

Code Committee Meets; Women's Luncheon

Asking that broadcasting stations in the different states meet to examine state laws and practices relating to the qualifications for candidates for public office, and to determine dates which mark the beginning of political campaigns in the respective states or political subdivisions, the NAB Code Compliance Committee met in Washington last Tuesday and Wednesday at the call of its chairman, Edgar Bill, of WMBD, Peoria, Illinois. The Committee reviewed the progress of the Code and self-regulation to date and considered details whereby Headquarters could render member stations greater informational service in inter-changing experiences and ideas with the membership.

The resolution follows:

"In view of the fact that different laws or practices govern the conduct of elections in the different states and local communities, it is the recommendation of the Code Compliance Committee that the broadcasting stations in the different states should be called into meeting by state chairmen or through the efforts of District Directors, where no state organization exists, and request them, after a study of their respective state and local laws, to determine:

- "(a) When does an individual become a legally qualified candidate for public office and qualify for the sale of time under the Code, or,
- "(b) Determine the date for the opening of a campaign for election of public officials, or for the discussion of public proposals which are subject to ballot."

The Committee requests that as soon as possible this information be sent into Headquarters so that it will be in a position to answer inquiries received from the outside in connection with the approaching political campaigns.

On Wednesday, members of the Committee and Headquarters department heads attended a luncheon conference at the Willard Hotel with national and state women's club leaders to discuss the social aspects of the Code.

The meeting was one of the largest gatherings of influential club women in recent years, many of the leaders coming from distant points to enter into the discussions. Among the national presidents of organizations were Mrs. William Corwith, American Legion Auxiliary; Mrs. Saidie Orr Dunbar, General Federation of Women's Clubs; Mrs. Charles E. Bolling, United Daughters of the Confederacy; Mrs. W. Chapin Huntington, Society of Women Geographers; Mrs. Joseph E. Goodbar, National Federation of Press Women; Miss Frances Grant, Pan American Women's Association; Dr. O. Latham Hatcher, Alliance

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*

CODE COMMITTEE MEETS; WOMEN'S LUNCHEON

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for Guidance of Rural Youth; Mrs. J. K. Pettengill, National Congress of Parents and Teachers; Mrs. Henry M. Robert, Jr., Daughters of the American Revolution.

In the key-note speech of the day, Mrs. Saidie Orr Dunbar, president of the General Federation of Women's Clubs, showered praise upon the Code and pledged the sympathetic support of women's clubs nationally and locally. She declared there were some programs to which some of the women objected, especially in the children's field, but, she said that "with so many varied tastes to cater to, there will of course always be room for some complaint." Other leaders who took part in the discussion and commended the Code included Mrs. Henry M. Robert, Jr., president of the Daughters of the American Revolution; Mrs. Charles E. Bolling, president of the United Daughters of the Confederacy; Mrs. Edwin C. Lewis, national radio chairman of the National Society of New England Women; Mrs. Nathaniel Singer, radio chairman of the United Parents Associations; Dr. Alice Keliher, of the Progressive Education Association, and Mrs. Benjamin F. Kraus, radio chairman of the Massachusetts State Federation of Women's Clubs.

Following the opening remarks by President Miller, Edgar Bill and Ed Kirby, Committee Secretary, and the address by Mrs. Saidie Orr Dunbar, the meeting was thrown open to a question and answer period.

Mrs. Harold V. Milligan, radio chairman of the General Federation of Women's Clubs, requested that NAB send out to all women's organizations "radio kits" which would contain copies of the Code and all pertinent literature, as well as the NAB booklet *How To Use Radio*. The delegates were informed that this would be done immediately.

The Code Committee pledged its cooperation with the women's viewpoint in connection with cultural, educational, religious and social aspects of broadcasting, particularly in regard to improving the standards of children's programs. Organizations were requested to conduct serious studies and surveys to determine what they considered should be on the air, but which is not now on the air. The delegates were invited to submit this data

at the next meeting of the Code Compliance Committee in early 1940, where it may be digested and correlated. Representative sponsors and advertising agencies will then be called into conference to consider the new information received.

The Code Committee members regarded the meeting, which continued over four hours, as a highly successful one, and of incalculable benefit to the entire industry.

A roster of those present follows:

Miss Helen W. Atwater
 American Home Economics Assn.
 Mrs. Henry Baker
 Service Star Legion
 Miss Mariam Birdseye
 Association of Women in Public Health
 Mrs. Charles E. Bolling, Pres.-General
 United Daughters of the Confederacy
 Mrs. Frederick H. Brooke
 Girl Scouts
 Mrs. Leonard J. Calhoun
 Mississippi Federation of Women's Clubs
 Mrs. Robert W. Cornelison
 Radio Chairman, New Jersey State Federation of Women's Clubs
 Mrs. William H. Corwith
 President, American Legion Auxiliary
 Miss Margaret Cuthbert
 National Broadcasting Company
 Mrs. Saidie Orr Dunbar
 President, General Federation of Women's Clubs
 Miss Elizabeth Eastman
 Young Women's Christian Assn.
 Miss Ethel Evans
 Young Women's Mutual Improvement Association
 Miss Jane Evans
 Executive Director, National Federation of Temple Sisterhoods
 Miss Catherine Fitzgibbon, Secretary
 Women's International League for Peace and Freedom
 Miss Bess Furman
 National League of Women Voters
 Mrs. E. Richard Gasch
 Second Vice President
 American Federation of Soroptimist Clubs
 Mrs. Joseph E. Goodbar, Pres.
 National Federation of Press Women
 Miss Bess Goodykoontz
 National Council of Administrative Women in Education
 Miss Dorothy Gordon
 National Council of Women
 Miss Frances Grant, President
 Pan American Women's Association
 Miss Rebekah S. Greathouse
 National Woman's Party
 Mrs. Robert J. Green
 Catholic Daughters of America
 Mrs. Otto Hammerlund
 National Society of New England Women
 Dr. O. Latham Hatcher, president
 Alliance for Guidance of Rural Youth
 Miss Alice Howard
 National Assn. of Deans of Women
 Mrs. Thomas Howerton
 Osteopathic Women's National Assn.
 Mrs. W. Chapin Huntington, Pres.
 Society of Women Geographers
 Mrs. K. D. Jacob
 P. E. O. Sisterhood
 Dr. Alice Keliher
 Progressive Education Association
 Mrs. John Morrison Kerr
 National Pres., Children of the American Revolution

Mrs. Benjamin F. Kraus
Radio Chairman, Massachusetts State Federation of Women's Clubs

Mrs. Luella Laudin
Executive Director, National Council of Women

Miss Mary E. Leeper
Executive Secretary, Association for Childhood Education

Mrs. Edwin C. Lewis,
National radio chairman, National Society of New England Women

Mrs. Blanche C. Lewton
Chairman of marketing, Woman's National Farm and Garden Association

Miss Dorothy L. McFadden
Executive director, Junior Programs

Mrs. Harold V. Milligan
Radio chairman, General Federation of Women's Clubs

Miss Bertha Nienberg
International Association of Altrusa Clubs

Mrs. Moe Offenber
President of Washington Chapter, Hadassah

Mrs. J. K. Pettengill
President National Congress of Parents and Teachers

Miss Constance Roach
National League of Women Voters

Mrs. Henry M. Robert, Jr.
President-General, Daughters of the American Revolution

Miss Josephine Schain, Chairman,
Executive Committee, National Committee on the Cause and Cure of War

Miss Lavinia Schwartz
Midwestern Education Director, Columbia Broadcasting System

Miss Ivora Scott
National Women's Christian Temperance Union

Mrs. Nathaniel Singer, Radio Chairman,
United Parents Associations

Mrs. Sina H. Stanton
Council of Women for Home Missions

Mrs. Victoria Fabor Stevenson
League of American Pen Women

Mrs. James Austin Stone
National Women's Trade Union League

Mrs. Marion Hines Taylor
Zonta International

Mrs. Mary Logan Tucker
United States Daughters of 1812

Mrs. Arthur Vandenberg
Camp Fire Girls

Mrs. R. Gordon Wagenet
Women's International League for Peace and Freedom

Dr. Lulu Waters
Osteopathic Women's National Assn.

Mrs. James Watson
League of American Pen Women

Mrs. Roy C. F. Woagley
Secretary, Associated Women of the American Farm Bureau Federation

Mr. Sterling Wheelright
National Federation of Music Clubs

Miss Earlene White
National Federation of Business and Professional Women's Clubs

Mrs. Robert Clark Wiggins
Pennsylvania Federation of Women's Clubs

FIRST PLEDGES TO BROADCAST MUSIC, INC., RECEIVED

In the first of a series of District meetings to be held throughout the country, the first subscriptions to Broadcast Music, Inc., streamed in as broadcasters in the Second District signed the pledges in a more than encouraging degree and number.

The meeting, in the Ritz Tower, New York City, and

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presided over by Harry Wilder, WSYR, and District Director, was well attended and endorsed the Broadcast Music, Inc., plan enthusiastically. Neville Miller, Sydney Kaye and Stuart Sprague reviewed the copyright matter fully. Other matters discussed were the A. F. of M. contract, the phonograph record problem and the Code.

Those in attendance were: William Fay, WHAM, Rochester, New York; Robert Soule, WFBL, Syracuse, New York; Carl Colman, WINS, New York City; Clarence Wheeler, WHEC, Rochester, New York; John T. Calkins, WENY-WESG, Elmira, New York; E. H. Twamley, WBEN, Buffalo, New York; Cliff Taylor, WBEN, Buffalo, New York; G. N. Woodman, WJZ-WEAF, New York City; Cecil Masten, WNBC, Binghamton, New York; Julius F. Seebach, WOR, New York City; John V. L. Hogan, WQXR, New York City; Elliott M. Sanger, WQXR, New York City; Kolin Hager, WGY, Schenectady, New York; Richard E. O'Dea, WNEW, New York City; W. C. Alcorn, WBNX, New York City; Donald Flamm, WMCA, New York City; Stuart Sprague, Sydney Kaye, Neville Miller, president, National Association of Broadcasters; E. K. Johnson, WIBX, Utica, New York; Irving Collins, WWRL, Woodside New York; H. C. Wilder, WSYR, Syracuse, New York; Samuel J. Gellard, WLTH, Brooklyn, New York; S. W. Caulfield, WBNX, New York City; I. R. Lounsbury, WGR, Buffalo, New York; E. N. Stoer, WINS, New York City; William S. Hedges, WEAF, New York City; W. S. Reuman, WWRL, Woodside, New York; John A. Kennedy, NAB Legislative Committee; Edwin W. Schenning, WMCA, New York City; Joe Hartz, WMCA, New York City; Harold E. Smith, WOKO, Albany, New York.

NAB Attorney, Engineer Appointed; New Services

With the appointment of Russell P. Place as counsel, and Lynne C. Smeby as full time director of engineering, announced this week, the National Association of Broadcasters has about completed its program of expansion

as outlined in the reorganization plan for the benefit of member stations.

Recently the Bureau of Radio Advertising was established to promote the use of radio advertising. It is headed by Sam Henry, Jr., former sales promotion manager of World Broadcasting Company.

To carry on a year 'round institutional type of promotion Arthur Stringer, former promotional consultant, was added to the staff after the Atlantic City convention.

Headquarters is also formulating plans for increased activity of the research department during the coming year. As being drawn the work will include some fundamental studies designed to fix the advantages of research as a tool in station management. A committee is to be appointed to work with Paul Peter, director of research.

The projected year's work include plans for meeting media competition in the development of facts through research. Ways and means for the development of needed information for the bureau of radio advertising, public relations, labor relations and the executive office of the association are to be established.

In addition to a consulting research committee, it is planned to appoint a research representative in each district to assist the director of research and the research committee.

Russell P. Place

Russell P. Place, of Boston, is a graduate of Harvard College and of Harvard Law School. He took time out to serve over-seas during the World War as pilot with the rank of Ensign in the U. S. Naval Reserves. Following admission to the Massachusetts Bar in 1922 he practiced law in Boston with the firms of Elder, Whitman, Weyburn and Crocker; and Shattuck and Gray.

While with the latter firm he served for a portion of the time as legislative counsel to Henry Shattuck, then chairman of the ways and means committee of the Massachusetts House of Representatives.

Mr. Place also served as assistant trust officer of Lee, Higginson Trust Company and as general agent of the Aetna Life Insurance Company for Eastern Massachusetts.

In 1923 he married Miss Marian Lothrop Worcester, of Cambridge, and they have three children.

Andrew W. Bennett is retained as special counsel to deal with copyright problems.

Lynne C. Smeby

Lynne C. Smeby, director of engineering, is a member of the Institute of Radio Engineers. He comes to NAB directly from the conduct of a special assignment in Porto Rica, for the International Telephone and Telegraph Company. There he rebuilt the company's broadcast station WKAQ in San Juan, installed a coastal-harbor radiotelephone system, and did work for the police radio system for Porto Rica. Mr. Smeby is a

graduate of the University of Minnesota with a degree in electrical engineering.

His interest in radio began in 1918, as soon as the war-time ban on amateur radio was removed. The year following his graduation, in 1928, he was appointed Chief Engineer of WRHM, now WTCN, Minneapolis.

The next year he became technical supervisor of KSTP, St. Paul. In 1935 he moved to Detroit to become technical supervisor of WXYZ; WOOD, Grand Rapids; and the Michigan Radio Network.

For a number of years he had maintained close contact with the commission, his last appearance being in February when he gave testimony on the Michigan Radio Network during the chain-monopoly hearing. Continued study has kept him conversant with the developments in radio, television, facsimile, ultra-hi frequency broadcasting, frequency modulation, and industrial appliances of electronic devices.

FLY DISCUSSES COMMISSION ACTIVITIES

James Lawrence Fly, Chairman of the Federal Communications Commission, at a press conference on Wednesday stated that in his opinion the Commission in the future should give more thought to broadcasting station ownership and financial responsibility.

Discussing the Television situation, Chairman Fly said that the Commission will grant hearings on the new Television Rules. He said that undoubtedly the Commission would adopt tentative Television Rules and would then grant hearings if anyone requested them.

The Commission, stated the Chairman, wants to act as expeditiously as possible on the Television situation. However, the Commission wants to see the whole Television situation from both the standpoint of the industry and the public, and it wishes to protect its development.

There are no sharp issues on the Commission regarding the Television report of the committee, he stated. Mr. Fly pointed out that there are a good many difficult factors in Television and called particular attention to

DISTRICT 7 MEETING CHANGE

THE DISTRICT SEVEN MEETING PLACE HAS BEEN CHANGED FROM CINCINNATI TO THE DAYTON-BILTMORE HOTEL, DAYTON, OHIO, DECEMBER 5.

This is the same date as previously scheduled. Reason for the change to Dayton is due to crowded hotel conditions in Cincinnati because of the major league baseball meeting.

the fact that the receiver has to be synchronized to the transmitter and something must be done in this connection for the public who may purchase expensive Television sets and find later that they are obsolete because of progress in the art.

Mr. Fly said that he thought the monopoly report being compiled by the staff would go to the Monopoly Committee within the next week or ten days.

WOV TO NEW YORK STATION

On request of the New York Broadcasting Corporation, the Federal Communications Commission has assigned call letters WOV to the new broadcast station to be constructed by that corporation in New York City, to operate on the frequency of 1100 kilocycles, with power of 5 kilowatts, unlimited time.

The new station will supplant three existing broadcast stations, namely, WOV and WBIL, New York City, and WPG, Atlantic City.

It has been the practice of the Commission not to assign three-letter calls to broadcast stations except in cases where "good will" has attached to the use of such existing call letters, as in the case of WOV. This is because conservation of three-letter calls for land stations, such as communicate with ships and planes, is implied in International Telecommunications Convention of Madrid, 1932. This convention makes no provision for assignments of call letters to broadcast stations. As a result, some foreign stations do not use call letters. There is no provision in the Communications Act relating to assignment of call letters in this country apart from blanket authority to the Commission to do so.

While the Commission issues four-letter calls to new broadcast stations as a general rule, it has not yet been necessary to replace three-letter calls previously assigned broadcast stations in order to make these calls available to land stations. Consequently, the good-will value of existing three-letter broadcast calls is considered as cases present.

Eighty-four broadcast stations still retain three-letter identification calls.

NAB DECEMBER PROMOTION

Keeping radio ahead with another vigorous push toward maximum availability of radio receivers is the aim of NAB's December promotion.

Suggested material consisting of three original scripts and thirty-two announcements was mailed members on November 27.

Because of the anticipated increase in holiday spending, an exceptional opportunity is presented, during December, for attracting listeners' Christmas cash into a station's own circulation system.

BUREAU OF RADIO ADVERTISING RELEASES SUCCESS STORY NO. 2

The NAB Bureau of Radio Advertising has released the second in the series of trade studies entitled "Results from Radio." Vol. 1, No. 2 is on the subject of laundry advertising, and outlines the successful use of radio by the Buffalo General Laundries under the direction of Mr. Gordon Whitbeck, advertising manager. Members who have not ordered their supply of the Bureau studies are urged to do so at once. Order forms have been sent to all non-replying stations for this purpose.

COURT DISMISSES MOTION

Court of Appeals of the District of Columbia on Tuesday denied the motion of the Federal Communications Commission to dismiss the appeal of KSFO, San Francisco.

This is an appeal from a decision of the Commission on October 20, 1938, denying an application for the assignment of the license of the station to the Columbia Broadcasting System of California, Inc.

Headquarters office is seeking information concerning Tom Tannehill. We would appreciate information concerning his present whereabouts.

FCC COMMISSIONERS' FUNCTIONS FOR DECEMBER

The Federal Communications Commission announces that the work, business and functions of the Commission for the month of December have been assigned as follows:

Commissioner Payne—Designated to determine, order, report or otherwise act upon all applications or requests for special temporary standard broadcast authorizations.

Commissioner Case—Designated to hear and determine, order, certify, report or otherwise act upon; (a) except as otherwise ordered by the Commission, all motions, petitions or matters in cases designated for formal hearing, including motions for further hearing, excepting motions and petitions requesting final disposition of a case on its merits, those having the nature of an appeal to the Commission and those requesting change or modification of a final order made by the Commission; *provided*, however, that such matters shall be handled in accordance with the provisions of Sections 1.251 and 1.256, inclusive, of the Commission's Rules of Practice and Procedure; (b) the designation pursuant to the provisions of Sections 1.231 to 1.232 of the Commission's Rules of Practice and Procedure of officers, other than Commissioners, to preside at hearings.

FEDERAL COMMUNICATIONS COMMISSION

FINAL ORDERS

The Federal Communications Commission has announced a final order granting Station KNEL, Brady, Texas, its application to increase hours of operation from

daytime to unlimited on **1500 kilocycles**, 250 watts day, 100 watts night.

In another order the Commission denied the application of the Gateway Broadcasting Company for a construction permit to erect a new station at **Louisville, Kentucky**, to operate on **880 kilocycles**, 500 watts, unlimited time, using a directional antenna.

An amendment to a final order has been adopted by the Commission in the application of F. W. Meyer to erect a new station at **Denver, Colorado**, to operate on **1310 kilocycles**, 100 watts, 250 watts LS, unlimited time, "by adding a paragraph directing the permittee, within two months after the effective date of the order, to file with the Commission an application for modification of construction permit, specifying the exact time transmitter site and antenna system.

FINDING OF FACT

The Commission has announced its proposed finding of fact proposing to grant the application of M. C. Reece for a construction permit for a new station to be erected at **Phoenix, Arizona**, to operate on **1200 kilocycles**, 100 watts night, 250 watts LS, unlimited time.

In its proposed finding of fact, the Commission states that sufficient potential sources of advertising have been shown to exist in Phoenix "from which the applicant may reasonably be expected to derive adequate commercial support to insure the operation of the proposed station in the public interest." The Commission found that the proposed station will not cause objectionable interference from the operation of any station.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following hearing is scheduled before the Commission in a broadcast case for the week beginning Monday, December 4. It is subject to change.

Thursday, December 7

Hearing to Be Held in the Offices of the Federal Communications Commission, 1105 Rives-Strong Bldg., Los Angeles, Calif.
KIEV—Cannon System, Ltd., Glendale, Calif.—Renewal of license, 850 kc., 250 watts, daytime.

FUTURE HEARINGS

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

December 1, 1939

December 14

Oral Argument Before the Commission

Report No. B-80:

KERN—McClatchy Broadcasting Co., Bakersfield, Calif.—C. P., **1380 kc.**, 1 KW, unlimited time. Present assignment: **1370 kc.**, 100 watts, unlimited time.
KOH—The Bee, Inc., Reno, Nev.—C. P., **630 kc.**, 1 KW, unlimited time. Present assignment: **1380 kc.**, 500 watts, unlimited time.

January 9

NEW—L. J. Duncan, Leila A. Duncan, Josephine A. Keith, Effie H. Allen, Aubrey Gay, d/b as Valley Broadcasting Co., West Point, Ga.—C. P., **1310 kc.**, 250 watts, unlimited time.

January 10

NEW—Chilton Radio Corp., Dallas, Tex.—C. P., **1370 kc.**, 250 watts, unlimited time.

NEW—V. O. Stamps, Dallas, Tex.—C. P., **1370 kc.**, 250 watts, unlimited time.

January 15

NEW—Joe W. Engel, Chattanooga, Tenn.—C. P., **1370 kc.**, 250 watts, unlimited time.

NEW—Lookout Mountain Company of Georgia, Lookout Mountain, Ga.—C. P., **1370 kc.**, 100 watts, 250 watts LS, unlimited time.

January 16

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Renewal of license, **1210 kc.**, 100 watts, unlimited time.

January 17

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Renewal of license, **1390 kc.**, 1 KW, daytime.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WMAL—National Broadcasting Co., Inc., Washington, D. C.—Granted construction permit to move transmitter site from 712 Eleventh St., N. W., to District 7, Bethesda, Md.; install new equipment and directional antenna system; and increase power from 250 watts night, 500 watts day, to 5 KW, employing directional antenna system both day and night.
WTAQ—WHBY, Inc., Green Bay, Wis.—Granted construction permit to increase night power from 1 KW to 5 KW, employing directional antenna system.
WSPD—The Firt Industry Company, Toledo, Ohio.—Granted construction permit to install directional antenna system for night operation and increase power from 1 KW to 5 KW.
KLZ—KLZ Broadcasting Company, Denver, Colo.—Granted construction permit to install directional antenna system and increase night power from 1 KW to 5 KW, employing directional antenna for day and night use.
KHSL—Golden Empire Broadcasting Company, Chico, Calif.—Granted construction permit to install new equipment and increase power from 250 watts, unlimited time, to 500 watts night, 1 KW day.
KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Granted voluntary assignment of license from Charles Leo Lintzenich to Fred O. Grimwood. (Station operates on **1290 kc.**, 100 watts power, daytime only.)
WIP—Pennsylvania Broadcasting Co., Inc., Philadelphia, Pa.—Granted amended construction permit to move transmitter site locally, install directional antenna system, new equipment, and increase in power from 1 KW to 5 KW, employing directional antenna both day and night.
KGIR—KGIR, Inc., Butte, Mont.—Granted modification of license to increase night power from 1 KW to 5 KW.

KFDM—Beaumont Broadcasting Corp., Beaumont, Tex.—Granted modification of license to increase night power from 500 watts to 1 KW.

KRKD—Radio Broadcasters, Inc., Los Angeles, Calif.—Granted modification of license to increase night power from 500 watts to 1 KW.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Granted modification of license to increase night power from 1 KW to 5 KW.

KSCJ—Perkins Brothers Company (The Sioux City Journal), Sioux City, Ia.—Granted amended construction permit to install directional antenna system and increase night power from 1 KW to 5 KW, employing directional antenna system for nighttime operation.

KGB—Don Lee Broadcasting System, San Diego, Calif.—Granted amended construction permit to move transmitter site locally, install new equipment and vertical radiator, and increase power from 1 KW to 5 KW. Exact transmitter site and type of antenna to be determined with Commission's approval.

WDRG—WDRG, Inc., Hartford, Conn.—Granted amended construction permit to install directional antenna system and increase night power from 1 KW to 5 KW, employing directional antenna for both day and night use.

WSAI—The Crosley Corp., Cincinnati, Ohio.—Granted amended construction permit to move transmitter site locally, install directional antenna system, and increase night power from 1 KW to 5 KW, employing directional antenna for nighttime operation only.

KVGB—Helen Townsley, Great Bend, Kans.—Granted construction permit to make changes in equipment and increase power from 100 watts to 250 watts, unlimited time.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted modification of construction permit to make changes in equipment and changes in directional antenna system; increase power from 1 KW night to 5 KW night, using directional antenna both day and night; also extension of commencement date to 30 days after grant and completion date to 180 days thereafter.

WHUB—M. L. Medley, Cookeville, Tenn.—Granted modification of construction permit approving studio and transmitter sites, installation of vertical radiator and new equipment, and increase in night power from 100 watts to 250 watts.

WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Granted modification of construction permit approving transmitter site and installation of vertical radiator, changes in equipment and increase in night power from 100 watts to 250 watts.

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—Granted voluntary assignment of license of station WKRC from the Columbia Broadcasting System, Inc., to The Cincinnati Times-Star Company. (Station operates on 550 kc., 1 KW night, 5 KW day, unlimited time, using directional antenna both day and night).

KEX—Oregonian Publishing Co., Portland, Ore.—Granted modification of license to change frequency from 1180 to 1160 kc., and change hours of operation from simultaneous day, shares KOB night, to unlimited time.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted modification of license to change hours of operation from simultaneous day, sharing KEX night, to unlimited time.

DESIGNATED FOR HEARING

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

WTAL—Florida Capitol Broadcasters, Inc., Tallahassee, Fla.—Application for renewal of license for the period from December 1, 1939, to October 1, 1940, designated for hearing, to (1) determine the qualifications of licensee to operate the station; (2) to determine whether Form No. 728, executed by the licensee on August 1, 1938, pursuant to Rule 340.01, and the information submitted by the licensee in response to Sec. 7(d) of the application (executed Nov. 1, 1939) for renewal of station's license for the period beginning Dec. 1, 1939, or either of them truly and accurately reflect the distribution and ownership of the voting stock of the licensee corporation; (3) to determine whether the station's license, the frequency authorized to be used by the licensee, and the rights therein granted were transferred, assigned, or in any

manner disposed of by transfer of the control of licensee corporation in violation of Sec. 310 (b) of the Comm. Act; (4) because of licensee's failure to comply with the provisions of Rule 340.01, Sec. 43.1 of the Comm. Rules and Comm. Order No. 37. A 90 day temporary extension was granted pending hearing.

KTRB—Thomas R. McTammany & William H. Bates, Jr., Modesto, Calif.—Application for construction permit to move transmitter site and install vertical radiator, make changes in equipment and increase power from 250 watts to 1 KW, and time of operation from daytime only, to limited to WSB. Exact transmitter site and type of antenna to be determined with Commission's approval. Application designated for hearing to determine the nature, extent and effect of interference which may be caused to KTRB operating as proposed in this application by KXL operating as is proposed in its pending application; and to determine the nature, extent and effect of interference which may be caused to KXL operating as proposed in its pending application by the operation of KTRB as proposed in this application.

WSAL—Frank M. Stearns, Salisbury, Md.—Designated for hearing the application for renewal of license, and granted a 60-day temporary extension of present license in conformity with, and subject to all the terms and conditions of the separate order of revocation entered October 24, 1939, and, further subject to the final determination of the Commission on said order.

KXL—KXL Broadcasters, Portland, Ore.—Application for construction permit to move transmitter and studio sites locally, from 4th and Pine, and Multnomah Hotel, to 7 miles Southeast of Portland, and 1101 SW Washington, Portland, respectively; install new equipment and directional antenna system; change frequency from 1420 kc. to 740 kc., power from 100 watts night, 250 watts day, to 10 KW, and time of operation from sharing with KBPS to limited, employing directional antenna system for both day and nighttime operation.

RENEWAL OF LICENSES

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

KGFV, Kearney, Neb.; WAIM, Anderson, S. C.; WBBZ, Ponca City, Okla.; WEDC, Chicago; WFAS, White Plains, N. Y.; WGCN, Gulfport, Miss.; WHBC, Canton, Ohio; WJBW, New Orleans; WLNH, Laconia, N. H.; KOCA, Kilgore, Texas; WMFF, Plattsburg, N. Y.; WSIX, Nashville, Tenn.

The following stations were granted renewal of licenses for the period ending August 1, 1940:

KFAC, Los Angeles; KGCX, Wolf Point, Mont.; WHK, Cleveland, Ohio.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—present license further extended upon a temporary basis only, for the period ending January 1, 1940, pending determination upon application for renewal.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Present license extended upon a temporary basis only, for the period ending January 1, 1940, pending determination upon application for renewal.

KFPW—Southwestern Hotel Co., Fort Smith, Ark.—Present license extended upon a temporary basis only, for the period ending January 1, 1940, pending determination upon application for renewal.

WHK—United Broadcasting Co., Cleveland, Ohio.—Present special experimental authorization to transmit facsimile signals from 1 a. m. to 6 a. m., EST, using 1 KW power, was further extended for a period of 1 month, for the period ending January 1, 1940, pending receipt of and determination upon application for extension.

KSUB—Leland M. Perry, Cedar City, Utah.—Extended special temporary authorization to Leland M. Perry, surviving partner of Johnson and Perry, a partnership composed of Harold Johnson and Leland M. Perry, to operate station KSUB for a period of one month from December 1, 1939, to January 1, 1940, upon a temporary basis only, subject to whatever action may be taken upon any formal application for regular authorization that may be submitted with respect to KSUB.

The following Relay Broadcast Stations were granted renewal of licenses for the regular period:

KEHA, area of San Francisco; WEGG, area of Atlanta; WEGI, area of Baltimore; WEGJ, area of Baltimore; WEGZ, area of

New Haven; KEHO, area of Salt Lake City; KEIK, area of Los Angeles; KEIP, area of Siloam Springs, Ark.; WEIU, area of New Orleans; KEHI, area of Fargo, N. Dak.; WELS, area of Tuscola, Ill.; WEND, area of Harrisburg, Pa.

Licenses for the following Relay Broadcast Stations expiring December 1, 1939, were extended upon a temporary basis only, for the period ending January 1, 1940, pending determination upon application for renewal of license:

KEIM, area of Phoenix, Ariz; KEIO, area of Siloam Springs, Ark.; WEKA, area of E. Lansing, Mich.; WEHB, WEHD, WEHF, WEHU, WEHV, WEHX, area of Cleveland, Ohio; WENK, area of Erie City, Pa.; WEKF, area of Paducah, Ky.; WEGQ, area of Boston; WEHA, area of New York City.

WAXG—Florida Capitol Broadcasters, Inc., Area of Tallahassee, Fla.—Present Relay Broadcast Station license further extended on a temporary basis only from December 1, 1939 to January 1, 1940, pending determination upon application for renewal of license.

MISCELLANEOUS

KNET—Palestine Broadcasting Assn., Palestine, Texas.—Granted special temporary authority to operate additional time on November 24, in order to broadcast Palestine High School football game only.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with station WBRB additional time on November 23, in order to broadcast the Thanksgiving Day football game between White Plains High School and Washington High School only.

WABL—Oregonian Publishing Co., Portland, Ore.—Granted special temporary authority to operate a portable MOPA 100-watt transmitter from one hour after local sunrise to one hour prior to local sunset, provided no interference is caused to any other station, on the frequency of 1140 kc., in the vicinity of Portland, for the making of transmitter site tests, during daytime, for period of 10 days beginning November 22.

WABL—American Airlines, Inc., Washington, D. C.—Granted special temporary authority to operate aircraft radio station KHAXF on the frequency 2790 kc., from 12 to 12:30 p. m., CST, on November 24, in order to relay broadcast Santa Claus program to Radio Station WGN.

WJG—Warner & Tangle Radio Service, Memphis, Tenn.—Dismissed petition to intervene in the hearing on the application of WPI.

Richard T. Sampson, Riverside, Cal.—Granted motion for leave to withdraw pending application for new station without prejudice.

WROL—Stuart Broadcasting Corp., Knoxville, Tenn.—Granted motion for continuance of hearing now scheduled for December 4, to a date convenient to the Commission.

WSUN—St. Petersburg Chamber of Commerce, St. Petersburg, Fla.—Granted petition to intervene in the hearing on the application of WROL for C. P. to change frequency and increase power.

Joseph W. Engel, Chattanooga, Tenn.—Granted petition to intervene in the hearing on the application of Lookout Mountain Company of Georgia, for a new station in Lookout Mountain, Ga.

Dixie Broadcasting Corp., Lagrange, Ga.—Granted petition to intervene in the hearing on the application of Valley Broadcasting Co., for a new station at West Point, Ga.

Helen L. Walton & Walter Bellatti, Jacksonville, Ill.—Granted petition to intervene in the hearing on the application of Stephenson, Edge and Korsmeyer, for a new station in Jacksonville, Ill.

Sentinel Broadcasting Corp., Syracuse, N. Y.—Denied petition for rehearing in re applications of Civic Broadcasting Corp., for a new station in Syracuse to operate on 1500 kc., 100 watts, unlimited time, which was granted by the Commission on October 5.

Palm Radio Company, Fort Meyers, Fla.—Denied petition and supplemental petition requesting reconsideration of action taken by the Commission on October 3, in granting without a hearing the application of Fort Meyers Broadcasting Co. for a new station in Fort Meyers, Fla., to operate on frequency 1210 kc., 100 watts night, 250 watts local sunset, unlimited time.

KIEV—Cannon System, Ltd., Glendale, Calif.—Denied petition to reconsider action in designating for hearing the application for renewal of license for KIEV.

WSOC—WSOC, Inc., Charlotte, N. C.—Ordered the Secretary to wire broadcast station WSOC that license will expire December 1st, and no application for renewal or extension has been received.

KERN—McClatchy Broadcasting Co., Bakersfield, Calif.; KOH—The Bee, Inc., Reno, Nevada.—Scheduled for Oral Argument on December 14, 1939, the Commission's Proposed Findings of Fact and Conclusions (B-80) in Docket No. 5435, McClatchy Broadcasting Co., and Docket No. 5490, The Bee, Inc.

WJMC—Walter H. McGenty, Rice Lake, Wis.—Granted special temporary authority to operate from 7:45 p. m. to 9:45 p. m., CST, on November 28, December 22, 1939, in order to broadcast high school basketball games only.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted special temporary authority to rebroadcast program material to be received from U. S. Army Plane Serial #AC38-520 from 1:45 p. m. to 2:15 p. m., PST, on November 26, 1939, for the purpose of promoting flying cadet enlistments.

W2XVT—Allen B. DuMont Laboratories, Inc., Passaic, N. J.—Granted special temporary authority to operate experimental television broadcast station W2XVT from 9:00 a. m. to 6:00 p. m., EST, (provided W2XBS remains silent) for the period beginning November 27, 1939, and ending in no event later than December 9, 1939, in order to permit necessary adjustments for experimentation.

WSLB—St. Lawrence Broadcasting Corp., Ogdensburg, N. Y.—Granted special temporary authority to perform site survey tests in or near Ogdensburg, N. Y., on the frequency 1370 kc., with a portable modified radiotelephone transmitter, having power output not in excess of 50 watts, with unmodulated carrier, for a period not to exceed ten days.

WENK—WLEU Broadcasting Corp., Portable-Mobile (Area of WLEU, Erie, Pa.).—Granted construction permit to install new equipment in high frequency relay broadcast station. Also granted license to cover same.

W3XO—Jansky & Bailey, Washington, D. C.—Granted license to cover construction permit for high frequency broadcast station to use frequency 43200 kc., and an experimental basis conditionally; 1 KW power, unlimited time; station to be located at 1219 Wisconsin Ave., Georgetown.

WMVB—Miami Valley Broadcasting Corp., Portable-Mobile (Area of WHIO, Dayton, Ohio).—Granted license to cover construction permit for new low frequency relay broadcast station; frequencies, 1622, 2058, 2150 and 2790 kc., 18 watts.

W9XAZ—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—Granted modification of construction permit for additional time to Feb. 28, 1940, to complete construction of high frequency broadcast station.

W2XVP—City of New York, Municipal Broadcasting System, New York City.—Granted modification of construction permit of high frequency broadcast station for changes in equipment and extension of completion date to 90 days after date of grant.

WBAN—Bamberger Broadcasting Service, Inc., Newark, N. J. (Portable-Mobile).—Granted modification of license for low frequency relay broadcast station to correct description of equipment and add A-1 emission.

WBAM—Bamberger Broadcasting Service, Inc., Newark, N. J. (Portable-Mobile).—Granted modification of license for low frequency relay broadcast station to correct description of equipment and add A-1 emission.

WBAQ—Bamberger Broadcasting Service, Inc., Newark, N. J. (Portable-Mobile).—Granted modification of license of low frequency relay broadcast station to correct description of equipment.

WBAO—Bamberger Broadcasting Service, Inc., Newark, N. J. (Portable-Mobile).—Granted modification of license of low frequency relay broadcast station to correct description of equipment.

WEGN—Bamberger Broadcasting Service, Inc., Newark, N. J. (Portable-Mobile).—Granted modification of license of high frequency broadcast station to correct description of equipment.

WEGK—Bamberger Broadcasting Service, Inc., Newark, N. J. (Portable-Mobile).—Granted modification of license of high frequency broadcast station to correct description of equipment.

WSOC—WSOC, Incorporated, Charlotte, N. C.—Extended upon a temporary basis only, pending receipt of and determination upon application for renewal of license, the license of Station

WSOC expiring 3 a. m., EST, December 1, 1939, until no later than 3 a. m., EST, February 1, 1940.

Brown Radio Service and Laboratory, Rochester, N. Y. (area of WSAY), Portable-Mobile.—Granted construction permit for low frequency relay broadcast station, frequencies 1646, 2090, 2190 and 2830 kc., 50 watts.

KEIT—Midland Broadcasting Co. (area of KMBC, Kansas City, Mo.), Portable-Mobile.—Granted construction permit to make changes in equipment of high frequency broadcast station.

KAOV—KRIC, Inc. (area of KRIC, Beaumont, Tex.), Portable-Mobile.—Granted license to cover construction permit for new low frequency relay broadcast station; frequencies 1646, 2090, 2190 and 2830 kc., 40 watts.

WBTH—Williamson Broadcasting Corp., Williamson, W. Va.—Granted license to cover construction permit authorizing changes in equipment and increase in power and time of operation from 100 watts daytime to 250 watts, unlimited time.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Granted license to cover construction permit authorizing changes in equipment and increase in power from 100 to 250 watts.

WIOD—WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted license to cover construction permit authorizing changes in equipment.

KAOU—Arizona Broadcasting Co., Inc. (area of KVOA, Tucson, Ariz.), Portable-Mobile.—Granted license to cover construction permit for new high frequency relay broadcast station, frequencies 31220, 35620, 27020 and 39260 kc., 10 watts.

WEJA—National Broadcasting Co., Inc. (area of WJZ and WEAJ, N. Y.), Portable-Mobile.—Granted modification of construction permit to make changes in equipment and increase power to 100 watts in high frequency relay broadcast station.

W8XAD—WHEC, Inc., Rochester, N. Y.—Granted modification of construction permit for specific transmitter site.

WLWA—The Crosley Corp. (Cincinnati, Ohio, area of WLW, WSAI), Portable-Mobile.—Granted modification of license to change frequencies of relay broadcast station to 1622, 2058, 2150, 2790 kc.

WLWB—The Crosley Corp. (Cincinnati, Ohio, area of WLW, WSAI), Portable-Mobile.—Granted modification of license to change frequencies of relay broadcast station to 1606, 2022, 2102, and 2758 kc.

WNOE—WBNO, Inc., New Orleans, La.—Granted modification of license to change name from WBNO, Inc., to WNOE, Inc.

KFJB—Marshall Electric Co., Marshalltown, Ia.—Granted authority to determine operating power by direct measurement of antenna input.

KEIA—Honolulu Broadcasting Co., Ltd. (Honolulu, T. H., area of KGMB), Portable-Mobile.—Granted modification of high frequency relay broadcast station license to change corporate name to Hawaiian Broadcasting System, Ltd.

WJMS—WJMS, Inc., Ironwood, Mich.—Granted authority to determine operating power by direct measurement of antenna input.

KGFW—Central Nebraska Broadcasting Corp., Kearney, Neb.—Granted authority to determine operating power by direct measurement of antenna input.

KWOC—Radio Station KWOC, Poplar Bluff, Mo.—Granted authority to determine operating power by direct measurement of antenna input.

WCCO—Columbia Broadcasting System, Inc., Minneapolis, Minn.—Granted authority to determine operating power by direct measurement of antenna input.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted special temporary authority to operate daytime hours, with 50 KW while taking field intensity data, for a period not to exceed 30 days, during such days as data are actually being taken and balance of operation to be conducted with 1 KW auxiliary transmitter.

APPLICATIONS FILED AT FCC

620 Kilocycles

KTAR—KTAR Broadcasting Co., Phoenix, Ariz.—Construction permit to install new transmitter, directional antenna for day and night use, increase power from 1 to 5 kilowatts, move transmitter from 116 N. Central Ave., Phoenix, Ariz., to 36th St. & Thomas Road, Phoenix, Arizona.

740 Kilocycles

KTRB—Thomas R. McTammany & William H. Bates, Jr., Modesto, Calif.—Modification of license to change time from day to limited to WSB, Atlantic, Ga., 250 watts day and night. Amended: to change to construction permit, move transmitter to site to be determined, Modesto, Cal., antenna to be determined, new transmitter and increase power to 1 kilowatt.

780 Kilocycles

WTAR—WTAR Radio Corp., Norfolk, Va.—Authority to determine operating power by direct measurement of antenna power.

850 Kilocycles

WKAR—Michigan State College, East Lansing, Mich.—Modification of construction permit B2-P-1767, as modified, for increase in power, new transmitter and antenna, move of transmitter, requesting extension of completion date from 11-30-39 to 1-30-40.

860 Kilocycles

WHB—WHB Broadcasting Co., Kansas City, Mo.—Construction permit to install new transmitter and antenna, increase power from 1 to 50 kilowatts, move transmitter from North Kansas City, Mo., to site to be determined, Kansas City, Mo.

900 Kilocycles

NEW—North Jersey Broadcasting Co., Inc., Paterson, N. J.—Construction permit for a new broadcast station to be operated on 900 kc., 1 KW, daytime operation.

940 Kilocycles

WDAY—WDAY, Inc., Fargo, N. Dak.—Construction permit to install directional antenna for day and night use and increase power from 1 KW, 5 KW day, to 5 KW day and night. Amended to request use of directional antenna nighttime only.

990 Kilocycles

WBZ—Westinghouse Electric & Manufacturing Co., Boston, Mass.—Modification of construction permit B1-P-2161 for move of transmitter, and new transmitter and directional antenna for day and night use, further requesting changes in equipment.

1050 Kilocycles

KFBI—Farmers & Bankers Broadcast Corp., Wichita, Kans.—Modification of construction permit B4-P-1865 for new transmitting equipment, requesting approval of antenna and transmitter site at W½ of S½ of NW¼ of Sec. 28, Twp. 26, S. Range 1 East, R.F.D. near Wichita, Kans., and studio at 1st and Market Sts., Wichita, Kans.

1100 Kilocycles

KWKH—International Broadcasting Corporation, Shreveport, La.—Authority to determine operating power by direct measurement of antenna power, for 1100 kc., 50 KW power, unlimited time, as authorized by B3-MSA-50.

KWKH—International Broadcasting Corporation, Shreveport, La.—License to cover modification of special experimental authority, B3-MSA-50, for changes in equipment, increase in power, and move of transmitter.

1170 Kilocycles

NEW—Chester N. Williams, Orinda, Calif.—Construction permit for a new station to be operated on 1170 kc., 1 KW power, limited time.

1180 Kilocycles

KEX—Oregonian Publishing Co., Portland, Oregon.—Modification of license to change frequency from 1180 to 1160 kc., and hours of operation from simultaneous day, shares KOB night, to unlimited.

KEX—Oregonian Publishing Co., Portland, Oregon.—Construction permit to install new transmitter, directional antenna for day and night use, change frequency from 1180 to 1160 kc.,

increase power from 5 to 50 KW, change hours of operation from simultaneous KOB day and shares KOB night, to unlimited, move transmitter from Denver Ave., near Swift Road, North Portland, Oregon, to River Road, near Carver, Oregon.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Modification of license, change time to unlimited, contingent on KEX's application for 1160 kc., B5-ML-910.

1200 Kilocycles

KAAT—Astoria Broadcasting Co., Astoria, Oregon.—Authority to determine operating power by direct measurement of antenna power.

WENY—Elmira Star Gazette, Inc., Elmira, N. Y.—Authority to determine operating power by direct measurement of antenna power.

WFTC—Jonas Weiland, Kinston, N. C.—Authority to determine operating power by direct measurement.

WENY—Elmira Star Gazette, Inc., Elmira, N. Y.—License to cover construction permit B1-P-1461, as modified for a new broadcast station.

1210 Kilocycles

KFVS—Oscar C. Hirsch, trading as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Modification of license to change frequency from 1210 to 1370 kc., and hours of operation from specified hours to unlimited time.

WEBQ—Harrisburg Broadcasting Co., Harrisburg, Ill.—Modification of license to change hours of operation from specified hours to unlimited, requesting facilities of KFVS if KFVS is granted unlimited time on 1370 kc.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Authority to determine operating power by direct measurement of antenna power.

KXOX—Sweetwater Radio, Inc., Sweetwater, Texas.—License to cover construction permit B3-P-2106, as modified for a new station.

KXOX—Sweetwater Radio, Inc., Sweetwater, Texas.—Authority to determine operating power by direct measurement.

NEW—Henry Estes, Austin Dean, & L. H. Christian, d/b as Gainesville Broadcasters, Gainesville, Ga.—Construction permit for a new station to be operated on 1210 kc., 250 watts power, unlimited time.

NEW—T. Frank Smith, Houston, Texas.—Construction permit to erect a new station to be operated on 1210 kc., 250 watts, unlimited time. Amended: To change equipment, and give studio and transmitter sites as site to be determined, Houston, Texas.

KFXM—J. C. Lee & E. W. Lee, Lee Brothers Broadcasting Co., San Bernardino, Calif.—Construction permit to install new transmitter, new antenna and increase power from 100 to 250 watts, move transmitter from 512 Fifth St., San Bernardino, to Colton Ave., San Bernardino, Calif.

1260 Kilocycles

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Construction permit to make changes in antenna and transmitter, increase in power from 1 KW; 5 KW day to 5 KW day and night, move transmitter from Virginia Drive, approximately 3½ miles N. E. of business district of Dayton, Ohio, to rural S. E. of city, near Dayton, Ohio.

1300 Kilocycles

KALE—KALE, Inc., Portland, Ore.—Modification of construction permit B5-P-2344 to increase power, move transmitter, new transmitter, and antenna changes, further requesting changes in equipment and extend completion date 90 days; make changes in antenna.

1310 Kilocycles

NEW—Radio Voice of Springfield, Inc., Springfield, Ohio.—Construction permit for a new station to be operated on 1310 kc., 100 watts power, unlimited time. Amended re corporate structure.

1360 Kilocycles

WCSC—South Carolina Broadcasting Co., Inc., Charleston, S. C.—Authority to determine operating power by direct measurement.

1370 Kilocycles

KTSW—Emporia Broadcasting Co., Inc., Emporia, Kans.—Authority to determine operating power by direct measurement.

KFRO—Voice of Longview, Longview, Tex.—Modification of construction permit B3-P-2117, as modified, for changes in frequency, increase in power, change in hours of operation, install new transmitter and directional antenna, further requesting installation of new transmitter and increase power from 1 to 5 KW. Extend commencement and completion dates 60 and 180 days.

NEW—Helen L. Walton and Walter Bellatti, Jacksonville, Ill.—Construction permit for a new broadcast station on 1370 kc., 250 watts power, unlimited time.

WCNC—Aubrey G. McCabe and Trim W. Aydtlett, d/b as Albemarle Broadcasting Co., Elizabeth City, N. C.—Voluntary assignment of license from Aubrey G. McCabe and Trim W. Aydtlett, d/b as Albemarle Broadcasting Co., to Albemarle Broadcasting Co.

KVGB—Helen Townsley, Great Bend, Kans.—Authority to determine operating power by direct measurement.

WISE—Harold H. Thoms, Asheville, N. C.—Modification of license to increase power from 100 to 250 watts.

1390 Kilocycles

KABR—Aberdeen Broadcast Co., Aberdeen, S. Dak.—Construction permit to install new transmitter, make changes in directional antenna, for night use, and increase power from 500 watts, 1 kilowatt day to 5 kilowatts day and night.

1400 Kilocycles

WLTH—Voice of Brooklyn, Inc., Brooklyn, N. Y.—License to cover Construction permit B1-P-2481, for move of transmitter.

1420 Kilocycles

WPAD—Paducah Broadcasting Co., Inc., Paducah, Ky.—Construction permit for new transmitter.

WAZL—Hazleton Broadcasting Service, Inc., Hazleton, Penna.—Modification of construction permit B2-P-2544, for equipment changes, increase in power, further requesting authority to install new transmitter.

KFAM—The Times Publishing Co., St. Cloud, Minn.—Authority to determine operating power by direct measurement.

1500 Kilocycles

NEW—P. K. Ewing, Kosciusko, Miss.—Construction permit for a new station to be operated on 1500 kc., 100 watts night and 250 watts day power, unlimited time. Amended: Antenna changes and give transmitter site as site to be determined, Kosciusko, Miss.

KUTA—Frank C. Carman, Jack Powers, David G. Smith, and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah.—Modification of construction permit B5-P-2513, for new equipment requesting increase in power from 100 to 250 watts, extend commencement date 30 days after grant and completion date 60 days thereafter.

NEW—South Jersey Broadcasting Corp., Vineland, N. J.—Construction permit for a new broadcast station to be operated on 1500 kc., 250 watts, unlimited time.

NEW—The Delmarva Broadcast Co., Salisbury, Md.—Construction permit for a new broadcast station to be operated on 1500 kc., 250 watts, unlimited time.

MISCELLANEOUS

NEW—WDRC, Incorporated, Meriden, Conn.—Construction permit for a new television broadcast station to be located on Summit of West Peak, Meriden, Connecticut, on 96000-102000 kc., 1 KW power, A-3 and A-5 emission. Amended: To request frequency of 66000-72000 kc.

W8XVB—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—License to cover construction permit B1-PHB-71, for new high frequency broadcast station.

WEHG—Columbia Broadcasting System, Inc., Portable Mobile.—Modification of license to change authorized power from 1.5 watts to 2 watts and make changes in equipment.

NEW—The Crosley Corp., Cincinnati, Ohio.—Construction permit for a new television broadcast station on 44000-50000 kc., 1 KW power, A-3 and A-5 emission, to be located at corner

Wine and Fifth Sts., 48th floor Carew Tower. Amended: To request **50000-56000 ke.**

NEW—Miami Valley Broadcasting Corp., Dayton, Ohio.—Construction permit for a new high frequency station on **42600 ke.**, 1 KW power, unlimited time, special emission. Located near Dayton, Ohio.

KFDA—Amarillo Broadcasting Corporation, Amarillo, Texas.—Authority to determine operating power by direct method.

KEJJ—National Broadcasting Co., Inc., Denver, Colo.—License to cover construction permit B5-PRE-302, for new equipment.

KEJK—National Broadcasting Co., Inc., San Francisco, Calif.—License to cover construction permit B5-PRE-303, for new equipment.

KEJL—National Broadcasting Co., Inc., San Francisco, Calif.—License to cover construction permit B5-PRE-304, for new equipment.

NEW—Henry Joseph Walczak, Springfield, Mass.—Construction permit for new television broadcast station located at 360 Worthing St., Springfield, Mass., to be operated on **1550 ke.**, 250 watts, unlimited time, special emission. Amended: To request frequency of **1650 ke.**

NEW—Boston Edison Co., Boston, Mass.—Construction permit for a new high frequency broadcast station located at 1165 Massachusetts Ave., Boston, Mass., frequency **42800 ke.**, special emission, 250 watts power. Amended: To request frequency of **43,200 ke.**

NEW—Howitt-Wood Radio Co., Inc., Binghamton, N. Y.—Construction permit for a new high frequency broadcast station, on **42600 ke.**, 1 KW power, special emission, located at Cleveland & Stokes St., Binghamton, N. Y.

WEMA—Westinghouse Electric & Mfg. Co., Portable-Mobile.—Modification of license to increase power to 50 watts.

WEMB—Westinghouse Electric & Manufacturing Co., Mobile.—Modification of license to increase power to 50 watts.

WEMN—Westinghouse Electric & Manufacturing Co., Mobile.—Modification of license to increase power to 50 watts.

WEMO—Westinghouse Electric & Manufacturing Co., Portable-Mobile.—Modification of license to increase power to 50 watts.

WLWO—The Crosley Corp., Mason, Ohio.—Modification of license to operate unlimited time on **17800 ke.** in addition to present licensed frequencies.

WEJN—National Broadcasting Co., Inc., New York, N. Y.—License to cover C. P. B1-PRE-306 for new equipment.

WEJW—National Broadcasting Co., Inc., New York, N. Y.—License to cover construction permit B1-PRE-308, for new equipment.

WEJQ—National Broadcasting Co., Inc., Cleveland, Ohio.—License to cover construction permit B2-PRE-307, equipment changes.

NEW—Zenith Radio Corp., Chicago, Ill.—Construction permit for a new high frequency station located at 6001 Dickens Ave., Chicago, Ill., to be operated on **42800 ke.**, 5 KW power, special emission. Amended: To request 1 KW power and equipment changes.

WEOC—South Carolina Broadcasting Co., Inc., area of Charleston, S. C.—License to cover construction permit B3-PRE-249, as modified, for a new high frequency relay broadcast station.

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.

Celotex Corporation—A complaint has been issued charging The Celotex Corporation, Chicago, with violation of Section 7 of the Clayton Act through its acquisition of the capital stock of Certain-teed Products Corporation, New York, a competitor.

The complaint alleges that about January 1, 1938, The Celotex Corporation acquired from the Phoenix Securities Corporation 9,946 shares of the outstanding preferred stock and 109,360 shares of the outstanding common stock of the Certain-teed Products Corporation, and as consideration therefor, issued 43,744 shares of its own common stock and paid approximately \$569,760 in cash. About March 1, 1939, the complaint alleges, The Celotex Corporation acquired from the General Investment Corporation and others approximately 40,000 additional shares of Certain-teed common stock for approximately \$550,000 in cash and securities.

Acquisition by Celotex of Certain-teed's capital stock allegedly had the effect of substantially lessening competition in interstate commerce between the two companies; of restraining interstate commerce in the sale of structural insulation and acoustical material, including fiber and gypsum products, in certain parts of the country, and of tending to create a monopoly in The Celotex Corporation in the sale of such products. (3957)

Certain-Teed Products Corporation—See Celotex Corporation.

Jasper W. Efrid—Charging violation of the brokerage section of the Robinson-Patman Act, a complaint has been issued against Jasper W. Efrid, 200 West 34th St., New York, and 38 southern retail store companies of which he is a stockholder and director and by each of which he is employed as vice president to act as purchasing agent. Twenty-eight of the companies have stores in North Carolina, nine in South Carolina, and one in Virginia.

Operating from his New York office, which is listed as J. W. Efrid, Efrid Department Stores, Efrid takes care of the purchasing requirements of the 38 store companies. It is alleged that sellers of such merchandise pay to Efrid brokerage fees amounting to a percentage of the sales prices agreed upon between themselves on the one hand and the 38 buyers, through their agent, Efrid, on the other, and that no services are rendered the sellers by Efrid.

The brokerage fees received by Efrid allegedly are used by him as an officer and employee of the various store companies in the payment of rent, salaries, wages, traveling expenses and other maintenance costs of their New York office and for other purposes solely for the benefit of these buyers.

The respondent Efrid store companies are located in Charlotte (two companies), Wilmington, Raleigh, Winston-Salem, Salisbury, Durham, High Point, Gastonia, Lumberton, Rocky Mount, Goldsboro, Monroe, Lexington, Burlington, Wilson, Shelby, Statesville, Forest City, Albemarle, Lenoir, Laurinburg, Lincolnton, Greensboro, Kannapolis, Hickory, Kinston, and Greenville, N. C., and Columbia, Anderson, Greenville, Spartanburg, Greenwood, Rock Hill, Sumter, Greer, and Chester, S. C., and Danville, Va. (3955)

Levin Bros.—Complaints have been issued against Levin Bros., Terre Haute, Ind., and H & D Sales Company, Knoxville, Tenn., charging the use of lottery practices in connection with the sale of merchandise to ultimate consumers.

The complaint against Max, Morris L. and Isaac P. Levin, trading as Levin Bros., is in two counts, the first charging the respondents with the distribution and sale of assortments of knives, watches, candy and other merchandise along with punch boards involving a lot or chance feature to consumers. The second count charges the sale and distribution by respondents of push cards and punch boards involving lottery features in the sale of merchandise.

Respondents thus supply to persons, firms and corporations, the complaint alleges, instrumentalities for engaging in unfair methods of competition and unfair acts and practices in commerce in violation of the Federal Trade Commission Act.

H & D Sales Company, 320 North Gay St., Knoxville, Tenn., and Nathan J. Hubbard and Arthur Easton Davis, individually and as officers of the corporation, are charged with the sale and distribution of merchandise so packed and assembled as to involve the use of games of chance, gift enterprises or lottery schemes when sold and distributed to ultimate consumers. (3954-3956)

W. H. Maze Company, Peru, Illinois, manufacturer and distributor of roofing nails, is charged in a complaint with misrepresentation in the sale of its products.

In advertisements in periodicals and other publications, the respondent represented that "Maze Anchor Lead Heads hold two to four times better—conclusive tests prove it."

The complaint alleges that the respondent's "Lead Head Anchor Shank Nails" do not have two nor four times the holding power, under normal conditions, of other nails ordinarily used for roofing. (3953)

Charles H. Phillips Chemical Company, New York, has been served with a complaint alleging misleading representations in the sale of "Phillips' Milk of Magnesia Cleansing Cream" and "Phillips' Milk of Magnesia Texture Cream."

The respondent corporation allegedly advertised that "if your skin seems 'acid,' if it has lost its fresh tone, smooth firm texture . . . then try the beauty-giving action of these milk of magnesia creams on your skin!" . . . "Help overcome 'acid' skin. You know how milk of magnesia taken internally relieves excess acidity of the stomach. In just the same way these new type milk of magnesia creams act externally on the excess fatty acid accumulations on the skin, and help to overcome unsightly faults and aid in beautifying."

It is alleged that the respondent's use of the phrase "Milk of Magnesia" in the name of its products has a tendency to mislead buyers because milk of magnesia has no therapeutic value in treating the conditions for which the respondent recommends it such as "acid skin," skin blemishes, enlarged pores or excess fatty acid accumulations, and will neither penetrate nor cleanse the pores nor improve the texture of the skin.

Skin blemishes are not caused by "acid skin"; in fact, there is no disease or abnormal pathological condition known as "acid skin," according to the complaint. The quantity of fatty acid on the normal skin is very small, the complaint continues, and neither the use of one nor of both the respondent's preparations will neutralize it in the same way that milk of magnesia neutralizes excess acid in the stomach, or so as to accomplish the results represented. (3959)

H & D Sales Company—See Levin Bros.

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

American Clinical Laboratories, Inc., Official Research Bureau of New York, Inc., Federal Research Corporation, and Shelley Braverman, an individual, all of 149-50 Roosevelt Ave., New York, have been ordered to cease and desist from misrepresentations in the sale and distribution of "Retardo," a medicinal preparation advertised as a safe remedy for the treatment of excess weight.

The Commission finds that Shelley Braverman owns the majority of the stock in American Clinical Laboratories, Inc., and Federal Research Corporation, and owns all the stock of Official Research Bureau of New York, Inc., and directs and controls their sales activities and policies.

American Clinical Laboratories, Inc., is found to have represented in newspapers and periodicals and in radio continuities, among other things, that "Retardo" is "absolutely free of all harmful ingredients," and is "the newest discovery for the reduction of excess weight," and Federal Research Corporation to have represented that it "contains no dangerous drugs," when according to the findings, the product is not an effective or reliable treatment for losing weight, and contains a substantial amount of boric acid, which is harmful when taken in the amounts and over the period of time directed by the respondents.

American Clinical Laboratories, Inc., Federal Research Corporation, and Shelley Braverman, are ordered to cease and desist from representing that the use of "Retardo" is a safe, competent, effective or reliable method for losing weight, and that use of the preparation will reduce weight without dieting or exercise. These respondents are also directed to cease representing, through their failure to reveal that the preparation is not wholly safe for use in self medication, that it contains no harmful or dangerous drugs, and that its use will have no ill effects upon the body.

The order further requires the American Clinical Laboratories, Inc., Official Research Bureau of New York, Inc., and Braverman to cease representing, through use of the terms "Approved by the Official Research Bureau of New York" or "Seal of Approval, Official Research Bureau of New York," or through use of the

corporate name "Official Research Bureau of New York, Inc.," to designate or refer to the preparation, that it has been approved by any research bureau having an official connection with the city or State of New York, or has been approved by any municipal, State or governmental agency or bureau whatsoever. (3415)

Benson Speciality Company—Robert H. Benson and Emma Benson, trading as Benson Specialty Company, 251 Plymouth Building, Minneapolis, and engaged in the sale and distribution of specialty merchandise, have been ordered to cease and desist from misrepresentation of the value of coupons and certificates used in the sale and distribution of their merchandise, and of prices at which their products are offered for sale.

Among such typical representations in newspapers and periodicals, the findings state, are: "SPECIAL. This certificate and 59¢ entitles the bearer to one of our genuine indestructible \$3.00 vacuum filler sackless fountain pens. Introductory offer. This pen will be \$3.00 after sale. Limit 3 pens to each customer." . . . "This coupon is worth \$3.02. This coupon and \$1.98 entitles the bearer to one of our regular \$5.00 Electro Heat Kwick hot water disc as above described. LIMITED SUPPLY AT INTRODUCTORY PRICE. Through special arrangement with the manufacturer we are able to offer for 2 days only a special advertising discount of \$3.02 on each Electro Heat Kwick nationally advertised at \$5.00. Note—due to limited supply only one to each coupon."

In truth and in fact, the findings continue, the prices represented by the respondents as the customary retail prices of the products are fictitious and greatly in excess of the prices at which the articles customarily are offered for sale and sold, and the respondents are not conducting an introductory or special offer, and the certificates or coupons referred to in advertisements do not have the values therein specified or any value whatever, as the prices charged by the respondents in addition to the certificates or coupons are the regular prices at which the products are sold in the usual course of business.

The respondents are ordered to cease and desist from representing as the customary or regular prices of their products, prices and values which are in fact fictitious and in excess of prices at which such products are customarily offered for sale, and from representing that any articles of merchandise regularly sold in connection with the use of any purported certificate or similar device, have any value in excess of the actual money price required to be paid, or that any coupon or similar device has any monetary value in the purchase of an article which is regularly sold by the respondents with or without such coupon or similar device at the price required to be paid. (3795)

Federal Research Corp.—American Clinical Laboratories, Inc.

Grey Advertising Agency, Inc.—Waldes Koh-I-Noor, Inc.

Official Research Bureau of New York, Inc.—American Clinical Laboratories, Inc.

Perma-Maid Company, Inc., Cincinnati, selling agent and distributor of stainless steel cooking utensils, has been ordered to cease and desist from unfair disparagement of the products of competitors.

The Perma-Maid Company and its officers, representatives, agents and employees, are ordered to cease representing that food prepared or kept in aluminum utensils is detrimental to the health of the user thereof; that the preparation of food in aluminum utensils causes the formation of poisons, and that the consumption of food prepared or kept in aluminum utensils will cause ulcers, cancers, cancerous growths and various other ailments, afflictions and diseases. (3268)

Waldes Koh-I-Noor, Inc., 47-52 Twenty-seventh St., Long Island City, New York, manufacturer and distributor of fastening devices for men's and women's apparel, and The Grey Advertising Agency, Inc., 128 West 31st St., New York, have been ordered to cease and desist from misrepresentations in the distribution and sale of ladies' handbags.

The Commission finds that the Waldes Koh-I-Noor company manufactures devices such as snap fasteners, snap buckles, hook and eye and slide fasteners. One of its manufactured devices is

a slide fastener or zipper designated "Kover-Zip." As a means of promoting sales of its products, the findings continue, the Koh-I-Noor company causes ladies' handbags, including certain of its fastener products to be manufactured.

During the spring and fall of 1936, respondents engaged in an advertisement and sales promotional program of ladies' handbags and purses equipped with "Kover-Zips." Plans for the campaign, the findings continue, were laid out and executed by The Grey Advertising Agency, for Walde Koh-I-Noor company, and were financed by the latter company. In connection therewith respondents purchased, in France, a number of ladies' handbags designed and manufactured by various couturiers. Only one bag of each particular design was purchased. Prices paid in France for the articles ranged from \$11.38 to \$22.75, at the rate of exchange when purchased. Customs duties, consular fees, packing, delivery and other charges increased the cost of the delivered articles in this country to sums ranging from \$15.86 to \$31.21 per handbag.

The handbags were then distributed among certain handbag manufacturers in the United States for copying as to design and style, for production in commercial quantities to sell at prices ranging from \$2.95 to \$3.50.

Pursuant to the sales promotional program, the Commission finds, respondents caused 24 of the imported French-made bags to be illustrated in page advertisements appearing in issues of a magazine having a wide circulation throughout. The advertisements represented the retail prices of the imported handbags to be from \$35 to \$95.

The purpose of the magazine advertisements, the findings continue, was to create a price basis and promotional background for subsequent advertising and sale of the Walde Koh-I-Noor company's American-made copies of the French-made handbags, and not to induce the purchase of the original handbags. The originals illustrated were not, in fact, offered for sale to retailers or in regular selling channels at prices ranging from \$35 to \$95. Imported handbags of the same quality, style, design and material as the handbags purchased in France by respondents and illustrated in the advertisements, when offered for sale in the United States, the findings continue, do not command prices of more than about half the value represented in the advertisements.

Findings of the Commission are that the ladies' handbags offered for sale and sold by respondents were copies of French-made handbags in style and design only. In matters of ornament, materials and workmanship, respondent's handbags were substantially lower in quality and value than the French-made handbags. The offering for sale of such handbags represented to be "authentic copies," "identical copies," "identical facsimiles" or "exact reproductions," the findings point out, has the tendency to mislead and deceive members of the buying public, and the acts and practices of the respondents are to the injury of the public and respondent Walde Koh-I-Noor company's competitors, and constitute unfair methods of competition.

Respondents are ordered to cease and desist from representing or inducing others to represent that any imported French-made ladies' handbags have been regularly offered for sale at a retail price at which the same have not been or are not regularly offered for sale; from representing that any imported handbag has a value which such handbag does not have; from representing that any domestic-made handbags are "copies," "reproductions" or "facsimiles" of imported handbags, unless such domestic-made handbags are true copies in all particulars, inclusive of design, style, material, ornament and workmanship, comparable and equal in quality to the imported handbags of which the domestic-made handbags are copies. It is further ordered that respondents cease and desist from distributing any advertising material which contains any of the aforesaid representations for use in connection with the promotion of the sale of any such article. (3269)

STIPULATIONS

The Commission has entered into the following stipulations:

Alliance Ribbon & Carbon Mfg. Company—Earl Herstam, trading as Alliance Ribbon and Carbon Manufacturing Company, 970 North 8th St., Philadelphia, in the sale of typewriter ribbons and carbon paper, will cease employing the word "Manufacturing" as part of his trade name or the words "Factory, New York", on letterheads or trade literature, when in fact he does not own or control a factory in which the articles he sells are made. Herstam also agreed to discontinue use of any feigned or fictitious designa-

tion like "Distributor" as descriptive of his business status, with a tendency to mislead buyers into believing that he is a duly appointed agent of some concern other than himself for the marketing of its merchandise, when such is not a fact. (2586)

Morris N. Beitman, 3727 West Thirteenth St., Chicago, according to his stipulation, compiles pamphlets containing technical reading matter prepared from material which he in part furnishes and which in part is taken from catalogs of manufacturers of various devices used in the air conditioning field. In the sale of his pamphlets, Beitman agrees to cease using the words "complete course" in a manner tending to convey the impression that they constitute a complete course in the technical science of air conditioning, heating or ventilating. Among other representations to be discontinued are: that the pamphlets were prepared by Beitman for the Chicago Technical Society and that "It's no trick to obtain work in air conditioning, the field with more jobs than available trained men." (2578)

Blue Ribbon Hatchery, Inc., New Knoxville, Ohio, is in the chick hatchery business, selling hatching eggs and also chicks incubated at its place of business from eggs purchased from poultry farmers. Under its stipulation, the respondent company agrees to desist from advertising or representing that its hatching eggs are from flocks that have been either culled or blood tested or otherwise treated for any disease, when such is not a fact, or when only a portion of the flocks supplying the eggs have been so treated or tested during the current season. The respondent also agrees to discontinue employing any disease control term such as "blood tested" in advertising in such a manner as to have the effect of misleading buyers into believing that officially approved methods have been used in making these tests, when such is not a fact. (2577)

Boyer Chemical Laboratory Company, 2700 Wabash Ave., Chicago, agrees to cease advertising generally or without proper qualification, that "Boyer's Zinc Soot Destroyer" turns up the soot in chimneys or that by use of this substance the chimney soot turns into a light, white, powdery ash, or that a chimney is made clean or given a perfect draft, or that the product may be relied upon to prevent chimney fires. The respondent also agrees to discontinue representing itself as "Exclusive Licensed Manufacturers". The stipulation points out that while a soot remover like the respondent's may reduce soot in a furnace and flue pipe, its efficacy does not usually extend to the chimney, and there is always a danger of the burning soot emitted from a chimney falling on inflammable materials. The respondent's product, according to the stipulation, is composed of zinc filings, a standard commodity on which there is no patent or exclusive right to manufacture. (2592)

Curtis A. Davis, 123 West Avenue 30, Los Angeles, Cal., agrees to cease advertising that "Jane Cook's Wonder Tissue Creme" will furnish nourishment to the tissues or cells or increase the size of the bust, or that a flat chest is due to a lack of nourishment in the tissue cells of the chest, or to the fact that in a case of flat chest the cells are shrunken or collapsed. The respondent agreed to cease representing that the product heretofore designated "Jane Cook's Wonder Tissue Creme" is in fact a "tissue" cream, either by inclusion of that word in the name for the product, or otherwise. (02462)

Dawe's Products Company, Inc., Chicago, Ill., manufactures products for use as ingredients in compounding poultry and other live stock feed and sells such preparations under the names "Vitamelk", "Dawe's Vitamelk", "D. V. Base", "Vitamelk Base", and "Vitamelk Concentrate". The respondent corporation agrees to cease representing that "Vitamelk" is nutritionally correct or that its use will achieve higher egg production, faster growth, earlier maturity, higher hatchability and reproduction, strong and bigger chicks, longer life of layers and breeders, improvement in quality of milk and flavor of meat, lower mortality, and other accomplishments, unless, in direct connection with each and every such representation, it is clearly stated that the benefits claimed will obtain only when there is a deficiency or sub-optimal supply of vitamins or other constituents of the product in the feed or ration ordinarily provided such poultry or animals. Among other representations

to be discontinued are that the respondent's product is scientifically balanced and united, and not merely mixed, or that it is a compound, and that "Vitamelt" is the one or only source offering vitamins in liberal amounts or rare minerals in necessary amounts. The respondent company also stipulates that it will not use the words "Guarantee" or "Guaranteed" in connection with the advertisement or sale of its products, unless clear and unequivocal disclosure is made of exactly what is offered by way of security, for example, refund of purchase price. (2581)

Great Lakes Optical Company—Harry Greenberg, sole trader as Great Lakes Optical Company, 160 North LaSalle St., Chicago, stipulates that he will cease representing that any optical goods bought and sold by him at a profit are available to the purchaser at "factory-to-you prices", or that such goods are delivered directly from "factory Great Lakes Optical Company", when there is no such factory. The respondent will also desist from misleading uses of the words "guaranteed" or "certified", and will cease misrepresenting the gold content of merchandise. (2591)

Hudson Bay Down Quilt Company, Inc., 330 South Wells St., Chicago, a corporation controlled by Isadore Buchman, agrees, in the sale and distribution of quilts or comforts and pillows, to desist from the use in its advertising, or from permitting the use by its salesmen or agents, of any fictitious figure purporting to be the regular sales price of its product, and to discontinue any representation that an offered price is an "Off-Season", "Special", "Introductory", or "Half" price, when such are not the facts. The corporation also agrees to cease employing the words "Satin" or "Taffeta", so as to imply that fabrics are composed of silk, when such is not a fact, and, if such words are used properly to describe the type of weave or construction of a rayon fabric, to immediately accompany them by the word "Rayon" in equally conspicuous type, indicating clearly that the product is rayon, as for example, "Rayon Satin" or "Rayon Taffeta". The corporation will also cease use of the words "Clairanese" or "Celanese", either alone or in connection with the words "Satin" or "Taffeta" as descriptive of rayon products, unless the term "Rayon" is set forth as part of and in immediate connection with such words and with equal conspicuousness. The corporation will also desist from representing quilt sizes which are not the true sizes of the finished product, and from use of the words "Hudson Bay", to imply that it has any connection with Hudson's Bay Company of Canada, or that it is selling the products of Hudson's Bay Company. (2583)

Kenton Pharmacal Company, 423-425 Greenup St., Covington, Ky., will discontinue advertising that the preparation now designated "A. M. Solution" is competent in treating ring worm, impetigo, eczema, insect bites or other skin irritations, unless the claim is limited to relief of itching and discomfort; that it is adequate for treating any condition of athlete's foot or similar ring worm condition, when such condition is refractory, that is, after the fungus has burrowed into the skin; and that years of research have been devoted to experiments with combinations of drugs to arrive at the formula of "A. M. Solution." (02463)

Lectrolite Corporation, Defiance, Ohio, manufacturer of wrenches and other tools, agrees to desist from advertising, branding or stamping tools, wrenches or other steel products as "chrome vanadium steel" or "chrome vanadium," when they do not actually meet the standard specifications entitling them to be properly so designated. (2584)

Piepgas Light Company—S. Piepgas, sole trader as Piepgas Light Company, Tinley Park, Ill., distributor of lamps, lanterns and heaters, agrees to cease describing his "No. 18 Giant" gasoline lantern as a 300-candlepower light, when such is not a fact, or representing that such a lantern makes a chicken coop or other enclosure "light as daylight," or that such lamp is equal to 20 ordinary lamps, unless competent scientific tests support the latter claim. The respondent also agrees to discontinue misleading uses of the word "guaranteed." (2589)

Repeat Sales Company—Martin L. Bechtold and David Ginsberg, trading as Repeat Sales Company, 722 Fifteenth St., Denver, Colo., have agreed to cease the sale and distribution of sales pro-

motion cards so designed that their use by retail merchants constitutes the operation of a lottery, game of chance or gift enterprise. (2585)

Samarkand Rugs, Inc., 300 Fifth Ave., New York, importer of cotton rugs, agrees to abandon the unqualified designations "Oriental Replica," "Oriental Reproduction," "Chinese Replica," or "Chinese Reproduction" for rugs which are not actually Oriental or Chinese replicas or reproductions. The words "Oriental" or "Chinese" are not to be used in connection with rugs which do not contain all the inherent qualities of Oriental or Chinese rugs, unless, where properly used to describe the design or pattern, they are accompanied in conspicuous type by other words indicating that only the form delineated on the surface of the rugs is a likeness of an Oriental or Chinese type, as, for example, "Oriental Design" or "Oriental Pattern." (2593)

Samuel Schlossman & Sons, Inc., 41st St. & 6th Ave., New York, in the sale and distribution of furniture from its New York retail stores, stipulates that it will discontinue representing such products as being "Custom Made" or "Custom Grade," unless they are made on specific order of customers, and will cease advertising furniture as being made of "Mellow Maple," "Modern Walnut," "Inlaid Walnut," "Burl Walnut," "Rosewood" or other wood of recognized quality, when such is not a fact. The respondent agrees to cease representing gumwood as being a high quality wood or advertising or selling imitations of high quality woods without full disclosure of the simulation. (2588)

Standard Brief Case Company, 41 West 25th St., New York, agrees to discontinue use of the expression "Nu Leather" as a trade name, stamp or label for such of its products as are not composed of leather or hide, and to cease employing the statement "Will not crack—will not scuff—will not peel—is waterproof," in connection with products which are not proof against cracking, scuffing, peeling or water. The respondent also agrees to desist from use of the words "Genuine Cowhide" to imply that certain of its products are composed of leather made from the top or grain cut or layer of the cowhide. If they are composed of leather made from an inner or fresh cut of the hide, the word "Cowhide" if used as descriptive thereof, is to be immediately accompanied by language in conspicuous type indicating clearly that the products are not made of the top or grain cut or layer of the hide, according to the stipulation. (2582)

Sterling Cake Company, Inc., 62 Schenectady Ave., Brooklyn, agrees to desist from the use of the Seal of Holland in connection with the sale of its cookies and cakes, in any manner to imply to purchasers that the products are imported from Holland, and from use of the word "Holland" in connection with the word "Damstagg," to imply to purchasers that a product is imported from Holland, when such is not the fact. The corporation agrees that if its products are the same type as a commodity produced in Holland and the words "Holland Style" are used as descriptive thereof, then the words "Holland Style" shall be accompanied by other words in type equally conspicuous to indicate clearly that the products are of domestic origin. The respondent also stipulates that it will desist from representing on cartons or in any other manner whatsoever that the products are home-made, when such is not the fact. (2579)

Oscar E. Swenson Company—Oscar E. Swenson and Harry R. Leahy, formerly trading as Oscar E. Swenson Company, 279 Washington Ave., Brooklyn, in the manufacture of a preparation for treating silk stockings, agree to desist from use of the term "Pre-Vent-A-Run" as a trade name or designation for the product, the effect of which usage may tend to convey the impression that employment of the treatment will do away with runs in silk hosiery, when in fact it would not achieve this result. (2590)

Whiting-Mead Company, 2260 East Vernon Ave., Los Angeles, owner of the registered trade name "Wonder Tile Company," and manufacturer of "Wonder-Tile" and other building materials, will discontinue representing by use of the words "Wonder-Tile" or "tile" that its products are "tile" as that word is understood

in the building trade and by the public, unless, in immediate conjunction with the words "Wonder-Tile" or "tile," there appear in equally conspicuous type other words designating the material or substance of which the products are made, such as "wood tile," "glass tile," "rubber tile," "asbestos tile," "copper tile," "cork tile," or "metal tile." (2587)

W. W. Von Todenwarth Company—W. W. Von Todenwarth, trading as W. W. Von Todenwarth Company, Tampa, Fla., in the sale of the medicine "Recto-Nol," agrees that he will discontinue representing it as a cure for piles; as eliminating all the suffering caused by piles, or the necessity of an operation; or as a new scientific or complete treatment the results of which are guaranteed. (02464)

FTC DISMISSES CASES

The Federal Trade Commission has closed its case in which International Radio Corporation, 559 Williams St., Ann Arbor, Mich.; Wieboldt Stores, Inc., 106 South Ashland Blvd., Chicago, and Davega-City Radio, Inc., 76 Ninth Ave., New York, were charged with misrepresentation in the sale of radio sets.

The three respondent companies have agreed to discontinue the unfair practices charged in the complaint and to accept and abide by the rules of fair trade practice for the radio receiving set manu-

facturing industry as promulgated by the Commission July 22, 1939.

The case was closed without prejudice to the Commission's right to reopen it, should future acts so warrant.

The Commission has also dismissed a complaint charging James S. Sutton, Inc., 717 Fifth Ave., New York, and James S. Sutton, individually, operators of linen shops, with violation of the Federal Trade Commission Act in the sale of their products.

A complaint has also been dismissed charging Schenley Distillers Corporation, New York, a holding company controlling subsidiary liquor companies in various parts of the country, with violation of Section 7 of the Clayton Act through purchase of the capital stock of the Bernheim Distilling Company, Louisville, Ky., a competitor.

The dismissal order recites that subsequent to the issuance of the complaint but prior to taking testimony, Bernheim Distilling Company, a Delaware corporation, transferred all of its assets to Schenley Distillers Corporation, which in turn transferred them to another subsidiary, the George T. Stagg Company, Frankfort, Ky., and Bernheim Distilling Company, the Delaware corporation, was dissolved.

The Commission has also dismissed a complaint charging James T. Jarrell, trading as Standard Business Training Institute, Genesee Building, Buffalo, with use of unfair methods of competition in the interstate sale of a correspondence course of instruction intended to prepare students for positions as traffic inspectors or checkers for transportation companies.