

1940 DISTRICT MEETINGS

District 3	Camden, New Jersey	Walt Whitman Hotel	January 4, 1940
District 5	Alabama } — Columbus, Ga.	Waverley Hotel	January 18, 1940
	Georgia }		
	Florida — Orlando, Fla.	Fort Catlin Hotel	January 19, 1940
District 6	New Orleans, La.	Roosevelt Hotel	January 3, 1940
District 13	Dallas, Texas	Baker Hotel	January 5, 1940
District 15	San Francisco, Calif.	Palace Hotel	January 10, 1940
District 16	Los Angeles, Calif.	Ambassador Hotel	January 9, 1940
District 17	{ Oregon — Portland	New Heathman Hotel	January 12, 1940
	{ Washington — Seattle		January 13, 1940

Radio and the New Year

From every standpoint American broadcasting has had its greatest year.

Its service to church, to school and to home has never been more needed, nor better conceived. It has promoted tolerance and understanding; stressed the need for cooperative living in a world elsewhere torn apart by racial and religious intolerance.

It has kept its listeners abreast of every important development at home and abroad, instantly and fairly. It has cooperated with the press to make the American people what President Roosevelt has described as "the best informed people in the world".

Its contributions to the economic and social life of the nation have increased. It has kept commerce moving; it has developed new markets and widened old ones. Its wage scale is the highest in American industry. And it has helped to fill the pay envelopes of every American worker by creating and renewing demand for products of industry and the farm.

Its economic base has been fortified. It has enjoyed an expansion of business in the past year and faces a New Year of still further expansion. Yet competitive activity within the industry has never been more vigorous or as varied: competition for listeners, competition for business, keynote of the American System of Broadcasting.

Its audience has multiplied in the past year. Practically every family in the United States save the impoverished owns a radio, unquestionably the largest single audience of listeners ever assembled in history. The number of radios in use throughout the nation has now reached the astounding total of some 45,000,000.

It has embarked upon a democratic plan of voluntary self-regulation and has earned a

Neville Miller, *President* Edwin M. Spence, *Secretary-Treasurer*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*; Andrew W. Bennett, *Special Copyright Counsel*

RADIO AND THE NEW YEAR

(Continued from page 3919)

greater degree of public confidence thereby. It has proven it can itself shoulder its social obligations in a manner responsive to public taste and changing conditions.

In the past year the industry has set about a definite plan of defense to withstand the assaults of outside raiding parties who periodically swoop down seeking plunder. The industry has stated its position in the past that it is prepared to do business in a business-like way and upon economic grounds, but it no longer will continue to be victim to the whims of monopoly and pistol-point pressure. As we go into the New Year it reiterates its position, this time through the stronger voice of an aroused and a united industry.

In extending my New Year's greeting, let me congratulate each and every one in each and every station whose combined work and energy continues to make American radio preeminently the finest broadcasting service in the world.

Neville Miller

Broadcast Music, Inc.

Neville Miller next week will start his second long trip in behalf of Broadcast Music, Inc. The trip will carry him from New Orleans to Portland, Ore., starting with a District 6 meeting at the Roosevelt Hotel in New Orleans next Wednesday, January 3. On Friday he will meet with District 13 broadcasters at the Baker Hotel in Dallas, Tex. From there he will go to the West Coast.

Again the NAB emphasizes the importance of attending these meetings. Only through support of Broadcast Music, Inc., will the industry be able to shake off the chains of a music monopoly. Members should see that non-members in their area attend. Unanimous support is needed.

December 29, 1939

RADIO IN 1940 CENSUS

The NAB has kept in current contact with the Bureau of the Census since June 1938, in an effort to keep before that body the need for the inclusion of radio questions in the 1940 Census. At the last session of Congress a bill was passed providing for a Census of Housing. The Bureau of the Census has prepared its Housing Schedule and the radio question is included on the form.

The exact question is as follows, "Is there a radio in this dwelling unit? Yes — No —". The appropriation needed for conducting the Housing Census will probably be up for Congressional approval in the first Deficiency Bill. However there is every assurance that the \$8,000,000 needed will be appropriated.

The inclusion of the radio question in the Housing Schedule has resulted in the elimination of a radio question from the Agricultural Schedule although the Agricultural Census Advisory Committee was favorably disposed to the suggestion of expanding the radio question to determine the number of radios on each farm and the number of automobiles equipped with radio receivers.

On December 13 a conference of those interested in the inclusion of radio questions in the Census met in the office of John H. Payne, Chief, Electrical Division, Bureau of Foreign and Domestic Commerce. As a result of this conference the letter to Dr. William L. Austin, Director of the Bureau of the Census which follows, was prepared.

It will be noted that the question of auto radio equipment was not referred to. The reason is that the Housing and Population Censuses do not include questions on automobile ownership and obviously the question of auto radio ownership could not be logically included. The letter to Dr. Austin, signed by Mr. Payne follows:

"December 14, 1939

Dr. William L. Austin
 Director, Bureau of the Census
 Department of Commerce
 Washington, D. C.

DEAR DR. AUSTIN:

At a conference held in the offices of the Bureau of Foreign and Domestic Commerce on Wednesday, December 13, 1939, representatives of the government and of the radio industry considered appropriate questions which it is hoped may be included in the Housing Schedule of the Bureau of the Census. The conference was attended by representatives of the following:

Department of State
 Bureau of Foreign and Domestic Commerce
 Federal Communications Commission
 U. S. Office of Education
 Federal Radio Education Committee
 National Association of Broadcasters
 Radio Manufacturers Association

In view of the social significance of radio as a medium of mass communication for national and international cultural development, for national defense, and for purposes of regulation, it was unanimously agreed that—

1. The Bureau of the Census be commended for including Question 22 under Section V of the Housing Schedule which now reads, "Is there a radio in this dwelling unit?"

If the Bureau of the Census feels that it must restrict the inquiry to the above questions, we recommend the instructions be amended to read as follows:

Instructions—Item 22

- Enter "yes" if there is a usable radio in this dwelling unit (include any set out of repair not exceeding six months). When there is no usable radio set in this dwelling unit, enter "no". Except for trailers used as dwelling units, no account shall be taken of radio sets installed in automobiles.
2. The conferees are unanimously agreed that if the radio questions must be limited to one, it should preferably be worded as follows: "How many usable radio sets are in this dwelling unit?"—with only one square instead of two for the answer, and with instructions to the Census enumerators as follows:

Instructions—Item 22 (revised)

- Enter in the square provided for answer the number of usable radio sets in the dwelling unit (include any set out of repair not exceeding six months). Except for trailers used as dwelling units, no account shall be taken of the number of radio sets installed in automobiles. Should there be no usable radio set in this dwelling unit, enter "0" in the square provided for answering this question.
3. The conferees are further unanimously agreed that, in view of the great social significance attending the reception of foreign broadcasts, it is highly desirable to add the following question: "Is a radio set in this dwelling unit usable for listening *directly* to international short wave broadcasts?" Yes — No — with instructions to Census enumerators as follows:

Instructions

"... Listening *directly* to international short wave broadcasts" refers to reception directly from Asia, Africa, Europe, or South America, which is heard through the medium of short waves. If these broadcasts are heard only through local United States stations, the answer should be "no".

While the conferees strongly recommend the above procedure and are submitting this letter as a matter of information, it is the intention that the appropriate heads of the various agencies mentioned above will write to you directly, expressing their views regarding this recommendation.

The agencies represented hold themselves in readiness for conference with you or those in your Bureau whom you may delegate to consider this subject.

Sincerely yours,

JOHN H. PAYNE,
for the Conferees
(Chief, Electrical Division)

In addition to Mr. Payne's communication, Dr. Austin received the following from Neville Miller:

December 22, 1939

Dr. William L. Austin, Director
Bureau of the Census
Department of Commerce
Washington, D. C.

DEAR DR. AUSTIN:

With regard to the communication you received from John H. Payne under date of December 14th reporting conference of those parties interested in the inclusion of radio questions in the 1940 Census, I would like to call to your attention some significant facts on the subject.

Mr. Payne mentioned that the Department of State, Bureau of Foreign and Domestic Commerce, the Federal Communications Commission, the United States Office of Education, the Federal Radio Education Committee, the Radio Manufacturers Association and our own Association, came together in unanimous accord on the points covered in the letter. In addition to those mentioned, the Chief Signal Officer of the United States Army is likewise concerned. Although he was unable to attend the conference on December 13th, I am informed he will communicate with you directly.

The interests of the above mentioned parties must be obvious to you. However, I would like to restate the position of the National Association of Broadcasters in the matter.

INDEX

	Page
1940 District Meetings.....	3919
Radio and the New Year.....	3919
Broadcast Music, Inc.....	3920
Radio in 1940 Census.....	3920
"Radio's Riches".....	3921
44,000,000 Sets.....	3922
Pittsburgh "Radio Christmas".....	3922
High Frequency Hearing.....	3922
FTC Reports on Ads.....	3923
Television Rules Hearing.....	3923

As you know, broadcasting in the United States is a commercial enterprise in that the cost of broadcasting is paid for from advertising revenue. But radio broadcasting is more than a commercial enterprise. Radio is charged by Federal statute to operate "in public interest, convenience and necessity".

What is the "public interest, convenience and necessity" of our 130,000,000 fellow citizens? Certainly it differs as between those who live in rural areas and those who live in urban America. Again, it is divided up into different and interchangeable conditions of life, socially, educationally, religiously, politically and economically.

The broadcasting industry has interpreted that specification in law to mean that it must render a social service to the public. The social problem of broadcasting arises out of the fact that radio cuts across barriers of time and distance and society, and reaches all people at the same time.

In order intelligently to operate the broadcasting industry "in public interest, convenience and necessity" it is essential that we know the facilities for listening, which is the number and distribution of radio sets. We are requesting that you make a Census count of the number of radio sets located in homes in your 1940 Census in accordance with the suggestions in Mr. John H. Payne's communication of December 14th.

Sincerely yours,

NEVILLE MILLER

Although no reply has been received from Dr. Austin, it is understood that the Census Bureau will not act favorably on these recommendations but will retain the single radio question, "Is there a radio in this dwelling unit?".

FUTURE RADIO FAMILY ESTIMATES

NAB is undertaking to devise a plan whereby yearly estimates of the number of radio families by state and county can be made. It is also hoped that these estimates can be expanded to include all radio receivers—extra sets in homes, auto radios, receivers in institutions and in places of business and that some permanent arrangement can be made to develop this basic information in its most usable form to the NAB membership.

"Radio's Riches" Commended
Throughout Country

From east, west, north and south member stations have expressed approval of "Radio's Riches", the industry's 1940 best seller.

Harry R. Spence, KXRO, Aberdeen, Wash., said it all in two sentences when he wrote: "‘Radio’s Riches’ is one of the finest public relations mailing pieces I have ever seen. You have done a bang-up job and are certainly to be congratulated”.

Despite the fact that Mr. Spence takes in a lot of territory, "Radio’s Riches" was carefully thought out. It is intended to meet conditions of 1940 and it is sincerely believed that its wide distribution will benefit every radio station.

In making up your mailing list, make sure that a copy of "Radio’s Riches" is sent to every leader of thought in your community, to the officers and members of the various clubs, civic groups, PTA and other educational groups as well as to business leaders, owners and officers of business establishments.

Your sample copy with prices was mailed during the Christmas rush and was probably delayed because it was sent fourth class. But everything should be in your hands by this time. As soon as convenient may we have your requirements?

FORTY-FOUR MILLION SETS

The quality of present day radio programs and remarkably efficient new radio sets combined to make things easier for Santa Claus this past Christmas.

After making his rounds he brought the total of active receivers in the United States to approximately 44 million according to Paul Peter, NAB director of research.

Newspapers are keenly cognizant of the forward strides made by the radio industry this year. On December 17, the Bridgeport, Conn., Post published a ten inch editorial under the caption, "Radio". Said the Post in part:

"One of the surprising developments of the current season, and yet one which probably is not particularly attracting public attention is the number and variety of radios which are now being offered in retail stores . . . Radios are engaging the public’s attention perhaps more than ever before, because, with surprising few exceptions, they are remarkably efficient.

"The quality of programs now being offered also has a great deal to do with it.

"This year, Santa Claus should have no trouble at all, so far as radios are concerned."

The net result of the NAB Radio Christmas promotion is to have helped establish the broadcasting industry in its strongest position thus far in its history. Circulation is at an all time high.

PITTSBURGH "RADIO CHRISTMAS" GOES OVER WITH A BANG

Right now "Grant 1630" is Pittsburgh’s most famous telephone number.

It was planned that way by KDKA, KQV, WJAS,

and WWSW, The Pittsburgh Post-Gazette, and the Radio Servicemen Association. From more than a thousand homes that number was called to announce the gift of more than twelve hundred radio sets, to be rehabilitated by the Servicemen, and distributed at Christmas time by the Federation of Social Agencies.

W. B. McGill, KDKA’s director of promotion, gave most of his time for a couple of weeks to Pittsburgh’s Christmas promotion.

"It is the general feeling among radio men participating," he said, "that the plan has unusual merit and advantages to all branches of the radio industry locally.

"We feel, first, that it gives us a fraternal spirit of good neighborliness; second, that it has tremendous potentialities for building good will with the public; third, that it solidifies and improves our contact all around."

Santa’s Radio Workshop, where all radio sets were repaired, was located in the lobby of the Grant Building, one of Pittsburgh’s finest office buildings. In the beginning four unemployed radio servicemen worked on an eight hour shift. This was later increased to a double shift with many hours of overtime for additional men. Pay roll expenses were met with funds secured from radio jobbers and distributors by the servicemen. In addition they secured large contributions of necessary parts from parts distributors, and they personally donated one thousand radio tubes.

Special events exploited Santa’s Radio Workshop such as the personal appearance of the radio personalities who sang Christmas carols. An interview with Santa Claus himself from the lobby workshop was broadcast over a special four station hookup.

KDKA, on December 14, devoted its half hour "Pittsburgh Speaks" program to the idea. A team of RSA men competed with a team from WWSW, KQV, WJAS, and the Pittsburgh Post-Gazette in a quiz program, the questions of which were slanted to bring out salient bits of information pertaining to Radio Christmas. Other similar programs on other stations were broadcast.

HIGH FREQUENCY HEARING

Details of the informal hearing to be held at the Federal Communications Commission February 28 in the matter of aural broadcasting on frequencies above 25,000 kilocycles just became available at the Commission this week as follows:

Notice is hereby given of the informal hearing before the Commission en banc to be held at the office of the Commission, Washington, D. C., beginning at 10 a. m., February 28, 1940, for the purpose of determining:

- (1) Whether aural broadcasting on the frequencies above 25,000 kc. has reached such a stage of development that it is acceptable for rendering regular as distinguished from experimental broadcast service to the public;
- (2) The relative merits of frequency modulation and amplitude modulation when employed for aural broadcasting on frequencies above 25,000 kc.;

- (3) The relative merits of wide band and narrow band frequency modulation when employed for aural broadcasting on frequencies above 25,000 kc.;
- (4) Whether it is possible to allocate sufficient frequencies to accommodate stations employing frequency modulation (narrow or wide band) to provide a satisfactory program service in the United States when considered in the light of the frequency needs of other services, including television, Government, aviation, police, common carrier, amateur, etc.;
- (5) Whether it is possible to allocate sufficient frequencies to accommodate stations employing amplitude modulation to provide a satisfactory program service in the United States when considered in the light of the frequency needs of other services, including television, Government, aviation, police, common carrier, amateur, etc.;
- (6) Whether it would be practicable for the Commission to authorize both amplitude and frequency modulation for aural broadcasting stations operating on frequencies above 25,000 kc., or whether the Commission should recognize but one of these forms of modulation for such stations;
- (7) The possible future effects of ultra high frequency broadcasting upon standard broadcasting on the band 550-1600 kc.;
- (8) Whether existing allocations of frequencies above 25,000 kc. to particular services shall be modified to provide frequencies for aural broadcasting;
- (9) The existing patent situation respecting frequency modulation and amplitude modulation for aural broadcasting stations operating on frequencies above 25,000 kc.

The Commission desires to expedite consideration of the foregoing matters as much as possible so that policies may be formulated for the future licensing of applicants in the aural broadcast field utilizing frequencies above 25,000 kc. However, it is to be noted that no individual applications will be considered at the hearing.

The Commission considers that technical developments in the use of ultra high frequencies for aural broadcasting are sufficient to require consideration of the numerous questions involved, and persons appearing at the hearing should submit data obtained from actual tests and operations and thereby avoid speculative testimony as much as possible. If for the purpose of obtaining additional data for presentation at the hearing, operation not permissible under the outstanding authorization is necessary, then requests for special authorization to carry out such tests will receive the Commission's prompt attention.

Should any party desire to expand the matters herein listed for consideration, application should be made to the Commission for such purpose as soon as possible and not later than February 1, 1940.

Except with the permission of the Chairman, cross examination of each witness will be limited to questions by Commissioners or members of the Commission's technical and legal staffs.

Persons or organizations desiring to appear and testify will notify the Commission of such intention on or before February 1, 1940. In such notification the number of witnesses that will appear, the topic each will discuss and the time expected to be occupied by each witness should be stated. This information is necessary in order to more effectively organize the hearing.

If it is intended to submit written statements, drawings, etc., in connection with the testimony to be given, it is required that ten copies of the same be submitted to the Commission on or before February 23, 1940.

The Commission directed that this notice be published in the Federal Register.

Dated at Washington, D. C., December 27, 1939.

FEDERAL COMMUNICATIONS COMMISSION.

T. J. SLOWIE,
Secretary.

FEDERAL TRADE COMMISSION REPORTS ON BROADCAST ADVERTISING

False and misleading advertising matter as published in newspapers, magazines, catalogues, and almanacs and as broadcast over the radio is surveyed and scrutinized by the Federal Trade Commission's Radio and Periodical

Division. Discussing the radio phase in its annual report just made public the Commission says:

Radio advertising.—The Commission, in its systematic review of advertising copy broadcast over the radio, issues calls to individual radio stations, generally at the rate of 4 times yearly for each station. However, the frequency of calls to individual broadcasters is varied from time to time, dependent principally upon transmittal power, the service radius or area of specific stations, and the advertising record of certain types of stations, as disclosed in analyses of previous advertising reviews.

National and regional networks respond on a continuous weekly basis, submitting copies of commercial continuities for all programs wherein linked hook-ups are used involving two or more affiliated or member stations.

Producers of electrical transcription recordings submit monthly returns of typed copies of the commercial portions of all recordings produced by them for radio broadcast. This material is supplemented by periodical reports from individual stations listing the programs of recorded commercial transcriptions and other essential data.

The combined radio material received furnishes representative and specific information on the character of current broadcast advertising which is proving of great value in the efforts to prevent false and misleading representations.

During the fiscal year ended June 30, 1939, the Commission received 626,293 copies of commercial radio broadcast continuities, amounting to 1,384,448 pages of typewritten script. These comprised 860,908 pages of individual station script and 523,540 pages of network script.

The staff read and marked 643,796 commercial radio broadcast continuities, amounting to 1,384,353 pages of typewritten script. These comprised 492,540 pages of network script and 891,813 pages of individual station script. An average of 4,539 pages of radio script were read each working day. From this material 29,143 commercial broadcasts were marked for further study as containing representations that might be false or misleading. The 29,143 questioned commercial continuities provided current specimens for check with existing advertising cases as to their compliance with actions, stipulations, and orders of the Commission, in addition to forming the bases for prospective cases which may not have previously been set aside for investigation.

Cooperation of radio and publishing industries.—In general, the Commission has received the helpful cooperation of nationwide and regional networks, and transcription producers, in addition to that of some 616 active commercial radio stations, 457 newspaper publishers, and 533 publishers of magazines and farm journals, and has observed an interested desire on the part of such broadcasters and publishers to aid in the elimination of false, misleading, and deceptive advertising.

Source of Radio and Periodical Division's cases.—Examination of current newspaper, magazine, radio, and direct mail order house advertising, in the manner described, has provided the basis for 75 percent of the cases handled by the Commission through its Radio and Periodical Division during the fiscal year ended June 30, 1939. Information received from other sources or referred from other divisions of the Commission, and from other Government agencies, formed the basis of the remainder of this work.

HEARING ON TELEVISION RULES

The FCC has adopted, with minor modifications, the rules recommended in the Second Report of the Television Committee, made public in November.

The Commission set the matter of the proposed rules down for public hearing at the office of the Commission at 10 a. m., Monday, January 15.

All interested parties desiring to be heard should give proper notice to the Commission not later than January 10. Each party is requested to cite the specific rules or other specific recommendations of the Committee to which exception will be taken, and list the witnesses desiring to be heard, and estimate the amount of time desired for such participation.

The rules:

Part 4. Visual Broadcast Service

Sec.

4.61 Defined

Television Broadcast Stations

4.71 Defined

4.72 Licensing requirements, necessary showing

4.73 Operation

4.74 Frequency assignment

4.75 Power

4.76 Supplemental report with renewal application

Facsimile Broadcast Stations

4.91 Defined

4.92 Licensing requirements

4.93 Charges prohibited; restrictions

4.94 Frequency assignment

4.95 Power

4.96 Supplemental report with renewal application

Sec. 4.61. *Defined.* The term "visual broadcast service" means a service rendered by stations broadcasting images for general public reception. There are two general classes of stations recognized in the visual broadcast service, namely; television broadcast stations and facsimile broadcast stations.

Sec. 4.71. *Defined.* The term "television broadcast station" means a station licensed for the transmission of transient visual images of moving or fixed objects for simultaneous reception and reproduction by the general public. The transmission of the synchronized sound (aural broadcast) is considered an essential phase of television broadcast and one license will authorize both visual and aural broadcast as herein set forth.

(a) There shall be two types of experimental television stations, namely, "Experimental Research Stations" and "Experimental Program Stations" which shall be known as Class I and Class II stations, respectively.

Sec. 4.72. *Licensing requirements, necessary showing.*

(a) A license for a television Class I station will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of research and experimentation in the technical phases of television broadcasting, not requiring a service directly to the public, which indicates reasonable promise of substantial contribution to the development of the television art.
2. That the program of research and experimentation will be conducted by qualified personnel.
3. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program.
4. That the public interest, convenience and/or necessity will be served through the operation of the proposed station.

(b) A license for a Class II station will be issued only after a satisfactory showing has been made in regard to the following, among others:

1. That the applicant has a program of experimentation in the television broadcast service including scheduled programs which indicates reasonable promise of substantial contribution to the advancement of television broadcasting as a service to the public.
2. That the program of experimentation will be conducted by qualified personnel.
- * 3. That a minimum scheduled program service of five hours per week will be maintained throughout the license period.
4. That program material is available and will be utilized by the applicant in rendering broadcast service to the public.
5. That the applicant will install and operate adequate transmitting and studio equipment to render a satisfactory service to the public within the designated service area and with the television transmission standards recognized by the Commission for Class II television stations.
- **6. That the operation with respect to fidelity of transmission, spurious omissions, carrier noise, safety provisions, etc., will

* This provision modified Section 4.4 as it applies to Class II television broadcast stations.

be in accordance with the standards of good engineering practice applicable to television broadcasting stations in all phases not otherwise specifically included in these regulations.

7. That operation as proposed by the application will not result in objectionable interference to any other Class II station as determined by the standards of allocation applicable to television broadcast stations.
8. That the applicant is legally and financially qualified and possesses adequate technical facilities to carry forward the program.
9. That the public interest, convenience and/or necessity will be served through the operation of the proposed station.

Sec. 4.73. *Operation:* Class I and Class II stations: Charges:

(a) No charges either direct or indirect shall be made for either the production or transmission of either aural or visual programs by Class I television stations;

(b) No charges either direct or indirect shall be made for the transmission of either aural or visual programs by Class II television stations; however, Class II television broadcast stations may make charges to cover cost of program production, including advertising material, which programs may be transmitted as an experimental program service but without charge for such transmission;

(c) Quarterly reports shall be made to the Commission by Class II television broadcast stations of the charges and costs as well as of other pertinent information which may be of assistance to the Commission in evaluating the economic feasibility of television broadcasting as a regular service to the public on a commercial basis.

(d) The offering by any person of the facilities of any television broadcast station on a regular commercial basis is prohibited. The limited commercialization permitted under subsection (b) above shall not take precedence over the experimental service, but shall in fact be subordinated to it.

Class I Stations: Scope of Experimentation, Limitations and Restrictions:

(e) Class I stations shall operate to conduct research and experimentation for the development of the television broadcast art in its technical phases but shall not operate to render regularly scheduled broadcast service to the public.

(f) Class I stations will not be required to adhere to the television transmission standards recognized by the Commission for Class II television stations.

(g) No Class I station shall operate when interference would be caused by such operation to the regularly scheduled broadcast service of a Class II station.

Class II Stations: Scope of Experimentation; Service Requirements:

(h) Class II stations shall operate to render scheduled television broadcast service for public consumption, and in connection therewith may carry out experiments with respect to program technique, determine power and antenna requirements for satisfactory broadcast service and perform all research and experimentation necessary for the advancement of television broadcasting as a service to the public.

(i) Class II stations shall operate in accordance with the television transmission standards (scanning, synchronization, etc.) which the Commission recognizes for this class of station. The Commission will recognize a modification in these standards upon a showing by the applicant proposing the changes that it will be in the public interest to require all Class II stations to adopt the proposed changes.

(j) Class II stations shall make all equipment changes necessary for rendering the external transmitter performance required by the Commission.

(k) Class II stations shall maintain a minimum scheduled program service of five hours per week throughout the license period. (The Commission may modify this minimum schedule in accordance with the showing on the merits in individual cases.)

(l) In case of failure of a Class II station to render its minimum of scheduled program service per week, the renewal of the license therefor may be refused unless it be shown that the failure of program service was due to causes beyond the control of the licensee.

** The specifications for operation deemed necessary to meet the requirements of good engineering practice as applied to television stations will be published from time to time. These specifications will be altered as the art progresses and upon a showing being made that such changes are desirable in the public interest.

Sec. 4.74. *Frequency assignment.* (a) The following groups of channels are allocated for assignment to television broadcast stations licensed experimentally:

Group A

Channel #1	44,000- 50,000 kc.
2	50,000- 56,000
3	66,000- 72,000
4	78,000- 84,000
5	84,000- 90,000
6	96,000-102,000
7	102,000-108,000

Group B

Channel #8	156,000-162,000 kc.
9	162,000-168,000 ¹
10	180,000-186,000
11	186,000-192,000
12	204,000-210,000
13	210,000-216,000 ¹
14	234,000-240,000
15	240,000-246,000
16	258,000-264,000
17	264,000-270,000 ¹
18	282,000-288,000
19	288,000-294,000

Group C

Any 6000 kc. band above 300,000 kc.
excluding band 400,000 to 401,000 kc.

(b) Each Class II television broadcast station will be assigned only one channel from Groups A or B. Class I television stations may be assigned one or more channels as the program of experimentation requires. Both aural and visual carriers with side bands for modulation are authorized but no emission shall result outside the authorized channel. The assignment of a channel to a Class II television broadcast station does not preclude the use of that channel by Class I stations although the Class II television station has priority for the use of the channel for scheduled program service.

(c) Groups B and C may be assigned to television stations to serve auxiliary purposes such as television relay stations and developmental mobile service. No mobile or portable station will be licensed for the purpose of transmitting television programs to the public directly.

(d) The assignment of frequency channels in Group (A) for Class II television broadcast stations will be limited as follows:*

Cities whose metropolitan districts exceed 1,000,000 population	3 channels
Cities whose metropolitan districts are not less than 500,000 population or more than 1,000,000 population	2 channels
Cities whose metropolitan districts are less than 500,000 population	1 channel

(e) A license for only one Class II television station on a channel in Group A will be granted to a person to serve in whole or substantial part the same service area.

(f) No Class II television broadcast station will be assigned a channel in Group A for time sharing operation unless it is shown that the service proposed can not be rendered on a channel in Group B.

Sec. 4.75. *Power.*

(a) The operating power of a Class I station shall not be in excess of that necessary to carry forward the program of research.

(b) The operating power of a Class II station shall not be in excess of that necessary to provide adequate service to the service area designated for the station.

Sec. 4.76. *Supplemental report with renewal application.*

A supplemental report shall be filed with and made a part of each application for renewal of license and shall include comprehensive reports on the following:

(a) *For Class I Television Broadcast Stations.*

1. Number of hours operated.
2. Full data on research and experimentation conducted.
3. Conclusions, tentative and final.
4. Program for further developments of the television broadcast service.
5. All developments and major changes in equipment.
6. Any other pertinent developments.

(b) *For Class II Television Broadcast Stations.*

1. Number of hours operated during which programs were transmitted classified as studio performances, special events (with appropriate description), films, etc.
2. Studio equipment used and any developments made during the license period.
3. Progress made in the advancement of television broadcasting as a service to the public.
4. Itemized financial data on cost of operation during the license period.
5. Field intensity measurements and visual and aural observation to determine the service area of the station (required for first report only and whenever changes are made which would tend to cause a change in the service area.)

FEDERAL COMMUNICATIONS COMMISSION

FINAL ORDERS

The Federal Communications Commission has adopted a final order granting the application of WJBO, **Baton Rouge, La.**, to increase its power to 1000 watts, unlimited time. No exceptions were filed when the proposed findings of fact and conclusions were issued by the Commission.

The Commission has also granted the application of WAPO, **Chattanooga, Tennessee**, to change the station's assignment from **1420 kilocycles**, 100 watts night and 250 watts day, until LS, unlimited time, to **1120 kilocycles**, 500 watts night and 1000 watts day, unlimited time, employing a directional antenna at night.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following hearings are scheduled before the Commission in broadcast cases for the week beginning Monday, January 1. They are subject to change.

Wednesday, January 3

Further Hearing

NEW—Burlington Broadcasting Co., Burlington, Iowa.—C. P., **1310 kc.**, 100 watts, unlimited time.

NEW—Clinton Broadcasting Corp., Clinton, Iowa.—C. P., **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

Further Hearing Before Commissioner Thad H. Brown.

WSAL—Frank M. Stearns, Salisbury, Md.—In re: Revocation of Station License of WSAL.

¹ See Secs. 4.4(c) and 4.154(a).

* This limitation upon the use of the channels for metropolitan districts having different populations can be departed from, providing the applicant shows that no other metropolitan district would be restricted to fewer channels than provided for by the table.

FUTURE HEARINGS

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

February 5

NEW—Springfield Radio Service, Inc., Springfield, Ohio.—C. P., 780 kc., 250 watts, daytime.

February 26

NEW—William F. Huffman, Wisconsin Rapids, Wisc.—C. P., 1310 kc., 100 watts, 250 watts LS, unlimited time.

FEDERAL COMMUNICATIONS COMMISSION ACTION

RENEWAL OF LICENSES

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

KBIX, Muskegon, Okla.; KEEN, Seattle; KFRO, Longview, Texas; KGIW, Alamosa, Colo.; KNOW, Austin, Texas; KPAB, Laredo, Texas; WAGF, Dothan, Ala.; WBLK, Clarksburg, W. Va.; WCBM, Baltimore, Md.; WPAR, Parkersburg, W. Va.; WHMA, Anniston, Ala.; WKBV, Richmond, Ind.; WMIN, St. Paul, Minn.; WPRR, Mayaguez, P. R.; WTMV, E. St. Louis, Ill.

Licenses for the following stations were extended upon a temporary basis only, for a period of one month from January 1 to February 1, 1940, pending determination upon application for renewal:

KGFI, Brownsville, Texas; KRE, Berkeley, Cal.; KTEM, Temple, Texas; WKAT, Miami Beach, Fla.; WMSD, Muscle Shoals City, Ala.; WPRP, Ponce, P. R.; WSVS, Buffalo, N. Y.; WTCM, Ocala, Fla.

WTOL—The Community Broadcasting Co., Toledo, Ohio.—Present license further extended on a temporary basis only, for a period of one month, from January 1 to February 1, 1940, pending determination upon application for renewal.

WGIL—Galesburg Broadcasting Co., Galesburg, Ill.—Present license extended upon a temporary basis only, for the period January 1 to March 1, 1940, pending receipt of and determination upon application for renewal.

MISCELLANEOUS

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Denied special temporary authority to operate from local sunset (December 5:00 p. m., EST), on December 24, 1939, to 2:00 a. m., EST, on December 25, 1939, and from local sunset on December 31, 1939, to 1:00 a. m., EST, on January 1, 1940, in order to broadcast programs as described in letter dated December 5, 1939.

WJJD—WJJD, Inc., Chicago, Ill.—Denied special temporary authority to operate from 8:00 p. m. to 9:30 p. m., CST, on January 6, 8, 13, 15, 20 and 27, 1940, in order to broadcast basketball games only.

WEAU—Central Broadcasting Co., Eau Claire, Wisc.—Granted special temporary authority to operate from 11:15 p. m., CST, December 24, 1939 to 2:00 a. m., CST, December 25, 1939, in order to broadcast the Christmas Eve services of the St. Patrick's Cathedral of Eau Claire.

WNYC—City of New York Municipal Broadcasting System, New York City.—Granted special temporary authority to operate from 8:00 p. m. to 11:00 p. m., EST, Wednesday, December 20, 1939, in order to broadcast emergency program for Finnish Relief.

W3XAD—RCA Manufacturing Co., Inc., New York, N. Y.—Granted special temporary authority to operate transmitter of television broadcast (experimental) station W3XAD on television bands 18 and 19 frequency 282 and 294 mc., for the period December 20, 1939, to not later than January 16, 1940.

KFDY—So. Dak. State College, Brookings, S. Dak.—Granted special temporary authority to remain silent on December 25 and January 1, in order to observe holidays.

WDMJ—The Lake Superior Broadcasting Co., Marquette, Mich.—Granted special temporary authority to operate from 1:30 to 4:30 p. m., CST, on December 25, in order to broadcast special Christmas program.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted special temporary authority to operate from 9 to 11 a. m., 1 to 3 p. m. and 8 to 10 p. m., EST, on December 25 and January 1, in order to broadcast holiday programs (provided WOSU remains silent).

The Commission granted the application of the Midland National Life Insurance Company, Watertown, South Dakota, for a construction permit to erect a new station to operate on the frequency 1210 kc., with 250 watts power, unlimited time.

WLOK—The Fort Industry Co., Lima, Ohio.—Granted special temporary authority to operate from 7:30 p. m. to 8:30 p. m., EST, on December 22, 1939, in order to broadcast the mass singing of Christmas Carols in the Lima Public Square.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.; and WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—Issued subpoena and subpoenas to appear and produce papers in re applications for renewal of licenses scheduled to be heard on January 16 and 17, 1940. (Docket Nos. 5430 and 5788.)

WBNS—WBNS, Inc., Columbus, Ohio.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Sec. 3.54, for both main and auxiliary transmitters, with certain additional power specifications.

WCLS—WCLS, Inc., Joliet, Ill.—Granted authority to determine operating power by direct measurement of antenna input in compliance with terms of Sec. 3.54, with certain additional power specifications. Also granted license to cover construction permit for change in equipment and antenna, and move of transmitter; 1310 kc., 100 watts, specified hours.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authority to operate from 2 to 3 p. m., CST, January 2, 3, 4, 9, 10, 11, 16, 17, 30 and 31, 1940, and from 3 to 3:30 p. m., CST, January 15, 22 and 29, 1940, in order to broadcast special educational programs (provided station KGGF remains silent).

KGGF—Hugh J. Powell, Coffeyville, Kans.—Granted special temporary authority to operate from 7:15 to 9:15 p. m., CST, January 18, 23 and 25, 1940, and from 8:15 to 9:15 p. m., CST, on January 24, 1940, so that WNAD may remain silent during final examinations (provided WNAD remains silent).

KWEW—W. E. Whitmore, Hobbs, N. Mex.—Granted special temporary authority to operate simultaneously with station KBST from 8 p. m. to 9 p. m., MST, on December 28, 1939, in order to broadcast a speech of Governor John E. Miles.

KPAC—Port Arthur College, Port Arthur, Tex.—Granted special temporary authority to operate from 11 p. m., December 24, 1939, to 1 a. m., December 25, 1939, CST, with power of 100 watts, in order to broadcast a Christmas Eve Carol Program direct from the Methodist Church.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted special temporary authority to operate with power of 5000 watts from 12 midnight to 1 a. m. on the morning of December 25, 1939, in order to bring the services of the Sacred Heart Catholic Church to regular daytime audience.

KGEK—Elmer G. Beehler, Sterling, Colo.—Granted special temporary authority to operate from 1:30 p. m. to 5 p. m., MST, December 25, 1939, in order to broadcast the extra Christmas program.

Joe W. Engel, Chattanooga, Tenn.—Granted petition for order to take depositions in re application for new station to operate on 1370 kc., 250 watts, unlimited time.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Granted petition to accept amendment to application for construction permit to change night power to 5 KW; applicant also desires change in frequency from 1350 kc. to 630 kc., operating with 5 KW LS, unlimited time.

Chilton Radio Corp., Dallas, Tex.—Granted petition to accept amendment to allow application to remain on hearing docket, requesting reduction in power from 250 watts to 100 watts on frequency 1370 kc., unlimited time.

Valley Broadcasting Co., West Point, Ga.—Granted authority to take depositions in re application for a new station to operate on **1310 kc.**, 250 watts, unlimited time, a hearing on which is scheduled for February 12, 1940.

Lookout Mountain Co. of Georgia, Lookout Mountain, Ga.—Granted petition to intervene in the hearing in re the application of Joe W. Engel for a new station in Chattanooga, Tenn., to operate on **1370 kc.**, 250 watts, unlimited time; denied petition insofar as it requests continuance of hearing on Engel application now scheduled for January 15, 1940.

Lookout Mountain Co. of Georgia, Lookout Mountain, Ga.—Granted petition to accept amendment to application for construction permit to request 250 watts instead of 100 watts night, 250 watts local sunset, operating on **1370 kc.**; and change transmitter from near Roseville to near Chattanooga.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Adopted final order (No. B-82), effective December 23, 1939, granting the application for construction permit to increase power from 500 watts to 1 KW, unlimited time; frequency **1120 kc.** (Docket No. 4908).

WAPO—W. A. Patterson, Chattanooga, Tenn.—Adopted final order (No. B-82), effective December 23, 1939, granting the application for construction permit to change station's assignment from **1420 kc.**, 100 watts night, 250 watts day until local sunset, unlimited time, to **1120 kc.**, 500 watts power at night and 1 KW day, on an unlimited time basis, employing a directional antenna at night, subject to proof of performance in accordance with Section 3.33(b) of the Rules Governing Standard Broadcast Stations, and upon the condition that during directional operation of the antenna, the inverse distance field in the directions indicated shall not exceed the values specified (Docket No. 4909).

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Denied special temporary authority to operate from local sunset (December, 5:00 p. m., EST) December 24, 1939, to 2:00 a. m. on December 25, 1939, or to the conclusion of Christmas Eve Midnight Mass and from local sunset December 31, 1939, to 1:00 a. m. on January 1, 1940, in order to broadcast appropriate Christmas and New Year's programs as set forth in letter dated December 21, 1939.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 8:30 p. m., EST, December 24, 1939, to 1:00 a. m., EST, December 25, 1939, in order to broadcast special Christmas programs.

WEJJ—National Broadcasting Co., Inc., New York City.—Granted special temporary authority to operate relay broadcast station WEJJ as a sound channel on 30-40 megacycle band in conjunction with experimental television station W3XAD for the period December 26, 1939, to January 16, 1940.

United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority to operate already licensed aircraft radio transmitter aboard plane owned by United Air Lines Transport Corp. (call letters KHAZT), as a sound channel in connection with NBC television demonstration from aircraft on December 26, with alternate days December 27 and 28.

APPLICATIONS FILED AT FCC

580 Kilocycles

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Construction permit to increase power from 1 KW night, 5 KW day to 5 KW day and night, using directional antenna night.

630 Kilocycles

NEW—R. E. Troxler, High Point, N. C.—Construction permit for a new broadcast station to be operated on **630 kc.**, 500 watts, daytime (Section 15c).

780 Kilocycles

KWLK—Twin City Broadcasting Corp., Longview, Wash.—Modification of license to change frequency from **780 kc.** to **1370 kc.** and hours from daytime to unlimited, using 250 watts power.

890 Kilocycles

WJAR—The Outlet Company, Providence, R. I.—Authority to determine operating power by direct measurement of antenna power.

1140 Kilocycles

WAPI—Alabama Polytechnic Institute, University of Alabama College (Board of Control of Radio Broadcast Station WAPI), Birmingham, Ala.—Construction permit to install new transmitter, directional antenna for day and night use; change frequency from **1140 kc.** to **1050 kc.**; increase power from 5 to 50 KW, hours from simultaneous day, share KVOO night, to unlimited time; and move transmitter. Amended to request directional antenna night, non-directional day.

1150 Kilocycles

NEW—Hobart Stephenson, Milton Edge and Edgar J. Korsmeyer, d/b as Stephenson, Edge & Korsmeyer, Jacksonville, Ill.—Construction permit for a new broadcast station to be operated on **1370 kc.**, 250 watts, unlimited. Amended to change frequency from **1370 kc.** to **1150 kc.**, hours to daytime, and make antenna changes.

1160 Kilocycles

WOWO—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Construction permit to make changes in equipment, install directional antenna for day and night use, increase power from 10 to 50 KW and change hours from simultaneous day, share night with WWVA to unlimited. Amended: antenna changes.

1210 Kilocycles

KHBB—Okmulgee Broadcasting Corp., Okmulgee, Okla.—License to cover construction permit (B3-P-2605) for changes in equipment, increase in power and changes in hours of operation.

NEW—Palm Radio Co., Fort Myers, Fla.—Construction permit for a new broadcast station to be operated on **1210 kc.**, 250 watts, unlimited time. Amended to request facilities of WFTM.

WTMA—Y. W. Scarborough and J. W. Orvin, d/b as Atlantic Coast B/C Co., Charleston, S. C.—Authority to determine operating power by direct measurement of antenna power.

1290 Kilocycles

WNEL—Juan Piza, San Juan, Puerto Rico.—Authority to determine operating power by direct measurement of antenna power.

1310 Kilocycles

KUIN—Southern Oregon Broadcasting Co., Grants Pass, Ore.—License to cover construction permit (B5-P-2245) as modified for a new station.

KUIN—Southern Oregon Broadcasting Co., Grants Pass, Ore.—Authority to determine operating power by direct measurement of antenna power.

WGTM—WGTM, Inc., Wilson, N. C.—License to cover construction permit (B3-P-2569) for changes in equipment and increase in power.

1370 Kilocycles

KFGQ—Boone Biblical College, Boone, Iowa.—Modification of license to request additional specified hours of operation. Wednesday 4 p. m. to 5 p. m. and Sunday, 7:30 p. m. to 8:30 p. m. and 11 p. m. to 12 midnight, CST.

NEW—Birney Imes, Columbus, Miss.—Construction permit for a new broadcast station on **1370 kc.**, 250 watts, unlimited time.

1390 Kilocycles

WHK—United Broadcasting Co., Cleveland, Ohio.—Construction permit to increase power from 1 KW night, 5 KW day to 5 KW day and night, using directional antenna night.

1420 Kilocycles

WKIP—Poughkeepsie Broadcasting Corp., Poughkeepsie, N. Y.—Modification of construction permit (B1-P-2446) for new station requesting approval of transmitter and studio sites at 42 S. Market St., Poughkeepsie, N. Y., approval of antenna and change type of transmitter.

WPAD—Paducah Broadcasting Co., Inc., Paducah, Ky.—License to cover construction permit (B2-P-2630) for installation of new transmitter.

KWAL—Chester Howarth and Clarence Berger, Wallace, Idaho.—License to cover construction permit (B5-P-1967) as modified for a new broadcast station.

1500 Kilocycles

KYCA—Southwest B/C Co., Prescott, Ariz.—Modified construction permit (B5-P-865) for new station, requesting change in transmitter site from 1.9 miles from center business district to E. Gurley St., and studio from 129 N. Cortez St. to E. Gurley St., Prescott, Ariz., install new transmitter, antenna changes, increase power from 100 watts night, 250 watts day to 250 watts day and night and extend commencement date to 30 days after grant and completion date to 180 days thereafter.

KOTN—Universal B/C Corp., Pine Bluff, Ark.—Construction permit to make changes in transmitting equipment and increase in power from 100 watts to 250 watts.

NEW—Albert Joseph Meyer, Powell, Wyo.—Construction permit for a new broadcast station to be operated on 1500 kc., 250 watts, unlimited time. Amended to give studio site to be determined, Powell, Wyo.

NEW—E. W. Williams, Corbin, Ky.—Construction permit for a new broadcast station to be operated on 1500 kc., 100 watts, unlimited time. Amended to specify transmitter site as approximately 1 mile from center of business district, Corbin, Ky.

MISCELLANEOUS

WNBI—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to correct description of transmitter in accordance with new type and serial numbers recently adopted.

WRCA—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to correct description of transmitter in accordance with new type and serial numbers recently adopted.

KRLH—Clarence Scharbauer, Midland, Texas.—Authority to determine operating power by direct measurement of antenna power.

WAVB—Vee Bee Corp., Portable-Mobile.—License to cover construction permit (B2-PRY-117) as modified for a new 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.

Air Conditioning Textiles, Inc.—A complaint has been issued against Air Conditioning Textiles, Inc., 1441 Broadway, New York, sellers and distributors of toilet preparations, charging misrepresentation. The respondent's products include a toilet soap designated variously as "Air Conditioning the Human Body" soap and as "Air Conditioning" soap.

In advertisements and by means of circulars and other printed matter, the respondent corporation allegedly represents that its products "definitely reduce body temperature", "reduce humidity by evaporation", and "eliminate perspiration objections".

Use of the term "Air Conditioning", the complaint continues, as descriptive of respondent's soap product, has the tendency to mislead purchasers into the mistaken belief that to some extent the principle of air conditioning has in some manner been incorporated into the soap and that it possesses properties contributing to human comfort not possessed by ordinary soaps. The respondent's soap possesses perfume and menthol in less than 3 per cent, but, the complaint alleges, it has no properties different from ordinary soap. (3974)

Argo Pen-Pencil Company, Inc.—See Park Row Pen Company.

Bowers Battery Mfg. Co., Inc.—See Reading Batteries, Inc.

Park Row Pen Company—Harry Sachnoff, trading as Park Row Pen Company, and Argo Pen-Pencil Company, Inc., alleged to be dominated by him, both of 220 Broadway, New York, are charged in a complaint with misrepresentation in the sale and distribution of fountain pens.

The complaint alleges that the respondents have caused to be stamped upon certain types of pen points which are used in fountain pens and combination pen-pencils, sold and distributed by them, the words "Durium, 14K gold plated, No. 8", and "Warranted Duripoint, Made in U. S. A." The complaint alleges that these pen points are made of chromium or stainless steel alloy, thinly electroplated with gold. Through the use of gold electroplating and also the designations "14K" or "14 Kt" stamped conspicuously on some of the pen points, the respondents allegedly represent directly that the points are in fact made of solid 14-carat gold, and use of the word "Durium" conveys the impression that pen points are made with some special alloy or are tipped with some special substance of unusual quality which gives them a writing quality and durability not found in other pen points. There is no metal or substance known to science or industry as "Durium", according to the complaint.

The respondents also allegedly furnish a "Life-Time Guarantee" with their pens, as follows:

"This certifies that this Reservoir Pen is Guaranteed by us to be in perfect working order and absolutely free from any defects.

"In the event of any dissatisfaction, return this Certificate with your pen, and 25¢ in stamps to us and we will adjust same or give you a new one. It is important that you return all parts of the pen sent for repair, as we will not supply new parts unless the old parts accompany the repair.

"This guarantee does not cover careless or violent handling and consequent breakage."

This is in no sense a genuine lifetime guarantee, the complaint continues, as it is in fact a device whereby a defective fountain pen or combination pen-pencil may be used to sell another fountain pen or combination pen-pencil at the regular selling price or more, or as a means for selling some insignificant repair part for the price of a whole new fountain pen or pen-pencil. In order to exercise the so-called "lifetime guarantee", purchasers must pay the respondents 25 cents, which is more than the price at which the respondents sell the fountain pens or combination pen-pencils to dealers in the regular course of business. (3975)

Perrine Quality Products Corp.—See Reading Batteries, Inc.

Price Battery Corporation—See Reading Batteries, Inc.

Reading Batteries, Inc., Temple, Pa.; Bowers Battery Manufacturing Company, Inc., 629 Franklin St., Reading, Pa.; Royal Battery Corporation, Jersey Ave., New Brunswick, N. J.; Price Battery Corporation, Trenton Ave. and Ontario St., Philadelphia, and Perrine Quality Products Corporation, Waltham, Mass., have been named respondents in a complaint charging them with acts and practices constituting unfair methods of competition.

The respondents, according to the complaint, have been engaged, at their respective places of business, in the manufacture of automobile storage batteries in the low-price field. The number of storage batteries manufactured and sold by them since 1932 constituted a substantial proportion of all low-price batteries manufactured and sold in the northern and eastern portions of the United States.

The complaint charges that about August, 1937, the respondents, for the purpose of eliminating competition among themselves as to prices, discounts, terms and conditions of sale, entered into and since carried out by means of an informal association, an agreement, combination, understanding and conspiracy among themselves by which they have fixed and maintained minimum prices and uniform discounts, terms and conditions of sale for their products. The complaint also alleges that they have held meetings from time to time at which information concerning prices and terms and prospective territories and customers has been

exchanged; have agreed among themselves not to deviate from these terms, and have allocated territories and prospective customers.

These acts and practices, the complaint continues, have hindered and prevented competition, and placed in respondents the power to control and enhance prices, and created in them a monopoly in the sale of lower-price automobile storage batteries in the northern and eastern portion of the United States. (3978)

Royal Battery Corporation—See Reading Batteries, Inc.

STIPULATIONS

During the past week the Commission entered into the following stipulations:

Crown Webbing Company—Charles Leitner, trading as Crown Webbing Company, 714 Broadway, New York, has agreed to cease and desist from representing on his letterheads or in trade literature or otherwise, that he is a manufacturer of elastic braids and webbings, or representing that the elastic braids and webbings sold by him are made in a plant owned or controlled by him, when such is not the fact. (2613)

Walter W. George, conducting an advertising agency at 150 Nassau St., New York, which disseminated advertisements for a tissue builder designated "Jane Cook's Wonder Tissue Creme" on behalf of Jane Cook Method, Los Angeles, will cease representing, directly or by implication in the dissemination of advertising, that such a cream will increase the size of the bust or that it will correct a flat chest, flabby or sagging bust, scrawny neck, or an underweight condition. He further agrees to cease disseminating any advertisements representing that the product is in fact a "tissue" cream, either by the inclusion of that word in the name for the product, or otherwise. (02476)

Theo. A. Koehs Company, 659 North Wells St., Chicago, in connection with the sale of its products, agrees to desist from using, directly or indirectly, the word "Chrometal" or words of similar meaning, to designate furniture or other equipment or merchandise sold by it, unless the metal of which such article is made is composed throughout of chromium or of an alloy of chromium and other metal in proportions entitling it to be properly represented and referred to as chrome metal, as understood by the trade and the purchasing public. (2614)

Physical Culture Studio—Raymond F. Biggin, doing business under the trade name Physical Culture Studio, 116 Church Road, Foxcroft, Philadelphia, engaged in selling a booklet prescribing a course of treatment for hair and scalp designated "Healthy Hair", agrees to cease and desist from representing that the "Healthy Hair" course of treatment employs a principle used by those skilled in physical culture; that the treatment, under that or other names, will feed starved or poisoned hair roots; remove poisons from hair roots, or restore new beauty and vigor to hair; that the treatment produces results when all other methods have failed, stimulates dormant circulation of the scalp, or removes incrustations and other strictures which prevent hair from growing properly. He also agrees to desist from representing that the treatment is a new or scientific discovery, is a way to avoid the risk of baldness, and that results are guaranteed. (02477)

Standard Auto Seat Cover Company—Charles A. Greenspan, trading as Standard Auto Seat Cover Company, 4147 Chestnut St., Philadelphia, in connection with the sale and distribution of auto seat covers or other merchandise, has agreed to cease and desist from representing in any way that he is the manufacturer of the goods sold by him, when he neither owns nor controls the plant or factory in which such goods are made. (2618)

Sta-Wel Belt Company—J. J. McSherry, Jr., and Dorothy Shepard, trading as The Sta-Wel Belt Co., 18 East 53d St., New

York, have agreed to cease representing that an abdominal belt or binder designated "Sta-Wel Belt", or any other binder of similar design or construction, prevents seasickness and other travel sickness for all persons who use it, or that it is a "nerve control" belt, or in any other manner that it controls the nerves or inhibits nerve impulses. (02474)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

Milton K. Altschul, Inc.—See Fruit & Produce Exchange.

Association of American Arts, Inc.—Four individuals formerly connected with the Association of American Arts, Inc., now dissolved, and all having had their place of business at 486 Boylston St., Boston, and operating under various trade names, have been ordered to cease and desist from misrepresentations in connection with the advertising, sale and distribution of colored or tinted photographs, enlargements having a photographic base, and frames therefor.

Individuals named as respondents are H. E. Bernie or Bernstein, otherwise known as Harry Burney or H. E. Burney; J. A. Bernie or Bernstein, otherwise known as Jack A. Burney or Jacob Bernstein; Eli Litcofsky, otherwise known as A. Davis or Alfred Davis, and Edward Ziman.

Findings of the Commission are that these respondents and their agents and representatives visited prospective customers in various States, and made various false and misleading representations.

The respondents were ordered to cease and desist from representing, through any corporate or other device, including any trade name, that colored or tinted pictures or enlargements are hand-painted or are paintings; from using the terms "pastel" or "painting" to describe photographic enlargements; from misrepresenting the actual cost of production of pictures; from representing that respondents are conducting any special or advertising campaign, unless such campaign is in fact being conducted; that any portrait will be placed on exhibition in studios or other places of display, and other similar representations; from concealing from any customers that finished pictures, when delivered, will be so shaped and designed that they can be used only in a specially-designed, odd style of frame which can be obtained from respondents only; and from retaining the original photograph loaned to the respondents for use in making a picture, unless all the terms and conditions upon which the original photograph is to be retained in connection with the purchase, are fully and adequately revealed to the purchaser at the time the photograph is obtained from him. (3409)

Bay Company—See Johnson & Johnson.

B & T Floor Company, a corporation, Columbus, Ohio, has been ordered to cease certain misrepresentations in the sale and distribution of extruded aluminum alloy trimmings and metal products designated "Chromedge".

The respondent, in catalogs, folders and other advertising matter circulated throughout the country, was found to have represented, among other things:

"CHROMEDGE, the brilliant solid white metal for trimming wall and floor covering materials, manufactured only by the B & T Floor Company, Columbus, Ohio."

* * * *

"METAL. Chromedge is not a plated metal, Chromedge is manufactured from a special white metal alloy in which we have incorporated chromium, magnesium, silicon, iron, copper, etc., in such a way that it will accept and retain a brilliant, lustrous polish. Its ductility is of such a nature that it may be easily bent to fit curves and angles."

Findings of the Commission are that "Chromedge" is not a metal of superior quality having the attributes of chromium, but is, in fact, extruded aluminum alloy containing approximately 98 per cent aluminum and .20 to .30 per cent chromium.

The respondent purchases practically all its alloy, which it sells under the trade name "Chromedge", from the Aluminum Company of America, and the same alloy is sold by the Aluminum Company of America to numerous competitors of the respondent.

The Commission orders that the respondent cease and desist from representing, by use of the word "Chromedge" or similar word or words, that its extruded aluminum alloy, or any other metal not composed principally of chromium is chromium; or that "Chromedge" has the attributes of chromium or is superior in quality to extruded aluminum; that competitors' extruded aluminum alloy products are inferior to those sold under the name "Chromedge"; and, by use of the words "Manufactured only by" or words of similar import, that the respondent is the manufacturer of any product it sells, unless it actually owns or controls a manufacturing plant where the products so represented are manufactured by it. (3541)

Chase & Company—See Fruit & Produce Exchange.

Dearborn Sales Company—See Reliable Sales Company.

Fruit & Produce Exchange—Prohibiting violation of the brokerage section of the Robinson-Patman Act, an order to cease and desist has been issued against Jake Felt, trading as The Fruit and Produce Exchange, Linden Station, Memphis, Tenn., and against the following concerns which sell produce, foodstuffs and allied products to Felt: Milton K. Altschul, Inc., 264 Wholesale Terminal Building, Los Angeles; San Pat Vegetable Company, Sinton, Tex.; A. O. Kolberg, McAllen, Tex.; Albert Miller & Co., 308 West Washington St., Chicago, and Chase & Co., Sanford, Fla.

The respondent selling companies were found to be fairly representative of a large group of sellers of produce, foodstuffs and allied products which they sell to the respondent Felt and other purchasers. Such commodities, when received by the respondent, are stored in a warehouse used jointly by Jake Felt, trading as The Fruit and Produce Exchange, and by M. E. Carter & Co., of Memphis, a wholesale corporation, 84 per cent of the outstanding stock of which is owned by Felt, who is its president and a member of its board of directors, and conducts its affairs.

Findings are that the seller respondents and other sellers had paid and delivered to the respondent Felt, trading as The Fruit and Produce Exchange, so-called brokerage fees or commissions which were a certain percentage of the quoted sales prices agreed upon between each of the sellers and the respondent, or were flat commissions agreed upon between each of such sellers and Felt. It was also found that he had received and accepted such fees or commissions on commodities resold by him, under the name of The Fruit and Produce Exchange, to wholesale dealers, and on commodities resold by M. E. Carter & Co., to retail dealers, and that in connection with these transactions, the respondent Felt was the sole party at interest and neither he, trading as The Fruit and Produce Exchange, nor M. E. Carter & Co., which he controlled, rendered any services to the sellers.

It was found that in all the transactions with the sellers, the respondent Felt acted in his own interest and as a representative of M. E. Carter & Co., and that any benefits which may have accrued to the seller respondents or other sellers were solely incidental to buying services performed by M. E. Carter & Co.

The Commission dismissed its complaint in this proceeding as to M. E. Carter & Co., because the record did not disclose that any brokerage or allowances in lieu thereof had been paid to that firm.

The Commission order directs the five produce concerns and their officers, representatives and employees to discontinue paying Jake Felt, individually, trading as The Fruit and Produce Exchange, or under any other name, any fee or commission as brokerage or any allowance in lieu thereof upon the purchases made by the respondent Felt without services being rendered therefor by Felt. (3765)

Gravitonic Life Ray Corporation, Inc., and Fred W. Reed, individually and as president of the corporation, St. Petersburg, Fla., have been ordered to cease and desist from misrepresentations in the sale and distribution of an electrical apparatus manufactured by the corporation and designated "Gravitonic Life Ray".

In newspapers, magazines, pamphlets and other advertising matter the respondents were found to have represented, among other things:

"The GRAVITONIC LIFE RAY now presented to the public is a wonderful discovery which promises to revolutionize the present methods of making examinations, and the treatment of practically all human ills. As the name implies this discovery is based upon the forces of gravity, the tonic of the air, and the vibrational impulses thereof in the ether surrounding the earth. All life is, or is affected by vibrations and these vibrations in the ether both build and destroy life. The GRAVITONIC LIFE RAY is the summation of all the rays which produce and support life. The GAMMA RAYS and all other rays which tend to destroy life, have been screened out."

* * * *

"... Sleeping sickness victims have been aroused, patients blinded by tic-douloureux have had sight restored, tuberculosis, stomach and gall bladder troubles have been relieved and cured; diseases of the kidneys overcome, arthritis victims relieved and cured, gland disorders corrected, likewise diabetes, tumors, prostate trouble, colds, dizziness, anemia, cancer, chronic indigestion, acute appendicitis, catarrh, colitis, dyspepsia, nervousness, spinal trouble, high blood pressure, tonsillitis, and mastoid and ear trouble have been relieved and cured."

Findings of the Commission are that these statements are misleading and untrue, and that the respondents' device is worthless and of no use in the diagnosis, cure or treatment of disease, and that it is not a discovery and will not revolutionize methods of making examinations or the treatment of practically all human ills.

The respondents are ordered to cease and desist from representing that the device is a scientific discovery or based upon any scientific foundation; that it will locate the cause or trouble of any disease; that it will cure any of the ailments or diseases named in the advertisements, or that its use will have any beneficial effect upon the human system or any beneficial value in the treatment of any disease or condition of the human body. (3451)

Johnson & Johnson, New Brunswick, N. J., The Kendall Company, Walpole, Mass., and The Bay Company, Bridgeport, Conn., have been ordered to cease and desist from unfair competitive methods in the sale of medical supplies such as gauze, bandages, bandage rolls, cotton sponges, napkins, pads, adhesives and similar products.

The Kendall Company now sells, and for more than five years, has sold through two of its subsidiary corporations, Bauer & Black, and Lewis Manufacturing Company.

Since 1933, the Commission finds the respondents have manufactured and sold 85 per cent of all such products manufactured and sold in the United States. Prior to September, 1933, the three companies were in competition with one another as to prices, according to the findings. At that time, for the purpose of eliminating price competition among themselves, the respondents entered into and have since carried out an agreement to fix and maintain uniform prices, have maintained their published prices; have communicated to one another proposed changes in the prices of the products prior to release to the trade of notice of such proposed changes, and have agreed among themselves to divide the United States into zones, for which zones they have, by agreement, fixed and maintained uniform prices for their products.

The respondents had admitted all material allegations set forth in the complaint, which were the facts found by the Commission, and had waived all intervening procedure.

The Commission ordered the respondents to cease and desist from entering into or carrying out any conspiracy, combination or undertaking to fix and maintain uniform prices in the sale of gauze, bandages, bandage rolls, cotton sponges, napkins, pads, adhesives and similar products to any and all classes and kinds of buyers; from agreeing to communicate to one another changes in prices prior to release to the trade of notice of such changes; from agreeing to maintain, and maintaining, pursuant to any such agreement, published price lists, and from agreeing to divide and dividing the United States into zones, and, with respect to such zones, fixing and maintaining uniform prices for their products. (3393)

Johnson's Lixolene Company—John C. Johnson, trading as Johnson's Lixolene Company, 4028 Hill Crest Drive, San Diego, Calif., has been ordered to cease and desist from misrepresentations in connection with the sale and distribution of "Johnson's Lixolene," a medicinal preparation recommended for the treatment of eczema and other diseases of the skin.

Findings of the Commission are that the respondent disseminated advertisements of its product in the United States mails and by continuity broadcast from radio stations. In its broadcasts it represented, among other things:

"This radio address is given by Dr. J. C. Johnson, the author of Johnson's Lixolene, 'The Safe Skin Remedy,' for the benefit of those who are interested in knowing of this new remedy which is offered in the drug stores for the relief of even the most chronic cases of eczemas. This is our third time to broadcast over this station, spreading the news about the therapeutic value of Lixolene in giving complete relief from the causes of all parasitic infections of the skin."

The Commission finds that "Johnson's Lixolene" consists essentially of a solution of salicylic acid in a diluted mixture of alcohols, together with a small amount of boric acid and a trace of methyl salicylate, and that it is neither a skin remedy nor a powerful germicide.

The respondent is ordered to cease and desist from representing that use of his preparation is a remedy or cure for eczema, acne, psoriasis, dandruff, poison ivy, seborrhea or alopecia, or has any therapeutic value in excess of temporarily relieving the symptom of itching by reason of its mildly antiseptic and counter-irritant properties; that the preparation is a germicide; that all eczemas and other diseases of the skin are caused by parasitic infection; that the proper treatment for eczema or other skin ailments is in all cases the local application of a germicide, and that respondent is a physician or a medical doctor, or that he has any recognized standing or reputation as a dermatologist or chemist. (3887)

Kendall Company—See Johnson & Johnson.

Albert Miller & Company—See Fruit & Produce Exchange.

National Numbering Machine Co., Inc.—Price discriminations in violation of the Robinson-Patman Act are prohibited under an order to cease and desist issued against National Numbering Machine Company, Inc., 1 Beekman St., New York.

Findings are that the respondent company sold to the American Woodtype Manufacturing Company, New York, dealer in typographic numbering machines, 100 machines at a net price of \$6 each, and that about the same time it sold to the American company's competitor, Craftsman Machinery Company, Boston, 300 machines of like grade and quality at a net price of \$5 a machine. The Craftsman company, it was found, resold a substantial number of the machines so purchased, at a net price of \$7.50 and \$8.50 for the five-wheel and six-wheel types, respectively.

The respondent was also found to have sold for resale machines of like grade and quality in quantities of five or less, to various other companies or individuals competitively engaged one with another, at net prices varying from \$6 to \$8 a machine.

The different prices were found to constitute discriminations in price between purchasers of the respondent's typographic numbering machines.

The order directs the respondent to cease discriminating in price, either directly or indirectly, between the Boston and the New York companies named.

The order also prohibits discrimination in price, wherever any of the sales are in interstate commerce, between different purchasers competitively engaged in the resale of the respondent's typographic numbering machines by means of price differences substantially similar to those set forth above, unless the difference between the prices paid by such purchasers make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which the machines are sold or delivered. (3889)

Nutrine Candy Company, 419 West Erie St., Chicago, has been ordered to discontinue certain price discriminations in violation of the Robinson-Patman Act and the sale and distribution of candy by means of lottery methods in violation of the Federal Trade Commission Act.

This company, according to findings, sells a small line of fancy candies packed in boxes, but specializes in the sale and distribution of bulk candy directly to retailers in Wisconsin, Minnesota, Nebraska, Oklahoma, Arkansas, Tennessee, Michigan, Iowa, Indiana, Kansas, Missouri, Ohio, Kentucky, West Virginia and Western Pennsylvania.

Findings are that the respondent company maintains four separate price schedules under each of which all of its bulk candies are listed. These schedules of prices are identified by the symbols "ES" ("Eastern Syndicate" accounts), "NS" ("National Syndicate" accounts), "SS" ("Small Syndicate" accounts), and "SR" ("Small Retail" accounts) and the price for candy of like grade and quality varies according to the schedules. The "ES" schedule carries the lowest and the "SR" schedule the highest price per pound for candy of like grade and quality.

It was found that the respondent permitted its salesmen to sell items to a customer from one schedule and other items purchased by the same customer at the same time from another schedule.

This method was found to have resulted in the respondent's selling to different purchasers, competitors one with the other, candy of like grade, quality and quantity at varying prices. These price differentials were found to range from a low of \$.0075 a pound to a high of \$.04 $\frac{7}{8}$ a pound, depending on the brand of candy so sold and purchased.

The effect of these selling methods was found to be a substantial lessening of competition between competing retailers purchasing under the high and low classifications, and a tendency to concentrate in the more favored retailers the retail sales of the respondent's products and to eliminate the bulk candy business of the less favored retailers.

Concluding that nothing appeared in the record to justify these price discriminations, the Commission ordered the Nutrine Candy Company to cease and desist from such practices or engaging in similar discriminations under like conditions.

The order also prohibits the distribution of candy so assembled that sales may be made by means of lottery devices, and the supplying of lottery devices to dealers for use in selling such candy to the consuming public. (3756)

Ransom Electric Company—Ben Ransom, trading as Ransom Electric Company, 211 Second Avenue North, Nashville, Tenn., has been ordered to cease and desist from misrepresentations in the sale and distribution of incandescent electric lamp bulbs.

The Commission finds that the respondent is engaged in importing incandescent electric lamp bulbs manufactured in Japan, and printed or marked with the words "Made in Japan". Before selling such bulbs the respondent buffed off, or otherwise removed, the words "Made in Japan". The bulbs then were placed in cartons upon which were printed the words "Made in U. S. A.", "Lednew Lamps", or "The Lednew Corporation".

The respondent also purchased for resale, the findings continue, certain electric lamp bulbs manufactured under the trade name "The Elite Lamp Service", and in advertising matter, circulars and pamphlets distributed in connection with their sale, represented: "All the E. L. S. lamps are made in conformity with the specifications of the U. S. Bureau of Standards." The Commission finds that this representation is misleading and deceptive as the United States Bureau of Standards has not adopted or promulgated any specifications for incandescent electric lamp bulbs with which the respondent's bulbs could conform.

The respondent is ordered to cease and desist from representing that lamp bulbs imported from Japan, or any other foreign country, are made or manufactured in the United States; from representing, through names of purported manufacturers placed on the cartons or containers in which bulbs are offered, that they are manufactured or made by any one other than the real manufacturer thereof, and from representing that bulbs offered for sale and sold by him conform to specifications of the United States Bureau of Standards. (3905)

Reliable Sales Company—Yale I. Glubok, trading as Reliable Sales Company, 5244 Enright Ave., St. Louis, and Sam Luber, trading as Dearborn Sales Company, 711 South Dearborn St., Chicago, have been ordered to cease and desist from use of lottery methods in the sale and distribution of their merchandise to ultimate consumers.

Reliable Sales Company, engaged in the sale and distribution of various articles of merchandise, including blankets, bedspreads, silk hose, clocks, and other novelties, mailed push cards and order blanks from its place of business to members of the public in various States, the Commission finds, and prizes in the shape of merchandise were awarded to certain purchasers by means of lottery methods.

Dearborn Sales Company, selling and distributing radios, coffee sets, and other merchandise, also distributed to the purchasing public devices commonly known as pull cards, with certain litera-

ture, instructions and order blanks through which merchandise was to be sold to ultimate purchasers by means of lottery methods.

The respondent companies were ordered by the Commission to cease and desist from supplying or placing in the hands of others push or pull cards, punch boards and other lottery devices so as to enable such persons to dispose of or sell any merchandise by lottery methods. (3278 and 3870)

San Pat Vegetable Company—See Fruit & Produce Exchange.

Shanks Laboratories—W. H. Shanks, W. J. Goggin, Clara Shanks and Jessie G. Goggin, trading as Shanks Laboratories, Columbus, Ohio, have been ordered to cease and desist from misrepresentations in connection with the sale and distribution of a medicinal preparation designated "Shanks Mange Lotion".

In circulars and other advertising matter distributed throughout various States, the Commission finds, the respondents have represented, among other things: "I have been successful in compounding a preparation to be used in the treatment of mange, eczema, cuts, sores, abscesses, etc. that over a period of 20 years * * * it has never failed to effect a rapid clearing up of all forms of skin diseases. . . ."

The Commission finds that the preparation is not a cure or remedy or a competent or effective treatment for diseases or disorders of the skin on dogs or human beings, which diseases or disorders are due to or persist because of a systemic disorder or condition.

The respondents are ordered to cease and desist from representing that "Shanks Mange Lotion" is a cure or competent treatment for eczema, abscesses, cuts or sores, or for athlete's foot or dandruff; or that the preparation is in all cases a competent treatment for itching scalp on human beings or mange on dogs or will cause hair to grow on bald spots. (3860)

Zo-Ak Company, Inc., whose principal place of business is located at 56 West 45th St., New York, has been ordered to cease and desist from misrepresentations in connection with the sale and distribution of certain medical or pharmaceutical preparations designated as "Zo-Ak Tablets" (blue label), or "Zo-Ak for Men," and "Zo-Ak Tablets" (orange label), or "Zo-Ak for Women."

The Commission finds that the respondent represented that its preparation for men is a competent remedy or treatment for sexual debility and a stimulant for reduced virile powers, and that its tablets for women constitute a remedy or relief from the nervous symptoms due to "change of life".

Findings are that the preparation for men is not a competent remedy or treatment for sexual debility, and contains a dangerous ingredient. The recommended dosage for respondent's preparation is greatly in excess of the therapeutic dosage, and such tablets taken under conditions prescribed by respondent and under the conditions which are customary or usual may be injurious to the health of users.

The Zo-Ak Company, Inc., and its officers, agents or representatives are ordered to cease and desist from disseminating, by means of the United States mails or in commerce, any advertisement for the purpose of inducing the purchase of "Zo-Ak Tablets" representing that "Zo-Ak for Men" is a competent remedy for sexual debility or that it contains quick-acting vegetable stimulants plus essential vitamin concentrates in adequate amounts to build up health and strength, or which advertisement fails to reveal to purchasers or prospective purchasers that use of the preparations under conditions prescribed may cause injury to health, or represents that "Zo-Ak for Women" is a remedy for or affords relief from the nervous symptoms due to "change of life". (3724)

FTC CLOSES CASES

The Federal Trade Commission has closed its case against Parker-McCrory Manufacturing Company, 2609 Walnut St., Kansas City, Mo., manufacturer and distributor of radio sets and parts and mechanical devices, it appearing that the respondent company has agreed to discontinue the misleading representations alleged and to abide by the rules of fair trade practice for the radio receiving set manufacturing industry, promulgated by the Commission July 22, 1939.

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

The Commission has also closed without prejudice its case against Piel Brothers Starch Company, Indianapolis, which was charged with price discrimination in violation of the Robinson-Patman Act in the sale of corn products. The case was closed without prejudice because it appeared that voluntary liquidation of the respondent corporation is in process.