

The National Association of Broadcasters

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JAMES W. BALDWIN, Managing Director

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LARGEST CONVENTION IN NAB HISTORY

The Fourteenth Annual Convention of the NAB, held at Chicago, Illinois, July 5-8, was the largest convention in the history of the Association. Total enrollment was 816, with a delegate list of 261.

Proceedings Will Be Printed

The proceedings of the Fourteenth Annual Convention of the NAB will be published in NAB REPORTS as soon as the official transcript is available.

Officers and Directors for Ensuing Year

The following constitute the Officers and Directors of the Association for the current year:

President—Charles W. Myers, KOIN-KALE, Portland, Oregon.
First Vice President—John Elmer, WCBM, Baltimore, Maryland.
Second Vice President—Gardner Cowles, Jr., KSO-KRNT, Des Moines, Iowa.
Treasurer—Harold Hough, WBAP, Fort Worth, Texas.
Managing Director—James W. Baldwin, Washington, D. C.

Directors

*Edward A. Allen, WLVA, Lynchburg, Virginia.
Ralph R. Brunton, KJBS, San Francisco, California.
Harry C. Butcher, KJVS, Washington, D. C.
*Arthur B. Church, KMBC, Kansas City, Missouri.
Edwin W. Craig, WSM, Nashville, Tennessee.
Wright W. Gedge, WMBC, Detroit, Michigan.
John J. Gillin, Jr., WOW, Omaha, Nebraska.
Alfred J. McCosker, WOR, Newark, New Jersey.
J. O. Maland, WHO, Des Moines, Iowa.
*Eugene P. O'Fallon, KFEL, Denver, Colorado.
*John Patt, WGAR, Cleveland, Ohio.
Gordon Persons, WSFA, Montgomery, Alabama.
*Frank M. Russell, WRC-WMAL, Washington, D. C.
T. W. Symons, Jr., KFPY, Spokane, Washington.
*L. B. Wilson, WCKY, Covington, Kentucky.

* Elected this year.

RESOLUTIONS ADOPTED AT NAB CONVENTION

(Note: Missing numbers represent Resolutions which failed of adoption.)

Resolution No. 2

RESOLVED, That the National Association of Broadcasters sincerely thanks the Hon. Judge Eugene Octave Sykes, Chairman of the Broadcast Division, Federal Communications Commission, for the information, practicability and usefulness of his message delivered at its fourteenth annual convention, and that the membership believes that his message will serve as a potent aid in assisting

the licensees of American broadcasting stations to cooperate with the Federal Communications Commission.

Resolution No. 3

RESOLVED, That the National Association of Broadcasters hereby expresses its sincere thanks to Mr. C. H. Sandage for his contribution to the interest and value of the fourteenth annual convention of this Association.

Resolution No. 4

RESOLVED, That the National Association of Broadcasters hereby extends its hearty thanks to Mr. Glenn Snyder, Mr. Ralph K. Atlass, Mr. H. Leslie Atlass, Mr. H. C. Crowell, Mr. Gene T. Dyer, Mr. W. E. Hutchinson, Mr. Quin A. Ryan, Mr. F. A. Sanford, Mr. Niles Trammel, and Mr. Clinton R. White of the Local Convention Committee, for their admirable services in making the fourteenth annual convention of the National Association of Broadcasters an outstanding success.

Resolution No. 5

RESOLVED, That the National Association of Broadcasters hereby extends its hearty thanks to the management of the Stevens Hotel, and to Mr. Wm. P. Hennessy, Director of Conventions, Chicago Association of Commerce, for their splendid service in making the fourteenth annual convention of this Association an outstanding success; also to the management of the Stevens Hotel, and other hotels for their courtesies in accommodating so many of our guests.

Resolution No. 6

RESOLVED, That the official acts of the Managing Director since the thirteenth annual convention be and the same are hereby approved.

Resolution No. 7

RESOLVED, That the Managing Director be and he hereby is authorized to take such steps as may be necessary adequately to represent the best interests of the broadcasting industry in the forthcoming conferences preparatory to the Fourth Meeting of the CCIR, scheduled for the spring of 1937, and in the meeting of the CCIR.

Resolution No. 8

RESOLVED, That the President be and he hereby is authorized and directed to appoint a committee of three, one of whom shall be the Managing Director, to determine the procedure for most effective presentation of the United States position and proposals to the next administrative international conference scheduled to be held in Cairo early in 1938.

Resolution No. 9

RESOLVED, That the Managing Director be instructed to proceed immediately with the creation of a bureau of agency recognition in accordance with the plan approved and recommended by the Commercial Committee, with the understanding that the said bureau will be finally established only if the cost of its first year of operation is underwritten by the stations proposing to avail themselves of its services.

Resolution No. 10

RESOLVED, That the Board consider the continuance of the establishment of one or more annual NAB awards for conspicuous examples of public service rendered by American broadcasting stations.

Resolution No. 11

RESOLVED, That the NAB continue to cooperate with the Federal Communications Commission and educational groups in all practical efforts to study the application of education to radio.

Resolution No. 12

RESOLVED, That the NAB go on record as favoring the issuance of radio station licenses for a term of at least three years.

Resolution No. 14

RESOLVED, That the Committee on Radio Research for the year 1936-1937 consist of seven members appointed by the president, so as to represent the following groups, in addition to the Managing Director: (1) each major network contributing to the project; (2) local stations; (3) regional stations; and (4) clear channel or high powered stations.

BE IT FURTHER RESOLVED, That the committee be empowered to select five of its membership to represent the broadcasting industry on the Joint Committee on Radio Research.

RESOLVED, That this convention approve the activities of the N. A. B. Radio Research Committee during the past year, and that it commend the excellent progress made by the Joint Committee on Radio Research sponsored by the National Association of Broadcasters, Association of National Advertisers, and American Association of Advertising Agencies.

RESOLVED, That the Board of Directors of the National Association of Broadcasters be empowered to devote for exploratory purposes upon recommendation of the N. A. B. Radio Research Committee the sum of \$10,000.00, and that additional funds be devoted to the project if necessary, and if, in the opinion of the Board, this can be done without impairing the financial position of the Association.

Resolution No. 16

RESOLVED, That the Board of Directors of the NAB be directed and are instructed to carry on negotiations with copyright owners to the end that a per-piece or measured service plan be obtained.

Resolution No. 17

RESOLVED, That the Board of Directors of the NAB be directed to solicit the cooperative assistance of the Radio Manufacturers Association and all others interested in the advancement of the radio art to foster a national educational campaign furthering a public appreciation of radio. We recommend that if the necessary cooperation and funds can be obtained that the directors consider the employment of a competent person to direct this program.

Resolution No. 18

RESOLVED, That the NAB approves of the action taken by the Board of Directors in respect to the Bureau of Copyright and urges the wholehearted support of all members of the program which has been described in the reports made to the membership.

Resolution No. 19

WHEREAS, it is the sense of this convention that the interests of those attending are becoming more and more varied and

WHEREAS, there has been an ever increasing tendency toward the formation of smaller groups within the Association, and

WHEREAS, experience has proven this to be a healthy development, tending to interest a greater number of individuals in the work of the Association, and

WHEREAS, the sales promotion problems of the industry and individual stations both are becoming increasingly important

NOW THEREFORE BE IT RESOLVED, That

1. This Association favors the formation of a Sales Managers Section of the NAB, to be affiliated with the Commercial Committee.

2. This Association recommends to the Board of Directors their approval of this project, and recommends that the Board authorize the Managing Director to pay such incidental expenses as are necessary for postage, printing and similar items out of funds of the Association.

Resolution No. 20

BE IT RESOLVED, by the National Association of Broadcasters that an effort be made to entertain all ladies who attend

the conventions of the National Association of Broadcasters and that during their attendance thereof an effort be made to entertain these ladies who cannot be with us in the meetings held in the interests of our problems.

Resolution No. 21-a

BE IT RESOLVED herewith that the National Association of Broadcasters appreciates the interest in their problems; and

WHEREAS, one who is known to us as "Jim" Hughes of Rock Island, Illinois, and who has attended many of our meetings in the past, and who would be in Chicago today were it not for the fact that health has presented a problem for him and that as he is now in a Rock Island Sanitarium endeavoring to regain his health, we trust that before another N. A. B. convention is held, Jim will be able to be with us.

Resolution No. 21-b

WHEREAS, it has come to the attention of this Convention that Edwin Spence of Baltimore, who has served the NAB for a number of years in a very splendid manner as Chairman of the Convention Committee, is ill

THEREFORE BE IT RESOLVED, That this Convention in session sends greetings and wishes for a very speedy recovery.

Resolution No. 22

WHEREAS, as the Radio Broadcasting Industry continues to grow in size it becomes more and more apparent that if broadcasters are to intelligently handle their state, regional and national programs, they must be organized in State, Regional and National Units.

Such organizations will also serve to keep the rank and file better informed and give the numerous broadcasters more of a voice in the affairs of the industry.

NOW THEREFORE BE IT RESOLVED, the Board of Directors of the NAB be and are hereby instructed to bend every effort during the year 1936-37 to foster such organizations as chapters of the NAB.

COURT BROADCASTING CASES

Paul R. Heitmeyer has filed two appeals in the Court of Appeals of the District of Columbia against decisions of the Federal Communications Commission in which the Commission refused to grant him construction permits for stations to be located at Salt Lake City, Utah, and Cheyenne, Wyo.

In the case of the Utah station the Examiner who heard the case recommended that the Heitmeyer application be granted if another grant then pending was denied. In the other case the Examiner recommended that the application be granted. In both cases the Broadcast Division of the Commission heard argument and decided that the applications should not be granted. The appeal is against these decisions.

Broadcasting Station KGBZ, York, Nebr., appealed in the same court for an order granting a stay of execution of the Commission's order taking the station off the air. Should the stay be granted the station could continue operation. The Commission has filed answer urging that the Court uphold its decision taking the station off the air.

The Eastland Company, the Palmer Broadcasting Syndicate, Inc., and the Congress Square Hotel Company all filed appeals in the Court of Appeals of the District of Columbia in connection with the decision of the Federal Communications Commission of May 1 granting an application of a construction permit to the Portland Broadcasting System, Inc., for a station at Portland, Me.

MUST FILE BROADCAST FACILITY RATES

Chief Examiner Davis G. Arnold of the Federal Communications Commission has handed down Report No. III-9 dealing with a request of the Rochester Telephone Corporation, Rochester, N. Y., taking up as a supplemental issue broadcast facilities.

In this case the telephone company contended that the Commission has only limited jurisdiction over it, while the Chief Examiner contends in his report that it has full jurisdiction.

In connection with the case the Examiner found that "facilities for broadcast purposes are furnished by the respondent." In his conclusions on this point the Examiner states that "pursuant to Section 202(b) (of the Communications Act) the respondent is required to file with the Commission their schedules and charges in connection with this type of service."

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

American Coach & Body Company, Cleveland, Ohio. (2-2291, Form A-2)
Cumberland Basin Mines, Inc., Denver, Colo. (2-2293, Form A-1)
Consolidated Retail Stores, St. Louis, Mo. (2-2295, Form A-2)
Richman Brothers Company, Cleveland, Ohio. (2-2296, Form A-2)
Lord Craven Hotel Corporation, New Bern, N. C. (2-2297, A-1)
Gannett Company, Inc., Rochester, N. Y. (2-2298, Form A-2)
Northwest Publications, Inc., St. Paul, Minn. (2-2299, Form A-2)
U. S. Radiator Corp. Committee, Detroit, Mich. (2-2300, Form D-1)
Abasand Oils, Ltd., Toronto, Canada. (2-2301, Form A-1)
Dejay Stores, Inc., New York City. (2-2302, Form A-2)
Gardner-Denver Company, Quincy, Ill. (2-2303, Form A-2)
North American Car Corp., Chicago, Ill. (2-2304, Form A-2)
Reiter-Foster Oil Corp., Tulsa, Okla. (2-2305, Form A-1)
Hudson Motor Car Co., Detroit, Mich. (2-2306, Form A-2)
First Reinsurance Co. of Hartford, Hartford, Conn. (2-2307, Form A-2)
V. J. Emore Stores, Inc., Clanton, Ala. (2-2308, Form A-1)
Public Service Electric & Gas Co., Newark, N. J. (2-2309, Form A-2)
Kansas Pipe Line & Gas Co., Topeka, Kans. (2-2310, Form A-1)
John R. Wright Corp., Detroit, Mich. (2-2311, Form A-1)
Akron Brass Mfg. Company, Wooster, Ohio. (2-2312, Form A-2)
Interstate Debenture Corp., Newark, N. J. (2-2313, Form E-1)
Standard Oil Company, New York City. (2-2314, Form A-2)
Soundview Pulp Company, San Francisco, Calif. (2-2315, Form A-2)
North Bangor Slate Co., Bangor, Pa. (2-2318, Form A-2)
Stearman-Hammond Aircraft Corp., San Francisco, Calif. (2-2319, Form A-1)
San Antonio Milam Building, Inc., San Antonio, Tex. (2-2322, Form F-1)
Ryerson & Haynes, Inc., Jackson, Mich. (2-2323, Form A-2)
Petersen Engine Company, Inc., Brooklyn, N. Y. (2-2324, Form A-1)

NEW STATION RECOMMENDED WITH CONDITIONS

The Community Broadcasting Company filed an application with the Federal Communications Commission asking a construction permit for a new broadcasting station at Toledo, Ohio, to use 1200 kilocycles, 100 watts power, and daytime operation.

Examiner Ralph L. Walker, in Report No. I-254, recommended that the application be granted "in the event the applications of WALR and the Continental Radio Company are denied * * * subject to the later approval by the Commission of the exact transmitter site." The Examiner found if the other pending applications referred to above are denied, that "the granting of the pending application will not result in objectionable interference."

RECOMMENDATIONS ON WALR

Broadcasting Station WALR, Zanesville, Ohio, applied to the Federal Communications Commission to move to Toledo, Ohio. The station operates with 100 watts power, unlimited time, on 1210 kilocycles.

Examiner Ralph L. Walker, in Report No. I-253, recommends that "the Commission either revoke its order of September 25, 1934, granting the application here involved, or, in the alternative, that the Commission modify said order to permit the operation of Station WALR, at Toledo, Ohio, during daylight hours only."

The Examiner states that the operation of WALR at Toledo "will result in serious and objectionable interference which will substantially reduce the present good service area of Station WJIM, at Lansing, Mich., and listeners in a substantial area which now receives a satisfactory signal from WJIM will be deprived of that service."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents

will be given an opportunity for hearing to show cause why cease and desist orders should not be issued against them.

No. 2869. Belmont Laboratories, Inc., 4430 Chestnut St., Philadelphia, is charged in a complaint with unfair methods of competition in the sale of "Mazon" and "Mazon Soap," preparations offered as treatments for skin diseases.

In magazines, medical journals and in other forms of advertising, the respondent corporation allegedly makes representations to the effect that the two preparations are prescribed by prominent physicians and afford quick and permanent elimination of eczema, ring worm, athlete's foot, and many other skin disorders; that "Mazon" is the original treatment of its character for the skin diseases specified in the respondent's advertising, and that it has no substitute.

These representations are untrue, according to the complaint, which alleges that the ingredients in "Mazon" have been known to the medical profession for many years, and that there are a number of proprietary preparations for skin diseases similar to "Mazon."

Nos. 2872-2873. Two companies and their officers are named respondents in separate complaints charging unfair methods of competition in connection with the sale of field and garden seed.

In one complaint, the respondents are **American Field Seed Co.,** 1929 West 43rd St., Chicago, also trading as **Sun-Field Seed Service and Standard Seed Co.,** and its officers, **Ernest E. Elder,** president, and **J. F. Sinn,** vice-president and treasurer. These respondents deal only in field seed.

Sinn also is named a respondent in the second complaint, as are the **Berry Seed Co., Clarinda, Iowa,** of which he is president, and the company's other officers, **Charles M. Kelly,** vice-president, **Joseph F. Faassen,** secretary, and **Charles S. McKee,** treasurer. Both field and garden seed are sold by these respondents.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 1707. Edna Wallace Hopper, Inc., 4316 North Kilpatrick Ave., Chicago, engaged in the compounding or manufacture of cosmetics and toilet preparations, agrees to discontinue advertising that its "Special Restorative Cream" will restore the oils of youth to the skin or supply the skin with natural oils, and will keep the skin young and free of wrinkles or age lines. Other representations to be abandoned are that the preparation is the discovery of a great French scientist or of a famous beauty expert, and that the respondent company's "White Youth Pack (clay)" is of French origin.

No. 1708. The Parmeda Company, Bowling Green, Va., stipulates that in the sale of "Parmeda," which it manufactures, it will cease the use in advertising matter of the phrase, "Hair Tonic and Restorative," and of representations that its preparation "restores the natural color to gray and fading hair," or that it will "bring back the color of the hair to a natural shade." According to the stipulation, the product does not accomplish these things. The respondent corporation also will desist from the assertion that its product will stimulate hair growth or promote hair and scalp health and will stop falling hair, and that its product is not a dye.

No. 1709. Scientific Laboratories of America, 2567 38th Ave., Oakland, Calif., manufacturer of household remedies, agrees to discontinue use of the words "Scientific" and "Laboratories" as part of its trade name or in any way which may imply that it owns or operates a scientific laboratory, when this is not true. Under the stipulation, its remedies will no longer be advertised as prepared in one of the world's largest laboratories, nor will it be represented that the company spent many years in research before offering its remedies to the public; or that it has a staff of expert chemists. The respondent company agrees not to use in advertising matter the word "Doctor" or the abbreviation "Dr." to imply that the product so labeled has been compounded in accordance with the prescription of a doctor and contains special scientific features, when this is not a fact.

No. 1710. Whitney Payne Corporation, 152 West 42nd St., New York City, manufacturer and distributor of medical preparations under the trade names "Pheno-Cosan" and "Pheno-Cosan Medicated Soap," agrees to cease alleging in advertising matter that these preparations will cure or permanently relieve eczema, psoriasis, or general skin diseases, and will discontinue use of all representations not correctly describing its products and the results which can be obtained by their use.

No. 1711. Frank J. Speckert, 105 Cherry St., Seattle, Wash., selling "Leyden's Hair Tonic," agrees to stop representing the product in a manner implying that it will impart nourishment to the hair roots, thereby bringing gray or faded hair back to its natural color, or that through its use the product will restore the natural or original color to gray or faded hair, or that it will

impart color to hair except in the sense that it may dye it. The respondent stipulates that it will cease advertising that the preparation is capable of bringing the scalp to a healthy condition or of removing dandruff completely, stopping falling hair and starting it to grow, stopping itching scalp, or restoring new life to the hair. Speckert also agrees to desist from employing the phrase "It is good for children to use as well as adults," and of the assertion, "It is positively harmless."

No. 1713. Salts of Siloam Company, 1112 Porter Building, Portland, Ore., is engaged in packing mineral salts obtained from the waters of Soap Lake, Wash. According to its stipulation, the company's product, though laxative and diuretic in its action, and of possible use as a cleansing agent, was not properly designated, either directly or by implication, as having curative, remedial or beneficial properties other than those belonging to a laxative, diuretic or cleansing agent. The respondent agreed to cease and desist from representations that its product had curative or beneficial properties other than those mentioned, and from use of the statement, "This Water Analyzed by the United States Government," or any other assertions implying that the United States Government actually made an analysis of the water of Soap Lake, as set forth in the company's advertising, when this was not true.

No. 1714. Maud J. Taylor, 184 Summer St., Boston, trading as M. J. Taylor Company, engaged in printing and engraving social and business stationery, will discontinue using in advertising matter the words "engraving," "engraved" and "engravers" as descriptive of the respondent's products, which are not, in fact, made in accordance with the process of producing an impression on paper from inked plates containing inscriptions which have been carved, cut or stamped, according to the process of engraving or embossing. The respondent also will not use the word "engrave" alone or in connection with the word "semitone," implying that her products are manufactured by the well-known engraving or embossing process, when this is not true.

No. 1715. Nu-Tone Laboratories, Inc., 115 South Market St., Chicago, manufacturing electrical, radio and household specialties, will cease advertising to the effect that its "Nu-Tone Aerial Eliminator," when used according to directions, will result in less static, in a perfect tone, perfect selectivity, or greater distance, or that its use will reduce static and noise or eliminate all outside wires, in the sense that it will obviate the use of an outside aerial. In soliciting the sale of its "Line Noise Eliminator," the respondent company agrees to desist from representations to the effect that it will eliminate line noise or reduce static and noise, when used on a radio set.

No. 1716. Charles E. Berry, Jr., 1826 20th St., Washington, D. C., trading as Best Products Company, agrees that in selling combination cigarette lighters and cases he will cease and desist from the use in advertising matter of any pictorial representations imitating the "Ronson" combination lighter and case manufactured and sold by Art Metal Works, Inc., Newark, N. J., and which is priced at \$7.50.

According to the stipulation, Berry obtained a quantity of combination lighters and cases, so made as to imitate in design and appearance the "Ronson" product. In his advertisements carrying a picture of a lighter and case simulating the "Ronson" type, Berry is said to have offered it for sale at \$1, thereby implying that purchasers could obtain the "Ronson" type product at a greatly reduced price.

No. 1717. Lew Bradley, Room 505, Tabor Building, Denver, Colo., operates a correspondence school under the name of Modern Institute of Denver. In selling courses of instruction, he agrees to discontinue the use in advertising matter of exaggerated and inaccurate representations concerning the probability of students obtaining Civil Service positions, and stop misleading assertions as to the number of Civil Service employees being appointed and the probability of examinations being held. Misleading representations to the effect that the Government is in need of Civil Service employees and that the positions are permanent, steady, and well-paying are barred, under the stipulation.

The respondent also stipulates that he will neither advertise nor enter into any so-called agreements to refund tuition fees to his students who fail to obtain positions, unless he specifies the time within which such refunds are to be made.

No. 1718. Graham-Brown Shoe Company, Main and Austin Sts., Dallas, Tex., stipulates that in the sale of shoes it will stop using the word "Doctor" or the abbreviation "Dr." with the name "Austin" as a brand for its shoes which are not manufactured under the supervision of a doctor and do not contain orthopedic features resulting from medical advice and service. The respondent company also will cease use of the title "Doctor" or its abbreviation, either alone or with other words, implying that its

shoes are made in accordance with the design of a doctor and contain orthopedic features, when such is not the case.

No. 1719. Ben Greenberg & Brother, Inc., 2911 South La-Salle St., Chicago, agrees that in the sale of pillows it will desist from use of the word "kapok," alone or with the word "processed," or with any other words as a brand name for pillows not filled with kapok, or otherwise imply that the filling of such products is composed of kapok, when such is not the fact. Kapok is the silky fiber obtained from the seed of the Javanese kapok tree, and, after being subjected to a certain blowing process, is said to be a superior filling for pillows and mattresses.

No. 1720. Annette Lauzette, Inc., 30 East Randolph St., Chicago, trading as "Lanzette Laboratories," in the sale of a pumice stone device for removing superfluous hair will cease representations to the effect that the use of depilatories may cause erosion of the skin or blood poisoning; that, either shaving or the use of depilatories makes hair return thicker and darker, or that the use of waxes enlarges pores and increases hair growth. The respondent corporation also will stop advertising, directly or by inference, that the medical profession generally recognizes the pumice stone method to be probably the best known method of removing hair, when such is not the fact.

No. 2214. Unauthorized use of several well-known trade names, such as Edison, Marconi, Majestic and others, in the sale of radio sets, tubes and appliances, is prohibited under an order to cease and desist issued against six manufacturing and sales companies operating in New York, Boston and other cities.

The respondents are: **Marconi Radio Corporation, Edison Radio Stores, Inc.,** both of 23 East 21st Street, New York City; **Stuart Radio Corporation,** 58 Stuart Street, Boston; **Joseph E., S. A. and A. M. Frank and G. Blumenthal,** trading under the names **Perfection Radio Stores, Harvard Radio Stores and Post Radio Company,** formerly operating in various communities of Massachusetts, New York, Pennsylvania, Maryland, and in Washington, D. C.

These respondents are ordered to cease representing through advertisements, trade promotion literature and through the use of corporation, company or trade names, that the radio sets, tubes and appliances manufactured or assembled for, or by, and sold by them, are radio sets, tubes and appliances made, sold, sponsored or licensed by Thomas A. Edison, Thomas A. Edison, Inc., American Telephone & Telegraph Company, Western Electric Company, Marconi Wireless Telegraph Company of America, Radio Corporation of America, Victor Talking Machine Company, Brunswick-Balke-Collender Company, Warner Brothers Pictures, Inc., and its subsidiary, Brunswick Radio Corporation, Grigsby-Grunow Company, and General Electric Company.

The order also bars representation through use of the names "Edison," "Edison-Bell," "Edison Radio Stores, Inc.," "Edison International," "Bell," "Marconi," "Marconi Radio Corporation," "Victor," "Brunswick," "Bronswick," "Majestic," "Radio Corporation of America," "General Electric Company," or the letters "R. C. A.," "R. S. A.," "R. C. I.," "G. E." or "E. B.," or through picturization of a bell, alone or in connection with other words or symbols, that the radio sets, tubes, and appliances made or assembled for or by and sold by the respondents are made, assembled, approved or licensed by the Edison Company, American Telephone & Telegraph Company, and the other large, well-known companies above designated.

A third provision of the order prohibits the use on radio sets, tubes, and appliances sold by the respondent companies, of escutcheon plates, brands, or other marks bearing the names "Edison," "Edison Radio Stores, Inc.," "Edison International," "Edison-Bell," "Bell," or the representation of a bell, and various other names and initials of large and well-known companies so as to imply that these products are made, assembled, sold or licensed by these prominent manufacturers.

Findings are that Joseph E. Frank controls the business of the several respondent corporations and companies, and extended his business activities throughout the United States and into foreign countries, attempting to register with the Spanish Government the names "Edison" and "Marconi" as trade marks or trade names for radio and television sets and related products. This registration was denied by the Spanish Government upon objection of Thomas A. Edison, Inc., and the Marconi Wireless Telegraph Company of America, according to findings.

No. 2371. Morgen Distilling Corporation, 107 Hudson St., Jersey City, N. J., has been ordered to discontinue representing through use of the word "Distilling" in its corporate name, on labels, in advertising matter, or in any other manner that it is a

distiller, that it manufactures by a process of distillation the products it sells, or that it owns or operates a place where its spirituous beverages are distilled, until it actually owns or operates such a place.

Nos. 2423-2424-2432-2442-2449. Selling whiskies, gins and other spirituous beverages, five corporations have been ordered to discontinue representing they are distillers until such is a fact.

The orders to cease and desist direct that the respondent corporations discontinue representing through use of the words "Distilling," "Distillery," or "Distillers" in their corporate names, on stationery, labels, or in any other manner that they are distillers of spirituous beverages, that such beverages are manufactured by them through the process of distillation, or that they own or control places where such beverages are manufactured by distillation unless that be true.

The respondent corporations are **International Distilling & Distributing Corporation**, Washington, D. C.; **Sunrise Distilling Corporation**, Chicago; **LaSalle Distillery, Inc.**, Stamford, Conn.; **Raritan Distillers Corporation**, Perth Amboy, N. J., and **United Distillers Corporation**, Providence, R. I.

No. 2428. **Esbeco Distilling Corporation**, 25 Jefferson St., Stamford, Conn., has been ordered to cease representing through use of the word "Distilling" in its corporate name that it is a distiller of liquors, until such time as it shall actually own, operate or control a distillery.

No. 2430. An order has been issued prohibiting unfair competition on the part of **Finishing Products Company, Inc.**, 3725 East 13th Street, Indianapolis, in the sale of lacquers, stains, fillers, and other wood-finishing products.

Practicing what is known as commercial bribery, the respondent company, according to the Commission's findings in the case, attempted to promote the sale of its products by secretly paying to superintendents or finishing foremen in furniture factories sums of money to induce them to influence their employers to purchase the respondent's products in preference to those of competitors.

Findings are that through the medium of Walter J. Murray, its president, and Frank A. Metzger, its former vice-president, and David G. Small, its salesman, respectively, the respondent company secretly gave money or gratuities to superintendents and finishing foremen employed by customers in Sheboygan, Wis., Stevens Point, Wis., Sheboygan Falls, Wis., Appleton, Wis., Piqua, O., and Zeeland, Mich.

The order to cease and desist prohibits the respondent company, in the sale of its products, from giving and offering to give, directly or indirectly to superintendents, finishing foremen or other employees of furniture factories and other purchasers of furniture finishing products, without the knowledge and consent of their employers, money or gratuities to induce such employees to recommend the respondent company's products to their employers, or to induce such employers to purchase such products in preference to or to the exclusion of competing products.

No. 2438. **Old Rose Distilling Co.**, 222 West Madison St., Chicago, has been ordered to cease and desist representing through use of the word "distilling" in its trade name that it is a distiller of liquors, owning, operating or controlling a distillery, unless and until it shall own, operate or control such a plant.

Nos. 2443-2678. **Potomac Distilling Corporation**, 2700 Wilmarco Ave., Baltimore, Md., and **Old Colonel Distillery, Inc.**, 427 West Main St., Louisville, Ky., have been ordered to discontinue unfair methods of competition by improper use of the words "Distilling" or "Distillery" in their corporate names.

Each company is directed to stop representing through use of the word "Distilling" or "Distillery," respectively, in its corporate name, on stationery and in advertising matter, that it is a distiller of liquors; that these liquors or other spirituous beverages are manufactured by it through the process of distillation, or that it owns, operates or controls a place of business in which these products are distilled, unless and until it shall actually own, operate or control such a distillery.

No. 2497. **Henry L. Hughes, Inc.**, and its subsidiary, **Autograf Toothbrush Company**, 300 Madison Avenue, New York City, have been ordered to cease and desist from making misleading representations in the interstate sale of their product.

The order directs that the respondents cease representing through the medium of labeling, stamping or imprinting on the handles of toothbrushes sold by them, that such articles are made wholly in the United States, when in fact the handles have been imported from a foreign country, the name of which has been obliterated or obscured.

The order also directs the respondents to discontinue represent-

ing by imprinting on boxes, cartons or other packages containing their toothbrushes, the words "Made in U. S. A.," implying that these articles are manufactured in the United States, when in fact the handles have been imported from abroad.

No. 2553. **Gus Martel, New Fairfield, Conn.**, has been ordered to discontinue false representations in connection with the sale of correspondence courses of instruction in physical culture and boxing.

Martel is prohibited, among other things, from representing in advertising matter or in any other manner that his courses can be immediately mastered by amateur or professional fighters, and by non-amateurs or non-professionals in a relatively short period of time.

No. 2597. **Sanderson Adjustment Bureau, Inc.**, 1042 Citizens and Southern National Bank building, Atlanta, Ga., has been ordered to discontinue unfair methods of competition in the sale of collection systems for the use of merchants, professional men, and others.

The order requires the respondent corporation to cease representing in advertising that it is an old established concern selling collection systems for which there is a great demand, and that reliable men with managerial ability and sufficient capital to invest should earn from \$500 to \$1500 a month selling such systems, while the minimum earnings for agents should be \$50 a week.

No. 2658. Prohibiting unfair competition in the sale of leather luggage, an order has been issued to cease and desist against **Meyer Brodie and Morris White**, trading as **M & M Bag and Suit Case Co.**, 15 West 20th Street, New York City.

The order directs cessation of the practice of labeling or stamping luggage made in whole or in part from split leather as "Warranted Walrus Grained Leather" without at the same time and in connection therewith, clearly stating that split leather has been used in the manufacture of such luggage.

No. 2683. An order has been issued against **Dr. S. B. Heininger** directing him to discontinue unfair methods of competition in offering for sale and selling dental plates manufactured in his laboratory at 440 Huron St., Chicago.

Dr. Heininger's method of business, according to findings, is to have laymen who reply to his advertisements, take impressions of their own teeth and gums with wax materials he sends them, and, upon return of the impressions, make from them the dental plates he sells to the purchasers.

Under the order, Dr. Heininger is required to cease representing that purchasers of his artificial teeth can make as correct impressions of their own teeth and gums as members of the dental profession; that from such impressions he can make dentures that will give full power of mastication and look and feel better than the wearer's natural teeth, and that purchasers can obtain from him artificial teeth that fit as well and are as comfortable as those made in the usual manner by members of the dental profession.

No. 2759. Under an order to cease and desist, the **Hollywood Mask, Inc.**, 105 West Monroe St., Chicago, is prohibited from misrepresenting in advertising matter the nature and effect of the cosmetic preparations it sells in interstate commerce.

The order directs the respondent corporation to discontinue representing that any of its cosmetics serve as a food for the skin, tissues or muscles, or have a beneficial effect in nourishing, filling out and tightening the lines of broken tissues; that they eliminate dryness, banish wrinkles and remove blackheads, and that they penetrate the skin beyond the epidermis, so as to produce any beneficial results on the underlying muscles, tissues, or layers of skin.

No. 2831. **Buno Company, Inc.**, 507 Green St., Philadelphia, has been ordered to stop making misleading representations in the sale of its medicinal preparation called "Buno."

The order directs the respondent to stop alleging that this product will keep the skin clear and healthy, give instant relief from sunburn, mosquito and other insect bites, and that it is an effective treatment for dandruff, eczema, athlete's foot, and other skin eruptions.

FTC VACATES ORDER

No. 2168. The Federal Trade Commission has entered an order vacating a cease and desist order issued in November, 1934, against **Maid-O-Best, Inc.**, of St. Paul, and its president, G. M. Moses, and against **Morris Averbach**, of St. Paul, trading as **The Muriel Company**.

The Commission directed that the order to cease and desist be set aside, and that taking of testimony on the charges of the prior complaint begin at a time to be determined.

The vacated order to cease and desist prohibited unfair representations in the sale of flavoring compounds, foodstuffs, toilet articles and household novelties.

FEDERAL COMMUNICATIONS COMMISSION ACTION

The Broadcast Division of the Commission did not meet at its regular time this week. A meeting will be held later.

No hearings are scheduled before the Commission during the week beginning Monday, July 20.

APPLICATIONS RECEIVED

First Zone

- WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—
710 Construction permit to install a new transmitter, new antenna, and increase power from 50 KW to 500 KW.
- WHDH—Matheson Radio Co., Inc., Boston, Mass.—Special experimental authorization to operate from sunset at Denver, Colo., to 11 p. m., EST, using directional antenna, from 8-1-36 to 2-1-37.
- NEW—George M. Haskins, Hyannis, Mass.—Construction permit for a new station to be operated on 1210 kc., 100 watts, 250 watts day, unlimited time.
- NEW—Continental Radio Co., Washington, D. C.—Construction permit for a new station to be operated on 1230 kc., 1 KW, unlimited time. Amended to give transmitter site as approximately 1 mile northwest of north corner of District of Columbia, Montgomery County, Md., and install directional antenna for day and night use.
- NEW—Julio M. Conesa, Mobile, Puerto Rico.—Construction permit for a new relay station to be operated on 1622, 2058, 2150, 2790 kc., 75 watts.

Second Zone

- NEW—Radio Air Service Corp., Portable-Mobile.—Construction permit for a new relay station to be operated on 3110, 34600, 37600, 40600 kc., 10 watts.
- NEW—The Ohio State University, Portable.—Construction permit for a new relay station to be operated on 31100, 34600, 37600, 40600, 93300, 12440, 155500, 248800 kc., 1 watt.
- NEW—Radio Air Service Corp., Portable-Mobile.—Construction permit for a new relay station to be operated on 31100, 34600, 37600, 40600 kc., 10 watts.
- NEW—Radio Air Service Corp., Portable-Mobile.—License to cover above.

Third Zone

- NEW—Pee Dee Broadcasting Co., James A. Bradley, Pres., 950 Florence, S. C.—Construction permit for a new station to be operated on 950 kc., 1 KW, daytime.
- NEW—Carolina Advertising Corp., Florence, S. C.—Construction permit for a new station to be operated on 1200 kc., 100 watts, unlimited time.
- WJNO—Hazlewood, Inc., West Palm Beach, Fla.—License to 1200 cover construction permit (B3-P-159) as modified for a new station.
- WSIX—Jack M. Draughon & Louis R. Draughon, d/b as 638 1210 Tire & Vulcanizing Co., Nashville, Tenn.—Modification of construction permit (B3-P-227) for move of transmitter and studio, requesting extension of completion date from 8-4-36 to 11-1-36.
- WATL—J. W. Woodruff & S. A. Cisler, d/b as Atlanta Broadcasting Co., Atlanta, Ga.—Construction permit to install a new transmitter, make changes in antenna, increase power from 100 watts to 100 watts, 250 watts day, move studio from Room 707, Volunteer Life Bldg., Forsyth & Luckie Sts., Atlanta, Georgia, to 26 Cain Street, Atlanta, Georgia, and transmitter from Yaarab Shrine Mosque, 660 Peachtree Street, Atlanta, Georgia, to 26 Cain Street, Atlanta, Georgia.
- NEW—Carolina Advertising Corp., Columbia, S. C.—Construction permit for a new station to be operated on 1370 kc., 100 watts, 250 watts day, unlimited time.

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Construction permit to install a new transmitter, change frequency from 1370 kc. to 1120 kc., power from 100 watts, 250 watts day to 1 KW.

Fourth Zone

- WLBL—State of Wisconsin, Dept. of Agriculture & Markets, 900 Stevens Point, Wisc.—Construction permit to install a new transmitter and antenna, change power and hours of operation from 2½ KW, specified hours to 5 KW, daytime, move transmitter from 8½ mi. N. E. of Stevens Point (near Ellis), Wisconsin, to 1 mi. S. of Auburndale, Wisconsin.
- NEW—Walter H. McGenty, Rice Lake, Wisc.—Construction permit for a new station to be operated on 1200 kc., 100 watts, 250 watts day, unlimited time.
- KGFV—Central Nebraska Broadcasting Corp., Kearney, Nebr.—1310 Construction permit to install a new antenna, move studio and transmitter from 919 West 27th Street, Kearney, Nebraska, to site to be determined, Omaha, Nebraska.
- WMIN—Edward Hoffman, St. Paul, Minn.—Construction permit 1370 to make changes in equipment and increase power from 100 watts to 100 watts, 250 watts day.
- WHLB—Head of the Lakes Broadcasting Co., Virginia, Minn.—1370 Modification of construction permit (B4-P-329) to make changes in equipment, install a vertical antenna, for approval of transmitter and studio sites at 6th Ave. W. & 17th, Virginia, Minn., and extend commencement and completion dates.
- KOVC—George B. Bairey, Valley City, N. D.—Modification of 1500 construction permit (B4-P-224) for a new station requesting authority to install a new transmitter and antenna and for approval of transmitter site at 312½ Fifth Ave., Valley City, North Dakota.

Fifth Zone

- KHQ—Louis Wasmer, Inc., Spokane, Wash.—Modification of construction permit (B5-P-925) as modified, giving transmitter site as R. F. D. No. 3, Spokane, Wash., and height of antenna to be determined.
- KMO—KMO, Inc., Tacoma, Wash.—Construction permit to make 1330 changes in equipment, install a vertical antenna, increase power from 250 watts to 1 KW, and change transmitter site from 1623 East "J" St., Tacoma, Wash., to site to be determined, Tacoma, Wash.
- KMED—Mrs. W. J. Virgin, Medford, Ore.—Construction permit 1410 to make changes in transmitter, install a new antenna, move transmitter from Sparta Building, Main & Riverside Avenues, Medford, Ore., to Ross Lane, Medford, Ore.
- NEW—Earle C. Anthony, Inc., Portable-Mobile.—Construction permit for a new relay station to be operated on 31100, 34600, 37600, 40600 kc., 25 watts.
- NEW—Standard Radio, Inc., Hollywood, Calif.—Authority to transmit electrical transcriptions to foreign countries (CJRJ, Winnipeg, Manitoba, Canada, and other Canadian stations).
- NEW—Earle C. Anthony, Inc., Mt. Wilson, Calif.—Construction permit for a new high-frequency station to be operated on 31600, 35600, 38600, 41000 kc., 100 watts.
- NEW—Lee Tracy, Mobile, aboard yacht *Adore*.—Construction permit for a new relay station to be operated on 1622, 2058, 2150, 2790 kc., 100 watts.
- NEW—Earle C. Anthony, Inc., Los Angeles County, California, near Buena Park.—Construction permit for a new international station to be operated on 6020, 9510, 11750, 15150, 21480 kc., 10 KW.

Puerto Rican Zone

- WPRP—Julio M. Conesa, Ponce, P. R.—Modification of license 1420 to operate an additional hour from 11 p. m. to 12 daily.