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March 23, 1949

RMA VOTES \$100,000 TO TRY TO CLEAR UP TELEVISION SNAFU

The big news that came out of the closed sessions of the Board of Directors' meeting of the Radio Manufacturers' Association in Chicago last week, which had been handed the "hot potato" of the Zenith controversial television advertising, was that the Board voted \$100,000 for a drive "to acquaint the public with "the actual facts when they become available". The Board ordered an "objective, orderly and constructive" presentation of full information on television, including present broadcasting service and receivers, in the present very high frequency (VHF) channels and also in the ultra high frequency (UHF) channels in the future.

Max F. Balcom, President of the RMA, and Vice-President of Sylvania Electric Products Co., was authorized to appoint a special committee to determine and direct the Association's television public relations project. The Committee will be appointed promptly and the information program begun in the immediate future.

RMA stated that the television publicity campaign had been "broached February 22 before many articles and incidents had caused confusion and misunderstandings."

This was denied in other quarters where it was claimed that action was precipitated by H. C. Bonfig, of Chicago, Vice-President of the Zenith Radio Corporation, when he challenged the manufacturers at the closed meeting to "take off the false whiskers and face the facts". This, he declared, was in line with Zenith's full page newspaper advertisements. Incidentally the "false whiskers" caught the fancy of the newspaper headline writers and added fuel to the fire.

Commenting upon Mr. Bonfig's "goadings" of the Board, a highly placed member of the industry said:

"The RMA's only answer to Mr. Bonfig's challenge to the industry was to vote \$100,000 to employ a public relations counsel.

"They surely need one."

Mr. Bonfig's statement to the Radio Manufacturers' Association follows:

"Let's take the whiskers off the question of television obsolescence, and face the facts as they are.

"There is an acute shortage of television channels, which can be relieved only by the addition of many new high frequency channels. The FCC has repeatedly stated that a nation-wide, competitive television system cannot be built on the present 12 channels, and that development of such a system will require the ultra high frequencies it has set aside for television. This fact is well known to manufacturers, but is evidently not so well known to dealers and to the public.

"Expansion of television on present wave bands was stopped by a 'freeze' last September by the Federal Communications Commission for the purpose of eliminating interference between television stations on the present television wave bands.

"How many new channels will be required, in addition to the twelve now in use? On January 25, 1949, FCC Chairman Wayne Coy told the Radio Executives Club of Boston, in regard to the total number of channels needed to have a nation-wide competitive system, "My present thinking is that 50 to 70 channels may be required."

"By our arithmetic, this means that from 38 to 58 new UHF channels may be required in addition to the 12 VHF channels now in use.

"There has been no official statement by the FCC indicating, as many believe, that the old frequencies will be left in the larger cities and the new frequencies assigned to the smaller cities. On the contrary, in an official published statement dated February 25, 1949, the FCC said,

"'However, since it is not possible for most cities to have four television stations on the VHF band, the result will be that in some instances both VHF (old) and UHF (new) television stations will be assigned in the same city.'

"In the public interest, every manufacturer should move rapidly to provide sets which will operate on both the old and the new television channels. We know it can be done, as we are doing it. Others can do it too.

"Will these changes in television wave length assignments come soon?

"On January 21, 1949, Chairman Coy of the FCC, in answer to the question, 'When will the freeze end?' stated publicly:

"'We hope to unfreeze the processing of television applications by April or early May. We also hope that before the year is out we will be able to provide for utilization of the ultra high frequencies. This makes it likely that many pending applications for frequencies in the VHF will have to be shifted to the UHF, and offers the hope that many applicants can start construction this year especially in cities where no provision has been made in the present band.'

"Since these changes and additions in frequencies and assignments have to be made, it is better for the public, the dealers and the industry that they be made now, rather than wait until the public has purchased additional millions of television receivers that will tune only the present channels."

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TV SPLIT CAUSES SMALLER SET MAKERS TO FORM OWN GROUP

There was a repercussion of the factional fight over television which seems to be seething within the Radio Manufacturers' Association by representatives of 16 small television manufacturers meeting in New York Monday and agreeing to form their own organization to deal exclusively with television, to be named the "Television Manufacturers' Association".

Michael Kaplan, President of the Sightmaster Corporation, who called the organizational meeting and was elected temporary president, was quoted by the New York Times as declaring that the Radio Manufacturers' Association is not an adequate representative body for television manufacturers because of "radio interests". The RMA was assailed for alleged "straddling of the Zenith issue". Zenith Radio Corporation has been under fire from other manufacturers and dealers for its recent advertising that current television receivers may become obsolete when ultra high frequency channels are opened for television broadcasting.

Other temporary officers elected are Robert G. Kramer, Remington Radio Corporation, Vice President, and Herbert Mayer, Empire Coil Company, Inc., Secretary-Treasurer.

All concerns represented at the meeting produce either television receivers or components and have no radio operations. In opening the meeting, Mr. Kaplan declared that a real need exists for a trade association to set up a code of ethics, exchange credit, technical and engineering information and attack problems faced only by television receiver manufacturers.

In addition to Messrs. Kaplan, Mayer and Kramer, the following attended the meeting: Irving Kane, Royal Television Corporation; Joseph Green and E. M. Cohan, Transvision, Inc.; E. B. Hinck, Industrial Television Company, Inc.; Alma Schmidt, Empire Coil Company; Milton Gruber, Jack Somber and Miles Breger, Mars Television, Inc.; Lloyd S. Howard, Bobley Company; Lee Bunting, Bell Television, Inc.; H. V. Nielson and R. M. Keator, Nielson Television Company; Robert Erlichmann, Tele-King Corporation; W. Schuck, Tayboren Equipment Company; Henry Weintraub, Major Television Corporation; W. R. Rich, International Television, Inc.; Mitchell Fien, Starrett Television, Joseph Slaider and Michael Muckley, Slaider Television, Inc.

No representatives of large manufacturers attended the meeting. The first task of an organizing committee named after election of temporary officers will be to attempt to persuade RCA, Philco and DuMont to join the organization.

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FCC CHAIRMAN TO ADDRESS ARMED FORCES COMMUNICATIONS ASSN.

The Third Annual Meeting of the Armed Forces Communications Association, with more than 500 executives of the communications and photographic industries and members of the Armed Forces in attendance, will be held in Washington, D. C., March 28 and 29, it was announced Monday by Brig. General David Sarnoff, President of the Association. Exhibitions and demonstrations arranged by the United States Navy will feature the 2-day meeting.

Wayne C. Coy, Chairman of the Federal Communications Commission, and Capt. A. A. Burke, U. S. Navy, will be the principal speakers at a luncheon on Monday, March 28, at the Shoreham Hotel. Admiral Louis E. Denfield, Chief of Naval Operations, and General Sarnoff will speak at the Association's annual banquet in the evening of March 28.

General Sarnoff said that the gathering is expected to accomplish "a great deal toward emphasizing the importance of communications in present-day warfare." He declared that in his own address he intends to describe in some detail his recent observation of conditions in communications in England and Continental Europe, especially as they pertain to the North Atlantic Security Pact.

National officers and directors of the Association scheduled to participate at the meeting include leaders in communications and photography from all parts of the country. Among those from the New York area, in addition to General Sarnoff, who is Chairman of the Board of Radio Corporation of America and the National Broadcasting Company, are A. W. Marriner, Director of Aviation of the International Telephone & Telegraph Corporation; Jennings B. Dow, Vice President of Hazeltine Corporation.

Also Carroll O. Bickelhaupt, Vice President of the American Telephone & Telegraph Company; Fred R. Lack, Vice President of the Radio Division of Western Electric Company; Harold A. Zahl, Assistant Director for Engineering Research of the Signal Corps Engineering Laboratories, Fort Monmouth, N. J., and Dr. F. B. Jewett, former President of the National Academy of Science.

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SENATE RULES COMMITTEE FAVORS FULL SCALE RADIO PROBE

The Senate Rules Committee last Monday endorsed an investigation into all matters relating to radio, telegraph and telephone communications, proposed by Senators Ernest W. McFarland, (D), of Arizona, and Charles W. Tobey, (R), of New Hampshire.

The probe had previously been approved by the Senate Interstate Commerce Committee.

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RADIO, CABLE COMPETITION NOT PART OF ITS POLICY, AC&R CONTENTS

That competition between the operating radio and cable units in the American Cable and Radio System was never intended, was an argument advanced last week by the system in a Federal Communications Commission investigation of an alleged unlawful combination of A. C. & R. cable and radio operations.

The conclusion of a brief filed by James A. Kennedy, Vice-President and General Attorney of A. C. & R. and former Senator Burton K. Wheeler, Washington counsel, states:

"Section 17 of the Radio Act of 1927, adopted without change as Section 314 of the Communications Act of 1934, was intended to preserve competition between the major communications agencies (the predecessor of the AC&R System, RCA and Western Union) engaged in operation at the time the law was enacted. The law did not then and does not now prevent ownership and operation of cable as a media of communication by RCA, nor does it prevent ownership and operation of radio as a media of communication by the AC&R System or Western Union. It is abundantly clear from the legislative history before enactment and from legislative interpretation and executive application of the law thereafter, that what Congress sought to avoid was an amalgamation or merger of RCA with either the AC&R System or Western Union.

"The coordinated use of cable and radio under common ownership in the AC&R System was fully explained twenty-one years ago to the Department of Justice and the Federal Radio Commission and was expressly found not to be in conflict with Section 17 of the Radio Act. The common ownership and operation of cable and radio in the AC&R System has increased rather than lessened the competition which Congress sought to preserve. Following official consideration of the question almost a quarter of a century ago, and until the filing of formal Complaint by ACA-CIO, two weeks after the termination of its three-month strike, no one has ever challenged the lawfulness under Section 314 of the common ownership and operation of cable and radio in the AC&R System. RCA, obviously for selfish competitive reasons, has upon occasion, by innuendo and otherwise, endeavored to create doubt as to the lawfulness of the AC&R operations, but never has it over these many years officially raised the question for determination in a formal proceeding. This, in itself, is a clear and sufficient indication that any such complaint would be utterly unfounded.

"Competition between the operating cable and radio units in the AC&R System was never intended and has never been the System policy. "It is entirely unrealistic to assume that actual or potential competition exists between" such cable and radio operating units, as the Chairman of the Commission pointed out as recently as 1945.

"The common ownership, control and operation of All America, Commercial and Mackay in the AC&R System does not have for its purpose, nor has it the effect of, substantially lessening competition, restraining commerce or unlawfully creating monopoly in any line of commerce, contrary to Section 314 of the Communications Act.

"Since the Attorney General determined the lawfulness under Section 314 of the planned operations of the AC&R System some twenty-one years ago upon which the Federal Radio Commission relied and acted; and since there has been no deviation from the plans then fully disclosed, this considerably expensive and burdensome formal investigation and hearing was needless, particularly since final resolution as to whether or not there has been a violation of Section 314 is not within the scope of the Commission's functions.

"It is submitted that the pending Motion to Dismiss should be granted and the proceeding should be forthwith dismissed."

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RALPH ATLASS BUYS KLAC, LOS ANGELES, FOR \$405,000

Ralph Atlass has contracted to buy for \$405,000 KLAC, Los Angeles, after that AM station has divested itself of its television assets.

The agreement subject to the usual Federal Communications Commission approval, was signed last Thursday, according to Stanley Friedman, Warner Bros. attorney. The \$405,000 is to be paid to Warner Bros. in a deal which is hedged around with complications.

The sale is conditioned also upon FCC approval of the purchase of Warner Bros. of the stock of KMTR Radio Corp., owner of KLAC-TV, from Mrs. Dorothy Thackrey. Thus, if the whole deal is finally approved by FCC, Warner Bros. will become the owner of both AM and TV assets and will then immediately transfer the AM station to Mr. Atlass.

End result from Warner Bros. standpoint is that it will thereby become the owner of both a television station and an AM station in Los Angeles where it already owns KFWB. Because it could not continue in ownership of both KFWB and KLAC without violating the FCC ruling against duopoly, the present involved transaction was worked out.

Mr. Atlass made the purchase through KLAC, Inc., a new Illinois corporation, in which he is one of the owners.

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250,000 SHARES OF SYLVANIA STOCK PUT ON MARKET AT 21-7/8

An underwriting group headed by Paine, Webber, Jackson & Curtis put on the market in New York Monday a new issue of 250,000 shares of Sylvania Electric Products, Inc., a common stock at 21-7/8. Proceeds of the sale are to be used by the company to complete expansion of production facilities for cathode-ray television "picture" tubes. The company recently revised production plans with a view to tripling cathode-ray tube manufacturing capacity.

With this financing, capitalization consists of \$15,000,000 of 3-1/4 per cent sinking-fund debentures due in 1963; 98,656 shares of \$4 preferred stock, and 1,466,550 shares of common stock.

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ZENITH SUED FOR A MILLION FOR STIRRING UP TV HORNET'S NEST

A suit for \$1,000,000 damages was started in Supreme Court in New York yesterday (Tuesday, March 22) against the Zenith Radio Corporation by two manufacturers of television sets and component parts. They charged Zenith with issuing false and fraudulent statements that the Federal Communications Commission was about to make changes in wavelengths that would make all other television sets obsolete, but that the Zenith sets were so constructed as to handle all possible changes.

The plaintiffs are the Sightmaster Corporation of 385 North Avenue, New Rochelle, N. Y., and the Empire Coil Company, Inc., 238 Huguenot Street, New Rochelle. They named as co-defendants the Zenith Radio Corporation of New York, local distributors. The action seeks an injunction and asks \$500,000 damages each for alleged loss of business as the result of the Zenith company's statements.

The suing companies charged that starting on March 6, Zenith, "to procure for themselves and to divert to themselves the business of plaintiffs", issued statements that the Federal Communications Commission was about to make changes in television wavelength that would make all present television receivers and component parts obsolete.

The complaint charged "that such disparaging statements were false and misleading in that the Federal Communications Commission was not about to change present television wavelengths; was not about to change such wavelengths so as to render obsolete and junk all television receivers and component parts thereof; and defendants' television receivers were not equipped so as to handle and receive all other possible changes, and plaintiffs were thus not concealing any such things from their purchasers."

"The purpose and effect of the aforesaid statements", the complaint continued, "was to cause the public, including particularly customers and potential customers of the plaintiffs, to believe that the television sets and component parts manufactured, sold and distributed by the plaintiffs were about to become obsolete and junk, and that to avoid this the public could safely and only should purchase the television sets and parts manufactured and sold by the defendant and not those of plaintiffs."

Because of this, the suing companies said, "large numbers of customers and potential customers" had refused to purchase television sets from Sightmaster, and the business of Empire Coil had also been adversely affected."

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MAYOR CALLS HOUSTON DE LUXE HOTEL BROADCAST "MOB SCENE"

Mayor Oscar Holcombe, of Houston, Texas, last Friday said the crowd that scrambled a radio program at the St. Patrick's Day opening of the Shamrock Hotel was the "worst mob scene I've ever seen".

The crowd completely upset Dorothy Lamour's nation-wide radio program. Nearly half of the thirty-minute National Broadcasting Company show was off the air as more than 1,000 guests were trying to find their tables in the hotel's jam-packed Emerald Room.

The confusion led to ad libbing by Miss Lamour and her guest stars, Van Heflin, actor, and Ed Gardner, the Archie of the Buffy's Tavern radio program.

An orchestra finally came to the show's rescue. NBC officials said one or two diners had grabbed the microphone. The noise was so great the audience could not hear the show.

"It was just one of those things when a crowd got out of control", Miss Lamour told reporters.

"Later, the public-address system failed and we departed somewhat from our script", she said, adding there was no profanity involved.

NBC officials in Hollywood, New York and Chicago were trying to reconstruct the program by listening to transcriptions. But the noise caused by technical difficulties that they said developed at the start of the program made it practically impossible to obtain a complete picture of what happened.

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CHURCH BROADCASTS RESTORED AFTER HENRY WALLACE BLOW-UP

The Rev. Charles W. Lee, pastor of the First Methodist Church of South Norwalk, Conn., whose radio time was suspended and then reinstated by Station WNLK after an ^{un}announced talk by Henry A. Wallace, went back as scheduled on the air last Sunday.

Mr. Lee delivered a sermon on prayer and made no reference to the controversy stirred up in clerical and lay circles by Mr. Wallace's talk.

The Norwalk Ministerial Association, which sponsors the Sunday broadcasts which are made from a different church each month, agreed last week that in the future the association must first be consulted when a person other than the minister is to speak on the air.

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SARNOFF HONORED BY BEQUEST OF "CAL" O'LAUGHLIN, FAMOUS EDITOR

Special designation that his black pearl scarf pin be given to Brig. Gen. David Sarnoff, Chairman of the Radio Corporation of America, in the will of Col. John Callan O'Laughlin, publisher of the Army and Navy Journal was typical of the latter's thoughtfulness and generosity in bequeathing the Journal to his fellow members of the Gridiron Club, directing that its earnings from now on be given for relief if needy journalists with preference to members of the Gridiron.

"Cal" O'Laughlin, widely known and beloved journalist, and General Sarnoff, an honorary pall-bearer at the former's funeral at Arlington Cemetery in Washington last week, had been friends for many years.

Among the other honorary pallbearers named were former President Herbert Hoover, Secretary of the Army Kenneth C. Royall, Admiral Thomas C. Hart, USN, retired; Maj. Gen. Raymond M. Bliss, USA, Maj. Gen. Shelley U. Mariette, U.S.A., and a group from the Gridiron Club. Delegations from the National Press Club and the Overseas Writers were also present.

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FEBRUARY TELEVISION PRODUCTION SAME AS JANUARY

Despite a shortage of cathode ray tubes, which retarded production in some instances, February television receiver output was approximately at the same level as January, the Radio Manufacturers' Association reported Monday. TV receivers produced by RMA member-companies in February numbered 118,938, slightly below the 121,238 sets manufactured in January.

While TV production was down slightly during the month, the average weekly rate of production in February was more than 78 percent above the average weekly rate for the year 1948. RMA member-companies averaged 29,735 TV sets weekly in February.

Production of all types of radio and TV receivers by RMA members declined during February to a total of 716,538 units compared with 830,871 radio and TV sets produced in January.

Coincident with the decrease in all set production, the number of FM-AM and FM receivers produced in February dropped to 98,969 from 147,733 in January.

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A new handbook on radio advertising, called Modern Radio Advertising, has been published by Funk & Wagnalls Company, in association with Printers' Ink. The book, included in Funk & Wagnalls Printers' Ink Business Bookshelf series, was written by Charles Hull Wolfe, Director of the Radio and Television Bureau of Batten, Barton, Durstine & Osborn, Inc., advertising agency.

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MARYLAND SENATE KILLS, 17 TO 11, BILL TO LIFT COURT PRESS GAG

A bill to prevent courts from adopting or keeping rules tending to restrict press freedom was defeated yesterday (Tuesday, March 22) by the Maryland Senate at Annapolis.

The Senate overrode a favorable report of its judiciary committee and rejected the legislation by a 17-11 vote.

Senator Stromberg (D), Howard), publisher of a chain of weekly papers, played a leading part in the opposition to the measure. He said rule 904 "is not an abridgement of the freedom of the press.

"It was designed to protect the lowly, the poor, the rights of an individual to a fair and impartial trial."

He spoke of "trial by newspaper", and said it constitutes a "mockery of justice".

Senator Turnbull (D., Balto. County), said freedom of the press is already "amply guaranteed" by the Constitutions of the United States and of Maryland.

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INDICTED PYRAMIDER CHARGES CROSBY, HOPE GAVE HIM THE IDEA

Daniel A. Thomas, 28, who was indicted by a District Grand Jury for starting Pyramid Clubs in Washington, D. C., said:

"It all began when I heard Crosby and Hope talking about Pyramid Clubs on the radio. A few days later I heard about them again from a friend in the West.

"Then I bought some Western newspapers to make sure I knew how they worked. I read that in California where they started, they tried to prosecute some guy, but the case was thrown out of court.

"I invited 14 other persons to the house one night, explained the deal, and showed them how they could win some good money. I didn't have to twist anyone's arm, they joined.

"Eight days later I collected 200 bucks plus. The next day my wife collected the same amount, and the day after that my sister-in-law got another 200 or so.

"And then the trouble started. All night long people would call me up to ask how the pyramids work. I couldn't concentrate on my job. And then Blick (Lieut. Roy E. Blick, head of the Vice Squad) questioned me, and now I'm indicted, I'm a crook.

"I just don't think I am. I don't think the pyramids are lotteries."

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ALLEN SIGNS FOR NBC RADIO APPEARANCES; LUM AND ABNER, CBS

Fred Allen has signed a contract with the National Broadcasting Company for his appearances in both radio and television exclusively on the NBC network.

"We are naturally delighted", said Niles Trammell, President of NBC, "that Fred is remaining on NBC where he has enjoyed such unusual success. We are even more pleased that he agrees so thoroughly with the basic concepts of our program policies which will further strengthen the sound broadcasting industry and provide at the same time for the orderly, logical development of television."

The Columbia Broadcasting System announced that it had concluded long-term employment arrangements and a licensing agreement with Chet Lauck and Norris Goff, stars of the network's "Lum and Abner" series. The agreement covers the team's personal services in radio and television, and provides that the "Lum and Abner" program be a CBS network feature for the duration of the contract.

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ALL INDUSTRY BANQUET TO CLIMAX RMA SILVER ANNIVERSARY

Invitations have been issued for the All-Industry Banquet in celebration of the founding in 1924 of the Radio Manufacturers' Association, which will be held Thursday, May 19th, in the Stevens Hotel in Chicago.

Sponsoring the banquet are the Radio Manufacturers' Association, Radio Parts and Electronic Equipment Shows, Inc., Association of Electronic Parts and Equipment Manufacturers, Sales Managers Club, Eastern Group, National Electronic Distributors' Association, and the West Coast Electronic Manufacturers' Association.

Single tickets are \$15 and checks may be sent to the RMA Banquet Committee, 1317 F Street, N.W., Washington 4, D. C.

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GE TO STEP UP TV SET PRODUCTION; 1948 RATE WAS 200,000 A YEAR

General Electric's annual report states that G.E. is engaged in all phases of television. At Electronics Park, Syracuse, television receivers were being made in December at a rate of 200,000 a year, which will be substantially increased in 1949. The new "Day-light" picture tube introduced by General Electric gives almost twice as much light and better image detail and contrast. Television transmitters made during the year were delivered to new stations in Boston, Chicago, Detroit, Miami, Dallas, Los Angeles, San Francisco, and Syracuse.

Long-playing record players were added to the Company's line of combination receivers. Among the new products added in other lines were FM radio receivers for bus application, "bi-focal" radar for marine use, and a single-packaged FM transmitter-receiver unit for two-way communications.

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PREDICTS FM WILL OUTSTRIP TV OR AM IN 1949

The mounting "price war" in the radio receiving set industry was described today as a "sure signpost that FM receiver production during 1949 will outstrip that of either TV or AM."

The statement came from William E. Ware, President of the FM Association.

"The price war is designed to clear out existing stocks of old-style receivers - a great number without FM facilities - and thus pave the way for increased output of sets providing high-fidelity and static-free FM reception", Mr. Ware stated.

Manufacturers are scrapping their plans for continued large-scale production of AM-only and TV-only sets, Mr. Ware said "as evidenced by the price cuts" - while going ahead with increased production schedules on sets with FM facilities.

"Most significant in this trend", the FMA executive pointed out, "is that three giants of the industry - Emerson, Zenith and Philco - are turning out, or are about to start manufacturing, FM-only table model sets selling at average prices."

He contrasted this with announced industry-wide policies of drastic cutbacks in production of AM-only receivers.

"From here on", according to Mr. Ware, "the American public will have FM reception available on 99 percent of all home receivers turned out." He said this will include such table-model combinations as AM-FM, TV-FM, as well as as FM-only.

Another indication of the intensified demand for FM reception is contained in the recent announcement of RCA that it is manufacturing a new, low-priced TV-FM-AM table model combination, Mr. Ware asserted.

He predicted that last year's output of 100,000 FM-only receivers will be "more than tripled during the next 12 months."

Mr. Ware explained that Emerson now is offering a new and improved FM-only table model set selling for \$29.95. Zenith and Philco, he stated, "have been reliably reported planning to start production of FM-only sets early this Spring."

"Last year", Mr. Ware continued, "six-million AM sets became obsolete and went out of use. This condition was due primarily to the fact that they died a natural death of old age and weren't worth having repaired."

"However, this year", Mr. Ware predicted, "the AM-only set will become even more obsolete and in greater percentage than ever before because the public demand for the superior qualities of FM broadcasting and reception makes the AM medium obsolete."

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::: SCISSORS AND PASTE :::
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Tallulah's Million Dollar Suit Called A Publicity Stunt
(Robert U. Brown in "Editor & Publisher")

If Tallulah Bankhead's suit against Procter & Gamble, Benton & Bowles, et al, isn't a cooked up publicity stunt, those involved couldn't have found a better one if they tried.

Picture this: Miss Bankhead is currently appearing in a Broadway show, "Private Lives". P & G and its agency are marketing a new shampoo named "Prell". The singing commercials tie in Tallulah's name to the tube of shampoo. She is suing for damages alleging illegal use of her name, etc.

Now, the actress and her play have received a box office shot in the arm because of the front page publicity, and "Prell" becomes one of the few commercial products in history to land on the front page. It's name is now being circulated in a manner that advertising would have taken weeks and months to do.

Even if it should cost the manufacturer, and others associated with it, a couple of hundred thousand dollars to settle the suit everyone ought to be very happy. Tallulah will be happy in winning her point and the manufacturer will have obtained front page publicity - something it couldn't have bought for a million dollars.

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New York City Health Give Television Ads The Once Over
(Arthur Gelb in "New York Times")

Inspectors of the Health Department's drug division have been ordered to report any instances of false or misleading advertising over television, it was learned recently.

Although the department has not completed plans for the purchase of its own video set, three of the twenty inspectors have television in their homes and others have access to sets in the homes of friends.

Thus far, it was made known, only one case of misleading advertising has been brought to the attention of Edwin Ludewig, director of the Bureau of Food and Drugs, of which the division is a part. It concerned therapeutic claims made by a dentifrice sponsor. The sponsor, who was warned to moderate his announcer's boasts concerning his product, complied with the Health Department's order.

Jerome Trichter, Assistant Health Commissioner, declared that until now the division had been focusing its attention on the control of fraudulent advertising on radio and in publications. The Health Department's powers in such cases, it was explained, are authorized by Section 133 of the Sanitary Code.

"Although many advertisers on radio have cleaned up their scripts", Mr. Trichter said, "there are still too many companies which include in their broadcasts gross misrepresentations and fabulous promises of cure and relief that cannot be fulfilled. So far, television broadcasting has not been a source of serious difficulty to the Health Department, but scripts and shows are being reviewed daily to make certain that such defects do not occur."

Mr. Trichter pointed out, however, that radio and video stations have been "exceptionally cooperative" when asked to moderate advertisements. Questionable scripts are often voluntarily submitted to the division by the networks in advance of a show.

There is at present one office in the drug division where inspectors are able to tune in on the air waves. They transcribe programs when suspicious about a script so they will have a record in case an announcer decides to "ad lib" about a product.

"In some cases", Mr. Trichter asserted, "an announcer might slur over words or use strange inflections when discussing the fact in a script that a product is not guaranteed to cure everything and everyone. The script itself might get our approval, but the way it is read over the air might not."

The assistant commissioner said that his department's new television plans could be partly attributed to "a resurgence of bad patent medicine advertising" in the last few months on the radio and in publications.

"Old cures have been renamed and are being advertised as great, new discoveries at a time when the public is conscious of such actual great and new discoveries as penicillin and streptomycin", he said.

Mr. Trichter added that New York was the pioneer city in enacting regulations against the dissemination of false or misleading advertising. These regulations subsequently became Federal law in 1938. In the past year, he added, an estimated fifty advertisers were warned to moderate their claims. In all cases the advertisers cooperated. If a sponsor fails to heed the Health Department's request, he is liable to court action and a possible \$500 fine, a year in jail or both.

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Why Mickey Rooney Fell Flat With The British
("London Calling")

If Danny Kaye was the "walkover" of the American invasion, it is fair to say that Mickey Rooney was its major set-back. I think the difference in approach had a great deal to do with it. British audiences are good on the whole (probably much kinder than Broadway audiences), but they hate to be taken for granted. Kaye, by exaggerating his nervousness, the leaf-quivering jitters of the little man faced with a crowd of strangers for the first time, won his audience's heart at once.

Mr. Rooney's entrance was quite different. He bounced on to the stage with the air of one putting over a foregone conclusion. And none was more honestly surprised than Mr. Rooney to find sales resistance. He played the drums, the trumpet and the piano, and he gave imitations - all with that famous vigour and gaucherie which has charmed or, alternatively, repelled us through the years in so many "Andy Hardy" pictures. But somehow, the sum effect fell flat.

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 ::: TRADE NOTES :::
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When Mayor O'Dwyer broke up the New York City wiretapping network, he discovered an apparatus, according to Drew Pearson, for listening to private telephone conversations without using even wires. All you had to do was to sit in an automobile several hundred feet away from a conversation and listen by means of a new-fangled radio eavesdropper.

 Last Summer a joint press room of the Armed Services was set up at the Pentagon in Washington, but the services continued to handle their own public relations. Not only will the new office decide what news releases shall and shall not be made, but will establish its own radio, newsreel, photograph offices and arrange for all assignments of speakers, etc.

 Plum blossoms and camellias flown from their California home lent a Springtime air to Justin Miller, President of the National Association of Broadcasters, and Mrs. Miller's tea at the Wardman Park Hotel in Washington last week. The Millers, who make their home now in Pacific Palisades, just outside of Los Angeles, are visiting in the Capital for a few weeks and renewing many old friendships.

At the tea approximately 200 dropped in to say "hello". Taking their turn at the tea table were Mrs. Fred Vinson, Mrs. William O. Douglas, Mrs. Robert Jackson, Mrs. Riley Rutledge, Mrs. Harold M. Stephens, Mrs. Tom Clark, Representative Helen Gahagan Douglas, Mrs. Harris Ellsworth, Mrs. Chet Holifield, Mrs. John Phillips, Mrs. Wayne Coy, and Mrs. Sam Bass Warner.

Among those assisting the hostesses were Mrs. Montfort Moodie and Mrs. A. D. Willard, Jr.

 Arturo Toscanini's presentation of Verdi's opera "Aida" with the NBC Symphony Orchestra will be televised on March 26 (NBC, East Coast Network, 6:30 to 8:00 P.M., EST). It will be a simultaneous broadcast-telecast.

Acts I and II will be given on March 26. The broadcast of Acts III and IV on Saturday, April 2, has not yet been scheduled for television pending re-allocation of cable time.

 Richard J. Redmond this week becomes Director of CBS General Television Operations in New York. For the past 13 months, Mr. Redmond was Assistant to the Vice President in Charge of CBS Television.

 The British Broadcasting Corporation makes this observation: "A running commentator on an outside sporting event has possibly the most difficult task in broadcasting, and there is no school of experience in which he can prove himself before tackling an actual broadcast. The BBC is always on the look-out for new talent in that line, but, having found what looks like the right man, the BBC has to do all the training, and since such training is best given on actual jobs, it is not easy to spread the net very wide.

"Omitting expert summarisers who often add commentaries to their summaries, the BBC's list of outside broadcasters since the war shows sixty-seven names, of which only 27 were doing running commentaries before the war."