bureau of the WMC. The cases would be referred before the registrants affected are ordered to report for induction.

Under this procedure the USES may recommend that a registrant be deferred in his present employment or place him in more essential production. Broadcast occupations listed as critical are set forth in NAB Selective Service Handbook Supplement No. 13. This new regulation is fully covered by NAB Selective Service Supplement No. 14, mailed with this issue of the NAB "Reports."

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 13. They are subject to change.

#### Monday, September 13

To Be Heard Before Commissioner Durr

WNYC—City of New York Municipal Broadcasting System, New York, N. Y.—For special service authorization; 830 kc., 1 KW, 6 a. m. to 10 p. m.; directional antenna.

#### Wednesday, September 15

Oral Argument Before the Commission

WCOP—Massachusetts Broadcasting Corporation, Boston, Mass.—C. P., 1150 kc., 1 KW, DA-night, unlimited.

#### Thursday, September 16

Further Hearing

KRBA—Ben T. Wilson, R. A. Corbett and Thomas W. Baker, Co-partners, d/b as Red Lands Broadcasting Association, Lufkin, Tex.—Renewal of license, 1340 kc., 250 watts, unlimited.

KRBA—Ben T. Wilson, R. A. Corbett and Thomas W. Baker, Co-partners, d/b as Red Lands Broadcasting Association (Assignor).—Voluntary assignment of license, 1340 kc., 250 watts, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WLOL—Beatrice L. Devaney, Executrix of Estate of John P. Devaney, David J. Winton, and Charles J. Winton, Jr. (Transferor), Ralph L. Atlass (Transferee), Minneapolis,

Minn.—Granted consent to acquisition of control of Independent Merchants Broadcasting Co., licensee of station WLOL, by Ralph L. Atlass (transferee), from Beatrice L. Devaney, Executrix of the Estate of John P. Devaney, David J. Winton, and Charles J. Winton, Jr. (transferors), for a total consideration of \$6,319 (B4-TC-324).

National Broadcasting Co., Inc., New York City.—Granted extension of authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States (B1-FP-115). Granted extension of authority to transmit programs to Stations CBM and CBL and other stations under the control of the Canadian Broadcasting Corp. (B1-FP-116).

KFI—Earl C. Anthony, Inc., Los Angeles, Cal.—Adopted an Order (1) granting the petition for reconsideration filed by KFI directed against the action of the Commission granting the application of Iowa State College of Agriculture and Mechanic Arts (WOI), Ames, Iowa, for special service authorization to operate on 640 kc. from 6 a. m. to local sunrise, CST, with 1 KW power, for the period ending February 1, 1944; (2) set aside said action; and (3) designated the application for hearing upon specified issues. The Commission further ordered that Earle C. Anthony, Inc. (KFI), Los Angeles, be made a party to such hearing.

### DOCKET CASES

The Commission adopted a Decision and Order (B-190) granting application of O. R. Richardson, Fred L. Adair and Robert C. Adair, d/b as Radio Station WJOB (WJOB), Hammond, Ind., for a construction permit to make changes in transmitting equipment and increase operating power on 1230 kc. from 100 watts to 250 watts, unlimited time.

\* \* \*

At the same time the Commission adopted an Order (B-174) granting application of WIBC, Indiana Broadcasting Corp., Indianapolis, Ind., for construction permit to make modifications in the equipment of Station WIBC (which is now authorized to operate with 1 KW power night, 5 KW day), for operation of the station with 5 KW power, unlimited hours, employing a directional antenna during nighttime hours, subject to the express conditions that (a) objectionable interference will not be caused to the secondary nighttime service of Station CBA, Sackville, N. B., within the terms of the North American Regional Broadcasting Agreement, and (b) that as soon as materials become available or upon notice from the Commission the permittee will provide and install equipment necessary to comply in all respects with the Standards of Good Engineering Practice.

\* \* \*

In another action, the Commission adopted Proposed Findings of Fact and Conclusions (B-189) granting application of WGAR, The WGAR Broadcasting Co., Cleveland, Ohio, for construction permit to change frequency from 1480 to 1220 kc., increase nighttime power from 1 to 5 KW, make changes in directional antenna for nighttime use, and move transmitter site locally. This grant is subject to condition that (a) applicant shall take whatever steps are necessary to improve the signal of WGAR over the Cleveland business district to comply with the Commission's Rules and Regulations when materials and equipment again become available for construction of broadcast facilities; and (b) that applicant shall submit proof that the proposed radiating system is capable of producing a minimum effective field of 175 mv/m at one mile for 1 KW power (or 392 mv/m for 5 KW power).

Contingent upon the above action on the WGAR application a grant of construction permit was also made to WHBC, The Ohio Broadcasting Co., Canton, Ohio, to make changes in transmitting equipment, install directional antenna for nighttime use, change frequency from 1230 to 1480 kc., and increase power from 250 watts to 1 KW.

At the same time the application of WADC, Allen T. Simmons, Talmadge, Ohio, to use the 1220 kc. channel, increase power to 50 KW, and move transmitter site locally was denied. This station now operates on 1350 kc. with 5 KW, unlimited time, using directional antenna both daytime and nighttime.

\* \* \*

The Commission in a fourth action adopted Proposed Findings of Fact and Conclusions (B-188) denying without prejudice the

application of United Broadcasting Co., WHKC, Columbus, Ohio, to change frequency from 640 to 610 kc., increase power from 500 watts to 1 KW, and hours of operation from limited to unlimited time, relocate transmitter site, and install directional antenna for nighttime operation.

This action is in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, with respect to use of critical materials during the war period.

### DESIGNATED FOR HEARING

WFTL—Ralph A. Horton (Assignor), The Fort Industry Co. (Assignee), Fort Lauderdale, Fla.—Designated for hearing application for assignment of construction permit and license of broadcast station WFTL and license of relay stations WAAD and WRET, from Ralph A. Horton to The Fort Industry Co. (B3-APL-15; B3-ALRY-16; B3-ALRE-27).

WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Designated for hearing application for license to cover construction permit (for change in frequency from 1400 to 710 kc., increase in power from 250 watts to 10 KW, install new transmitter and directional antenna for night use, and move transmitter) and authority to determine operating power by direct method (B3-L-1755; B3-Z-1500).

WFTL—The Fort Industry Co., Fort Lauderdale, Fla.—Designated for hearing application for modification of license to move main studio from Fort Lauderdale to Miami, Fla. (B3-ML-1163).

### LICENSE RENEWALS

Granted renewal of license of following stations for the period beginning October 1, 1943, and ending not later than October 1, 1945:

KEUB, Price, Utah; KFAM, St. Cloud, Minn.; KORE, Eugene, Ore.; WCHV, Charlottesville, Va.; WFMJ, Youngstown, Ohio; WGL, Fort Wayne, Ind.; WGOV, Valdosta, Ga.; WHDL, Allegany, N. Y.; WHMA, Anniston, Ala.; WKIP, Poughkeepsie, N. Y.; WMVA, Martinsville, Va.; WNAB, Bridgeport, Conn.; KDNT, Denton, Tex.; KGFF, Shawnee, Okla.; WASK, Lafayette, Ind.; WLEU, Erie, Pa.; WHIT, New Bern, N. C.; WHLN, Harlan, Ky.; WHLS, Port Huron, Mich.

KIUL—Garden City Broadcasting Co. (Homer A. Ellison and Frank D. Conrad), Garden City, Kans.—Granted renewal of license for period ending not later than April 1, 1945 (B4-R-848).

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted renewal of license for period ending not later than August 1, 1945 (B2-R-750).

### MISCELLANEOUS

Congress of Industrial Organizations (CIO).—Referred to the Commission petition to intervene in re the application of Radio Corp. of America (Transferor) and American Broadcasting System, Inc. (Transferee), for consent to the transfer of control of Blue Network Company, Inc., licensee of Stations WJZ, New York, WENR, Chicago, and KGO, San Francisco, and 48 relay broadcast stations (Docket 6536).

WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—Granted modification of construction permit which authorized increase in power and DA for night use, for extension of completion date to 11-7-43 (B4-MP-1722).

WGOV—E. D. Rivers, Valdosta, Ga.—Granted authority to determine operating power by direct measurement of antenna power (B3-Z-1539).

W6XLA—Television Productions, Inc., Los Angeles, Cal.—Granted modification (B5-MPVB-104) of construction permit for new television relay broadcast station, for extension of completion date only, from September 1 to November 1, 1943.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Adopted Decision and Order denying petition for rehearing filed by Arkansas Broadcasting Co. (KLRA), directed against the action of the Commission granting the application of Baylor University and Carr P. Collins for a construction permit for new broadcast station in Corpus Christi, Tex.



National Broadcasting Co., Inc.—Denied petition for modification of Regulation 3.104.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Granted petition to dismiss without prejudice application for construction permit to increase power to 5 KW on 970 kc., unlimited time.

Ira Chase Koehne as a creditor and in behalf of all other creditors of Blue Network and as Counsel for Petitioning Creditors.—Denied without prejudice petition to intervene in the matter of Radio Corp. of America (Transferor) and American Broadcasting System, Inc. (Transferee), applicants for consent to transfer of control of Blue Network Company, Inc., licensee of Stations WJZ, New York, WENR, Chicago, KGO, San Francisco, and 48 relay broadcast stations.

The American Network, Inc.—Referred to the Commission petition to intervene in re application of Blue Network transfer of control.

## APPLICATIONS FILED AT FCC

### 740 Kilocycles

KTRH—KTRH Broadcasting Co., Houston, Tex.—Authority to determine operating power by direct measurement of antenna power in accordance with terms of above authorization.

KTRH—KTRH Broadcasting Co., Houston, Tex.—Special service authorization to operate on 740 kc., with power of 50 KW day and 25 KW night, employing a temporary directional antenna at night, for the period ending 2-1-44.

### 950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Special service authorization to operate with power of 2½ KW night and 5 KW daytime, employing temporary non-directional antenna, for the period ending 8-1-44.

KPRC—Houston Printing Corp., Houston, Tex.—Authority to determine operating power by direct measurement of antenna power under terms of above application for special service authorization.

### 1240 Kilocycles

WTAX—WTAX, Inc., Springfield, Ill.—Authority to determine operating power by direct measurement of antenna power.

### 1250 Kilocycles

WDAE—Tampa Times Company, Tampa, Fla.—Special service authorization to operate on 770 kc., with power of 5 KW, unlimited time, employing directional antenna at night, for the period ending 8-1-44.

### 1400 Kilocycles

WABY—Adirondack Broadcasting Co., Inc., Albany, N. Y.—License to cover construction permit (B1-P-3530) which authorized installation of new transmitter.

### 1450 Kilocycles

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine.—Authority to determine operating power by direct measurement of antenna power.

WMVA—Martinsville Broadcasting Co., Inc., Martinsville, Va.—Modification of license to change location of the main studio to E. of State Highway Route No. 108, 1.3 miles north of Martinsville, Va.

WGPC—J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co., Albany, Ga.—Construction permit to change frequency from 1450 kc. to 1490 kc. and move transmitter and studio from Albany, Ga., to West Point, Ga.

KWBW—William Wyse and Stanley Marsh, d/b as The Nation's Center Broadcasting Co., Hutchinson, Kans.—Voluntary assignment of license to William Wyse, Stanley Marsh and Bess Wyse, d/b as The Nation's Center Broadcasting Company.

## MISCELLANEOUS APPLICATIONS

NEW—The Times Herald Company, Port Huron, Mich.—Construction permit for a new high frequency (FM) broadcast

station to be operated on 47,700 kc., with coverage of 5,600 square miles.

NEW—Mutual Broadcasting System, Inc., Chicago, Ill.—Authority to transmit programs to Mexican stations known as "Radio Mil's Network."

# FEDERAL TRADE COMMISSION DOCKETS

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Detroit Soda Products Company**, Wyandotte, Mich., packing and distributing a baking soda (bicarbonate of soda) designated "Crystal Brand Baking Soda," recommended for use in the treatment of and as a remedy for various human ailments, and Aarons, Sill & Caron, Inc., Architects Bldg., Detroit, an advertising agency that has acted as agent in the dissemination of advertisements of the preparation, are charged in a complaint. (5037)

**Ox'o-Gas Company**, Palisades Park, N. J., selling and distributing a solution designated "Ox'o-Gas" for mixing or blending with gasoline, is charged in a complaint with misrepresentation. Under the name "Ox'o-Gas," he also has sold gasoline mixed with the solution. (5040)

**Trans-Pac Services, Inc.**—Misrepresentations of the therapeutic value of a medicinal preparation known as "OCA" and "OCA Pinkovels" is alleged in a complaint against Trans-Pac Services, Inc., 233 West 14th St., New York, which sells the product, and Dorland International, Rockefeller Center, New York, the advertising agency which aids in the preparation and dissemination of advertisements of the preparation. (5039)

**Wyeth Chemical Co.**, Jersey City, N. J., selling and distributing a medicinal preparation designated "Hill's Cold Tablets," and Hill Blackett and Glen Sample, trading as Blackett-Sample-Hummert, 221 No. La Salle St., Chicago, an advertising agency employed by the Wyeth Chemical Co., are charged in a complaint with misrepresentation and false advertising in radio continuities and in advertisements in newspapers, magazines and other periodicals. (5038)

## CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Crescent Yarns**, Mascher St. and Allegheny Ave., Philadelphia, selling and distributing knitting yarns, has stipulated to cease and desist from use of the word "Saxony" or any other word or words connoting any foreign geographical origin as a designation for or as descriptive of a product not imported from or made of materials imported from the country or locality indicated by the geographical designation or term. (3713)

**Fogel Refrigerator Co.**, 5400 Eadom St., Philadelphia, and selling and distributing refrigerators and refrigerating units, has stipulated to cease and desist from use of the words "Lifetime Vision" or other word or words of like meaning as descriptive of their refrigerator cases; from representing that purchasers of

the units are afforded unlimited protection, or any protection in excess of that actually provided, against display case worries such as fogging or sweating of glass fronts or other factors deterrent to clear vision; and from use of the words "Insurance Policy," or other words of like meaning, as a designation for or descriptive of an undertaking under the terms of which they agree to replace glass or other parts of such refrigerators for a consideration. (3714)

**Gantner-Williams, Inc.**, Golf, Ill., entered into a stipulation to cease and desist from certain misrepresentations in connection with the sale of a device designated "Auto-Serv Kleenex Dispenser," designed to dispense Kleenex tissues in automobiles. (3711)

**Hanovia Chemical & Manufacturing Co.**, Chestnut St. and New Jersey Railroad Ave., Newark, N. J., has entered into a stipulation to cease and desist from misrepresentation in the sale of its Hanovia Alpine Sun Lamp, advertised as having curative properties and as being safe for unsupervised home use. (3708)

**George V. Harnetty**, P. O. Box 1736, San Diego, Calif., selling a publication designated "My Own Story of My Diabetes," has stipulated to cease representing that by reading the publication a person "can learn a cure for diabetes." He further agrees not to publish or cause to be published any advertisement concerning the publication which fails to reveal the material fact that the treatment referred to in the advertisement involves the use of a chemical or drug which will have irritant effects and may seriously interfere with the proper functioning of injured or diseased kidneys, and that its prolonged use may injure kidneys that are normal. (03136)

**Hy-Grade Fur Corp.**—A stipulation to cease and desist from misrepresentations in the sale of fur garments has been entered into by Hy-Grade Fur Corp., Baltimore. (3709)

**National Retailer-Owned Grocers, Inc.**, Merchandise Mart, Chicago, selling dry dog food preparations designated "Roxey Dog Food Mix," "Roxey Dog Food," in kibbled and meal form, and "Roxey Rations Dog and Cat Food Meal," and referred to generally as "Roxey Brand Dog Food," has stipulated to cease and desist from representing that the products contain meat or beef, or causing to be published or disseminated any testimonials containing any representations contrary to the foregoing agreement. (03137)

**Permafex Products Co.**, 1844 North Front St., Philadelphia, selling a mastic preparation designated "Permafex," has stipulated to cease and desist from representing that the product is wearproof or the only hard mastic. (03138)

**Religious House and M. B. Waterman & Co., Not Inc.**, 333 So. Market St., Chicago, selling certain religious articles, has stipulated to cease and desist from representing that a crucifix advertised by him is hand-carved. (03139)

**San-Nap-Pak Manufacturing Co., Inc.**, 144 Broadway, New York, stipulated that, in connection with the sale of the sanitary tissue napkins it manufactures, it will discontinue representing by means of statements or picturizations that their absorbency exceeds that of other reputable brands by an apparent 50 percent or in any degree not established by competent scientific evidence. The corporation also agrees to cease using any other unwarranted statement or representation which tends to discredit or disparage competitors or their products. (3710)

**Schiff Bio-Food Products**, 3265 Joy Road, Detroit, selling medicinal preparations, designated "Crysta-Jell" and "Reducers Skin Lotion," has stipulated to cease and desist from representing that Crysta-Jell will restore energy or health; preserve health, youth or appearance, cure obesity, satisfy hunger, or effect a loss of 3 to 4 pounds of weight per week or in any other definitely stated amount within any given period of time; that it contains no drugs or chemicals; that it is a vegetable gelatin compound or a vegetable concentrate; or that Reducers Skin Lotion will keep the skin firm. (03135)

**Yarn Novelty Co.**, 42 North Ninth St., Philadelphia, selling and distributing knitting yarns, has stipulated to cease and desist from the use of the word "Shetland" or any other word of similar import as a designation for or as descriptive of any product not composed entirely of fibers from fleece of Shetland sheep grown on the Shetland Islands; provided, however, that in the case of a product composed in substantial part of such fiber, the word "Shetland" may be used as descriptive of the Shetland fiber content if there are used in immediate conjunction therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials; and from use of the words "Scotch," "Spanish," "Saxony" or other words connoting any foreign geographical origin as designations for or as descriptive of products not imported from or made of materials imported from the country or locality indicated by use of the geographical designation or term. (3712)



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 11, No. 38, September 17, 1943

### Petrillo Hearing Continued

Hearings before the panel of the War Labor Board continued on Thursday, September 9, when Mr. Socolow completed his presentation on behalf of the electrical transcription manufacturers. Mr. Padway, as counsel for the Union, thereupon requested and received an adjournment of one week to study the evidence before putting in the Union's case. The hearings are, therefore, expected to resume on Monday, September 20.

In addition to the completion of the transcription companies' case by Mr. Socolow, Mr. Milton Diamond made a statement on behalf of World Broadcasting System. In his presentation, Mr. Diamond said that the fact that the phonograph record cannot be controlled by the manufacturer and is used for any purpose which the purchaser chooses "presents a problem to us as manufacturers of records and we are not here in this proceeding as manufacturers of records . . . it presents a problem equally serious to the members of the American Federation of Musicians."

Mr. Diamond also said that the manufacturers of transcriptions should not be considered as record manufacturers at all but rather as rendering a service analogous to that of networks; and he thought that the relationship between transcription companies and the AFM should perhaps be re-evaluated in the light of the analogy.

Mr. Petrillo in response praised Mr. Diamond for asserting that the union had a problem in connection with the use of phonograph records and for his approach to this problem. Mr. Petrillo also threatened "that 160 radio stations in this country which have not employed musicians are going to employ musicians within the next 60 days. . ." Mr. Petrillo stated that he had received this information from the NAB, and he apparently was under the impression that the NAB had made public a list of 160 broadcasting stations affiliated with networks which did not employ musicians.

In this Mr. Petrillo is mistaken. The 160 stations to which he refers are actually 165 in number. These are the 165 stations which according to a survey made by the American Federation of Musicians are located in towns in which there is no local of the American Federation of Musicians. The NAB has never challenged this figure of 165 because the discrepancies between the NAB's information on this point and the union's acknowledged absence of locals is a minor one. With respect to network affiliated stations, Mr. Petrillo himself put into the record at the Senate hearing last January a list of 201 affiliated stations which he claimed did not employ union musicians.

In this connection it is of interest to note that on September 10, Judge Love of the Supreme Court of Monroe County in Rochester refused to grant WSAY a temporary injunction restraining the AFM from preventing Mutual and Blue from feeding to WSAY musical programs for so long as WSAY failed to employ a quota of musicians satisfactory to the local union.

### FREC Meeting

A meeting of the Executive Committee of the Federal Radio Education Committee has been called by Chairman John W. Studebaker, United States Commissioner of Education, for Friday, September 17, at the Statler Hotel in Washington, D. C. This is the first under the new plan adopted in April to hold meetings semi-annually rather than quarterly for the duration, and to formalize them to the extent of having different members prepare papers on assigned topics.

A sub-committee was appointed by Chairman Studebaker to be responsible for the planning of programs. Made up of the Washington, D. C. members, the committee, under the chairmanship of Neville Miller, NAB President, comprises George P. Adair, Assistant Chief Engineer of the Federal Communications Commission, Willard E. Givens, Executive Secretary of the National Education Association, Rt. Rev. Msgr. George Johnson, Director, Department of Education, National Catholic Welfare Conference, with Gertrude G. Broderick serving as secretary.

At the opening session Friday morning, four members are expected to discuss the general topic *How Can Radio Be More Effective as an Aid to Teaching?* Dr. Lyman Bryson, Director of Education of CBS, will consider it from the angle of what the network broadcaster considers his responsibility to be in the planning of educational programs. Dr. Bruce E. Mahan, Director of Extension Division, State University of Iowa, will evaluate the efforts of the networks to develop programs from the standpoint of education. The use of radio by State departments of education will be reported by Dabney S. Lancaster, State Superintendent of Public Instruction, Virginia. Some of the extra-curricular uses of radio that might make it seem important in a school system that may not be giving attention to its use as a classroom teaching aid will be discussed by Rt. Rev. Msgr. George Johnson, National Catholic Welfare Conference.

The luncheon and afternoon sessions are to be given over largely to a discussion of *FM and Its Possibilities as an Education Aid*. Heading the discussion at the luncheon session will be James Lawrence Fly, Chairman, Federal Communications Commission, after which George P. Adair, Assistant Chief Engineer at the FCC will outline in detail the present utilization of the five channels reserved exclusively in the ultra-high frequency band for education. Harold B. McCarty, Director, Station WHA, University of Wisconsin, will discuss what FM will mean to the college-owned station and what the attitude of the National Association of Educational Broadcasters is toward the development of FM educational stations.

Each topic will be followed by discussion of what FREC's responsibility may be in connection with the problem under consideration.

A preliminary report of the FREC Sub-Committee to Study Post-War Problems in Educational Radio, will be presented by the chairman, Levering Tyson, President of

(Continued on page 382)

Neville Miller, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Walter L. Dennis, *Chief, News Bureau*; Willard D. Egolf, *Assistant to the President*; Howard S. Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

## FREC MEETING

(Continued from page 381)

Muhlenberg College. This sub-committee was appointed at the April meeting of the committee and is made up of Judith C. Waller, Mid-West Educational Director of NBC at Chicago, George P. Adair, of the FCC, and Dr. Tyson.

## OWI Shuffle

Palmer Hoyt, domestic director of OWI, announces a strengthening of organization and a realignment of personnel in his branch. "This realignment," Mr. Hoyt said, "will produce these results:"

"It will improve our effectiveness in serving the media of information and the war agencies of the government. It will strengthen control over our varied programs, so as to carry out the policies laid down by Congress. It will effect many economies, but we will get the maximum possible return out of every dollar and every man and woman on the job."

James Allen continues as Assistant Director, while Stephen E. Fitzgerald becomes Assistant Director in Charge of Operations. Donald Stauffer likewise continues as Chief of the Radio Bureau.

Among the functions which the Domestic Branch will continue to perform, according to Mr. Hoyt's statement, are to serve as a channel between war agencies and the radio industry; coordinate and allocate all government requests for radio time; prepare radio war messages; and clear government war radio programs.

The major cuts in OWI operations are the elimination of certain production activities, including radio transcriptions, and the elimination of field offices.

## Public Relations and News Committees in Session

The NAB Executive Committee on Public Relations and the Radio News Committee held a joint session in New York on Wednesday (15) and are continuing in session at the time the REPORTS go to press. A complete statement of the discussions and conclusions reached will be given in next weeks NAB REPORTS.

## BMI TOP TUNES

These songs are currently listed by VARIETY as being among those most played on the networks for the week of August 23:

- "Do You Know"
- "I Heard You Cried Last Night"
- "Paper Doll"
- "Things That Mean So Much to Me"
- "Brazil—'Saludos Amigos'"
- "I'm Thinking Tonight of My Blue Eyes"
- "Pistol Packin' Mama"

## Radio Backs National War Fund Campaign

Indicative of the widespread industry support to the forthcoming National War Fund is the list of industry men behind the guns on the Radio Committee. They are:

### RADIO COMMITTEE

Neville Miller, President, NAB, chairman	Paul W. Morency WTIC, Hartford
Burridge Butler WLS, Chicago	William S. Paley, Presi- dent, CBS
Martin Campbell WFAA, Dallas	Eugene Pulliam WIRE, Indianapolis
Carl M. Everson WHKC, Columbus, Ohio	Harry Spence KXRO, Aberdeen
Leo Fitzpatrick WJR, Detroit	Major E. M. Stoer Hearst Radio, New York City
Clarence T. Hagman WTCN, Minneapolis	Niles Trammel, president, NBC
Wiley P. Harris WJDX, Jackson, Miss.	Lee B. Wailes KYW, Philadelphia
Harold A. Lafount 730 Fifth Avenue, New York City	Lewis Allen Weiss, Don Lee Network
Miller McClintock, presi- dent, MBS	Arthur Westlund KRE, Berkeley
Clair McCollough WGAL, Lancaster	Mark Woods, president, Blue
	Ed Yocum, KGHL, Billings

### RADIO ADVERTISING COMMITTEE

The Radio Advertising Committee consists of:

Joseph R. Busk, Ted Bates, Inc., Chairman  
Hubbell Robinson, Young and Rubicam  
Cadwell S. Swanson, J. Walter Thompson Co.  
S. Heagen Bayles, Ruthrauff and Ryan  
Harold Wengler, H. M. Kiesewetter Agency  
Maurice H. Bent, Blackett, Sample and Hummert

### OFFICE OF WAR INFORMATION

OWI personnel engaged in the radio campaign are:

Herman S. Hettinger, deputy director, OWI  
Donald D. Stauffer, chief, Domestic Radio Bureau  
Philip H. Cohen, deputy, Domestic Radio Bureau  
William Spire, chief, allocation section, Domestic Radio  
Bureau  
John Hymes, chief, station relations

Jesse Butcher is director of the radio department of the National War Fund. Associates are: Rene Kuhn, Jane Moore, and Joan MacDonald.

A radio kit, dated Sept. 10 has been mailed all stations.

### Fifth District Resolves on New Legislation

NAB Fifth District, meeting in Atlanta, Georgia, September 10, with James W. Woodruff, Jr., presiding, resolved that legislation was the greatest problem facing the radio industry, as follows:

"BE IT RESOLVED by the Fifth District of NAB:

1. That sound adequate basic legislation defining the rights and responsibilities of broadcasters and protecting the freedom of radio is the most important matter before the industry today.
2. That the Legislative Committee of NAB be instructed to proceed forthwith to prosecute the passage of such legislation through the White-Wheeler, Holmes or other bills which might prove, after adequate hearing and consideration, to be the best for the public and all interests of the industry.
3. That a Legislative Committee, composed of Harry Ayers of Anniston; Henry Johnston, Birmingham; Leonard

Reinsch, Atlanta; Walter Tison, Tampa, be appointed in the Fifth District to cooperate with the National Legislative Committee."

Discussion of the Petrillo situation resulted in a second resolution:

"A motion that this District go on record urging the Board of Directors and the Staff of the National Association of Broadcasters to prosecute with every means at their command methods to prevent the industry from being persecuted by any action of the American Federation of Musicians."

Addressing more than fifty registered delegates from Georgia, Alabama, and Florida, Willard D. Egolf, Assistant to the President, NAB, discussed the status of new legislation, the White-Wheeler bill, the Holmes bill and prospective hearings on both. Up to date reports on manpower, materials and selective service were also given. Many participated in the open discussions on all topics.

James W. Woodruff, Jr., appointed the following Legislative Committee: Thad Holt, WAPI, Birmingham, Ala.; Frank King, WMBR, Jacksonville, Fla.; Walter Tison, WFLA, Tampa, Fla.; and Red Cross, WMAZ, Macon, Ga. Luncheon speaker, Lou Gordon, Director of Public Relations for the Citizens and Southern Bank, paid radio high compliments for its promotion of the sale of War Bonds and requested generous contributions of time and talent in the Third War Loan Campaign.

### Florida Broadcasters Discuss ASCAP Law

The Florida Association of Broadcasters met in Jacksonville on Sunday, September 12, where Jack Hopkins, WJAX, assumed the office of President, following L. Spencer Mitchell, WDAE, Tampa, past incumbent.

Discussion of new radio legislation by Willard D. Egolf, NAB Assistant to the President, with additional remarks from the floor, was followed by passage of the resolution adopted by the Fifth NAB District in Atlanta two days previously, urging new laws. A report on manpower, materials, selective service and other phases of industry activities was also heard.

The afternoon session was devoted exclusively to a discussion of the Florida "anti-ASCAP" law, originally passed in 1937, which places prohibitions upon the operations of ASCAP, SESAC, AMP and BMI in that state. Further legislation was passed in 1939 and this year additional legislation was vetoed by the Governor.

Assistant Attorney General, John C. Wynn, explained the action of the Attorney General in filing a suit against these organizations for clarification of the law and his obligations as an enforcement officer, which the legislation prescribes. Action was taken by the Association to insure satisfactory conclusion to this and a suit previously filed by Palm Taverns, Inc., of West Palm Beach, in a "friendly" action against ASCAP.

Thirteen of the twenty members of the Association were present.

### Technician Training

Three youngsters have just received first-class radiotelephone licenses and six others have received second-class radiotelephone licenses in Portland, Oregon. All completed training in the Benson Polytechnic School which is a division of the Portland Public Schools. William E. Richardson is head instructor, War Production Training, Radio School.

The boys and girls vary in age from sixteen to seventeen years according to word received by Howard S. Frazier, NAB director of engineering. Stations located in and around Portland that are interested in this group should communicate with Mr. Richardson.

Members of the group are:

#### FIRST-CLASS LICENSE:

John Backman  
Lyle Eastlund  
James Holland

#### SECOND-CLASS LICENSE:

Miss Susanna Johnson  
Emmett Bernard  
Leslie Smith  
Richard White  
Don Kerlee  
Rudolph Peterson

## FEDERAL COMMUNICATIONS COMMISSION

### Fly on Broadcasting in the Public Interest

Discussing the transfer of the Blue Network at his press-radio conference on Monday, FCC Chairman James Lawrence Fly said that such an investigation gives the Commission a chance to look into questions which involve the broad general policies that fix the scope of broadcast operations. Fly said that it has to be borne in mind the necessity of having a broad general public service in radio, not a tendency to constrict and exclude, particularly in the field of public discussion, the presentation of views on important current issues, political, social and economic in character.

To the extent that broadcasting fails to meet that most important public need, to that extent it is deficient, Fly said. There seems to be something of a tendency in the industry generally to restrict and exclude rather than to lay down sound policies that will give us broader and more wholesome public service. He said: "It is time for the industry itself to take hold of this whole problem and see how opportunities can be made to render broader service and to agree on rendering more fundamental services. It is conceivable it may be the easiest way out to constrict and exclude, but it is not so clear that the easiest way out is the most constructive way."

To the extent that the industry might not "see the light," he was questioned, and the Chairman said "That would be a matter for the consideration of the Commission. It is something of a defensive complex, you know, that enters into this sort of thing, a tendency of the industry to avoid these vital questions on the public issues, to take refuge behind shibboleths rather than move out in a fundamental and vital way and grasp the issues and do something about rendering a public service in regard to them."

Continuing on this subject the Chairman said: "I rather suspect that if the present tendency continues, the overall utility of the broadcasting will tend to diminish from day to day, month to month, year to year, simply because of the ease of adopting restrictions and constrictive and exclusive measures. We seem to be simply sticking to the point that so long as an outfit is big enough and has some product to sell over a national network, it will get the time, and if not it won't get it. That's too easy a standard. Then, too, I would suppose it doesn't help that situation any where we permit that small restricted group to promote their own ideas and their own philosophies and press those upon the public's attention. You have that in a number of instances, which only accentuates the fact that you don't render a broad public service.

"I heard a so-called news program last night. It always is supposed to be a news program. Through the months it has been tending more and more to get away from the news of the day to the philosophies of the particular

sponsor. Things like that are done in a somewhat subtle if not over-subtle manner. Only by careful listening do you discover that he is not giving you news or comment on the world news, but is peddling ideas to you from the company headquarters. Where ideas and ideals and philosophies are promoted they ought to be promoted openly, and in any case when they are promoted they should be counterbalanced by other presentations so that the public will have the benefit of both sides of the controversial issues."

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 20th. They are subject to change.

Monday, September 20

Further Hearing

**WOKO**—WOKO, Incorporated, Albany, N. Y.—Renewal of license (Main and Auxiliary), 1460 kc., Main, 500 watts night, 1 KW day; Auxil., 500 watts, unlimited.

Further Hearing

To be heard before the Commission en banc in room 6121, New Post Office Bldg.

**WJZ, WENR, KGO** and 48 relay broadcast stations—Radio Corporation of America, (Transferor), and American Broadcasting System, Inc., (Transferee), New York, N. Y.—For consent to transfer of control of the Blue Network Co., Inc., Licensee of Radio Stations WJZ, WENR, KGO and 48 relay broadcast stations.

Thursday, September 23

To Be Heard Before Commissioner Durr

**WNYC**—City of New York Municipal Broadcasting System, New York, N. Y.—For Special Service Authorization, 830 kc., 1 KW, 6 a. m. to 10 p. m., directional antenna.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

**KROC**—Agnes P. Gentling, Executrix of the Estate of Gregory P. Gentling, Deceased, (Transferor), Lawrence C. Miller, et al., Trustees (Transferees), Rochester, Minn.—Granted consent to transfer control of station KROC from Agnes P. Gentling, Executrix of the Estate of Gregory P. Gentling, Deceased, to Lawrence C. Miller, et al., Trustees of the estate of Gregory P. Gentling, Deceased. No monetary consideration is involved in this application, only a transfer of 2505.5 shares of stock from the Executrix to a Trusteeship, as provided in the will of the Deceased (B4-TC-326).

**KRLH**—Clarence Scharbauer, Deceased (Assignor), Millard Eidson, Independent Executor of his estate (Assignee), Midland, Texas.—Granted consent to involuntary assignment of license (B3-AL-379), of station KRLH from Clarence Scharbauer, Deceased, to Millard Eidson, Independent Executor of his Estate.

**KRLH**—Millard Eidson, Independent Executor of the Estate of Clarence Scharbauer, Deceased, Midland, Texas.—Granted renewal of license (B3-R-877).

**WSAI**—The Crosley Corp., Cincinnati, Ohio.—Granted petition to operate booster amplifier by remote control, waiving requirements of Sec. 2.53 of the Rules, subject to certain conditions.

### MISCELLANEOUS

**WHOM**—New Jersey Broadcasting Corp., Jersey City, N. J.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1532).

**W9XG**—Purdue University, W. Lafayette, Ind.—Granted modification (B4-MPVB-103) of construction permit which authorized changes in equipment, frequencies, decrease in power and addition of aural channel using special emission for FM, for extension of completion date from 9-24-43 to 9-24-44.

**WFLA**—The Tribune Co., Tampa, Fla.—Granted request for oral argument and scheduled same for September 29, 1943, in re (B-184).

**American Network, Inc.**—Denied without prejudice to the right of petitioner to seek intervention in any future proceedings involving a change in the name of the operating company of the Blue Network Company, Inc., to the American Broadcasting System, Inc., or any similar name which would involve confusion with that of petitioner (Docket No. 6536).

**WHDH**—Matheson Radio Company, Inc., Boston, Mass.—Denied petition to correct existing station license so as to permit the operation of WHDH at night with a directional antenna after local sunset at Gainesville, Fla., instead of after local sunset at Boston, Mass.

**WNYC**—City of New York Municipal Broadcasting System, New York, N. Y.—Adopted order cancelling hearing scheduled for September 23, removed from the hearing docket and granted application for Special Service Authorization to permit station WNYC to operate until 10 p. m.

### APPLICATIONS FILED AT FCC

#### 620 Kilocycles

**WLBZ**—Maine Broadcasting Co., Inc., Bangor, Maine.—Modification of Construction Permit (B1-P-2868 as modified) which authorized increase in power, installation of new equipment and directional antenna for extension of completion date from 9-11-43 to 9-25-43.

#### 1240 Kilocycles

**KROY**—Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney and Will Thompson, Jr., a partnership, d/b as Royal Miller Radio, Sacramento, Calif.—Voluntary Assignment of License to Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney d/b as Royal Miller Radio.

#### 1400 Kilocycles

**KRKO**—The Everett Broadcasting Co., Inc., Everett, Wash.—Modification of License to increase power from 100 watts night, 250 watts daytime to 250 watts day and night.

#### 1490 Kilocycles

**NEW**—L. J. Duncan, Leil A. Duncan, Josephine A. (Keith) Rawls, Effie H. Allen, d/b as Valley Broadcasting Co., West Point, Ga.—Construction Permit for a new standard broadcast station to be operated on 1490 kc., 250 watts, unlimited time.

### MISCELLANEOUS APPLICATION

**NEW**—The Regents of the University of Michigan, Ann Arbor, Mich.—Construction Permit for a new Non-Commercial Educational Broadcast Station to be operated on 42900 kc., power of 1 KW and special emission for frequency modulation, unlimited hours of operation.

# FEDERAL TRADE COMMISSION DOCKETS

## COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**Bell's Homeopathic Pharmacy**, 222 Greenwich Street, New York, selling and distributing a preparation designated "Bell's Liquo Garlic," advertised as a competent treatment for ailments of dogs and cats, is charged in complaint with misrepresentation. (5043)

**Benjamin Chaitt**, Isaac Chaitt, Max Chaitt, and Mrs. Elizabeth Carl, conducting clothing stores in various cities, are charged in a complaint with violation of the Wool Products Labeling Act of 1939 and the Federal Trade Commission Act. (5041)

**Mayo Brothers Vitamins, Inc.**, trading as Mayo Bros., 639 South Spring St., Los Angeles, and its officers, Irby L. Mayo, Oran Frank F. Mayo and Paul Murry, are charged in a complaint with falsely advertising that they are connected with the Mayo Clinic at Rochester, Minn., and that the medicinal preparations they sell are sponsored or produced by the Mayo Clinic. The complaint also alleges that they have misrepresented the therapeutic value of the preparations which are designated "May Bros. Vitamin B Complex," "Mayo Bros. Vitamin B1," and "Mayo Bros. Family Formula." (5044)

**Motloid Company, Inc.**, and Wallace A. Erickson, 325 West Huron St., Chicago, engaged in the sale and distribution of a denture base designated "Moldent," are charged in a complaint with misrepresentation of the product. (5042)

**Danville Engraving Company**, 220 North Logan Ave., Danville, Ill., making, selling and distributing photo-engraving plates, is charged in the complaint with disparagement of competitors and misrepresentations of his products. (5045)

## STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Barnes Advertising Agency**, Marceline, Mo., selling and distributing calendars, has stipulated that, in soliciting the sale of or selling calendars or other printed, mimeographed or multi-graphed matter in commerce, she will cease making use of any alleged samples of calendars or other material in any manner, the effect of which may tend to convey the belief that such so-called samples are representative of or actually are samples of the calendars or other material to be delivered to purchasers, when such articles of merchandise as delivered are not comparable with the samples in quality, workmanship, material, design and appearance. (3716)

## CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Manhattan Brewing Company**, 3901 Emerald Ave., Chicago, brewing and selling beer and ale, among which are brands designated "Canadian Ace Brand Beer," "Canadian Ace Brand Ale," and "Old Wisconsin Lager Brand Beer," has been ordered to cease and desist from misrepresentation in the sale of its products. (4572)

**Modern Marketing Service, Inc.**, a purchasing organization with headquarters in Chicago, and a group of wholesale grocery firms for which it buys Red and White private brand foodstuffs and allied commodities, have been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act. (3783)

## FTC CASES CLOSED

The Federal Trade Commission has closed without prejudice two cases growing out of complaints which alleged violation of Section 2 (a) of the Robinson-Patman Act.

One complaint (4506) was against Callaway Mills, Lagrange, Ga., and the other (4744) against Tennessee Tufting Co., Nashville, Tenn. The respective respondents are engaged in the manufacture and sale of tufted bedspreads, bath mats, rugs and allied products.

The complaints alleged that the respondents, in the sale of products of like grade and quality to different purchasers, had discriminated in price by selling to some of their customers at prices lower than those at which they sold to other customers and by allowing certain purchasers rebates or discounts which were not granted to others.





# WORLD PREMIER RETAIL PROMOTION COMMITTEE PLAN

WASHINGTON, D. C., OCTOBER 12

## One Hundred and Sixteen Presentations Planned

Culminating over eighteen months of painstaking effort on the part of leaders in the retailing and radio field, the Retail Promotion Committee Plan is ready for debut. Chairman Paul W. Morency, under whose able leadership this ambitious undertaking has been carried out, has announced the Premier Showing for Washington, D. C., on Tuesday, October 12. Capital city stations participating in the plan have formed a committee headed by Carlton Smith, WRC; the other members being Carl Burkland, WTOP; Henry Seay, WOL; Ben Baylor, WMAL, and Bennett Larson, WWDC. This committee will join with representative Washington retailers in sponsoring the inaugural showing in the Congressional Room of the new Hotel Statler. Reaction to the preliminary announcement indicates widespread interest on the part of government officials and industry leaders and every indication points to a large attendance. This showing will set the pattern for one hundred sixteen presentations to be made in as many cities from coast to coast.

## MC's Selected

From the ranks of the radio industry fifteen men have been picked to serve as masters of ceremony for the showings. These men will be carefully trained in their MC duties in two especially arranged schools, one to be held in Detroit the week of October 4 and the other in New York the week of October 11. These men are M. F. Allison, WIW-WSAI, Cincinnati; Lew H. Avery, NAB, Washington, D. C.; Harry Burke, WOW, Omaha, Nebraska; Donald D. Davis, WHB, Kansas City, Missouri; James Gaines, NBC, New York; Arthur Hull Hayes, WABC, New York; Kingsley F. Horton, WEEI, Boston; Walter Johnson, WTIC, Hartford, Connecticut; John Nell, WOR, New York; John M. Outler, Jr., WSB, Atlanta, Georgia; Clyde Pemberton, KFJZ, Fort Worth, Texas; William C. Roux, NBC, New York; Frank Webb, KDKA, Pittsburgh, Pennsylvania; Frank P. Wright, San Francisco Retail Radio Bureau; and E. Y. Flanigan, WSPD, Toledo, Ohio.

All cities in which Master Showings are to be made have been notified of the dates and as soon as confirmations are received a complete schedule will be made public. Meantime Chairman Morency has released a list of the cities to be covered:

ALABAMA	IOWA	MICHIGAN	NORTH CAROLINA	RHODE ISLAND
Mobile	Cedar Rapids	Flint	Asheville	Providence
Montgomery	Davenport	Kalamazoo	Charlotte	SOUTH CAROLINA
ARKANSAS	Des Moines	MINNESOTA	Durham	Charleston
Little Rock	Dubuque	Albert Lea	Fayetteville	Columbia
CALIFORNIA	Fort Dodge	Duluth	New Bern	Greenville
Los Angeles	Sioux City	Minneapolis	Raleigh	Spartansburg
Oakland	KANSAS	St. Paul	Winston-Salem	TENNESSEE
San Diego	Wichita	MISSOURI	NORTH DAKOTA	Bristol
San Francisco	KENTUCKY	Kansas City	Fargo	Chattanooga
COLORADO	Louisville	St. Louis	Grand Forks	Kingsport
Denver	LOUISIANA	NEBRASKA	OHIO	Knoxville
CONNECTICUT	New Orleans	Lincoln	Akron	Memphis
Bridgeport	Shreveport	Omaha	Canton	Nashville
Hartford	MAINE	NEW HAMPSHIRE	Cincinnati	TEXAS
FLORIDA	Portland	Manchester	Cleveland	Austin
Gainesville	MARYLAND	NEW JERSEY	Columbus	Beaumont
Jacksonville	Baltimore	Newark	Dayton	Dallas
Miami	MASSACHUSETTS	NEW YORK	Springfield	El Paso
GEORGIA	Boston	Albany	Toledo	Fort Worth
Atlanta	Fall River	Buffalo	Youngstown	San Antonio
Columbus	Greenfield	New York	OKLAHOMA	UTAH
Macon	Pittsfield	Rochester	Oklahoma City	Provo
INDIANA	Springfield	Utica	Tulsa	VIRGINIA
Evansville	Worcester	PENNSYLVANIA	Pennsylvania	Danville
Fort Wayne	INDIANA	Altoona	Altoona	Lynchburg
Indianapolis	Indianapolis	Philadelphia	Philadelphia	Newport News
		Pittsburgh	Pittsburgh	Norfolk
				Richmond
				Roanoke



The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N St., N.W.

WASHINGTON

Phone NATIONAL 2080

Neville Miller, President

C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Walter L. Dennis, Chief, News Bureau; Willard D. Egolf, Assistant to the President; Howard S. Frazier, Director of Engineering; Joseph L. Miller, Director of Labor Relations; Paul F. Peter, Director of Research; Arthur C. Stringer, Director of Promotion.

- WASHINGTON: Seattle, Spokane, Tacoma, Parkersburg, Wheeling, WISCONSIN: La Crosse, Milwaukee, Racine, Wausau. WEST VIRGINIA: Beckley, Charleston, Huntington.

The committee which has devoted much time and energy to the successful production of this plan to its present point of showing is, in addition to Chairman Morency, as follows:

- Robert E. Bausman, WISH, Indianapolis, Ind. Gene L. Cagle, Texas Star Network, Fort Worth, Texas. Dietrich Dirks, KTRI, Sioux City, Iowa. John Esau, KTUL, Tulsa, Okla. James V. McConnell, NBC, New York, N. Y. Kenneth K. Hackathorn, WHK-WCLE, Cleveland, Ohio. Arthur Hull Hayes, WABC, New York, N. Y. Walter Johnson, WTIC, Hartford, Conn. C. L. McCarthy, KQW, San Jose, Calif. John M. Outler, Jr., WSB, Atlanta, Ga. Oliver Runchey, KOL, Seattle, Wash. William Crawford, WOR, New York, N. Y.

Lewis H. Avery, NAB Director of Broadcast Advertising has served as secretary.

DECCA-WORLD MAKE A.F.M. SETTLEMENT

Decca Records, Inc. and World Broadcasting System, Inc. announced to the War Labor Board this week that they had concluded a contract with the A. F. of M. for a period ending December 31, 1948, and that the contract would be put in writing by Monday, September 27th.

Decca and World under the terms of the verbal arrangement began recording at once, although it is believed that the recordings so made cannot be released by the companies until the contract is actually signed.

A. Walter Socolow speaking on behalf of the remaining transcription companies urged that the men return to work simultaneously for the other companies so that World and Decca would not receive any undue advantage, but the Union opposed this request and the Chairman of the Panel reserved decision on it.

Although Decca and World refused to make the terms of their deal with the Union public at the Panel hearing, a press release distributed on behalf of these companies gave some of the essential terms. The release shows the following schedule of payments:

- 1/4¢ on 35¢ records
1/2¢ " 50¢ "
3/4¢ " 75¢ "
1¢ " \$1 "
5¢ " \$2 "

On library transcriptions 3% of the gross rental fee of the transcriptions. No payment is to be made on transcriptions used only once.

World and Decca announced that no part of these payments would be passed along to the consumer.

It is not yet clear whether the payment is to be made to the musicians who are actually employed by World and Decca, or directly to the Union itself. It will be remembered that the Statement of Principle to which all of the record and transcription companies including World and Decca subscribed on February 23, 1943, included a statement that the companies would not accept the principle of making payments directly to the Union. This Statement of Principle received the support of the last NAB Convention.

Mr. Socolow stated to the Panel of the War Labor Board that the other transcription companies which are party to the proceeding would not accept the principle of making payment directly to the Union and that if this were part of the contract they wanted the case to continue before the Panel upon its merits. The Chairman of the Panel has announced that the War Labor Board will continue its jurisdiction in the dispute and that if the terms of the deal between the Union on the one hand and World and Decca on the other are not made public on Monday, he will again entertain the motion of other companies that the strike be ended as to all companies.

Meanwhile, WOR Recording Studios, which was never a party to the proceeding, which is engaged solely in the manufacture of commercial transcriptions, has agreed to execute any contract with respect to commercial transcriptions that may be executed by World and has received the right to commence the manufacture but not the distribution of transcriptions at once.

An editorial with respect to the principles in the proposed contract which appeared in the New York Times of September 23rd is reprinted herewith:

Why Petrillo Wins

One of the phonograph record companies has succumbed in large part to Mr. Petrillo's demands. It has signed a four-year contract with him agreeing to pay fees on every record it sells, ranging from one-quarter of a cent on records selling for 35 cents to 5 cents on a \$2 disk. It has still not been made entirely clear to whom these fees are to be paid. According to earlier reports they were to be paid to the musicians actually engaged in making the recordings. It was understood that the musicians, in turn, would be taxed by the Petrillo union to aid its unemployed members. Later reports, however, are that the fees will be paid by the record company direct to the union and not to the musicians making the disks.

Either of these arrangements would be unsound in principle, though the second would be the worse. In either case Mr. Petrillo would be levying a private tax—in one case on employers, in the other on members of his own union. The second arrangement would be unobjectionable if the members of his union were in fact as well as theory merely voluntary members free to remain with or to leave the union as they saw fit. But their membership is, in fact, obligatory. Through the irresponsible powers that Mr. Petrillo is free to exercise under existing law a musician, no matter how competent, can be effectively prevented from making a livelihood unless he is a member of the Petrillo union. Nevertheless, the membership of the union would presumably retain at least a nominal control over the funds that they were forced to turn into its treasury.

If the fees on record sales are to be paid directly to the Petrillo union, however, the resulting situation would be much worse. In that case Mr. Petrillo would be levying his private tax on employers. At best he would be administering a private system of unemployment relief. But there would be no public control whatever of the manner in which he used these funds. If only a small part of the funds actually went for paying unemployed musicians, if the bulk of them were used instead to increase the salaries or expense accounts of Mr. Petrillo and other union leaders, neither the record companies nor the consuming public that ultimately paid this private excise tax through higher record prices would have anything to say about the

matter. If Mr. Petrillo can succeed in getting this principle established, he will render himself and his fellow union leaders financially independent even of the members of their own unions.

It would be lacking in clarity of thought to put the primary blame for the resulting situation either on Mr. Petrillo personally or on any record company that succumbs to his terms. The primary blame must be placed on the Administration and Congress, who, by their official labor policy, have placed in the hands of labor leaders the private irresponsible powers which enable them to drive such anti-social bargains.

## HOUSE JUDICIARY COMMITTEE REJECTS DURR'S PETITION TO OUST H. I. C. CHAIRMAN COX

Asserting "no jurisdiction," and "no responsibility as a committee with reference to the subject matter," Representative Summers, (D. Texas) Chairman of the House Judiciary Committee, this week made public his Committee's decision to reject F.C.C. Commissioner Durr's petition to oust Representative Cox (D. Georgia) as Chairman of the special House committee investigating the F.C.C. Durr's petition claimed "bias and personal interest."

Last May, Commissioner Durr directed his petition to Speaker of the House, Sam Rayburn (D. Texas), who referred it to the House Judiciary Committee. When Congress convened this month, Durr addressed himself directly to the Judiciary Committee, asking to be heard on the petition.

Durr's letter of September 14 charged that the procedures of the Cox committee "have more than confirmed my original feeling that an investigation by a committee created and staffed as this one is, could serve no purpose except to prostitute the investigatory powers of Congress."

## Broadcast Advertising

### LOCAL WAR ADVERTISING POOL

Community support is needed to insure the success of the various war campaigns to buy bonds, to combat the black markets, to fight inflation, to lessen absenteeism, etc. In a number of cities the media have joined together to raise a local war advertising pool by donations of space, radio time and money from local advertisers, which has been administered by a local committee which allocates the pool among the advertising media and among the various war campaigns in accordance with the campaign's importance under local community conditions. Such a plan has been very successfully operated by all media jointly in Cleveland and in some other cities.

### Immediate Action Needed

Representatives of the War Advertising Council last summer worked on a proposal for a national plan which it was hoped could be put into operation in most of the cities of the country. However, announcement of a national plan has been abandoned, although the War Advertising Council still believes the plan is sound and would be helpful in all cities which could promote it. If such a plan is not in operation in your city, it is suggested that you give it serious consideration now, jointly with other media if possible, or separately if joint action is impossible.

### Outline of Plan

Due to the fact that the NAB does not know the circumstances existing in each city, we are outlining a general plan which can be modified to fit local conditions.

*Raising the Pool*—Donations should be requested from local advertisers of advertising space, radio time and money. Assurances should be given that each donor will not be again solicited for support of war programs for a stated period.

*Committee*—A committee should be formed composed of community leaders. Radio and newspaper executives perhaps will have to take the lead, but local business executives from all branches of business should be included.

*Allocation of fund*—The local committee should allocate the pool among the local media participating.

*Preparation and execution of the plan*—The local committee should have charge of the preparation and execution of the plan. In many cities where the plan has been in operation, a local advertising agency has been retained to assume responsibility for the execution of the plan, working under direction of the local committee.

*Campaigns*—Food will be the subject of a national campaign in November, followed by anti-inflation in December. There will be local campaigns on absenteeism, woman-power, etc. Complete information on all these campaigns will be supplied by OWI.

### Contact Your Local Newspaper

Rowan D. Spraker, representative of the National Editorial Association, on the War Advertising Council has just announced a plan similar to the one outlined above entitled "Small Community War Advertising Plan," which has been sent to the publishers of small community newspapers. This plan recommends joint action, stating:

"It should be emphasized in connection with each request that the plan is not the plan of any one group or of any one advertising medium, but that it is a *community* plan for community war advertising which should include the combined support of all business, agricultural and civic interests in the community."

Therefore, it is suggested you contact your local newspaper publisher, as it is believed that the plan will be more successful in most cities if all media join in the promotion of a joint plan.

### Local Responsibility

This type of plan has operated successfully in many cities. However, its success depends upon action of the local executives of radio stations, newspapers and billboard companies. The OWI will continue to furnish complete information on all campaigns, but the raising of the pool, its allocation, the keying of the campaigns to local conditions and the execution of the plan depends upon action by the local committee.

The NAB will be glad to supply additional information and advice on request.

### YOUNG & RUBICAM'S TRIBUTE TO MEDIA

Young & Rubicam will publish shortly full page advertisements paying tribute to the contribution to the war program made by newspapers, magazines and radio. These advertisements will appear in the *New York Times*, *Time*, *Newsweek*, *Fortune*, *Editor & Publisher* and *Broadcasting Magazine*. The tribute to newspapers will appear September 26, followed a week later by the tribute to magazines, and the following week by the tribute to radio.

Copies of advertisements will be sent to the respective media. All stations will receive a copy of the radio advertisement shortly after October 10. Watch for it as it will tell a story of which you will be proud and will want to retell in your own community.

# NAB NEWS COMMITTEE TO WORK UP PROPOSED NEWS TRAINING CURRICULUM

(Released by NAB News Bureau)

Practical plans to assist schools and colleges to install courses in radio news technique and broadcasting is the first major undertaking of the newly-organized Radio News Committee of the National Association of Broadcasters, it was announced at the closing session of the Committee's first meeting here today.

Curricula already established in such centers of news education as Columbia and Northwestern Universities will be studied and educators will be consulted to expedite placing such courses in as many universities and schools as possible to help alleviate the serious personnel shortage in radio news bureaus.

The Committee, meeting at the Waldorf-Astoria hotel in a two-day session, heard Charter Heslep, radio division, Office of Censorship, in a talk entitled "After 12,000 Newscasts" offer the following comments on broadcast news operations:

1. Accuracy: copyreading of material to be broadcast is highly essential; complete authority of the news operation should be vested in the news editor.

2. Honesty: broadcasters should do away with phony buildups of news analysts; false labels of personnel and service; lack of credit lines on sources; overworking of the terms "bulletin" and "flash"; establishing of a 30-minute pre-broadcast deadline for "bulletin" material.

3. Integrity: there should be no sponsor "censorship" of news; controversial issues in line with the broadcast code should be played impartially and fairly; broadcasters should be alert to propaganda; time "chiselers" should be banned from the air.

4. Responsibility: news editors should be aggressive in asserting their rights and responsibilities; radio stations should provide the most complete coverage within their means; there should be more coverage of local news to establish a closer bond between the community and the radio station.

Heslep spoke his own opinions formed after monitoring more than 12,000 newscasts in the Office of Censorship in the last year.

Russell Hogin, division of information, War Production Board, talked on "A Government Press Agent Looks at Radio" and said radio is giving too much "what" treatment of news without the "why"—too much bulletin stuff and not enough detail and qualification. He recommended that radio continually experiment to find new techniques in news broadcasting to give the listener the fullest service possible.

In a joint luncheon the first day with the NAB Public Relations Committee, the Radio News Committee had as guests the Association of Radio News Analysts. Neville Miller, president of NAB, was toastmaster and H. V. Kaltenborn, ARNA vice president, talked briefly on the place of the news analyst in broadcasting.

Bruce Robertson, associate editor of Broadcasting Magazine, spoke at the second day's luncheon on "News of Radio Within the Industry" and discussed trade press news presentation and standards.

In considering problems of radio newscast operation and standards of news broadcasting, the Radio News Committee took no action at the initial meeting, preferring to hold over definite recommendations to the industry to the next meeting after due consideration of the material presented.

In considering the problem of editorializing on the air and the operation and functions of news commentators and analysts, the Committee took the following position jointly with the Public Relations Committee:

"Responsibility for all broadcasting, including talks by news analysts, rests and must continue to rest on individual

station and network managements. The industry recognizes and accepts this responsibility and the Radio News Committee of the National Association of Broadcasters is certain that various management policies, however they may occasionally differ, are designed to further the public interest."

Members of the Radio News Committee are: L. Spencer Mitchell, WDAE, Tampa, Fla., temporary chairman; Paul White, director of news and special events, CBS; Bill Brooks, director of news and special events, NBC; Tom Eaton, news editor, WTIC, Hartford, Conn.; Rex Howell, manager, KFXJ, Grand Junction, Colo.; Bill Dowdell, news editor, WLW, Cincinnati, Ohio, and Walt Dennis, NAB news bureau chief, secretary. Karl Koerper, managing director, KMBC, Kansas City, Mo., chairman, was not able to attend.

## P. R. COMMITTEE ADOPTS WORKING PLAN

(Released by NAB News Bureau)

A complete working plan of public relations for the radio industry was adopted by the Public Relations Committee of NAB at its two-day meeting in New York Sept. 15-16.

The "grass roots" policy of this Committee, announced after its first session in Chicago in April, finds concrete expression in the finished working plan, which calls for active participation of local station management.

A completed panel of District Public Relations Chairmen was presented to the Committee by Willard D. Egolf, NAB Assistant to the President, who perfected the details of the working plan. The panel was completed yesterday with the appointment of three more district chairmen, C. T. Hagman, WTCN, Minneapolis, (11); Mrs. G. M. Phillips, KIDO, Boise, Idaho, (14), and W. H. Summer-ville, WWL, New Orleans, Louisiana, (16). An outline of activities will be given all seventeen district chairmen in the immediate future.

"Under the plan adopted by the Committee," said Edgar Bill, WMBD, Peoria, Ill., chairman, following the meeting, "radio's place in American life will be asserted and substantiated wherever there are broadcast facilities."

Mrs. Dorothy Lewis, coordinator of listener activity for NAB, presented reports of her contemplated fall tour of twenty-two cities in the interest of radio's role in the war, as well as details of the organization of the Association of Women Directors of NAB, of which there are now more than 600 members.

Also present at the two day meeting, Committee members and district chairmen, were Leslie Joy, KYW, Philadelphia; Edgar H. Twamley, WBEN, Buffalo; Frank M. Russell, NBC, Washington; George Crandall, CBS, New York; Neville Miller, NAB President, Washington; Edward E. Hill, WTAG, Worcester; Michael R. Hanna, WHCU, Ithaca; George D. Coleman, WGBI, Scranton; Vernon H. Pribble, WTAM, Cleveland, and John W. Elwood, KPO, San Francisco.

## EGOLF ANNOUNCES FULL LIST OF P. R. CHAIRMEN

Completed panel of district public relations chairmen for the 17 NAB districts as announced by Willard Egolf at the recent Public Relations Committee meeting in New York is as follows:

DISTRICT 1—Edward E. Hill, Director, Radio Station WTAG, Worcester Telegram Publishing Co., Inc., Worcester, Mass.

DISTRICT 2—Michael R. Hanna, Manager, Radio Station WHCU, Cornell University, Ithaca, New York.

DISTRICT 3—George D. Coleman, Radio Station WGBI, Scranton Broadcasters Inc., Scranton, Pennsylvania.

DISTRICT 5—W. Walter Tison, General Manager, Radio Station WFLA, The Tribune Company, Tampa, Florida.

DISTRICT 6—W. H. Summerville, Manager, Radio Station WWL, Loyola University, New Orleans, Louisiana.

DISTRICT 7—Vernon H. Pribble, Radio Station WTAM, 815 Superior Avenue, Cleveland, Ohio.

DISTRICT 8—Clarence Leich, Manager, Radio Stations WGBF-WEOA, Evansville on the Air, Inc., Evansville, Indiana.

DISTRICT 9—Edward E. Lindsay, Manager, Radio Station WSOY, Commodore Broadcasting Inc., Decatur, Illinois.

DISTRICT 10—Merle Jones, General Manager, Radio Station KMOX, Columbia Broadcasting System, St. Louis, Missouri.

DISTRICT 11—Clarence T. Hagman, Radio Station WTCN, Minnesota Broadcasting Corp., 115 East Grant Street, Minneapolis, Minnesota.

DISTRICT 12—Robert D. Enoch, General Manager, Radio Station KTOK, Oklahoma Broadcasting Company, Inc., Oklahoma City, Oklahoma.

DISTRICT 13—Karl O. Wyler, Manager, Radio Station KTSM, Tri-State Broadcasting Company, Inc., El Paso, Texas.

DISTRICT 14—Mrs. C. G. Phillips, Manager, Radio Station KIDO, Boise Broadcast Station, Boise, Idaho.

DISTRICT 15—John W. Elwood, General Manager, Radio Station KPO, National Broadcasting Company, San Francisco, California.

DISTRICT 16—J. G. Paltridge, Director of Public Relations, Earle C. Anthony, Inc., Radio Stations KFI-KECA, 141 North Vermont Avenue, Los Angeles, California.

DISTRICT 17—Harry Buckendahl, Radio Station KALE; KALE, Incorporated, Portland, Oregon.

## Engineering

### “RADIO TECHNICAL PLANNING BOARD” ORGANIZED BY NINE INDUSTRY AND SERVICE GROUPS

Nine industry and service groups have joined in organization of a “Radio Technical Planning Board” for studies to develop postwar radio services and products. Preliminary organization of the RTPB technical advisory group, which will formulate recommendations to the Federal Communications Commission and other organizations concerned, was effected at a meeting of the nine groups on September 15 at the Roosevelt Hotel, New York City. The organization plan for RTPB, sponsored and presented jointly by the Radio Manufacturers Association and the Institute of Radio Engineers, was approved unanimously by the initially invited “sponsors.” These included, in addition to RMA and IRE, the following:

American Institute of Electrical Engineers  
American Institute of Physics  
American Radio Relay League  
FM Broadcasters, Inc.  
International Association of Chiefs of Police  
National Association of Broadcasters  
National Independent Broadcasters

Other sponsors are expected to later join RTPB for work on many technical projects, including utilization of the broadcast spectrum and systems, standardization for many public radio services, including television and frequency modulation.

The general plan for organization of RTPB, approved unanimously at the New York meeting on September 15, will be developed in detail at another meeting in New York on September 29. President Paul V. Galvin of the Radio Manufacturers Association and Dr. L. P. Wheeler,

President of the Institute of Radio Engineers, have issued the invitation for the RTPB meeting on September 29 for detailed panel and other organization procedure.

Neville Miller and Howard S. Frazier will represent the National Association of Broadcasters.

### MILLER CITED FOR MERITORIOUS SERVICE

Neville Miller, member of the National War Fund Committee, of which Winthrop W. Aldrich is President, has received a citation for meritorious service from the National War Fund “in behalf of those in our country’s service, our valiant allies, and our neighbors at home, for his outstanding contribution to the 1943 National War Fund Campaign.”

### SHARP TO WPB RADIO AND RADAR DIVISION

Harold R. Sharp of Philadelphia has been appointed assistant director of labor of the WPB Radio and Radar Division, according to an announcement made Friday by Ray C. Ellis, director of the division.

Mr. Ellis has designated to Mr. Sharp responsibility within the division for handling labor problems, determining manpower needs in critical plants and areas, and securing appropriate inter-agency action to alleviate plant and community hindrance to the most effective use of available manpower. Mr. Sharp also will analyze individual plant manpower requirements upon request, in conjunction with Selective Service National Headquarters, advise regional WPB radio specialists on labor problems and make any necessary recommendations as to readjustment of production schedules.

### RADIO TO PLAY PROMINENT PART IN UNITED CHURCH CANVASS

Final plans are nearing completion for the United Church Canvass, in which all churches and synagogues have been invited to participate.

Niles Trammel, president, National Broadcasting Company, is radio chairman and Neville Miller is NAB representative.

The eight practical results of the canvass, according to Mr. Trammel are:

1. Increased church attendance.
2. Cooperation of laymen.
3. Increased community interest in church affairs.
4. Good will between local churches.
5. Sharing of common problems.
6. Cooperation of the finance committees of the churches.
7. A spiritual revival of interdenominational unity and consecration.
8. Increased giving.

During October and early November local committees will increase the tempo of their activities to peak as Canvass Day approaches. It is recommended by the United Church Canvass committee that the local canvass take place between November 21 and December 12.

### Partial List of Sponsors

Among the national sponsors are:

Charles E. Wilson, Washington, D. C., Chairman; Vice Chairman, War Production Board; former President, General Electric Company.

Judge Florence E. Allen, Cleveland.

Dr. Ferdinand Q. Blanchard, Cleveland, Moderator, Congregational Christian Church.

Dr. Paul H. Bowman, Bridgewater, Va., Moderator, Church of the Brethren.

Dr. John Stewart Bryan, Williamsburg, Va., President, William and Mary College.

Bishop A. R. Clippinger, Dayton, United Brethren in Christ.

Dr. Henry Sloane Coffin, New York, Moderator, Presbyterian Church in the U. S. A.

William H. Danforth, St. Louis, Chairman of the Board, Ralston Purina Mills.

David Davies, Newport, Ky.

Judge Hubert Delancy, New York, Court of Domestic Relations.

Dr. Harold M. Dodds, Princeton, N. J., President, Princeton University.

Bishop S. H. Gapp, Bethlehem, Pa., President, Moravian Church in America.

Dr. L. W. Goebel, Chicago, President, Evangelical and Reformed Church.

Mrs. Maurice L. Goldman, President, National Council of Jewish Women.

William Green, Washington, D. C., President, American Federation of Labor.

Bishop J. A. Hamlett, Kansas City, Kans., Colored Methodist Episcopal Church.

Judge William H. Holy, Chicago, United States District Court.

Herbert Hoover.

Dr. Douglas Horton, New York, Executive Secretary, Congregational Christian Church.

James L. Kraft, Chicago, President, Kraft-Phenix Cheese Corp.

Dr. John Howland Lathrop, Brooklyn, First Unitarian Congregational Society.

Herbert H. Lehman, New York, Director, Office of Foreign Relief and Rehabilitation.

Dr. C. E. Lemmon, President, Disciples of Christ.

Henry R. Luce, New York, Editor, "Time."

William G. Miller, Treasurer, Moravian Church in America.

George L. Morelock, Chicago, Executive Secretary, Board of Lay Activities of The Methodist Church.

John R. Mott, New York.

C. D. Pantle, St. Louis.

Mrs. Howard S. Palmer, New Haven, President, Women's American Baptist Home Mission Society.

Bishop W. W. Peele, Richmond, Chairman, Council of Bishops, The Methodist Church.

Rev. Jacob Prins, Grand Rapids, President, General Synod, Reformed Church in America.

Dr. William Barrow Pugh, Philadelphia, Stated Clerk, Presbyterian Church in the U. S. A.

Stanley Resor, New York, President, J. Walter Thompson Co.

Dr. Joseph C. Robbins, Newton Center, Mass., President, Northern Baptist Convention.

Hon. Owen J. Roberts, Washington, D. C., Justice of the Supreme Court.

Harl L. Russell, Marshalltown, Iowa, President, Council of Men's Work, Church of the Brethren.

Governor Leverett Saltonstall, Massachusetts.

Dr. Charles Seymour, New Haven, President, Yale University.

Harper Sibley, Rochester, N. Y.

Frank J. Sladen, M.D., Detroit, Chief Physician, Henry Ford Hospital.

Miss Cornelia Otis Skinner, New York.

Governor Charles A. Sprague, Oregon.

Former Governor Harold E. Stassen, Minnesota.

Paul Sturtevant, New York.

Charles P. Taft, Cincinnati, Assistant Coordinator, Federal Security Agency.

John H. Trent, New York, Vice President, Johns-Manville Corp.

Rt. Rev. Henry St. George Tucker, New York, Presiding Bishop, Protestant Episcopal Church.

Bishop Ernest Lynn Waldorf, Chicago, The Methodist Church.

Dr. Luther A. Weigle, New Haven, Dean, Yale Divinity School.

Judge Curtis B. Wilbur, San Francisco, U. S. Circuit Court.

Wendell L. Willkie, New York.

Dr. W. Bruce Wilson, Pittsburgh, General Secretary, United Presbyterian Church.

## FREC EXECUTIVE COMMITTEE PLANS FUTURE ACTION

James Lawrence Fly, addressing the executive committee of the Federal Radio Education Committee in Washington last Friday, discussed the five educational channels that have been set aside by FCC in the ultra high frequency band for exclusive non-commercial broadcasting and urged that "educators actually get busy and fill them with educational stations." (Full text of Chairman Fly's speech may be found in Federal Communications Commission section.)

Harold B. McCarty, representing the National Association of Educational Broadcasters, took issue with Chairman Fly for adopting what he described as "scare tactics" but he was assured by both Chairman Fly and by George P. Adair, who later addressed the meeting on procedures for licensing an FM educational station, that there was no intention to do anything more than to try to create an awareness in the minds of educators throughout the country of the need for making plans now which will justify retention of the frequencies for educational use when pressure for them for commercial use is intensified.

Under the general topic, "How Can Radio Be More Effective as an Aid to Teaching?" Dr. Lyman Bryson, Director of Education of CBS, addressed the meeting from the angle of what the network broadcaster considers his responsibility to be in the planning of educational programs. Dr. Bruce E. Mahan, Director of Extension Division, State University of Iowa, evaluated the efforts of the networks to develop educational programs. The use of radio by State departments of education was reported by Dabney S. Lancaster, State Superintendent of Public Instruction, Virginia. Some of the extra-curricular uses of radio that might make it seem important in a school system that may not be giving attention to its use as a classroom teaching aid were discussed by the Rt. Rev. Msgr. George Johnson, of the National Catholic Welfare Conference.

### Training Standards

The FREC, for many years, has published an annual list of colleges offering courses in radio but no attempt has been made to evaluate the courses. The need for some sort of evaluation of the work being done and the creation of standards for vocational training in radio as well as for teacher training courses, was regarded as a legitimate function of the FREC. The chairman was instructed to appoint a committee to develop a set of criteria for consideration at the next meeting of the committee.

The new network program-listing service for schools is to be launched late in September, when lists will be circulated to State Departments of education for re-circulation and promotion among city and county school systems.

### Post-War Planning

Dr. Levering Tyson, heading the sub-committee for the study of post-war educational radio, made a brief report of his committee, which included (1) that steps be taken to guarantee the continuity of the FREC; (2) that the educational world in general be kept informed continuously and accurately through the FREC, of the technical developments in radio in relation to education, with particular emphasis at this time upon the utilization of FM facilities reserved exclusively for education; (3) that the FREC assist in the formation of local and regional radio councils

and committees for the promotion of better understanding of the use of radio in the public interest; (4) that FREC continue its efforts to stimulate interest in the use of radio by teachers and to raise the standards of teacher training courses in colleges and universities; (5) that FREC study the financial implications of developing radio as an educational medium, and wherever possible to recommend adequate support for it by school administrators throughout the country.

The program for the meeting was planned by a sub-committee comprising the members residing in Washington, D. C., under the chairmanship of Neville Miller, NAB President. Members were guests of the NAB at luncheon at the Hotel Statler. Another meeting is slated for mid-December.

## FEDERAL COMMUNICATIONS COMMISSION

Talk by James Lawrence Fly, Chairman, Federal Communications Commission, before the Luncheon Session of the Executive Committee of the Federal Radio Education Committee, September 17, 1943, Hotel Statler, Washington, D. C.

When your Chairman, Commissioner Studebaker, asked me to have lunch with you this noon and to address you on educational FM radio stations, I told him that I would be delighted to have the lunch, but as for a talk afterward, I had only one thing to say. "Say it," was the reply.

Now I find that George Adair, the assistant chief engineer of the F.C.C. is to follow me on the program at 2:30 this afternoon, and that he has a great deal to say about FM and radio in education. So I want to get my word in edgewise here, and leave the rest of the subject to George.

My own single thought can be briefly stated. Following a prolonged struggle, which began long before the present Federal Communications Commission was set up, the present Commission has found it possible to set aside five educational channels the country over exclusively for the use of non-commercial educational institutions. Those five channels afford room for hundreds of FM stations all over the country. It is not unlikely that every school board or other educational body which so desires can find room on one of these channels for a long time to come. Moreover, the five are among the choicest channels in the spectrum; they immediately adjoin the 35 channels set aside for commercial FM broadcasting, so that programs broadcast on these channels will be audible not merely on special school receivers but on most ordinary FM home receivers as well. The rules of the Federal Communications Commission specifically provide for adult educational and other programs aimed at the community generally to be broadcast over the school stations, provided only that they remain non-commercial. Thus education now has what it has sought through bitter battle over more than a decade—a home of its own on the air.

But—and this is the point I want chiefly to stress—those choice channels were not set aside for *absentees*. The ether is far too crowded, the pressure from other interests seeking to use radio far too great, to permit continued reservation of those channels, unless educators actually get busy and fill them with educational stations. There is no room for what the railroad industry calls "deadheading." If education doesn't want and doesn't need those channels, and if it doesn't prove its desires

and needs by actually making intensive use of them, history is going to repeat itself, and education will again find that it is left with memories of a lost opportunity.

Some of you have memories long enough to recall what I mean. You will remember that in the early 1920's, when broadcasting was first capturing the attention of the American people and opening up vistas of unlimited service in the cause of human enlightenment, educational institutions—the colleges chiefly but the schools as well—were among the first to pioneer in this new medium. A considerable proportion of all the early radio broadcasting licenses issued were to educational institutions.

One by one the majority of those early educational stations have fallen by the wayside. There have been exceptions! I need only mention Harold McCarty's Station WHA which has survived lean years and fat at the University of Wisconsin, serving the state well throughout the years. And other examples of survivors could be mentioned. But certainly you will have to look a lot farther for a bona fide educational station in the standard broadcast band today than you would have 15 years ago.

Some persons have blamed the old Federal Radio Commission, predecessor to the present Communications Commission, for that tendency of educational stations to fall by the wayside. Others have placed the blame on monopolistic policies within the broadcasting industry which have one by one either ousted or absorbed the pioneer educational stations. Here again I want to express no opinion. But I do want to suggest, talking here to a group of educators, that educators themselves were not altogether free of blame. As competition in the radio field became more and more intense, as equipment became better and therefore more expensive, as program quality rose and therefore required more effort, too many educational stations tended first to lag behind, and thereafter to abandon their licenses. After 1929, when educational budget problems became particularly acute, educational radio stations were among the first to feel the axe.

All that is now ancient history, and FM opens a new chapter. It was George Canning who said more than a century ago:

"I called the New World into existence to redress the balance of the Old."

Similarly it may be suggested that, at least as far as educational broadcast stations are concerned, the new FM radio band has been called into existence to redress the balance of the old standard broadcast band.

The Commission, I think I can fairly state, has now done everything in its power to redress that balance. It has assigned a sufficient number of choice frequencies, and has established rules and regulations governing non-commercial educational FM stations which should allow ample latitude. If in practice any Commission rules or procedures stand in the way of further educational radio progress, I can assure you that suggested changes will be given the fullest attention of the Commission.

But there are some things we cannot do for you. We can't build stations for you. We can't operate stations for you. And we can't supply programs for you. These are things education must supply for itself. And it must do so promptly if its channels are to be maintained. For, as I cannot too strongly suggest, if education does not move into the home set aside for it, there will be plenty of others who will first seek and then demand admission to the vacant rooms.

George Adair, who will speak later, will give you the technical details. He'll tell you roughly how much a station costs to build and to run, what the licensing procedure is, and so on. If you have any doubtful points, ask him questions, either now or later. I'd like to pass on instead

to a further point—namely what to do with your stations after they are built.

On the new FM band, let me assure you, you're going to be travelling in fast company. Your programs will be competing, so far as general listeners at least are concerned, with the best that commercial radio can offer. And remember, it's easy to play hookey from a radio school. A mere twist of the dial will shut out 17th century history or trigonometry and bring in Jack Benny or the results of the World Series. I am myself a great believer in competition, and I have a notion that, if educators do their part and do it well, competition between the adjacent commercial and non-commercial FM bands will result in improved program service on both hands.

In one sense, of course, all radio is educational, for better or worse. The local commercial stations and the networks alike are educating listeners every hour of the day and night. I suppose the Symphony and the Opera are music education whether they are treated in the classroom or are sponsored by a roofing company. Similarly the news programs which have done so much to make commercial radio an indispensable part of our daily lives are no less educational because they are not called courses in current events. The techniques for reaching and impressing mass audiences so skillfully developed by commercial radio can and indeed must be applied, though perhaps in somewhat modified form, if the new educational FM stations are to live up to their promise.

By that I don't mean to suggest that such slogans as "the square of the hypotenuse is equal to the sum of the squares of the other two sides" should be set to music and plugged home to the tune of "Twice as much for a nickel, too—Pepsi-Cola is the drink for you." But I do want to suggest that the dramatic and narrative techniques which have proved successful in commercial competition are not without their lessons to the educator seeking to use a new and sensitive medium. Much progress has already been made in the direction of introducing "listener interest" in educational programs. If the new FM stations are to succeed, that progress must continue.

It is certainly not too early to begin plans for these five educational channels. During the war period, of course, equipment and manpower shortages are preventing immediate expansion. After the war, however, equipment will be freely available; plans should be laid now to get going at the earliest possible date. For inevitably, after this war, there will have to be a reshuffle of frequency assignments. Whole new portions of the spectrum, formerly deemed useless, have been opened up through wartime research, while the expanding need for worldwide communications and especially the vast new aviation uses of radio, will in all probability crowd the postwar ether even more tightly than the comparatively smaller spectrum was jammed before the war. In such a reshuffle, the friends of educational radio will certainly want to hold their own. If their plans are ready, and they can show both the real use to which educational frequencies are being put and the proposed use for which plans have been fully laid, the necessary frequencies will no doubt remain available. But if lethargy prevails, and others seeking to expand their own services are able to show that the channels reserved for educational stations are going to waste, then it will almost certainly be either difficult or impossible to continue the reservation of unused frequencies.

I trust that the meeting here today will help prevent that unfortunate result, and that it will take real steps towards the fullest possible utilization of the FM educational band in the service of American education.

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 27th. They are subject to change.

Wednesday, September 29

Broadcast

Oral Argument Before the Commission

REPORT No. B-184:

WFLA—The Tribune Company, Tampa, Florida.—C. P. to increase power (night) and make changes in DA. 970 kc., 5 KW, unlimited, DA-night. Present power: 1 KW night, 5 KW day.

REPORT No. B-169:

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—C. P., 1150 kc., 1 KW, DA-night, unlimited.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

WCBT—J. Winfield Crew, Jr. (assignor); WCBT, Inc. (assignee), Roanoke Rapids, N. C.—Granted consent to voluntary assignment of license of Station WCBT from J. Winfield Crew, Jr., to WCBT, Inc., a corporation organized by S. Ellis Crew, W. Lunsford Crew, and J. Winfield Crew (brothers), (B3-AL-373).

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted petition for 90 days extension of temporary license pending Commission's decision in so-called Wilkes-Barre cases.

The Commission on September 20 granted petition of five FM stations, Philadelphia, Pa., for waiver of requirements of Rule 3.261 to permit operation under cooperative plan, for the period ending May 1, 1944.

KWJB—Bartley T. Sims, tr/as Sims Broadcasting Co. (assignor), Gila Broadcasting Co. (assignee), Globe, Arizona.—Granted consent to voluntary assignment of license of Station KWJB from Bartley T. Sims, tr/as Sims Broadcasting Co. to Gila Broadcasting Co., for a consideration of \$20,000 (B5-AL-376).

WFTL—Ralph A. Horton, The Fort Industry Co., Ft. Lauderdale, Fla.—Adopted Order granting petition of Ralph A. Horton and The Fort Industry Co., asking that the hearing be expedited in re applications of Ralph A. Horton for assignment of license of WFTL, WAAD and WRET (Docket 6542), for license to cover construction permit as modified (Docket 6543), and of The Fort Industry Co. for modification of license (Docket 6544); ordered that a consolidated hearing on said applications be set for October 11, 1943, in the city of Miami, Fla.; and further ordered that the presiding officer at said hearing be authorized to adjourn the same to such other points as he deems necessary for the expedition thereof.

### DESIGNATED FOR HEARING

KDRO—Albert S. and Robert A. Drohlich, d/b as Drohlich Brothers (assignor), Sedalia, Mo., Milton J. Hinlein.—Designated for hearing application for assignment of license of Station KDRO from Albert S. and Robert A. Drohlich, a partnership, d/b as Drohlich Brothers, to Milton J. Hinlein of Philadelphia, Pa. (B4-AL-367).



## APPLICATIONS FILED AT FCC

### 560 Kilocycles

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Modification of construction permit (B4-P-2827, as modified) which authorized change in hours of operation, move of transmitter and directional antenna for change in directional antenna system.

### 590 Kilocycles

WTBC—State Capital Broadcasting Assn., Inc., Austin, Texas.—Authority to determine operating power by direct measurement of antenna power.

### 1230 Kilocycles

WPHO—M. C. Reese, Phoenix, Ariz.—Voluntary assignment of license to Phoenix Broadcasting, Inc.

### 1260 Kilocycles

WSLS—Roanoke Broadcasting Corp., Roanoke, Va.—Authority to determine operating power by direct measurement of antenna power.

NEW—Charles Swaringen, Alex Teitlebaum, Myer Wiesenthal, Jack N. Berkman, Richard Teitlebaum, John J. Laux, Louis Berkman, Joseph M. Troesch, John L. Merdian—partners d/b as Buckeye Broadcasting Co., Akron, Ohio.—Construction permit for a new standard broadcast station to be operated on 1240 kc., 250 watts power, unlimited hours of operation. Amended: to change type of transmitter.

### 1340 Kilocycles

KWOC—A. D. McCarthy, O. A. Tedrick and J. H. Wolpers, d/b as Radio Station KWOC, Poplar Bluff, Mo.—Authority to determine operating power by direct measurement of antenna power.

### 1420 Kilocycles

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Construction permit to move transmitter from #4 Trujillo St., Ponce, Puerto Rico, to Barrio Cerrillos-Military Road, San Juan to Ponce, Puerto Rico, Puerto Rico, and install new antenna.

### 1490 Kilocycles

WGPC—J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co., Albany, Ga.—Construction permit to change frequency from 1450 kc. to 1490 kc. and move transmitter and studio from Albany, Ga., to West Point, Ga. Amended: re transmitter site.

WGPC—J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co., Albany, Ga.—Designated for hearing application for construction permit to move transmitter and main studio from Albany, Ga., to West Point, Ga., and change frequency from 1450 to 1490 kc. (B3-P-3545). To be heard jointly with application listed in following item.

L. J. Duncan, Leila A. Duncan, Josephine A. (Keith) Rawls, Effie H. Allen, d/b as Valley Broadcasting Co., West Point, Ga.—Designated for hearing application for construction permit for new station at West Point, Ga., to operate on 1490 kc., 250 watts, unlimited time, to be heard jointly with application of WGPC (above noted), (B3-P-3543).

## LICENSE RENEWALS

Granted renewal of following station licenses for the period beginning October 1, 1943, and ending not later than October 1, 1945:

WJMS, Ironwood, Mich.; WLAP, Lexington, Ky.; WLPM, Suffolk, Va.; WMBH, Joplin, Mo.; WMFJ, Daytona Beach, Fla.; WRLC, Toccoa, Ga.; KFIZ, Fond du Lac, Wisc.; KRBM, Bozeman, Mont.; KRIC, Beaumont, Tex.; KTRI, Sioux City, Iowa; KVAK, Atchison, Kans.; KWBW, Hutchinson, Kans.

WGGA—Blue Ridge Broadcasting Co., Gainesville, Ga.—Granted renewal of license for the period ending not later than April 1, 1945 (B3-R-1151).

WCBT—J. Winfield Crew, Jr., Roanoke Rapids, N. C.—Granted renewal of license for regular period (B3-R-2015).

W39NY—City of New York Municipal Broadcasting System, New York, N. Y.—Granted license to cover construction permit (B1-PH-83 as modified) in part, subject to the condition that licensee take immediate steps to comply fully with the Rules, Regulations and Standards of the Commission when materials and personnel become available (B1-LH-38).

## MISCELLANEOUS

R. O. Hardin & J. C. Buchanan, d/b as Nashville Broadcasting Co., Nashville, Tenn.—Granted telegraphic request for extension of time to file request for oral argument in re application for construction permit for new station at Nashville, Tenn.; time extended to September 24, 1943. (Docket 6191)

WJBW—Charles C. Carlson, New Orleans, La.—Granted petition to accept appearance filed late in re application for renewal of license of WJBW. (Docket 6529)

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Granted modification of construction permit which authorized increase in power, installation of new equipment and DA for night use, for extension of completion date to September 25, 1943 (B1-MP-1724).

WABY—Adirondack Broadcasting Co., Inc., Albany, N. Y.—Granted license (B1-L-1772) to cover construction permit which authorized installation of new transmitter.

WAGM—Aroostock Broadcasting Corp., Presque Isle, Maine.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1546).

WTAX—WTAX, Inc., Springfield, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B-4-Z-1545).

KFXM—J. C. Lee and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Granted authority to determine operating power by direct measurement of antenna power (B5-Z-1531).

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted license (B1-L-1770) to cover construction permit which authorized increase in power from 1 KW night, 5 KW day, to 5 KW day and night, installation of DA for night use; changes in equipment, and move of transmitter from Dorchester St., Quincy, Mass., to corner Vershire St. and Meritt Avenue, Quincy, Mass. Also granted authority to determine operating power by direct measurement of antenna power (B1-Z-1541).

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Adopted Order denying petition requesting reconsideration of Commission action of June 15, 1943, in designating for hearing application for modification of license to increase nighttime power from 1 KW to 5 KW. (Docket 6522)

## FEDERAL TRADE COMMISSION DOCKET

### COMPLAINTS

The Federal Trade Commission has alleged unfair competition against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

**American Art Clay Co.**, Indianapolis, manufacturer of educational supplies such as crayons, chalk, paint sets and art materials, is charged in a complaint issued with violation of the Robinson-Patman Act by discriminating in price between different purchasers of its products of like grade and quality and by granting certain favored customers discounts in consideration of the furnishing of merchandising and selling services, which discounts are denied to other customers. (5049)

**Imperial Candy Company**—Use of lottery methods in the sale of peanuts to ultimate purchasers is alleged in a complaint issued

against Imperial Candy Co., 800 Western Ave., Seattle, Wash. (5046)

**Rudd Manufacturing Co.**, 17 West 17th St., New York, designing and cutting fabrics which are manufactured into men's and boys' pants and other articles of wearing apparel, is charged in a complaint with violation of the Wool Products Labeling Act of 1939. (5047)

**Standard Business Institute, Inc.**—A complaint has been issued charging Standard Business Institute, Inc., of Chicago, with misrepresentation in the sale of its correspondence courses of instruction in accounting and business administration. (5050)

**Unity Stamp Co., Inc.**, 7 West 30th St., New York, processing, manufacturing and selling made-to-order straight line stamps, commonly referred to as rubber stamps, is charged in a complaint with violation of the Robinson-Patman Act. (5048)

### CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

**Columbia Research Company**, 417 South Hill St., Los Angeles, has been ordered to cease and desist from misrepresentation in the sale of envelopes and questionnaires referred to by bill collectors as "lures" and which are designed to obtain information concerning debtors. (4867)

**Milk and Ice Cream Can Institute**, Cleveland, Ohio, and its eight member manufacturers have been ordered to cease and desist from entering into, carrying out or continuing any combination or conspiracy to fix uniform prices and restrain competition in the sale of metal milk and ice cream cans. (4551)

### STIPULATIONS

During the past week the Commission has announced the following stipulations:

**Artloom Corporation**, Allegheny and Front Streets, Philadelphia, selling and distributing upholstery fabrics, including a fabric designated "Artwist," has entered into a stipulation in which it agrees to cease and desist from use of the word "mohair" or other words of like meaning as a designation for any upholstery fabric the face or pile of which does not consist wholly of mohair, the hair of the Angora goat; provided, however, that in the case of an upholstery fabric the face or pile of which is composed in substantial part of mohair and in part of other fibers or materials, such word may be used as descriptive of the mohair content if there are used in immediate connection therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers or materials. (3718)

**Bill Adams Company**, James Acuff, Richard Mockler, Willard Hoffman, and Wayne Hoffman, trading as "Bill the Diamond Man" and the "Bible Study Club," Omaha Building and Loan Building, Omaha, Nebr., engaged in the mail order distribution of imitation jewelry and books, have stipulated in connection with the sale and distribution of their merchandise, to cease and desist from use of the word "free," the term "absolutely free," or other expression of like import with reference to an article not actually given as a gratuity, the recipient thereof being required to pay the whole or a part of its purchase price, to purchase some other article, or to render some service to obtain it; from representing that an advertised offer is unusual or special so long as no price reduction or other trade concession is made with it; from stating that merchandise sold in connection with an alleged free gift or gratuity has a designated sales value in excess of the price for which it is customarily sold; and from designating their rings as "Rolled Gold Finish" or referring to insets used in their imitation jewelry as diamonds or simulated diamonds. (3723)

**Clare-Ann Hat Company** and **Clare-Ann Hat Co., Inc.**, 153 North Wabash Ave., Chicago, manufacturing and selling women's hats, has stipulated to cease representing that hats composed in whole or in part of used or second-hand materials are new, by failure to stamp in some conspicuous place on the exposed surface of the inside of the hat in conspicuous and legible terms, which cannot be removed or obliterated without mutilating the hat itself, a statement that the products are composed of second-hand or used materials, provided that if substantial bands, placed similarly to sweat bands in men's hats, are attached to the hats in such manner that they cannot be removed without rendering the hats unserviceable, then such statements may be stamped upon the exposed surface of such bands in conspicuous and legible terms which cannot be removed or obliterated without mutilating the bands; representing in any manner that hats made from old, used, or second-hand materials are new or composed of new materials and from use of the abbreviation "Inc." or any other abbreviation or word connoting the words "incorporated" or "incorporation" as part of his trade name, or in any manner which may convey the belief that his business is conducted by a duly accredited and authorized corporate entity. (3721)

**Darrington's**, Marshfield, Oreg., selling a dehydrated goat's milk product designated "Dar-Sal," recommended for the treatment of various human ailments, has stipulated to cease representing that the product is made by a secret process; that it possesses unique or special properties which are not present in other dehydrated goat milk products; that it has any therapeutic value when used in connection with the treatment of run-down conditions, nervous disorders, stomach trouble, eczema, asthma, hyperacidity, rheumatism, paralysis or arthritis; that it is a cold preventive; or that it will improve the user's health or build up the user's resistance to infectious diseases. (03143)

**Loye Distributing Company**, Wheeling, W. Va., selling a medicinal preparation designated "Blue Bonnet Mineral Water Crystals," has stipulated to cease and desist from representing that use of the preparation will correct excess acidity, build up the system or keep the body healthy, or help one regain good health; will increase resistance to colds, grippe and other ailments; will insure good appetite, sound sleep or restore energy; will be beneficial for conditions of fatigue, listlessness or lack of pep, or that it will rid the system of, or keep it free from, poisons. (03141)

**Stanco Incorporated**, 216 West Fourteenth Street, New York, selling drug products designated "Mistol Drops" and "Mistol Drops with Ephedrine"; and **McCann-Erickson, Inc.**, 50 Rockefeller Plaza, New York, an advertising agency, which disseminated advertisements for Stanco, Incorporated, have stipulated to cease and desist from disseminating any advertisement which fails to reveal that Mistol Drops and Mistol Drops with Ephedrine should not be administered to undernourished infants, abnormally weak children or debilitated elderly persons; that frequent or excessive use of Mistol Drops should be avoided; that frequent or excessive use of Mistol Drops with Ephedrine may cause nervousness, restlessness or sleeplessness, and that individuals suffering from high blood pressure, heart disease, diabetes or thyroid trouble should not use this preparation except on competent advice, provided, however, that such advertising need contain only the statement: "CAUTION: Use only as directed" if and when the directions for use, whether they appear on the label or in the labeling, contain a caution or warning to the same effect. (03140)

**Dr. J. F. True & Co., Inc.**, Auburn, Maine, selling a drug product called "Dr. True's Elixir," and **S. A. Conover Co.**, 75 Federal St., Boston, an advertising agency disseminating advertisements for the product, have stipulated to cease and desist disseminating any advertisement which fails to reveal that the product should not be used when abdominal pain, nausea, vomiting, or other symptoms of appendicitis are present; provided, however, that such advertisement need contain only the statement, "CAUTION: Use Only as Directed," if and when the directions for use wherever they appear on the label or in the labeling contain a caution or warning to the same effect. (03144)

**W. G. Reardon Laboratories, Inc.**, Port Chester, New York, selling a mouse poison designated "Mouse Seed," and **H. B. LeQuatte, Inc.**, 200 Madison Ave., New York, an advertising agency which disseminated advertisements for the product, have stipulated to cease and desist from representing that mice cannot resist eating "Mouse Seed"; that use of "Mouse Seed" will rid the house of all mice, and that mice, having eaten the preparation in one's house, will not die in the house. (03142)

**Bernhard Ulmann Company, Inc.**, 107-113 Grand St., New York, selling and distributing knitting yarns, has stipulated to cease and desist from use of the word "Saxony" or other words connoting any foreign geographical origin as a designation for or descriptive of a product not imported from or made of materials imported from the country or locality indicated by the use of such geographical designation. (3720)

**Universal Trading House**, 370 Grand Street, New York, selling and distributing knitting yarns, has stipulated to cease and desist from the use of the word "Angora" or any word of similar import as descriptive of a product that is not composed entirely of the hair of the Angora goat; provided, however, that in the case of a product composed in substantial part of the hair of the Angora goat and in part of other fibers or materials, the word "Angora" may be used as descriptive of the Angora fiber content if there are used in immediate connection therewith, in letters of at least equal size and conspicuousness, words truthfully describing such other constituent fibers and materials; and further provided that in connection with a product composed wholly or in substantial part of Angora rabbit hair, the words "Angora rabbit hair" may be used as descriptive of the product if composed wholly of Angora rabbit hair or as descriptive of such

portion of the product as is composed of Angora rabbit hair. (3719)

**U. S. Enterprises**, Beverly Hills, Calif., assembling and selling so-called first aid kits, and **Stephen P. Shoemaker**, Los Angeles, preparing the radio advertising disseminated by the other respondents, have entered into a stipulation to cease and desist from representing that the first aid kits sold by them meet with the suggestions of the Office of Civilian Defense, that the kits are adequate for the requirements of homes generally, or that they have been recommended or approved by the Office of Civilian Defense; that the items included in the kits are of such quality, quantity and kind as to comprise an adequate supply of the medical and surgical aids needed in the home or for civilian defense; that such aids would meet the needs in the event of a major catastrophe that might befall a community; that the price at which the kit is offered for sale is a special price, that is, other than the price customarily charged for the kit in the usual course of business; that it can be purchased at the offered price only by those who avail themselves of the opportunity to buy during a specified limited period of time, or that the offered price is less than that for which the items comprising the kit can be purchased separately at retail. (3722)

**J. Warshal & Sons**, Seattle, Wash., has entered into a stipulation that, in connection with the sale of so-called "Nestle Down" garments, they will cease and desist from use of the words "Nestle Down" or "Down" as a trade name or designation for any product the filling of which does not consist wholly of down, and from use of the word "Down" or other words of like meaning in any manner which tends to convey the impression that a product is composed of or filled with down, when such is not a fact. (3717)

