

Advance Convention Reservations Break Record

The seventeenth annual convention of the NAB, and the first since its reorganization, has attracted the largest number of advance registrations in the association's history.

While many and diverse subjects will be considered by the broadcasters, two stand out in importance: the report of the Code Committee and the report of the Copyright Committee.

The convention will be addressed by Carl Milliken, secretary of the Motion Picture Producers and Distributors of America, Inc., who for the past seventeen years has been in charge of the motion picture industry's code of self-regulation. Elmer F. Andrews, Wage and Hour Administrator, will address the convention on Wednesday morning, as will Dr. John W. Studebaker, U. S. Commissioner of Education; and Orrin Dunlap, radio editor of the *New York Times*.

Though the convention does not officially convene until Tuesday morning, July 11, meetings and social activities will begin on Sunday morning, July 9. On Sunday, also, the Board of Directors will hold a dinner meeting; and at two o'clock the Research Committee will hold a pre-convention meeting. The annual golf tournament will begin at ten-thirty, Sunday morning.

Group meetings of the clear channel stations, the local channel stations, and the National Association of Regional Broadcast Stations, will be held Monday morning. In the afternoon, the IRNA group and the National Committee of Independent Broadcasters will meet. Later in the afternoon there will be a demonstration of television, followed by a discussion of radio engineering problems by John V. L. Hogan, chairman of the NAB Engineering Committee.

The Bureau of Radio Advertising will hold a luncheon on Monday in conjunction with the NAB Sales Managers' group. Luncheon will be followed by a report on sales

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Make Your Reservations Now to Attend the Seventeenth Annual NAB Convention

Ambassador Hotel—July 10, 11, 12 & 13—Atlantic City, N. J.



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ADVANCE CONVENTION RESERVATIONS BREAK RECORD

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management policies by Dr. Herman S. Hettinger, and a forum discussion of various sales problems.

The convention will be called to order at nine-thirty Tuesday morning. President Miller will make his annual report during the opening morning session. In the afternoon the Code Committee's report will be presented and discussed. This will be a closed membership meeting.

On Wednesday morning the addresses of Mr. Andrews, Dr. Studebaker and Mr. Dunlap will be made. Wednesday afternoon will be devoted to the report and discussion of the copyright committee. This meeting will be restricted to NAB members only.

The annual banquet will be at seven o'clock Wednesday evening. During the latter portion of the evening President Neville Miller will participate in a discussion of "The Three Mirrors of America—The Press, the Motion Picture, the Radio," with Will Hays, president of the Motion Picture Producers and Distributors of America, Inc., and James G. Stahlman, ex-president of the American Newspaper Publishers Association.

It is anticipated that the convention will adjourn Thursday. On the Thursday schedule are: reports from Committees and discussions of same; a brief address by Joseph Marty, executive secretary of the Radio Service-men of America, on "The Missing Link in Broadcasting"; the election of the six new directors; adoption of resolutions; a wind-up of unfinished business and adjournment. On Thursday afternoon at two P. M. the new Board of Directors will hold its first meeting.

Convention arrangements are being supervised by Edwin M. Spence, Secretary-Treasurer; the convention program agenda by Ed Kirby, Director of Public Relations, and Paul Peter, Director of Research. Press relations will be handled by Joseph L. Miller, Director of Labor Relations.

Members are asked to register as early as possible.

Special activities and entertainment have been arranged for the ladies.

FCC Postpones "Censorship" Hearing to July 14

The FCC this week postponed from July 12 to July 14 a hearing on its "censorship" rule for international broadcast stations.

The rule would require these stations to "render only an international broadcast service which will reflect the culture of this country and which will promote international good-will, understanding and cooperation".

Both the NAB and the American Civil Liberties Union requested a hearing before this rule went into effect. The Commission granted the Civil Liberties Union's petition.

Adoption of the rule had its repercussions in both a committee hearing and floor debate on the 1939-40 appropriation for the Commission. In a House appropriation sub-committee hearing, Representative O'Neal (D-Ky) asked Thad H. Brown, acting FCC chairman, whether there was anything in the budget "calling for funds to enforce such a regulation as that?"

Mr. Brown: "I do not believe there is."

Mr. Dempsey: "There is no specific appropriation attached to any regulation."

Mr. O'Neal: "I want to say, Mr. Chairman, that I will never vote for a dime's worth of appropriation for any such un-American doctrine as that. If they can do it internationally, they can do it nationally. And if there is one item for enforcement of that regulation, I want to register my protest against it."

Later, Representative Wigglesworth (R-Mass) asked whether the Commission considered it "has the right and should exercise power of censorship over programs" either domestic or international.

Mr. Brown replied: "Speaking for the Commission, I am quite sure that every member of the Commission does not consider that it has any right of censorship either domestically or internationally. The statute definitely prohibits censorship. * * * In my judgment there is no censorship whatever involved in that language" (in the international rule).

During debate on the House floor, Representative Dirksen (R-Ill) introduced an amendment to the Appropriations Bill that "no part of this appropriation shall be available for the effectuation and enforcement of the Commission order of May 23, 1939, relating to international shortwave broadcasting". "It is so easy to translate that kind of authority, and that kind of criticism and that kind of restriction from the international field to the national field," he said.

Representative Woodrum (D-Va), chairman of the sub-committee in charge of the bill, said he "quite agreed that this matter should have legislative attention" but that

"we cannot undertake, in the consideration of an emergency efficiency matter, to renew the rules and regulations of the FCC and undertake to write it into the law".

The Dirksen amendment was rejected, 43 to 27.

NAB COPYRIGHT COMMITTEE TO MEET JULY 10 IN ATLANTIC CITY

The entire NAB copyright committee will meet Monday, July 10, at 8 p. m. at the Ambassador Hotel, Atlantic City, to receive a report from the negotiating subcommittee and to discuss the situation.

The negotiating subcommittee met with ASCAP officials on June 26 in New York. After considerable discussion of the various phases of the question, the meeting was recessed until Thursday, July 6.

240 STATIONS OPERATE IN RED LAST YEAR, FCC SAYS

The FCC has released a series of tables covering the economic status of broadcast licensees for the year 1938. The data was compiled by the Accounting, Statistical and Tariff Department of the Commission from information supplied by the licensees on Forms 705 and 706.

The tables show that there were 764 licenses and construction permits outstanding at the end of the year, classified as follows:

- 660 station reports used in the tabulations
- 40 construction permits
- 38 non-commercial stations
- 12 located in territories
- 14 not used because of defects in reporting

764 Total

The 660 stations reported in the tabulation include 240 stations from which not enough revenue was derived during the year to pay their actual expenses, including depreciation. Those 240 stations showed losses in the aggregate amounting to \$2,223,195. The 419 stations reporting profits showed broadcast income of \$16,728,533. One station reported neither a profit nor a loss for the year.

The tabulations include 175 stations each of whose time sales were less than \$25,000. As a group these 175 stations showed a loss, their aggregate broadcast revenues being \$2,520,026 and their aggregate expenses (inclusive of depreciation, taxes other than income taxes, etc.) \$2,870,729. However, certain of these stations showed a profit.

Other compilations from the reports show that 658 of the stations and networks had a payroll for the year amounting to \$45,663,757. Of this amount, \$4,239,470 was paid to officers of the licensee companies. As of December 31, 1938, these stations and networks employed a total of 23,060 persons, including staff musicians and other artists on the regular payroll.

During the week beginning December 11, 1938, there were 18,359 full-time employees with a total payroll for

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the week amounting to \$830,003. During the same week there were 4,377 part-time employees, drawing a total for the week in the amount of \$103,134. The average compensation for the week beginning December 11 was \$45.20 (18,359 employees), compared with \$45.12 (17,085 employees) for the week beginning March 6, 1938. For part-time employees, the average compensation was \$23.55 (4,377 employees) for the week beginning December 11, 1938, compared with \$18.97 (5,820 employees) for the week beginning March 6, 1938.

The tables as released by the Commission are in summary form and represent generally the information included in the tables released on June 6, 1938, for the year 1937. Those tables include balance sheets for the major networks and for the industry as a whole.

FCC ADOPTS NEW RULES FOR BROADCASTING

The FCC has approved new Rules and Regulations governing Standard Broadcast Stations. The new rules become effective on August 1, 1939, except as otherwise provided in the terms of the individual sections. Not yet printed, the new rules will be distributed as soon as they are received.

Hearings on the proposed new rules and regulations were held from June 6 to June 30, 1938, before a Committee composed of Commissioners Case (Chairman), Craven and Payne. The new rules are the outgrowth of these hearings and the recent report on Rules and Standards of Good Engineering Practice concerning Standard Broadcast Stations which was released in two parts, the first appearing January 18, 1939, and the second, April 7, 1939. Oral Argument on these Rules and Standards was held before the Commission on June 1, 1939.

The recommendation in the report of the Committee for the adoption of these Rules and Regulations and Standards of Good Engineering Practice was, with a few modifications, unanimously approved by the Commission.

The new rules and regulations contain several new provisions, as well as numerous changes and clarifications necessary due to progress in the art since the original

rules governing standard broadcast stations were promulgated some 10 years ago.

Under the new rules, the license period of Standard Broadcast Stations is increased from six months to one year. The FCC says that the instability created by the delay of Mexico in ratifying the North American Regional Broadcasting Agreement was a factor in its decision not to extend the license period of broadcast stations to a term greater than one year at this time. Under the Communications Act of 1934 the Commission is empowered to grant licenses for any period up to three years.

The new regulations change the classes of stations from Clear Channel, Regional, and Local, to Class I, Class II, Class III and Class IV. The Class II station is a new class recognized for duplicate operation on clear channels for the purpose of extending urban service.

The new rules permit the increase of the maximum night power of Class III stations to 5000 watts and the maximum night power of Class IV stations to 250 watts. The present night power limitation on these stations is 1000 watts and 100 watts, respectively.

The number of clear channels allocated for the exclusive use of stations at night, under the new regulations, is reduced from 40 to 26, and in addition, 18 clear channels are made available for duplicate operation either of Class I stations or Class I and Class II stations.

In view of the uncertainty in regard to the North American Agreement the Commission deemed it inadvisable to reduce the number of unduplicated clear channels at this time to less than 26. However, the provisions for the allocation of frequencies follow closely, but do not duplicate, those enumerated in the North American Regional Broadcasting Agreement. In general the new rules are designed to extend and improve broadcast service in the United States through an increase in signal in urban areas and an increase in coverage in rural areas.

The Commission feels that the new Rules and Regulations, together with the Standards of Good Engineering Practice, are a distinct contribution to the science and art of radio. Drawn up with the cooperation of the industry and the foremost radio engineers in the country, the FCC says the new rules and standards give to the people of the United States and its possessions the technical basis for the finest radio service in the world. The advantages of this service, however, cannot be fully realized until the North American Regional Broadcasting Agreement is ratified and made effective, the FCC says.

AD BUREAU TO BE DISCUSSED AT LUNCHEON JULY 10

Headquarters would like to call to the attention of all members the Bureau of Radio Advertising luncheon to be given in conjunction with the Sales Managers' Committee meeting in Atlantic City on July 10. At this meet-

ing the foundation for the new Bureau will be laid. In addition, there will be a report made by Dr. Herman S. Hettinger of his recent survey on sales management policies of radio stations.

This will be followed by a forum discussion of various sales problems. Included in the agenda are: (1) Is there any "audience measurement yardstick" we can all follow? (2) The most effective selling methods used on department stores, clothing stores, banks, insurance companies, ready-to-wear stores. (3) What can we do to get more manufacturers in all lines to do cooperative radio advertising with local stores such as they do with newspaper and direct mail. (4) Effective sales promotion ideas in the local and national field. (5) How to increase billings to chains in dry goods, foods, drug, clothing and other lines. (6) Successful methods of selling Union musical talent to make the A. F. of M. contracts as profitable as possible to the station.

FCC APPROPRIATION APPROVED

The Senate and House have passed the third deficiency bill including an appropriation of \$1,838,175 for the coming year for the Federal Communications Commission. The Commission this year had an appropriation of \$1,700,000 and asked for \$2,000,000. Included in the total is \$1,800,000 for regular expenses with an extra \$25,000 for printing and binding and \$13,175 for miscellaneous expenses.

WALKER FAVORABLY REPORTED

Paul A. Walker, who early this week was renominated a member of the Federal Communications Commission for a seven-year period from July 1 by the President, was favorably reported by the Senate Committee on Interstate Commerce. It is expected that he will be confirmed by the Senate shortly.

Mr. Walker was born in 1881 and graduated from the University of Chicago and the Law Department of the University of Oklahoma. He was a school principal and later a member of the faculty of the University of Oklahoma. He practiced law for several years and for more than 15 years was connected with the State Corporation Commission of Oklahoma, serving as Counselor and Commissioner. Mr. Walker was also employed in a number of public utility and railroad rate investigations and acted as Chairman of the Committee of the FCC which investigated the telephone companies.

TELEVISION REPORT ADOPTED

The FCC on Tuesday unanimously adopted the report of the Television Committee and directed the committee to continue its work. The report of the committee was printed in NAB REPORTS.

NEW LEGISLATION

CONGRESS

H. R. 6973 (Mr. Lea, D.-Calif.) **GOVERNMENT RADIO STATIONS**—Same as S. 2611. Authorizing the purchase of site and erection of building in Massachusetts for use as radio-monitoring station at cost not to exceed \$30,000. Referred to Committee on Interstate and Foreign Commerce.

S. 2689 (Senator Bone, D.-Wash.) **COPYRIGHT**—To amend Section 33 of Copyright Act with respect to rules covering importation of copyrighted items. Referred to Committee on Patents.

H. Res. 234 (Mr. Larrabee, D.-Ind.) **FEDERAL COMMUNICATIONS COMMISSION**—To authorize the FCC to take steps to provide an adequate method to obtain data and information necessary to determine the effects of power in excess of 50 kilowatts, and to provide that the FCC shall not be restrained from licensing one or more than one station to operate on power of more than 50 kilowatts for such experimental operation as may be necessary. Referred to Committee on Interstate and Foreign Commerce.

STATE LEGISLATION

WISCONSIN:

S. 528 (Peters) **COPYRIGHTS**—To create (g), (h) and (i) of Section (2) and subsection (3m) and (3n) of Section 177.01, 177.02 and 177.03 of the statutes, relating to copyrighted compositions. Referred to Judiciary Committee.

SESAC ADDITION

SESAC has notified its licensees that it has added the catalogue of Alberto Colombo, Hollywood, Calif.

LABOR BOARD CONFIRMS SETTLEMENT IN WIOD CASE

The National Labor Relations Board has made an order based upon a stipulation requiring Isle of Dreams Broadcasting Corporation and Miami Daily News, Inc., Miami, Florida, to bargain, upon request, with the American Federation of Radio Artists (A. of F. L.).

The stipulated order also provided for reinstatement with a payment of \$500 to Earle Barr Hanson, an employee who had been discharged.

Charges of unfair labor practices against the companies were filed by the AFL radio artists' union. A hearing on the charges was held in Miami on May 11-13, 1939.

CONVENTION MEETING SCHEDULE

Saturday, July 8, 10 a. m.—Program Standards Committee.

Sunday, July 9, 2 p. m.—Research Committee.

Sunday, July 9, 7 p. m.—Board of Directors.

Monday, July 10, 8.30 a. m.—Newspaper Owned Stations, breakfast meeting, Walter Damm, presiding.

Monday, July 10, 10 a. m.—National Association of Regional Broadcast Stations, John Shepard, presiding.

Monday, July 10, 10.30 a. m.—Clear Channel Group, Edwin W. Craig, presiding.

Thursday, July 13, 2 p. m.—Board of Directors, meeting to organize new Board.

Details of other group meetings in session Monday, July 10, will be found in convention program and on official bulletin Board.

FEDERAL COMMUNICATIONS COMMISSION

PROPOSED FINDINGS OF FACT

The Federal Communications Commission in a Proposed Findings of Fact proposes to deny the application

of WMFF, **Plattsburg, New York**, to permit it to install a new transmitter, to make changes in its antenna system, to change its transmitter site, and to operate on **1240 kilocycles** instead of **1310 kilocycles**, and to increase its power from 100 watts night, 250 watts day, unlimited time, to 1000 watts employing directional antenna at night.

The Commission in a Proposed Findings of Fact proposes to grant the application of the Mutual Broadcasting System, Inc., **Chicago, Illinois**, for renewal of its permit to transmit programs to broadcast stations in Canada.

In a further Proposed Findings of Fact the Commission proposes to grant the application of the Greater New York Broadcasting Corporation for a license to operate a station in **New York City** on **1100 kilocycles**, 5000 watts, unlimited time. WPG, **Atlantic City**, which now operates on that frequency with 5000 watts and shares time with WBIL of New York City, will cease operation in Atlantic City, and WOV, New York City, now operating on **1130 kilocycles** with 1000 watts will also cease operation and instead a station will operate in New York City on **1100 kilocycles**, 5000 watts, unlimited time.

The Commission in a Proposed Findings of Fact proposes to deny the application of the Pee Dee Broadcasting Corporation for a new station at **Florence, South Carolina**, to operate on **1200 kilocycles**, 100 watts night, 250 watts day, unlimited time, and proposed to grant the application of WOLS, Florence, South Carolina, to change its hours of operation from daytime to unlimited and has granted the application of the same station for license renewal.

DECISIONS OF COMMISSION

The Federal Communications Commission in a decision has granted the application of KSAM, **Huntsville, Texas**, to increase its daytime power from 100 watts to 250 watts on **1500 kilocycles** "upon the express condition that the station's transmitting equipment shall comply with the requirements of Rules 132 and 139 of the Commission."

The application of KOBH, **Rapid City, South Dakota**, for voluntary assignment of the station's license from the Black Hills Broadcast Company to Black Hills Broadcast Company of Rapid City, and renewal of the station's license has been granted by the Commission. The station operates on **1370 kilocycles**, 100 watts night, 250 watts day, unlimited time.

The Commission has granted the application of **KSAL, Salina, Kansas**, to use **1120 kilocycles**, 500 watts night, 1000 watts LS, unlimited time, using a directional antenna at night, and subject to specific provisions.

The application of Panama City Broadcasting Company for the erection of a new station at **Panama City, Florida**, to use **1200 kilocycles**, 250 watts day, 100 watts night, unlimited time, has been granted by the Commission.

The Commission also granted the application of the Bowling Green Broadcasting Company for the erection of a new station at **Bowling Green, Kentucky**, to use **1310 kilocycles**, 100 watts night, 250 watts LS, unlimited time.

The Commission has also granted the application of the Westchester Broadcasting Corporation, licensee of Station WFAS, **White Plains, New York**, for transfer of control of station from Selma Seitz, transferor, to Valentine E. Macy, Jr., and J. Noel Macy, transferees. The station operates on **1210 kilocycles**, 100 watts, and shares time equally with Stations WGBB and WERB.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The next regular meeting of the Commission will be held on July 12.

The following hearings are scheduled before the Commission in broadcast cases beginning the week of July 3. They are subject to change.

Wednesday, July 5

Further Hearing

NEW—Pawtucket Broadcasting Co., Pawtucket, R. I.—C. P., **1390 kc.**, 1 KW, unlimited time (DA day and night).

Thursday, July 6

Further Hearing

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—C. P., **1120 kc.**, 1 KW, 1 KW LS, unlimited except from 8 to 9 p. m. Monday. Present assignment: **1120 kc.**, 500 watts, unlimited except 8 to 9 p. m. Monday.

WAPO—W. A. Patterson, Chattanooga, Tenn.—C. P., **1120 kc.**, 500 watts, 1 KW LS, unlimited time. Present assignment: **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

FUTURE HEARINGS

During the week the Commission has announced the following tentative dates for future broadcast hearings. They are subject to change.

July 12

International Broadcast

5653—In re: Section 42.03 (a) pertaining to International Broadcast Service.

July 14

KRLH—Clarence Scharbauer, Midland, Tex.—C. P., **1420 kc.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1420 kc.**, 100 watts, daytime.

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—C. P., **950 kc.**, 1 KW, unlimited time. Present assignment: **1120 kc.**, 100 watts, daytime.

NEW—C. T. Sherer Co., Inc., Worcester, Mass.—C. P., **1200 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—North Shore Broadcasting Co., Salem, Mass.—C. P., **1200 kc.**, 100 watts, unlimited time.

July 24

Hearing Before Commissioner Case

KUMA—Albert H. Schermann, Yuma, Ariz.—Application for hearing upon Order of Revocation of License of Station KUMA. Present assignment: **1420 kc.**, 100 watts, specified hours.

September 12

NEW—John F. Arrington, Jr., Valdosta, Ga.—C. P., **1230 kc.**, 250 watts, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WCAU—WCAU Broadcasting Co. (a corporation of State of New Jersey), Philadelphia, Pa.—Granted consent of voluntary assignment of licenses for broadcast station WCAU and international broadcast station W3XAU, high frequency broadcast W3XIR, and relay stations W3XEO and W3XHW, from WCAU Broadcasting Company, a New Jersey corporation, to WCAU Broadcasting Company, a corporation of the State of Pennsylvania.

KIUP—San Juan Broadcasting Co., Durango, Colo.—Granted renewal of license for period July 1, 1939, to January 1, 1940.

WBBZ—Adelaide Lillian Carrell, Executrix of Estate of Charles Lewis Carrell, deceased, Ponca City, Okla.—Granted renewal of license for the period ending December 1, 1939.

DESIGNATED FOR HEARING

The following applications have been designated for hearing by the Commission. Dates for hearing have not yet been set.

WABI—Community Broadcasting Service, Bangor, Maine.—C. P. to install new equipment and DA system and change frequency from **1200 kc.** to **560 kc.**, and increase power from 100 watts night, 250 watts day, to 1 KW, unlimited, employing DA system for nighttime operation. Application designated for hearing in order to determine question of possible interference.

NEW—The Gazette Company, Cedar Rapids, Iowa.—Application amended so as to request C. P. for new station to operate on **1420 kc.**, 100 watts, unlimited time. Application designated for hearing in order to determine question of possible interference.

WPRP—Julio M. Conesa, Ponce, P. R.—C. P. to make changes in composite equipment; change frequency from **1420 kc.** to **1480 kc.**; increase power and time of operation from 100 watts night, 250 watts day, S.H., to 5 KW, unlimited. Exact transmitter site and type of antenna to be determined with Commission's approval. Designated for hearing because pending applications involve increase in service.

WWRL—Long Island Broadcasting Corp., Woodside, L. I., N. Y.—Application for renewal of license designated for hearing because of pendency of application of Arthur Faske requesting facilities of WWRL, and to determine whether public interest, convenience and necessity would be better served by granting this application than by granting that portion of the application of Arthur Faske for modification of license which seeks the WWRL facilities. Temporary license granted pending outcome of hearing.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Modification of C. P. to move station to Council Bluffs, Iowa, install DA system, and extend commencement date from April 15, 1939, to 30 days after grant, and completion date to 180 days thereafter. Application designated for hearing because pending applications involve increase in service and to determine the question of possible interference.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KBIX, Muskogee, Okla.; KGLU, Safford, Ariz.; KRE, Berkeley, Calif.; KVRB, Rock Springs, Wyo.; KWBG, Hutchinson, Kans.; KXO, El Centro, Calif.; WMIN, St. Paul, Minn.; WOPI, Bristol, Tenn.; WRJN, Racine, Wis.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon applications for renewal, but in no event longer than August 1, 1939:

KGIW, Alamosa, Colo.; KSAL, Salina, Kans.; KVGB, Great Bend, Kans.; WBNO, New Orleans, La.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon applications for renewal, but in no event longer than August 1, 1939:

KVNU, Logan, Utah; WBHP, Huntsville, Ala.; KBGU, Ketchikan, Alaska.

MISCELLANEOUS

The Commission has reconsidered its action taken on March 13 in setting for hearing in Allentown, Pa., the cases involving the voluntary assignment of license of station WCBA from B. Bryan Musselman to Lehigh Valley Broadcasting Company, a Pennsylvania corporation; and the voluntary assignment of license of station WSAW from WSAW, Inc., to Lehigh Valley Broadcasting Company. The Commission has unanimously granted these applications for assignment of licenses, cancelling the hearing heretofore scheduled.

NEW—Central New York Broadcasting Corp., Syracuse, N. Y., Portable-Mobile.—Granted C. P. for new relay broadcast station, frequencies 1606, 2022, 2102 and 2758 kc., 100 watts.

NEW—Columbia Broadcasting System, Inc., Cincinnati, Ohio, Portable-Mobile.—Granted C. P. for new relay broadcast station, frequencies 1646, 2090, 2190 and 2830 kc., 50 watts.

NEW—Winona Radio Service, Winona, Minn., Portable-Mobile.—Granted C. P. for new relay broadcast station, frequencies 1646, 2090, 2190 and 2830 kc., 20 watts.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted C. P. to move old main transmitter to a new transmitter site; install former transmitter with power of 1 KW, employing DA system for both day and nighttime operation, for emergency use only.

WTJS—The Sun Publishing Co., Inc., Jackson, Tenn.—Granted license to cover C. P. authorizing installation of new equipment and vertical radiator, and extension of commencement and completion dates.

WGHB—Florida West Coast Broadcasting Co., Inc., Tampa, Fla., Portable-Mobile.—Granted license to cover C. P. for new relay broadcast station, frequencies 1622, 2058, 2150 and 2790 kc., 40 watts.

WIEW—National Broadcasting Co., Inc., New York City, Portable-Mobile.—Granted license to cover C. P. for new relay broadcast station, frequencies 1606, 2022, 2102 and 2758 kc., 25 watts.

W8XAL—The Crosley Corp., Mason, Ohio.—Granted modification of C. P. to extend completion date to January 1, 1940.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted license to cover C. P. authorizing move in transmitter site, installation of new equipment and DA for day and nighttime operation; increase in power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day; and extension of completion date to September 15, 1939.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with WGBB from 4 to 5 p. m., EDT, on June 25, in order to broadcast Watch Tower Bible and Tract Society program.

WPRP—Julio M. Conesa, Ponce, P. R.—Granted special temporary authority to operate unlimited time on July 4, in order to broadcast programs of civic nature and patriotic interest in commemoration of the national holiday.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate unlimited time for the period July 1 to July 30 (provided WSVS remains silent), in order to broadcast programs as described in letter.

WSAL—Frank M. Stearns, Salisbury, Md.—Granted special temporary authority to operate from 7:30 to 10:30 p. m., EST, on June 26, in order to broadcast speeches to be made at Peninsula General Hospital Campaign Committee banquet, using 100 watts only.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Denied special temporary authority to operate unlimited time, with 1 KW, for the period June 27 to July 26, in order to broadcast civic, educational, etc., programs.

WILM—Delaware Broadcasting Co., Wilmington, Del.—Denied special temporary authority to operate simultaneously with WAZL from 8:30 p. m., EDT, to the conclusion of National and American League team games on July 26, August 2, 8 and 16.

W9XXL—The Ashland Broadcasting Co., Ashland, Ky.—Granted special temporary authority to operate relay broadcast station on the frequencies 30820, 33740, 35820, 37980 kc., 10 watts, for the period June 20 to June 24, in connection with State Championship Golf Tournament play.

W2XBF—Wm. G. H. Finch, New York City.—Granted special temporary authority to operate experimental broadcast station on the frequencies 42260 kc. in addition to the normal licensed frequencies, for the period July 1 to July 30, pending definite arrangements to be made in ultra high frequency bands.

WHAZ—Rensselaer Polytechnic Institute, Troy, N. Y.—Granted special temporary authority to remain silent August 21, 28 and September 4, in order to observe summer vacation.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted motion for leave to file amendment to application for C. P. to request increase in power from 10 KW to 50 KW.

NEW—Pawtucket Broadcasting Co., Pawtucket, R. I.—Denied, exceptions noted by counsel for petitioner, motion to dismiss respondent's (The Outlet Co., Providence) appearance in re application of Pawtucket Broadcasting Co.

NEW—C. T. Sherer Co., Inc., Worcester, Mass.—Granted motion to take depositions in re application for C. P. to operate on 1200 kc., 100 watts night, 250 watts LS, unlimited time.

W9XUY—Central States Broadcasting Co., Omaha, Nebr.—Granted motion for leave to withdraw without prejudice application for renewal of high frequency broadcast station.

WOL—American Broadcasting Co., Washington, D. C.—Granted petition for postponement of hearing, now scheduled for July 10, 1939, until some time in September, on application of John F. Arrington, Jr., for a new station in Valdosta, Ga., to use 1230 kc., 250 watts day and night, unlimited time.

KPDN—R. C. Hoiles, Pampa, Tex.—Granted special temporary authority to operate from 8 to 10 p. m., CST, on June 23, in order to broadcast Chamber of Commerce State Highway Commission Banquet.

KOME—Harry Schwartz, Tulsa, Okla.—Denied special temporary authority to operate from 8:30 to 10:30 p. m., CST, for the period June 28 to July 27, in order to broadcast Texas League baseball games, using 100 watts only.

WPG—City of Atlantic City, N. J.—Granted special temporary authority to operate from 3:15 to 4:30 p. m., EST, on June 25, provided WBIL remains silent, in order to broadcast baseball games.

United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority to operate already licensed aircraft radio transmitter aboard plane owned by United Air Lines Transport Corp., call letters KHAZT, as a relay broadcast station, on frequency 2790 kc., to relay broadcast program in connection with arrival Pacific Fleet and Golden Gate Exposition to station KPO and NBC Red Network, from 11:30 a. m. to noon, PST, on July 1.

KFRO—Voice of Longview, Longview, Tex.—Denied special temporary authority to operate from local sunset (July 7:30

p. m., CST) to 11:05 p. m., using 100 watts, during month of July.

KGCA—Charles Walter Greenley, Decorah, Iowa.—Granted extension of special temporary authority to remain silent for the period June 23 to July 22, pending KWLC's compliance with Rule 131.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—Present license extended for period of two months on a temporary basis only subject to whatever action may be taken upon pending application of this station for renewal of license, involving a possible violation of Section 310(b) of the Act.

W9XTA—Schonert Radio Service, Harrisburg, Ill.—Denied motion requesting that the Commission reconsider its action in designating for hearing the application for renewal of license of high frequency broadcast station W9XTA, and grant said application without hearing.

KVSO—Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Dismissed application for consent of the Commission to the transfer of control of the Ardmoreite Publishing Co., Inc., as satisfactory information relating to stock ownership has been furnished.

KEHE—Hearst Radio, Inc., Los Angeles, Calif.—Denied petition for amendment of final order adopted by the Commission on June 21, 1939.

W9XAK—Kansas State College of Agriculture and Applied Science, Manhattan, Kans.—The Commission today vacated its action designating for hearing the application for C. P. to change existing television equipment, reduce the power of the station from 125 watts to 100 watts, and change frequency assignment from the 2000-2100 kc. band to the 42,000-56,000 kc. band. Said application will be treated as an original C. P. and re-routed through the departments of the Commission for further consideration.

WHA—University of Wisconsin, Madison, Wis.—Continued hearing now scheduled for July 31 to September 11, 1939.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Continued hearing now scheduled for July 31 to September 11, 1939.

NEW—Lakeland Broadcasting Co., Willmar, Minn.—Continued hearing now scheduled for July 31 to September 11, 1939.

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Granted special temporary authority to operate ship radio station transmitter licensed to Victor E. Dalton, WCEE, as a relay broadcast station on 2790 kc., with power of 60 watts on July 4, in order to relay broadcast of start of Transpacific Yacht Race from San Francisco Bay, to be broadcast by radio station KMTR.

W8XIQ-W8XIR—WGAR Broadcasting Co., Cleveland, Ohio.—Granted special temporary authority to operate relay broadcast experimental stations on frequency 31220 kc. pending definite arrangements to be made to eliminate interference with Cleveland's Police Radio Service, for a period not to exceed 30 days.

APPLICATIONS FILED AT FCC

680 Kilocycles

WPTF—WPTF Radio Co., Raleigh, N. C.—Construction permit to install new transmitter; increase power from 5 to 10 KW; increase hours of operation from limited to unlimited time, using directional antenna at night. Amended to request 50 KW power, and make changes in equipment.

1120 Kilocycles

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Modification of license to change hours of operation from unlimited except 8 to 9 p. m. Mondays, to unlimited. Request facilities of station WTAW.

WTAW—Agricultural & Mechanical College of Texas, College Station, Tex.—Modification of license to make changes in hours of operation by releasing time from 8 to 9 p. m. Mondays.

1130 Kilocycles

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah.—Construction permit to install new transmitter.

1210 Kilocycles

KOVO—Clifton A. Tolboe, tr/as Citizens Voice & Air Show, Provo, Utah.—Modification of construction permit B5-P-2044, for

new station requesting approval of antenna, and studio site at 44 W. Center St., Provo, Utah, and transmitter site at 3rd South and 16th West, Provo, Utah.

1310 Kilocycles

WSAV—Arthur Lucas, Savannah, Ga.—Voluntary assignment of construction permit B3-P-1714, from Arthur Lucas to WSAV, Inc.

KHUB—John P. Scripps, Watsonville, Calif.—Modification of license to change hours of operation from daytime to unlimited time, using 100 watts night and 250 watts day power.

1370 Kilocycles

WPAY—Vee Bee Corporation, Portsmouth, Ohio.—Construction permit for changes in transmitting equipment. Amended re equipment.

1420 Kilocycles

WFMJ—William F. Maag, Jr., Youngstown, Ohio.—Modification of construction permit B2-P-1727 as modified for a new station, requesting extension of completion date from 7-28-39 to 9-27-39.

WJMS—WJMS, Inc., Ironwood, Mich.—Construction permit for equipment changes and increase in power from 100 watts to 100 watts night, 250 watts day.

MISCELLANEOUS

W1XO—Travelers Broadcasting Service Corporation, Mobile, area Connecticut.—Construction permit for changes in equipment; decrease in power from 50 to 25 watts; specify frequencies 31220, 35620, 37020, 39260 kc., in accordance with new rules.

NEW—The Travelers Broadcasting Service Corporation, Portable-Mobile, area of Hartford, Conn.—Construction permit for a new relay broadcast station on 31220, 35620, 37020, 39260 kc., power 0.2 watts, A-3 emission.

NEW—WIBX, Inc., Portable-Mobile, area of Utica, N. Y.—Construction permit for a new relay broadcast station on frequencies 1622, 2058, 2150 and 2790 kc., 50 watts power, A-3 emission.

W1XA—General Electric Co., Bridgeport, Conn.—License to cover construction permit (B1-PVB-12). Amended to specify frequencies 66000-72000 kc.

W9XC—Central Broadcasting Co., near Mitchellville, Iowa.—Modification of construction permit B4-PEX-23 for extension of completion date from 6-18-39 to 9-18-39.

W9XAI—The Journal Co. (Milwaukee Journal), Milwaukee, Wis., Portable-Mobile.—Construction permit for changes in equipment and decrease power from 50 to 25 watts, specify frequencies 30820, 33740, 35820, 37980 kc., in accordance with new rules.

W2XVT—Allen B. DuMont Laboratories, Inc., Passaic, N. J.—Construction permit for changes in equipment; increase power to 5 KW; request frequencies 44000-50000, 78000-84000 and 102000-108000 kc.; and request waiver of Rule 43.13(b). Amended to request frequencies of 78000-84000 kc.

NEW—Joseph N. Peckham, Auburn, N. Y.—Construction permit for a new television station at 23 E. Genesee St., Auburn, N. Y., on 42060-56000 kc., 100 watts power, Special emission. Amended to request 44000-50000 kc., A-3 and A-5 emission.

W2XWC—Kolorama Laboratories, Inc., Irvington, N. J.—Construction permit for change of location from Irvington, N. J., to Carlstadt, N. J. (Washington Ave. near Moonachie Ave.).

WDAC—University of Wisconsin, Portable-Mobile, vicinity of Madison, Wis.—License to cover construction permit B4-PRY-150.

KBTA—Red River Broadcasting Co., Inc., Portable-Mobile, area of Duluth, Minn.—License to cover construction permit B4-PRY-171.

W6XAO—Don Lee Broadcasting System, Los Angeles, Calif.—Construction permit to change present location from 1076 West 7th St., Los Angeles, Calif., to 1 Lee Drive, Hollywood, Calif., and specify frequency band 44000-50000 kc., in accordance with new rules.

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 to show cause why cease and desist orders should not be issued against them.

Acme Steel Company—Violation of Section 3 of the Clayton Act, which prohibits exclusive dealing agreements, is alleged in a complaint issued against Acme Steel Company, Chicago, the country's largest manufacturer of steel strap and band tying-tools, machines and equipment and the straps, bands and seals used in connection therewith.

The complaint alleges that in leasing and licensing the use of tying-tools and equipment for the tying or binding of boxes, packages and bundles, the respondent company requires the lessee or licensee or other user to enter into an agreement or understanding that he will use in connection with the tools and equipment so leased or licensed only such strapping and seals as are purchased from the respondent, the latter reserving the right to terminate the lease at any time.

It is alleged that the respondent leased or licensed its unit-load tool equipment, used for large jobs like tying bundles for loading on railroad cars, on the condition and agreement that the lessee, licensee or user purchase his entire requirement of bands and seals for use in the operation thereof from the respondent, as long as he is in the possession of such equipment, and on the further condition that if any lessee or licensee should use in the operation of such machines and equipment any tying material other than that purchased from the respondent company, the right to the use and possession of the respondent's machines and equipment may be terminated and such property repossessed. (3818)

A. S. Aloe Company—A complaint has been issued charging A. S. Aloe Company, large dealer in surgical products, with unlawful receipt of price discriminations in violation of the Robinson-Patman Act. The company has its headquarters in St. Louis and branch distributing houses in Kansas City and Los Angeles.

It is alleged that the Aloe company induced manufacturers, jobbers, importers and distributors of surgical products to discriminate in price between different purchasers buying articles of like grade and quality by charging competitors of the Aloe company higher prices than those charged Aloe.

The complaint alleges that the discriminations favoring the Aloe company are not uniform on each surgical product sold or from each dealer and that the Aloe company pays the sellers from approximately 10 per cent to approximately 30 per cent less for such products of like grade and quality than do the competitors, depending upon the surgical product and the seller, or either of them. (3820)

Ardell Razor Blade Corp.—Unauthorized use of well-known trade names in the sale of razor blades is alleged in a complaint issued against Ardell Razor Blade Corporation, Newark, N. J., and its selling agent, Fuller Blade Company, Inc., New York.

The respondents are alleged to have etched on both faces of certain razor blades sold and distributed by them the words: "Made IN U.S.A. EDISON Surgical Chrome Steel. Ed-I-Co Blade Company, New York". Such blades allegedly were packed in cartons on which were printed the words: "EDISON RAZOR BLADES EDISON LEADS WHERE BLADES ARE SOLD".

The respondent are further alleged to have etched on both faces of certain other blades the words: "DeLuxe EASTMAN. Fuller Blade Co., Inc.", and cartons in which these blades were packed featured the word "EASTMAN" with the words "DeLuxe Razor Blades".

It is alleged that use by the respondents of the words "Edison", "Ed-I-Co", "Ed-I-Co Blade Company" and "Eastman" misleads

and deceives the purchasing public into the belief that razor blades so designated are manufactured by Thomas A. Edison, Inc., and Eastman Kodak Company, whereas these companies have not authorized the respondents to so use their names.

It is alleged that the respondent companies, through their misleading use of these well and favorably known trade names, have obtained unfair competitive advantages. (3831)

Fuller Blade Company, Inc.—See Ardell Razor Blade Corp.

John J. Fulton Company, 88 First St., San Francisco, distributor of "Uvursin", advertised as an oral treatment for diabetes mellitus, has been served with a complaint alleging misrepresentation. The respondent distributes to purchasers of the preparation a suggested diet, and recommends that the diet be followed in connection with the use of the preparation.

The complaint alleges that the respondent corporation's product has no therapeutic value in the treatment of diabetes mellitus, and that when used with the diet recommended by the respondent, or any other diet, does not add to or increase the efficacy or therapeutic value of the diet as a treatment for diabetes mellitus. (3819)

Lorna Gay Company—See Knight Company.

Howard D. Johnson Company—Advertising ice cream and food as "home made" when they really are factory manufactured, is charged in a complaint issued against Howard D. Johnson Company, 89 Beale Street, Wollaston, Mass.

Typical of these advertisements, the complaint alleges, is "Howard D. Johnson food is wholesome—home cooked", and "Howard D. Johnson home made ice cream."

The complaint charges that the products are factory made, of the ingredients and by the ordinary methods of production used in factories manufacturing such products for sale. (3827)

Knight Company—A complaint charging misleading and deceptive representations in the sale of cosmetics and toilet preparations has been issued against a group of 20 respondents having operating headquarters in Des Moines, Iowa.

The respondents are Richard E. Williams, Steve W. Phillips, Walter C. Phillips, Warren Lee Eastman, Ernie A. Storesund, Don Parmalee and A. L. Anderson, trading under some or all of the following trade names: The Knight Company, June Knight, Marena Company, Lorna Gay Company, and other names; G. G. Grant, W. W. Young, Paul Manning, and the following who are in business as a partnership or otherwise under the trade name The Committee for General Investments: F. W. Fitch, Mrs. F. W. Fitch, L. W. Fitch, Mrs. L. W. Fitch, G. W. Fitch, Mrs. G. W. Fitch, R. H. Young, Mrs. R. H. Young, L. R. Sandahl and Mrs. L. R. Sandahl.

The complaint alleges that the respondents' plan of operation is briefly as follows:

The respondents get into contact with prospective purchasers of cosmetics and toilet articles by mail, soliciting such "prospects" to enter into a simple contest for a prize of comparatively small value, and for that purpose they enclose a reply postal card and circular letter in which they confusingly intermix references to various prizes and contests. When a prospect enters a preliminary contest by mailing the postal card he is advised in reply that he has been awarded the first 100,000 "booster" points. A so-called promptness certificate is sent him, which he is to return with an order for the respondents' products, for which he must remit \$1, and a punch or pull card is sent for his use in reselling at a profit to himself the products ordered, provided he does not desire to use them himself. At a later stage he is informed for the first time that his chance of winning a prize depends upon the value of the cosmetics and other toiletries purchased by him from the respondents.

It is alleged that until the close of the contest, there is a continuous flow of circular letters and other literature similar in text and purport from the respondents to all contestants, urging that they purchase the respondents' products and representing that each has a chance to win the prize in each sub-contest and also the grand prize, and that one more order may make a contestant the winner.

It is alleged that the respondents make these representations well knowing that many of the contestants are purchasing their products for resale in rural communities and small cities and towns where the probable maximum demand for such preparations cannot be sufficient to give the contestant any chance to win. (3833)

Arthur Longfield—Simulation of the labels, wrappers and bottles of Lea & Perrins Worcestershire Sauce, is alleged in a complaint issued against Arthur Longfield, 522 Myrtle Ave., Brooklyn, distributor of a table sauce designated "Longfield's Celebrated Worcestershire Style Sauce".

Worcestershire sauce, the complaint alleges, was originally made in the County of Worcestershire, England. From 1835 until 1877 it was manufactured exclusively there. From 1877 to 1898 it was imported from England in casks, partly finished, and completed in this country according to the private formula of Lea and Perrins, the bottling and labeling also having been done here. Later it was manufactured in the United States by representatives of the original company under the original formula.

The complaint alleges that the respondent has packaged his product in a manner closely resembling the containers of Lea & Perrins Sauce, and also has copied from the famous Lea & Perrins label the language: "From the recipe of a nobleman in the country", enclosed in scrolls similar to those depicted on the original. The complaint names the English nobleman, whose identity has often aroused curiosity, as Sir Marcus Sandys, who brought the recipe from India. (3823)

Marena Company—See Knight Company.

Mattia & Briganti Company—See Premier Color Works.

McDowell, Pyle & Co., Inc., 221 West Pratt St., Baltimore, is charged in a complaint with use of games of chance, gift enterprises or lottery schemes in the sale and distribution of peanuts to ultimate consumers.

Punchboards are alleged to be supplied by the respondent to dealers who use them in selling and distributing the respondent's peanuts. (3832)

Mendoza Fur Dyeing Works, Inc.—In a complaint, Mendoza Fur Dyeing Works, Inc., 135 West 29th St., New York, is charged with misrepresentation.

The complaint alleges that for the purpose of inducing customers to forward pelts to the respondent for dyeing and processing, such customers are provided with various sketches and designs for use in their manufacture of fur garments from pelts dyed and processed by the respondent and labels to be attached to the garments designating them as "Mendoza Furs."

In advertising material the respondent is alleged to represent that the sketches supplied by it are designed by famous Parisian couturiers; that the labels are those of famous Parisian couturiers, and that the use of such labels is authorized by them. The respondent also represents that garments labeled "Mendoza Furs" are designed and manufactured in Paris, France, and have won a prize or award in competition with other designers and processors there. The advertisements carry reproductions purporting to be of labels of couturiers such as Schiaparelli, Vionnet, Heim, Max and Jeanne Lanvin and others. (3824)

Milton Products Company—Two Chicago dealers in courses or books of instruction have been served with complaints, charging misleading representations.

Respondent in one case is Milton Meyer, trading as Milton Products Company, 2440 Lincoln Ave., and in the other case, Universal Detective System, Inc., 188 West Randolph St. Meyer also sells watches, optical goods, skeleton keys and other articles, his catalog listing about 2,000 items.

Books of instruction allegedly were sold by Meyer under the titles: "Learn to Play the Piano by Easy Method at Home", "Learn to Vamp Easily", "Play Hawaiian or Steel Guitar in Five Minutes", and "The Famous Five Minute Courses." The respondent's representations as implied in these titles and as made in his advertising matter exceeded the possibilities of accomplishment, according to the complaint.

Among other commodities sold and allegedly misrepresented by the respondent Meyer, the complaint lists books of instruction in ventriloquism, fortune telling, crystal gazing, hypnotism and clog dancing, telescopes advertised as being of fine quality and two and one-half power, and watch cases guaranteed as gold finished and not to tarnish.

Universal Detective System, Inc., selling correspondence courses in detective work, allegedly advertised so as to imply that there is a great demand for detectives; that the respondent is in a position to obtain detective jobs for graduates; that the work is highly remunerative and that anyone can become a detective. Other alleged misleading representations were that the respondent corporation is an operative detective agency of wide extent and that its course exemplifies a unique method in detective work through use of the name "Universal Detective System, Inc.", and by designating its students as members of such "system."

The latter respondent also is alleged to have misleadingly represented by reproductions of photographs of city and police officers engaged in demonstrating fingerprinting and other crime detection activities, together with the use of such officers' names and positions, that the officers and the cities with which they are connected endorsed the respondent and its course. (3825-3829)

Premier Color Works—Complaints alleging misrepresentation by two companies distributing medicinal preparations have been issued.

Michael P. Briganti and Fred C. Mattia, individually and trading as Premier Color Works, and Mattia and Briganti Company, 382 Pearl St., New York, manufacture and sell a line of effervescent and laxative products under the brand name "Ave Maria." Statements and representations printed on the cartons and containers of the preparations include " * * * Made in U. S. A. from a highly recommended formula of Dr. Arnaldo Piutti, Director of the Pharmaceutical Institute of 'Reggio Universita de Napoli' (Italy)," and "Highest Awards in the Hygienic Divisions of International Expositions."

The complaint charges that the products were not made from the formula as advertised; were not exhibited at international expositions and did not receive the awards depicted on the containers and cartons.

Sumlak Company, 226 East 6th St., Cincinnati, distributes a medicinal preparation known as "Sumlakia," recommended as a cure for epilepsy.

Among representations made by the respondent company is "Equally important as its therapeutic qualities is the comforting assurance that Sumlakia is made out of non-narcotic ingredients. It is safe. If it does not help, it should, at least, not harm, not even an aged person or an infant." (3826-3828)

Prime Hat Company, Inc.—Misleading representations in the sale of hats made from old materials is alleged in a complaint issued against Prime Hat Company, Inc., 97 East Houston St., New York, and against Vincent Gerbino, Samuel Scifo, Vito Digregorio and John Scifo, individually and as officers of the corporation.

Purchasing felts and other materials obtained from old, worn and used hats, the respondents are alleged to renovate them and provide new trimmings, sweatbands and size labels so that they appear as new hats, and to sell them to dealers without any marks to inform the public that they are in fact made from old and used felt hat bodies and renovated to look like new.

The respondents are alleged also to use the words "Quality Hats" and the words "Made Over Hat" on sweatbands. By such usage, it is alleged, the respondents fail to disclose to purchasers that such hats are made from old and used hat bodies as distinguished from hats made from new but shopworn hat bodies reclaimed from merchants' shelves. (3830)

Universal Detective System, Inc.—See Milton Products Company.

STIPULATION

The Commission has entered into the following stipulation:

Kulp Lamp Company—Lester Kulp, individually and also trading as Kulp Lamp Company, 700 South Clinton St., Chicago, has entered into a stipulation to desist from misrepresentation in the sale of incandescent lamps.

The respondent agrees to discontinue use on his letterheads, invoices or otherwise, of the words "Manufacturer of" or any other words of similar meaning as descriptive of the business in which he is engaged or the effect of which may tend to convey the belief to purchasers that he makes or manufactures the incandescent lamps sold by him, or that he actually owns and operates or directly controls the plant or factory in which the products are manufactured, when these are not the facts. (2483)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

Associated Sales Company—Two dealers using lottery methods in the sale and distribution of merchandise to ultimate purchasers have been ordered to cease and desist.

Hyman Mendels, individually and trading as J. J. Henderson, with places of business at 113 Hudson St., Jersey City, N. J., and 221 West 42nd St., New York, it was found, has been supplying push cards, order blanks and circulars to customers explaining his plan of allotting premiums or prizes to patrons of the push cards in the sale of fountain pen desk sets, clocks and other merchandise.

Philip F. Rubenstein, individually and trading as Associated Sales Company, 605 South First St., Milwaukee, Wis., also is found to have supplied customers with push cards and circulars explaining his plan of selling clocks, clothing, kitchen ware and other merchandise and allotting premiums.

Each respondent is ordered to cease and desist from supplying, mailing, shipping or transporting to agents or distributors or members of the public, push or pull cards, punch boards or other lottery devices to enable such persons to sell or distribute merchandise, or selling or disposing of merchandise by the use of such devices. (3179-3496)

Ever-Keen Dry Shaver Company—J. H. Tigerman, individually and trading as Ever-Keen Dry Shaver Company, and as Royce Dry Shaver Company, 43 East Ohio St., Chicago, has been ordered to cease and desist from lottery methods and misrepresentation in the sale and distribution of electric dry shavers to ultimate purchasers.

"Ever-Keen Electric Dry Shavers" and "New Royce Dry Shavers" are assembled by the respondent, and the Commission finds that in the distribution of the merchandise the respondent includes push cards, order blanks, pamphlets and instructions explaining a sales plan allotting extra premiums or prizes to the operators of the push cards.

The Commission also finds that the respondent has disseminated false and misleading representations with reference to his electric razors, purporting to be descriptive of their value and effectiveness. Representations are that the products are equal in value to \$15 electric dry shavers and that they are "acclaimed as the best dry shaver on the market regardless of price." Findings are that the products are of inferior grade and workmanship and last only a short period of time. (3757)

Kolynos Company, New Haven, Conn., has been ordered to discontinue misleading representations in the sale of "Kolynos" toothpaste.

The respondent is directed to cease disseminating advertisements to the effect that Kolynos is an outstanding, competent or effective germicidal or antiseptic agent; that it will remove stains other than ordinary surface stains; that it will keep the mouth thoroughly clean and healthy or assure sound teeth, and that it will restore brightness to teeth dull or discolored because of other than ordinary surface stains.

The order also prohibits the representation that this dentifrice is more concentrated or economical to use than competing products or that it will accomplish results not attainable by use of competing dentifrices. (3587)

Lake Erie Chemical Company and U. S. Ordnance Engineers, Inc., corporations located at 2200 Scranton Road, Cleveland, have been ordered to cease and desist from making certain representations in connection with the sale and distribution of warfare products in foreign trade. The order was issued under the Federal Trade Commission Act as extended by the Export Trade Act (Webb-Pomerene Act of 1918).

In effect the Commission found, among other things, that the respondents caused about 700 copies of a certain catalog to be made up and circulated among foreign purchasers, advertising respondents' products in such manner as to represent that respondents had such official, semi-official, or close relationship with the United States Government, through its Army, Ordnance Department and Chemical Warfare Service, as to afford respondent U. S. Ordnance Engineers, Inc., access to, and use of, all information and experience, including experimental and development work of these military subdivisions of the Government, relating to warfare products and to Government standards and specifications therefor; that U. S. Ordnance Engineers, Inc., is favored and especially fitted by such relationship to supply purchasers with munitions and related products conforming to U. S. Government standards, and that U. S. Ordnance Engineers, Inc., is successor in business to the Lake Erie Chemical Company. The Commission found the representations to be false and misleading in that respondents had no such relationship. (2484)

Patterson School—A Rochester, N. Y., school preparing students for United States Civil Service examinations has been ordered to discontinue misleading representations in the sale of correspondence courses.

Respondents are Arthur R. Patterson, Albert C. Kehr, Arthur W. Edson, Eva O. Brown and Minnetha Coe, trading as Patterson School.

They are directed to cease representing that Civil Service positions are at the disposal of the respondents; that they can in any manner control appointments to such positions; that they can assist applicants in any manner other than by preparing them to take Civil Service examinations and that they have any information pertaining to such examinations other than or in advance of regular official notices. (3228)

Politis Remedy Company—Harry Politis, formerly trading as Politis Laboratory, 4504 North Vancouver Ave., Portland, Oreg., has been ordered to discontinue misleading representations in the sale of Politis, advertised as a remedy for skin afflictions. The respondent is now in business under the name Politis Remedy Company.

Politis is directed to cease representing his preparation as a cure, remedy or competent treatment for eczema, athlete's foot, poison oak, impetigo, and other skin diseases and to discontinue representing, through use of the word "Laboratory" as a part of a trade name, that he conducts or maintains a laboratory for manufacturing or testing or for experimenting with the preparation he sells. (3227)

Royce Dry Shaver Company—See Ever-Keen Dry Shaver Company.

U. S. Ordnance Engineers, Inc.—See Lake Erie Chemical Company.

FCC Assignments For July

Duties of Commissioners, Secretary, and Chief Engineer of the FCC as allocated by Order No. 28, dated November 29, 1937, which provides "That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon:

ASSIGNMENT FOR MONTH OF July

"All applications for aeronautical, aircraft, geophysical, motion picture, airport, aeronautical point to point, municipal and state police, marine relay, marine fire, and emergency and special emergency radio facilities.

**Commissioner
Norman S. Case**

"All applications for licenses following construction which comply with the construction permit; applications for extensions of time within which to commence and complete construction; applications for construction permit and modification of construction permit involving only a change in equipment; applications to install frequency control; applications relating to auxiliary equipment; applications for authority to determine operating power of broadcast stations by direct measurement of antenna power; applications for special temporary authorization; applications for modification of licenses involving only change of the name of the licensee, where the ownership or control is not affected; applications for construction permit or modification of license involving relocation locally of a studio, control point or transmitter site; and applications for relay broadcast stations.

**Commissioner
T. A. M. Craven**

"All radio matters of every character (except broadcast, operator licenses and amateur and ship stations) within the territory of Alaska.

**Commissioner
George Henry Payne**

"All uncontested proceedings involved in the issuance of certificates of convenience and necessity; and the authorization of temporary or emergency wire service, as provided in Section 214 of the Act.

**Commissioner
Frederick I. Thompson**

"All matters arising in connection with the administration of tariff circulars of the Commission adopted pursuant to Section 203 of the Act, including the waiver of notice for the filing of tariffs.

**Commissioner
Thad H. Brown**

"All matters arising under the Rules of Practice and Procedure of the Commission relating to withdrawals, dismissals, or defaults of applications or other proceedings, subject to the statutory right of appeal to the Commission; and to hear and determine all interlocutory motions, pleadings and related matters of procedure before the Commission.

**Commissioner
Paul A. Walker**

"That the Secretary of the Federal Communications Commission is hereby authorized to determine, order, certify, report or otherwise act, with the advice of the General Counsel and the Chief Engineer, upon:

- (a) all applications for operator licenses, and
- (b) all applications for amateur and ship stations.

**Secretary
T. J. Slowie**

"That the Chief Engineer of the Federal Communications Commission is hereby authorized to determine upon all applications and requests, and to make appropriate order in letter form for the signature of the Secretary in the following matters:

- (a) operation without an approved frequency monitor;
- (b) operation without an approved modulation monitor;
- (c) operation without thermometer in automatic temperature control chamber;
- (d) operation without antenna ammeter, plate voltmeter or plate ammeter;
- (e) operation with substitute ammeter, plate voltmeter or plate ammeter;
- (f) operation with temporary antenna system;
- (g) operation with auxiliary transmitter as main transmitter;
- (h) operation with new or modified equipment pending repair of existing equipment, or pending receipt and action upon a formal application;
- (i) where formal application is not required, application for new or modified equipment or antenna system;
- (j) where formal application is not required, change of specifications for painting and lighting of antenna towers;
- (k) operation to determine power by direct method during program test periods;
- (l) relocation of transmitter in the same building;
- (m) operation with reduced power or time under Rules 142 and 151;
- (n) approval of types of equipment;
- (o) where it appears that terms of construction permit have been complied with, authorization for equipment and program tests or extensions thereof;
- (p) denial of requests for equipment and program tests where specifications of construction permit have not been met;
- (q) withdrawal of authorizations for equipment and program tests where subsequent to the issuance of the original authorization it appears that the terms of the construction permit have not been met;
- (r) extensions of time within which to comply with technical requirements specified in authorizations, orders and rules or releases of the Commission;
- (s) changes in equipment necessary to comply with technical requirements specified in authorizations, orders, rules or releases (except formal applications);
- (t) representations of compliance with technical requirements specified in authorizations, orders, rules or releases (except formal applications);
- (u) operation with licensed, new or modified equipment at a temporary location with a temporary antenna system in case of an emergency when, due to causes beyond the control of the licensee, it becomes impossible to continue operating at the licensed location."

**Chief Engineer
Ewell K. Jett**

Convention Program

9 A.M.—SUNDAY, JULY 9

Registration: Registration desk open Sunday, July 9, at 9 A.M.
Also to receive entries and to arrange for transportation to the
BROADCASTING Magazine Golf Tournament, Northfield Country Club

10:30 A.M.—NAB Golf Tournament, Northfield Country Club

Other Sunday Activities

2:00 P.M.—Meeting of the Research Committee, *Arthur Church, KMBC*, presiding

7:00 P.M.—Dinner meeting of NAB BOARD OF DIRECTORS

MONDAY, JULY 10

8:30 A.M.—Breakfast: Newspaper-owned Stations, *Campbell Arnoux, WTAR*, presiding

9:00 A.M.—Registration

10:00 A.M.—Group Meetings:

Local-channel Group—John Elmer, WCBM, presiding

National Association of Regional Broadcast Stations—John Shepard, III, Yankee Network, presiding

10:30 A.M.—Clear Channel Group—*Edwin W. Craig, WSM*, presiding

11:30 A.M.—Meetings of NAB Districts (subject to call of District Director)

12:30 P.M.—Luncheon of the NAB Bureau of Radio Advertising in conjunction with the Sales Managers' Committee, at which time the foundation will be laid for the establishment of a new and productive service for NAB member stations

Luncheon tickets may be purchased at the door

2:00 P.M.—Group Meetings:

*National Committee of Independent Broadcasters
Independent Radio Network Affiliates*

4:00 P.M.—(a) Demonstration of Television by NBC

(b) Discussion of radio engineering problems, *John V. L. Hogan, Chairman, NAB Engineering Committee*, presiding

7:00 P.M.—Supper Meeting of Copyright Committee

Bulletin Board in Lobby Will Announce Location of Meetings

TUESDAY, JULY 11

9:00 A.M.—Registration

9:30 A.M.—Convention Called to Order

Introduction of the President by

Edwin W. Craig, WSM

Annual Report of the President

•

Announcement of Convention Committee Appointments

•

Address: Stephen Early, Secretary to the President of the United States

"RADIO IN ITS RELATIONSHIP TO GOVERNMENT"

•

Report of the Nominating Committee for Election of Six Directors at Large

•

**Report of the Secretary-Treasurer,
Edwin M. Spence**

•

Adjournment

12:30 P.M.—Luncheon Meeting

Address: Carl E. Milliken, Secretary, Motion Picture Producers and Distributors of America, Inc.

"Industrial Self Regulation in America"

Make Your Reservations Now to Attend the Seventeenth Annual NAB Convention

Ambassador Hotel—July 10, 11, 12 & 13—Atlantic City, N. J.



THE NATIONAL ASSOCIATION OF BROADCASTERS

1626 K St., N. W.

WASHINGTON

Phone NAtional 2080

Neville Miller, *President*

Edwin M. Spence, *Secretary-Treasurer*

Andrew Bennett, *Counsel*; Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*

2:30 P.M.*—Report of the NAB Committee on Code and Standards of Practice

Presentation of Proposed New Code:
Ed. Kirby, *Director of Public Relations*

Discussion

Adjournment

* Meeting open to NAB members only.

WEDNESDAY, JULY 12

9:30 A.M.—Call to Order

Report of the NAB Bureau of Radio Advertising—Paul Peter, *Director of Research*

•

Joseph L. Miller, Director of Labor Relations
"The Labor Situation Today"

•

Address: Elmer F. Andrews, Administrator, Wage and Hour Division, U. S. Department of Labor
"Wage and Hour Regulation and Broadcasting"

•

Announcement: By the Election Committee of time and place for balloting to elect six Directors-at-Large

•

Address: Dr. John W. Studebaker, U. S. Commissioner of Education
"What the Federal Radio Education Committee Means to the American System of Broadcasting"

•

Address: Orrin E. Dunlap, Jr., Radio Editor, New York Times

"Television Facsimile—Their Future Effect upon Standard Broadcasting as seen from an Outside Viewpoint"

•

Discussions

Announcements

Adjournment

Luncheon (No scheduled luncheon)

2:00 P.M.*—Report of the NAB Copyright Committee—

Neville Miller, *Chairman*

Discussion

Adjournment

* Meeting open to NAB members only.

7:00 P.M.—ANNUAL NAB BANQUET

Entertainment: Through the courtesy of National Broadcasting Company, Columbia Broadcasting System, and Mutual Broadcasting System, in cooperation with NAB

Presentation of BROADCASTING Magazine trophy to winner of NAB Golf Tournament

10:30 P.M.—Network Address:

THE MIRRORS OF AMERICA

The Motion Picture—Will Hays, president, Motion Picture Producers and Distributors of America, Inc., speaking from Hollywood

The Radio—Neville Miller, president, National Association of Broadcasters, speaking from Atlantic City

THURSDAY, JULY 13

9:30 A.M.—Reports of Committees

Discussion of Reports

Amendments to By-Laws

Address: Joseph Marty, executive secretary, Radio Servicemen of America

"The Missing Link in Broadcasting"

Discussion: Radio Industry Promotion Campaign

Unfinished Business

Report of Resolutions Committee

Election of Directors at Large

Adjournment

2:00 P.M.—First meeting of new Board of Directors

FCC "CENSORSHIP" HEARING

The FCC announced this week that it would confine its July 14 hearing on the new rules for international broadcasting to the "censorship" issue raised by the NAB and the American Civil Liberties Union.

Petitions from the NAB and six short-wave broadcasters requesting enlargement of the issues were denied. Appearances for the July 14 hearing filed by both the NAB and the short-wave broadcasters were accepted, however, and the enlargement petitions were denied "without prejudice to the filing of a petition requesting hearing upon or a reconsideration of any of the Commission's rules or regulations applicable to international broadcast stations."

Swagar Sherley will represent the NAB at the hearing on the "censorship" rule.

FCC REPORTS NETWORK INCOME

The FCC issued a press statement this week saying that the 1938 total time sales for the three major networks and 23 M. & O. stations amounted to \$68,123,525. Of that amount \$54,938,879 came from net time sales to advertisers after trade discounts; \$5,347,388 from sale of station time to networks; and \$7,837,258 from sale of station time to users.

Net revenue from broadcast services was reported as \$9,307,735 and other income \$174,751.

Deductions from income were reported as \$985,090, leaving net income before income taxes \$8,497,396. Federal income taxes were estimated at \$1,473,796, and state income taxes at \$19,900, leaving net income for the period after tax deductions, \$7,003,700.

WALKER SWORN IN

Commissioner Paul A. Walker was sworn in on July 1 for his second term as member of the FCC. The new term extends for a period of seven years from July 1. He was confirmed by the Senate with no opposition on June 30.

PRESIDENT SIGNS FCC APPROPRIATION

On June 30, President Roosevelt signed the Deficiency Bill which, among other things, contained the appropriation for the Federal Communications Commission for the fiscal year which began on July 1. The total appropriation amounted to \$1,838,175. The Commission had asked Congress for \$2,000,000.

DONALD O'CONNOR

Station WOLS requests any member knowing the whereabouts of Donald O'Connor, a former employee, to advise WOLS.

FCC DEFERS ACTION ON CERTAIN APPLICATIONS

The FCC this week sent the following notice to licensees of broadcast stations:

The Federal Communications Commission announced today that final action would be deferred on all pending applications requesting nighttime operation on regional frequencies which would involve serious interference problems if other pending applications requesting the use of 5 KW power on such frequencies are granted. The pending applications requesting the use of 5 kw power at night will, under the Commission's new rules which become effective August 1, no longer be inconsistent with the rules limiting maximum power for nighttime operation on such frequencies. The Commission's new rules and regulations governing standard broadcast stations, which were adopted by the Commission on June 23, provide for maximum permissible nighttime power of 5 kw on regional channels. The present rules limit such power to 1 kw. Applications affected by this action of the Commission fall into three classes: Those which have been set for hearing but not yet heard, those upon which a hearing has been held but no decision rendered by the Commission, and those upon which a decision has been rendered and are now pending on a petition for rehearing. As to those applications which have not yet been heard, an additional issue will be inserted in the notice of hearing concerning the interference problem with pending 5-kw applications, and, thereafter, the applications will be heard in regular course. As to the applications on which a hearing has been held and applications pending on petition for rehearing, a further hearing will be ordered on issues related to the interference problem created by pending 5-kw applications.

Applications pending before the Commission which are affected by the Commission's action include the following:

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CASES HEARD BUT NOT YET ACTED ON

<i>Applicant</i>	<i>Call Letters</i>	<i>Docket No.</i>
Salt River Valley Broadcasting Co., Phoenix, Arizona	KOY	5054
United Theatres, Inc., San Juan, P. R. Enrique Abarca San Feliz, San Juan, P. R.	NEW	4610
Times Dispatch Radio Corp., Richmond, Virginia	NEW	5298
Radio Service Corp., Pocatello, Idaho ..	WRTD	4852
Pittsburgh Radio Supply House, Greensburg, Pa.	KSEI	5182 (I-745)
Sentinel Broadcasting Corp., Salina, New York	WHJB	5176 (I-763)
Tampa Times Co., Tampa, Florida	NEW	5094 (I-763)
Monocacy Broadcast Co., Frederick, Maryland	WDAE	4936 (I-692)
Southern Minnesota Broadcasting Co., Rochester, Minn.	WFMD	5423
City of Dallas, Dallas, Texas	KROC	4642 (I-757)
Havens & Martin, Inc., Richmond, Va.	WRR	5369
Tri-State Broadcasting Co., Inc., El Paso, Texas	WMBG	4846 (I-661)
Tri-City Broadcasting Co., Davenport, Iowa	KTSM	4813 (I-618)
King-Trendle Broadcasting Corp., Pontiac, Michigan	WOC	5487
	NEW	5016 (I-729)

CASES ON WHICH DECISIONS HAVE BEEN RENDERED AND PETITIONS FOR REHEARING FILED

<i>Applicant</i>	<i>Call Letters</i>	<i>Docket No.</i>
Citizens Broadcasting Corp., Schenectady, New York	NEW	4508 (I-594)
Thomas J. Watson, Endicott, New York	NEW	4550 (I-594)
Hampden Hampshire, Inc., Holyoke, Mass.	NEW	4564 (I-594)
Illinois Broadcasting Corp., Quincy, Illinois	WTAD	4599 (I-696)

CASES DESIGNATED FOR HEARING BUT NOT YET HEARD

<i>Applicant</i>	<i>Call Letters</i>	<i>Docket No.</i>
Jack Powers, et al., d/b as Utah Broadcasting Co., Salt Lake City, Utah ...	KUTA	5568
Wm. P. Huffman, Wisconsin Rapids, Wisconsin	NEW	4864 (I-659)
Spokane Broadcasting Corp., Spokane, Washington	KFIO	5537
Evansville on the Air, Evansville, Indiana	WGBF	5512
John F. Arrington, Valdosta, Ga.	NEW	5366

NEW LEGISLATION CONGRESS

H. R. 7035 (Mr. Hobbs, D.-Ala.) ANTITRUST LAWS—To amend Section 8 of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," and to

provide additional civil remedies against violations. Referred to the Committee on the Judiciary.

S. 2719 (Sen. O'Mahoney, D.-Wyo.) Same as H. R. 7035, above.

STATE LEGISLATION

NEW JERSEY:

A. 651 (Farley) **EMPLOYMENT AGENCIES**—To make numerous amendments to the act regulating employment and booking agencies. Referred to Committee on Institutions.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

There was no regular meeting of the Commission this week. The next meeting will be held on July 12.

The following hearings and oral arguments are scheduled before the Commission in broadcast cases beginning the week of Monday, July 10. They are subject to change.

Tuesday, July 11

WCOV—John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—Modification of license, **1210 ke.**, 100 watts, unlimited time. Present assignment: **1210 ke.**, 100 watts, daytime.

KNEL—G. L. Burns, Brady, Tex.—Modification of license, **1500 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1500 ke.**, 250 watts, daytime.

Wednesday, July 12

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Modification of license, **1380 ke.**, 1 KW, unlimited time (DA night). Present assignment: **1380 ke.**, 500 watts, 1 KW, unlimited time (DA night).

Thursday, July 13

Oral Argument on Petition for Rehearing Before a Quorum of the Commission

Examiner's Report No. I-613:

WTIC—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **1060 ke.**, 50 KW, shares with WBAL (SA for **1040 ke.**, simultaneous operation with KRLD, unlimited).

W1XEH—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **63500 ke.**, 150 watts, unlimited time, according to Rule 983.

W1XLU—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **105,000, 200,000, 290,000, 450,000 ke.**, 5 watts, to operate according to Rules 983, 1002, 1004.

W1XO—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **31100, 34600, 37600, 40600 ke.**, 50 watts, to operate according to Rules 983, 1002 and 1004.

W1XT—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **31100, 34600, 40600, 37600 ke.**, 100 watts, to operate according to Rules 983, 1002, 1004.

Friday, July 14

KRLH—Clarence Scharbauer, Midland, Tex.—C. P., **1420 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1420 ke.**, 100 watts, daytime.

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—C. P., **950 ke.**, 1 KW, unlimited time. Present assignment: **1120 ke.**, 100 watts, daytime.

NEW—C. T. Sherer Co., Inc., Worcester, Mass.—C. P., **1200 ke.**, 100 watts, 250 watts LS, unlimited time.

NEW—North Shore Broadcasting Co., Salem, Mass.—C. P., **1200 ke.**, 100 watts, unlimited time.

International Broadcast

In re: Section 42.03 (a) pertaining to International Broadcast Service.

FUTURE HEARINGS

During the week the Commission has announced the following tentative dates for future broadcast hearings. They are subject to change:

August 10

Hearing to Be Held Before Commissioner George Henry Payne in the Federal Court Room, Bellingham, Washington

NEW—Bellingham Broadcasting Co., Inc., Bellingham, Wash.—C. P., **1200 ke.**, 100 watts, 250 watts LS, unlimited time (requests facilities of KVOS).

KVOS—KVOS, Inc., Bellingham, Wash.—Renewal of license, **1200 ke.**, 100 watts, unlimited time.

September 11

Hearing Before the Committee to Be Held in Room 1411

In the Matter of Amendment of Rules 177 and 177.1 on Petition of Mayor LaGuardia of the City of New York.

Broadcast

WHA—University of Wisconsin, Madison, Wis.—C. P., **670 ke.**, 50 KW, unlimited time (requests facilities of WMAQ). Present assignment: **940 ke.**, 5 KW, daytime.

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Renewal of license, **670 ke.**, 50 KW, unlimited time.

NEW—Lakeland Broadcasting Co., Willmar, Minn.—C. P., **680 ke.**, 250 watts LS, limited time.

September 13

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Special experimental authorization; **1420 ke.**, 250 watts night, 1:05 to 2:15 a. m., CST.

NEW—Clyde E. Wilson and Howard A. Shuman, d/b as Hot Springs Broadcasting Co., Hot Springs, Ark.—C. P., **1310 ke.**, 100 watts, 250 watts LS, unlimited time.

September 25

NEW—Union Broadcasting Co., Scranton, Pa.—C. P., **1370 ke.**, 100 watts, 250 watts LS, unlimited time.

W9XTA—K. E. Schonert, d/b as Schonert Radio Service, Harrisburg, Ill.—Renewal of license, **26500 ke.**, 500 watts, Emission A-3, unlimited, according to Rule 983 (a).

NEW—Samuel M. Emison, Vincennes, Ind.—C. P., **1420 ke.**, 100 watts, unlimited time.

MISCELLANEOUS

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted motion to accept respondent's appearance in re application of Lakeland Broadcasting Co. for a new station at Willmar, Minn.

KUTA—Utah Broadcasting Co., Salt Lake City, Utah.—Denied motion for clarification and amendment of issues (exception noted by counsel for petitioner) in re application for C. P. to change frequency and power.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted motion to amend hearing notice by adding issue relating to economic interest, in re application of KUTA, referred to above (exception noted by counsel for KUTA).

NEW—Vincennes Newspapers, Inc., Vincennes, Ind.—Motion for advancement of hearing date from July 10 to 6 in re application of Samuel M. Emison for a new station in Vincennes was passed Nisi. Motion by applicant (Emison) to continue this case granted; new date to be fixed by office of Secretary.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted petition to intervene in the hearing on the application of C. T. Sherer Co., Inc., for a new station in Worcester, Mass.

KFVD—Standard Broadcasting Co., Inc., Los Angeles, Calif.—Granted motion for leave to amend application so as to request frequency **990 ke.**, 1 KW day, 500 watts night, unlimited time.

- NEW—Lakeland Broadcasting Co., Willmar, Minn.—Granted petition for leave to amend application so as to request daytime only, in re C. P. for new station to operate on **680 kc.**, 250 watts LS.
- NEW—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Granted petition to have depositions received in re application for C. P. to operate on **1370 kc.**, 100 watts, 250 watts LS, unlimited.
- KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authority to remain silent July 4, in order to observe holiday.
- WMC—Memphis Commercial Appeal Co., Memphis, Tenn.—Granted extension of special temporary authority to operate with 5 KW at night, using DA, for the period July 14 to August 12, in order to overcome interference from Cuban Station CMQ, provided such operation with additional power terminates immediately when CMQ ceases operation on **780 kc.**, reduces power so that additional interference is not involved, or until defensive DA is corrected by installation of new tuning condensers.
- WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special temporary authority to operate simultaneously, non-synchronously, with station KFAB commencing 4:45 a. m., CST, for the period July 10, and ending no later than August 8, in order to conform to Daylight Saving Time.
- KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—To operate as above except simultaneously, non-synchronously, with WBBM.
- KVOS—KVOS, Inc., Bellingham, Wash.; and NEW—Bellingham Broadcasting Co., Bellingham, Wash.—Commissioner Payne was assigned to preside at the hearing scheduled for August 10, 1939, in Bellingham, Wash., in re application of Bellingham Broadcasting Co. for C. P., and renewal of license of KVOS.
- KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted special temporary authority to operate from 9 a. m. to 1 p. m. and from 6 to 10 p. m., PST, during the months of July and August (instead of unlimited time as licensed), in order to observe regular vacation period.
- KBKC—Columbia Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to use Type D-100 transmitter, the final amplifier of which consists of one RCA 813 tube which is modulated by two RCA 809 tubes with power of 175 watts, on board the yacht *Geoanna*, on the frequencies of **4797.5, 6425, 8655 kc.**, for the period July 1 to July 25, 1939, for relay broadcast of a series of special programs incident to the Honolulu Yacht Regatta to be broadcast by Radio Station KNX.
- KAAC—Columbia Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to operate Amateur Station W6LS, licensed to Leo Shepherd, as a relay broadcast station on **4797.5, 6425 and 8655 kc.**, for the period July 1 to July 25, 1939, for the purpose of establishing the necessary cue circuit for a series of special programs incident to the Honolulu Yacht Regatta to be broadcast by Radio Station KNX.
- WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted special temporary authority to operate WORC new directional antenna as authorized in B1-P-2270 during daylight hours for the period July 1 to July 10, 1939, in order to facilitate equipment tests for proof of performance measurements.
- WBTH—Williamson Broadcasting Corp., Williamson, W. Va.—Granted special temporary authority to operate until 11 p. m., EST, on June 29, 1939, in order to broadcast civic celebration in City of Williamson.
- WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 8:30 p. m. to 12 midnight, EDST, on July 25, 1939, in order to broadcast a special program under the auspices of the local National Guard, Company H, 172nd Infantry.
- WGRC—North Side Broadcasting Corp., New Albany, Ind.—Granted special temporary authority to operate from 7 to 8 p. m., CST, on July 2 and 9, in order to carry special revival programs of the Volunteers of America.
- KOIN—KOIN, Inc., Portland, Ore.—Granted special temporary authority to rebroadcast over KOIN and the Columbia network program material between 8 a. m. and noon, PST, on July 1, 1939, from short wave stations licensed to the Coast Guard (Coast Guard Cutter Onondaga operating on **2698 kc.**, and Relief Lightship 3410 kc.), in connection with ceremony of turning Lightship Service over to the Coast Guard.
- KFRO—Voice of Longview, Longview, Tex.—Granted extension of special temporary authority to operate from local sunset (July, 7:30 p. m., CST) to 11:05 p. m., CST, using 100 watts only, on Sundays, July 2, 9, 16, 23 and 30, 1939, in order to broadcast church services.
- KHGB—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Denied special temporary authority to operate from local sunset (July, 7:45 p. m., CST) to 10:30 p. m., on July 2, 9, 16, 23, and 30, 1939, in order to broadcast church services; to operate from local sunset to 10 p. m., CST, on July 3, 10, 17, 24, and 31, 1939, in order to broadcast "Okmulgee Little Theater of the Air."
- WILM—Delaware Broadcasting Co., Wilmington, Del.—Denied special temporary authority to operate simultaneously with station WAZL from 8:30 p. m., EDST, to the conclusion of baseball games on July 19, 1939, and from 8 p. m., EDST, to the conclusion of baseball games on August 8 and 15, 1939, in order to broadcast the baseball games of the National and American Leagues.
- WPTF—WPTF Radio Company, Raleigh, N. C.—Denied extension of special temporary authority to operate from 11 p. m. to 12 p. m., EST, for the period beginning July 9, 1939, and ending in no event later than 3 a. m., EST, August 1, 1939, in order to broadcast programs as described in letter of May 27, 1939.
- WPG—City of Atlantic City, Atlantic City, N. J.—Denied special temporary authority to operate Sunday July 2, 1939, from 3:15 p. m. to 4:30 p. m., EST, for continuation report of baseball started shortly before commencement period.
- W2XWC—Kalamazoo Laboratories, Inc., Irvington, N. J.—Granted C. P. to move television broadcast station from Irvington, N. J., to Carlstadt, N. J. (approximately 12 miles), and to continue operation for an additional 30 days from July 6, 1939, with power of 500 watts, **2000-2100 kc.**, 12 midnight to 6 a. m., on a non-interference basis.
- WESG—Cornell University, Elmira, N. Y.—Granted C. P. to change tubes in transmitting equipment, conditionally, upon a temporary basis only.
- W1XOK—The Yankee Network, Inc., Boston, Mass.—Granted license to cover C. P. for a new fixed special relay broadcast station on an experimental basis, to operate with power of 50 watts, frequencies **133030, 134850, 136810 and 138630 kc.**, unlimited time in accordance with Sections 40.04 and 41.04, to be used to relay high fidelity programs using frequency modulation from a site in Boston, Mass.; granted conditionally.
- WJBW—Charles C. Carlson, New Orleans, La.—Granted license to cover C. P. and modification thereof authorizing installation of new equipment, moving of studio and transmitter, and extension of commencement and completion dates; granted conditionally.
- WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Granted modification of C. P. extending completion date from July 17, 1939, to September 17, 1939.
- WSKB—McComb Broadcasting Corp., McComb, Miss.—Granted modification of C. P. for approval of antenna and studio site at Berthadale Road at Highway 24, McComb, Miss., and studio at Main St., McColgan Hotel, McComb, Miss., provided the marking of the tower is specifically inserted in the permit.
- WTMA—Y. W. Scarborough & J. W. Orvin, d/b as Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted license to cover C. P. and modification thereof authorizing erection of new station in Charleston, S. C., to operate on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.
- WPAY—Vee Bee Corporation, Portsmouth, Ohio.—Granted C. P. to make changes in equipment; frequency **1370 kc.**, power of 100 watts, unlimited time.
- W2XWG—Kalamazoo Laboratories, Inc., Irvington, N. J.—Granted extension of special temporary authority to operate a composite television transmitter, to be located in Carlstadt, N. J., for radio television transmission in the **2000-2100 kc.** band, for operation between the hours of 12 midnight and 6:00 a. m., on a non-interference basis, with a power of 500 watts, emission A5 only, for test and experimental purposes only, for the period July 7 to August 5, 1939.
- WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate Eastern daylight saving

time instead of Eastern Standard Time as licensed during period when daylight saving time is in effect but in no event later than 3:00 a. m., EST, October 1, 1939.

KFVS—Oscar C. Hirsch, tr. as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Granted special temporary authority to operate simultaneously with Station WEBQ from 7:30 p. m. to 9:00 p. m., CST, July 4, 1939, in order to broadcast an address by U. S. Senator Bennett Champ Clark and other activities of the American Legion Picnic.

KQV—KQV Broadcasting Company, Pittsburgh, Pa.—Adopted an order setting for hearing at 10:00 a. m., on July 12, 1939, in the offices of the Commission in Washington, D. C., the application for modification of license.

WINC—WSMK, Inc., Dayton, Ohio.—Granted special temporary authority to operate daytime using new transmitter and directional antenna authorized in C. P. as modified to facilitate field measurements to substantiate phase monitor for a period not to exceed ten days.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Denied special temporary authority to rebroadcast sustaining programs to be received from international broadcast stations W3XE, W3XAL, and W8XX over Station WPRP, on a non-commercial experimental basis only, for a period not to exceed thirty days.

WPG—City of Atlantic City, Atlantic City, N. J.—Denied special temporary authority to operate Sundays from 3:15 p. m. to 4:30 p. m., EST, for purpose of maintaining continuity in certain baseball broadcasts and on Fridays from 2:00 p. m. to 3:00 p. m., EST, for purpose of broadcasting worthwhile programs of interest to the public generally such as an educational feature description of certain baseball games and musical program for a period of thirty days.

APPLICATIONS FILED AT FCC

550 Kilocycles

WDEV—Lloyd E. Squier & Wm. G. Ricker, d/b as Radio Station WDEV, Waterbury, Vt.—Modification of license to increase power from 500 watts to 1 KW.

640 Kilocycles

WGAN—Portland Broadcasting System, Inc., Portland, Maine.—Construction permit to install new transmitter, make changes in directional antenna system, for night use, change frequency from 640 to 1390 kc., increase power from 500 watts to 1 KW night, 5 KW day, change hours of operation from limited to unlimited.

920 Kilocycles

KVOD—Colorado Radio Corp., Denver, Colo.—Modification of C. P. (B5-P-1540) to change frequency, power and time, install new antenna and move transmitter, further requesting installation of new transmitter and move transmitter from north of Denver, Colo., to 56th Ave. & Pecos St., Denver, Colo., and extend commencement and completion date 30 and 180 days respectively.

1210 Kilocycles

WPIV—Petersburg Newspaper Corp., Petersburg, Va.—Modification of C. P. (B2-P-1475) for a new station requesting approval of antenna, and approval of studio and transmitter sites at Wythe St., Petersburg, Va. Amended: Antenna changes and give transmitter site as Colonial Heights, Va., and studio site at corner Sycamore and Tabb Sts., Petersburg, Va.

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Modification of license to increase power from 100 watts, 250 watts day, to 250 watts day and night.

1250 Kilocycles

WKST—Keystone Broadcasting Co., New Castle, Pa.—Construction permit to install new transmitter, increase power from 250 watts to 1 KW.

1310 Kilocycles

KCRJ—Central Arizona Broadcasting Co., Jerome, Ariz.—Construction permit to move transmitter 50 feet from Lower Hogback, Jerome, Ariz., to Main Road, Jerome, Ariz., and

studio from 711 Main St., Jerome, Ariz., to Main Road (across from High School), Jerome, Ariz.

WEBR—WEBR, Inc., Buffalo, N. Y.—Modification of license to increase power from 100 watts, 250 watts day, to 250 watts day and night.

1380 Kilocycles

WING—WSMK, Inc., Dayton, Ohio.—Modification of C. P., B2-P-1575, as modified, for new transmitter, increase in power, change in hours of operation, install directional antenna for night use, and move transmitter, further requesting extension of completion date from 7-1-39 to 8-1-39.

1400 Kilocycles

KLO—Interstate Broadcasting Corp., Ogden, Utah.—License to cover C. P. (B5-P-489) as modified for equipment changes, installation of directional antenna for day and night use, increase power, and move of transmitter to new site.

1500 Kilocycles

WTMC—John T. Alsop, Jr., Ocala, Fla.—License to cover C. P. (B3-P-2148) for a new station.

MISCELLANEOUS

XXXX—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 Corporation.

XXXX—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs originating in NBC's studio at 30 Rockefeller Plaza, New York City, or any points in U. S. where network programs may originate, to station CMX, Havana, Cuba.

W7XCY—Oregonian Publishing Co., Portland, Ore.—License to cover C. P. (B5-PRE-257) for equipment changes, increase in power, and new frequencies, in accordance with new rules.

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 to show cause why cease and desist orders should not be issued against them.

C. R. Anthony Company, Oklahoma City, Okla., operator of 57 retail department stores in Oklahoma, Kansas, Texas and New Mexico, is charged with violation of the Robinson-Patman Act through illegal acceptance of brokerage fees in a complaint.

Other respondents are Burrell-Berger, Inc., Miss Plaza, Inc., Samuel R. Parnes, Inc., and Gorgeous Frocks, Inc., all of New York, described in the complaint as the "sellers."

It is alleged that C. R. Anthony Company, under the name of The Anco Company, maintains an office at 1450 Broadway, New York, and that its employees attached to that office, working on a salary basis, purchase for and in the name of C. R. Anthony Company the requirements of its retail department stores, consisting of women's apparel and other merchandise, from various New York sellers including the four named in the Commission's complaint.

The complaint alleges that the seller respondents and other sellers pay and deliver to C. R. Anthony Company, under the name of The Anco Company, so-called brokerage fees and commissions which amount to an agreed percentage on quoted sales prices, and that C. R. Anthony Company, the sole party with an interest in and the actual purchaser in the transactions, without performing any

services for or on behalf of the sellers, accepts the payments in violation of the brokerage section of the Robinson-Patman Act. (3834)

Burrell-Berger, Inc.—See C. R. Anthony Company.

Economy Men's Hat Company, Inc.—Misleading representations in the sale of hats made from old materials is alleged in complaints issued against two New York companies. The respondents are Economy Men's Hat Company, Inc., and Rosalind Nissenbaum, Lena Nissenbaum and Samuel Gilman, individually and as officials of the company, 5 Elizabeth St. and Morben Hat Works, Inc., and Morris S. Altman, individually and as an officer, 162 Green St.

Purchasing old, worn and used felt hats, the respondents in both cases are alleged to renovate them and in some instances to provide new trimmings, sweatbands and size labels so that they appear as new hats made from felts which have never been worn, and to sell them to dealers without any marks to inform the public that they are in fact made from old and previously used felt hat bodies and renovated to look like new. (3837-3838)

Gorgeous Frocks, Inc.—See C. R. Anthony Company.

Industrial Plants Corporation, 90 West Broadway, New York, is charged in a complaint with misrepresentation in the sale and distribution of pliers and wrenches. The respondent is alleged to represent that its pliers and wrenches are nickel plated, when this is not a fact. The complaint alleges that such misleading representations result in unfairly diverting trade to the respondent from its competitors. (3835)

Morben Hat Works, Inc.—See Economy Men's Hat Company, Inc.

Samuel R. Parnes, Inc.—See C. R. Anthony Company.

Miss Plaza, Inc.—See C. R. Anthony Company.

Prudential Sales Corp.—False advertising and use of lottery plans in selling merchandise to ultimate consumers is alleged in a complaint issued against Prudential Sales Corporation, 230 East Ohio St., Chicago.

Advertising matter on the face of lottery push cards distributed by the respondent, including use of the word "Packard" and a picture of an electric dry shaver, is alleged to deceive buyers into believing that the pictured shaver is a "Packard Lectro Shaver," when in fact the respondent's electric dry shavers are not Packard Lectro Shavers.

Use of the word "Elkskein" in advertising sports jackets allegedly deceives buyers into believing that the respondent's garments are made of the skin of an elk when in fact this is not so and their value is but a fraction of that of jackets made from genuine elkskin.

Blankets allegedly are advertised in a manner misleading the public into believing that they are composed entirely of wool.

The respondent is alleged to represent that gifts, prizes or premiums are given free to agents when in fact the so-called gifts are not free but are regular compensation for selling the respondent's merchandise and their cost is included in the cost of other articles sold for the respondent by agents. (3839)

Wahl Company—Misleading representations in the sale of fountain pens is alleged in a complaint issued against The Wahl Company, 1800 Roscoe St., Chicago.

The respondent is alleged to represent directly or by implication that ink cannot leak from its Eversharp fountain pen equipped with a so-called "Safety Ink Shut-Off" device, when the pen is uncapped and the pen point exposed; that ink cannot leak from the pen into the cap when it is screwed tightly over the pen point, and that this pen possesses more than twice as much ink capacity as competing fountain pens.

The complaint alleges that in fact ink can leak from respondent's fountain pens under the conditions mentioned; that the so-called safety device does not prevent ink which is in the feed mechanism immediately prior to attachment of the cap, from leaking into the cap after it is screwed tightly over the pen point, and that such ink does leak into the cap when the pen is shaken or jostled. The complaint also alleges that the ink capacity of Eversharp pens is substantially less than the amount claimed. (3836)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

Bobs Candy & Pecan Company—Lottery methods in the sale of merchandise to ultimate purchasers is prohibited under orders issued against an Albany, Ga., and a Chicago dealer.

Bobs Candy & Pecan Company, Albany, Ga., the Commission finds, sold to dealers certain assortments of candy and nut confections so packed and assembled as to involve a lottery scheme when so sold and distributed to consumers.

Morris L. Rauer, individually, and formerly trading as Earl Chrome Manufacturing Company, now in business under the name Earl Chrome Company, 2757 Lincoln Ave., Chicago, is found to have supplied Wisconsin, Indiana and Iowa merchants with punch-boards as a means of selling the respondent's radios, clocks, cocktail shakers, coffee sets and novelty merchandise. It is further found that the respondent, by use of the trade name Earl Chrome Manufacturing Company, represented himself to be the manufacturer of the products he sold, when in fact he did not own or control a factory. (3580-3426)

Earl Chrome Manufacturing Company—See Bobs Candy & Pecan Company.

King Candy Company, Fort Worth, Tex., has been ordered to cease and desist from lottery methods in the sale and distribution of candy to ultimate consumers.

The respondent was found to have been selling to dealers certain assortments of candy for distribution to consumers by use of push-cards and punch-boards.

The order directs that the respondent cease and desist from supplying or selling lottery devices to others, to enable such persons to sell or distribute merchandise, and from selling or disposing of merchandise by the use of such devices. (3437)

STIPULATIONS

The Commission has entered into the following stipulations:

C-E-Z-R Company—Anna Greenberg and Belle Greenberg, co-partners trading as C-E-Z-R Company, Omaha, Nebr., have entered into a stipulation to discontinue misrepresentations in the sale of an eye wash preparation. The respondents agree to desist from representing directly or by implication that "C-E-Z-R Eye Drops" are a competent treatment in the relief of tired or fatigued eyes, or are unique in the manner in which they act to cleanse the eyes. They admit that eye fatigue results primarily from over-use of the extrinsic and intrinsic muscles of the eyes and cannot be competently relieved by medication, but only by periods of rest. (02391)

Deimel Linen-Mesh System Company, 376 Post St., San Francisco, has entered into a stipulation to discontinue misrepresentations in the sale of underwear.

The respondent agrees to desist from the use of the trade name or trade mark "Dr. Deimel Linen-Mesh Underwear" to designate garments not entirely made of linen, or from the use of the words

"linen" or "linen-mesh" in any way to designate such garments unless the other fibers present are at the same time identified and with equal conspicuousness.

The respondent further agrees to cease representing directly or by implication that Dr. Deimel Linen-Mesh Underwear is the one or only underwear that gives "temperature control," that quickly absorbs perspiration and allows it to evaporate or that has been recommended by leading physicians for 40 years.

Other representations to be discontinued are that the respondent's product will eliminate the possibility of colds or of catarrh or of bronchitis when substituted for woolen undergarments, or works constantly to prevent skin rashes and eczema, and that a change to this type of underwear greatly lessens the danger of pneumonia. (02390)

Siticide Company—In a stipulation accepted and supplemental to one entered into June 23, 1936, the Siticide Company, Commerce, Ga., agrees to discontinue misleading representations in the sale of its product "Siticide", a treatment for scabies.

The respondent will cease representing directly or by implication that a single application of Siticide will cure the itch caused by scabies parasites; that Siticide penetrates the skin, or that the itching sensation accompanying scabies disappears immediately upon, or without the lapse of an appreciable length of time following, the application of Siticide to the skin. (01427)

FTC CLOSES CASE

The Federal Trade Commission has closed without prejudice its case against International Association of Ice Cream Manufacturers, Washington, D. C., its officers and member companies, who were charged with activities tending to restrain trade in the sale of ice cream in interstate commerce and to discourage the operation and use of counter ice cream freezers.

Respondent association members named in the complaint as being representative of the 500 ice cream manufacturer and distributor members were National Dairy Products Corporation, New York, The Borden Company, New York, Golden State Company, Ltd., San Francisco, Midwest Dairy Products Corporation, DuQuoin, Ill., French-Bauer, Inc., Cincinnati, and Southwest Utility Dairy Products Company, Oklahoma City, Okla. Respondent association officers at the time the complaint was issued were: G. G. Kindervater, president; W. R. Cammack, vice president; Madison H. Lewis, treasurer, and Robert C. Hibben, executive secretary.

The closing order points out that subsequent to issuance of the complaint the entire files of the proceeding were, at the request of the Attorney General, transmitted to the Department of Justice and that criminal indictments were brought by that Department against the respondents in Chicago, the cases being known as the Government against The Borden Company, and others, and against National Dairy Products Corporation and others.

The Commission closed its case without prejudice to its right to reopen it should future facts so warrant.