

NAB HEADQUARTERS MOVED

To facilitate reply, all future correspondence should be addressed to the Association at 1760 N Street, N. W. Western Union telegrams should be addressed to the Association, WUX, Washington; telegrams over other systems, at the address above given. The telephone number is NATIONAL 2080.

CODE COMMITTEE, CO-OPERATIVES REACH AGREEMENT

The NAB Code Committee and officials of the Co-operative League of the U. S. A., after conferences in Washington on December 14 and 15, on Tuesday issued the following joint statement:

"We believe that the advertising of co-operatives is and has been acceptable under the Code when the programs offered are designed to sell goods, trademarks or services of co-operatives.

"It is agreed that there is no objection to commercial copy incorporated in a program sponsored by a co-operative enterprise which states that (a) any person can make purchases at co-operatives; (b) membership in co-operatives is open and voluntary; (c) co-operatives are owned by members, each of whom has one vote; (d) profits or savings are returned to member-owners. However, in making such statements no attack is to be made on any other business enterprise or system of distribution.

"The length of commercial copy and character of such program should conform to the provisions of the NAB Code.

"Any discussion of the co-operative movement as such or as an economic system is properly confined to sustaining time which may be given by stations or networks in accordance with the public interest."

The Code Committee also stated:

"In respect to any program offered by the Co-operative League of the U. S. A., we suggest that such program be presented as having been produced by the Co-operative League of the U. S. A. on behalf of specific member co-operatives engaged in the sale or distribution of goods or services."

Representing the Co-operative League of the U. S. A. at the conferences were: Murray D. Lincoln, president; E. R. Bowen, executive secretary; Wallace J. Campbell,

assistant secretary; John Carson, Washington representative; Robert L. Smith, educational director of the Eastern Co-operative League. The Code Committee members in attendance were: Earl J. Glade, chairman, KSL, Salt Lake City; Grant Ashbacker, WKBZ, Muskegon, Michigan; Jan Schimek, Columbia Broadcasting System, New York; Lee B. Wailes, KYW, Philadelphia; William S. Hedges, National Broadcasting Company, New York; Neville Miller, president, National Association of Broadcasters; Russell P. Place, NAB counsel and secretary to the Code Committee.

ASTROLOGERS

The Code Committee on Tuesday considered the problem of astrologers on the air which is to some extent again plaguing the industry. Although no action was taken by the Committee, it was the sense of the meeting that stations should exercise extreme care not to allow these people access to the air on paid time in violation of Item No. 3 of the NAB Standards of Good Taste.

CRITICAL OCCUPATIONS

War Manpower Commission is in the process of revising the list of critical occupations in the communications industry appearing in Occupational Bulletin No. 27 (see NAB Selective Service Handbook, Supplement No. 1). It is believed that the list of titles in the broadcasting industry will be expanded to include critical occupations not now listed, and that the new list will be released in a matter of days.

QUESTIONS AND ANSWERS ON SELECTIVE SERVICE

Here, in question and answer form, are the major facts about Selective Service, collected by the Office of War Information from the Bureau of Selective Service of the War Manpower Commission and the Army and Navy Departments, as released last Sunday by OWI. An attempt has been made to touch on most of the many questions raised, but it should be recognized that some basic information, particularly that dealing with future plans, would be useful to the enemy and cannot be released.

All arrangements and rulings under Selective Service are made for the purpose of obtaining the men the military forces need with the least dislocation of vital industry and agriculture. They are therefore subject to the conditions of war. Changes may be necessary from time

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MERRY CHRISTMAS

Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Lewis H. Avery, *Director of Broadcast Advertising*; Howard Frazier, *Director of Engineering*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Arthur C. Stringer, *Director of Promotion*.

QUESTIONS AND ANSWERS ON SELECTIVE SERVICE

(Continued from page 709)

to time. The answers given in the following pages are correct as of the date of this release. They do not constitute a binding assurance for the future.

Q. Now that voluntary recruiting by the Army and Navy has been stopped, can anyone get into the armed forces except through Selective Service?

A. No, except for women who will continue to be recruited for the WAACS, WAVES, SPARS, and Army and Navy Nurses' Corps, and a small number of civilians who may be commissioned in the armed forces. The Army and Navy may enlist specially qualified men over 38. Men who submitted applications for Army or Navy enlistment prior to December 5, 1942, may be enlisted up to December 15. In a "stopgap" move to fill the manpower needs of the Navy, Marine Corps and Coast Guard, the War Manpower Commission Tuesday authorized local draft boards to accept volunteers for the three service branches until February 1.

In granting the authorization, Manpower Chairman Paul V. McNutt instructed the boards not to allow men engaged in essential work to enlist. None of the service branches may conduct drives to step up enlistments, he said.

Under the temporary arrangement, draft boards will get credit under their quotas for all enlistments.

The prospective recruit will be required to go to his local draft board, fill out certain forms, obtain draft board approval and take the approved forms to a recruiting station. No application for enlistment may be considered unless the proper forms are presented.

In this way, McNutt hopes to prevent enlistments from interfering with the essential war operations while a permanent quota plan for all the services is being devised. This he hopes to complete by February 1.

Men who have already received notices to report for induction into the Army may not enlist in the other services.

Q. How many will be called through Selective Service this year?

A. The full answer to this is military information. The calls are made on a month-to-month basis, with the Selective Service being notified about two months in advance of the needs of the armed services. The President's recent executive order directs that the Secretaries of War and Navy shall, after consulting with the War Manpower Commission Chairman, determine the number to be selected. Official estimates have been made that the total armed forces (not including officers) will be increased from approximately 5,500,000 now to 9,700,000 by the end of 1943 (7,500,000 Army, 1,500,000 Navy, 400,000 Marines, and 300,000 Coast Guards), indicating a mini-

mum need of 4,200,000 during 1943—an average of 350,000 a month, without reference to replacements.

Q. When will the 18- and 19-year-olds, who are being registered starting this week, be called into uniform?

A. Starting in January.

Q. How many of these young men will be called?

A. A great many had already enlisted, as of December 1, and estimates of those who may be available for early calls vary from 600,000 to 900,000.

Q. How many soldiers can we get during the next year, out of the 100,000 a month (1,200,000 a year) who attain the age of 18?

A. It is estimated that the armed forces should get 70,000 a month from this group. Those who are married and with children and those whose marriage was contracted at a time when their selection was not imminent, essential workers in industry and agriculture will not be called at once. There will also be some who cannot meet the physical qualifications. In addition, the Draft Act as amended provides for the deferment of high-school students in this group until the end of the academic year (April, May, and June in various localities) on written request. This latter provision does not apply to students in college.

Q. Will the 18- and 19-year-olds fill the quotas for the early months of 1943?

A. Not entirely.

Q. In what order will the 18- and 19-year-olds be called?

A. In accordance with their dates of birth, the older registrants will be called first. This means there will be no lotteries for this group as were held previously. Except for young men who are deferred by reason of their dependency status or because of their occupations, those persons who are nearly 20 will be called first, then those born 19 years and 10 months ago, then those born 19 years and 9 months ago, and so on down to the just-18's with later ones being liable for induction after they reach their 18th birthdays.

Q. Will the 18- and 19-year-olds be called before married men?

A. Generally, yes.

Q. Are married men being called now?

A. Yes, in some states, and they will be called generally before many months.

Q. Are married men with dependent children being called?

A. Generally, no. The calling of married men with dependent children, who have acquired dependency status in accordance with Selective Service regulations, requires specific authorization of the National Director of Selective Service and such authorization has not been issued.

Q. When will married men who are not deferred by reason of their occupation be called, and in what order?

A. Married men fall in three main categories and will be called in this order and at such times as their services are required:

1. Registrants, both married and single, with collateral dependents only. (Mother, father, etc.)
2. Registrants with dependent wives only with whom they maintain a bona fide family relationship.
3. Registrants with dependent wives and child or children and those with one or more children only, with whom they maintain a bona fide family relationship.

Two years of experience in Selective Service has shown at least 17 or more different classifications of married men for these purposes, and in determining the order of induction the local boards will use their best judgment. The recently-passed Allowance and Allotment law provides a system of payments to the family or dependents which eliminates much of the actual need for deferment, except in special or "hardship" cases.

Q. In view of the provisions made for necessary payments under the Allowance and Allotments Act, does "dependency" really mean anything in relation to deferment any more? If not, why is there still a 3-A classification?

A. Dependency is still a factor in Selective Service classification and 3-A will be continued. The Allowance and Allotments Act merely caused many wives of soldiers and persons who should be soldiers to cease to be dependents. Single men with dependents will be called first when it becomes necessary to go into the dependency (3-A) groups, then married men with wife only; then married men with a wife and child or children, or children only; but men with dependents who are not in essential industries or agriculture will be called ahead of other men with dependents.

Q. Is occupation coming to be, or has it become, the only ground for deferment, as in England?

A. No, but occupation is becoming more important in the classification of registrants. Even in England occupation is not the only ground, since hardship cases are still considered.

Q. Since the top limit for induction has been cut from 45 to 38 years of age, does Selective Service or War Manpower Commission have authority to direct the 38- to 45-year-olds into essential industries or war essential agriculture?

A. No, but they will be most useful there, and most of the job opportunities will be in those fields.

Q. Will the Army or Navy release its over-38 men back to essential industry or agriculture?

A. The Army has announced it will release these enlisted (or drafted) men, but only if they request it and if it is shown that the men are more useful to industry than to the Army and that they will be employed in agriculture or some other essential war industry on their release.

Q. How about the Navy enlistments?

A. Under the President's directives, the Navy may recruit men over 38, if they have special aptitudes or skills, and may recruit men under 18.

Q. The War Manpower Commission has announced a list of 35 essential industries and within them, lists of 3,000 jobs or occupations which are essential. Have all these lists been sent to the local Selective Service Boards, and if so, to what extent do they govern local board action?

A. Starting last April, the Selective Service System has sent out to local boards those definitions of essential industries, and occupations within each, as they were certified by a technical War Manpower Commission committee. Thirty-nine such "releases" have been sent to local boards so far, and others will be sent as the essential jobs are further defined. These lists will vary considerably from time to time. These lists are the latest available advice to the local boards. But their listings do not prohibit other deferments which may be made under the law by the local boards. Also, under the Selective Service laws, power and responsibility for the classification of each individual is placed on the local board, subject to the right of appeal, and group deferment for occupational reasons is forbidden.

Q. In these 35 essential industries will all workers now classified in Class 3-A be transferred automatically by their local Selective Service boards to Class 3-E?

A. No. Reclassification is not automatic. In the case of agriculture, however, instructions have been sent to local boards to reclassify essential workers on essential farms into 2-C and 3-C.

Q. Should a worker, or his employer, make a case for reclassification on the basis of "essential" employees in "essential" industries?

A. Such a case can best be made through "manning tables" and the replacement schedules which supplement

the manning table which are now being put into effect by many war industry employers. In some plants, the case may be made for temporary deferment through the replacement schedules alone. At present deferment as an essential worker is granted only if it is shown affirmatively that a training period of at least six months is necessary before an untrained worker can attain reasonable proficiency in the job, that the job is essential in the industry, and that the worker is currently irreplaceable.

As a result of conferences with Selective Service officials, NAB believes the Manning Table Plan is not well adapted to the radio broadcasting industry generally. It is designed to expedite the orderly withdrawal from industry into the Army of workers in large industrial units. However, any station believing the Manning Table Plan to be well adapted to its deferment and training program is eligible to participate, and should communicate with the appropriate regional office of the War Manpower Commission as listed in Supplement No. 2 to NAB Selective Service Handbook.

Q. In the case of a worker in an essential industry, should the worker or employer make a case now for reclassification, or should they wait until the worker is called by the local board for examination?

A. Any application for transfer to 3-B should be made now, preferably by the employer.

Q. Will a married man with a wife only, classified 3-B because he is in an essential industry or 3-C because he is in agriculture, be called ahead of a 3-A grocery store clerk (not in one of the 35 essential industries), who has 5 children?

A. Under present instructions, local boards are not authorized to call married men with children. However, the need for workers in essential industry may become so acute that married men, even with children, in non-essential industries may have to be called ahead of those men with wives only who are engaged in essential industry, in which case the grocery clerk would come first.

Q. Can apprentices, trainers, and learners be deferred, if they are employed in the 35 essential industries or outside?

A. No, but if they are in the 35 industries, they may be deferred on the basis of the training, qualifications and skill which they have acquired, the experience they have obtained and the occupation in which they are engaged, and the use to which the employer is putting the maximum skill of the apprentice and permitting them to undertake work and supervision in the skills which they have acquired.

Q. If a wife takes a job, how does that affect her husband's draft status?

A. If the husband has been found by the local board to have an essential job in industry or agriculture, her husband's status will not be affected by her taking a job. If the Allowance and Allotment Act was not enough to affect his status, it is possible the additional income might change the status of a non-essential worker without children. In general, however, wives by going to work will tend to release some unmarried men for military service, and thus postpone the time when married men will be called in large numbers. It should be remembered also that local boards in considering dependency deferment will consider not only whether a wife is working, but equally whether she can work.

Q. What has Selective Service told local boards about married men?

A. Several instructions on dependency have been sent out, the most significant of which probably is Local Board Release 123, which authorizes local boards to consider reclassifying single men with collateral dependents (father, mother, etc.), and married men without children into class 1-A, thus making them available for call. It should be kept in mind that marriage itself is never a basis of deferment, only dependency.

Q. Will we reach a saturation point beyond which few additional soldiers will be needed?

A. Probably not during wartime. Such a point would depend upon war strategy and the progress of the war. There will undoubtedly be need for replacements, etc., as long as we are at war.

Q. Is there any difference between a "necessary" man and an "essential" man since both have been mentioned in Selective Service bulletins?

A. No. "Necessary" probably describes the situation more precisely with reference to occupational deferments, but there is no difference in usage.

Q. What happens to the non-essential type of worker in agriculture and the 35 essential industries?

A. Local boards will place them in 1-A or, if they have dependents, in 3-B, in the case of the industrial workers. In the case of farm workers, they will be placed in 3-A if not engaged in essential jobs and have dependents.

Q. Have quotas been suspended in some states because of heavy occupational deferments?

A. In one state, quotas were reduced, and in two, they were modified during the harvest season.

Q. Before Army physical requirements were relaxed, many were rejected and placed in IV-F who would not be rejected now. What is being done about them?

A. Local boards are calling in 4-F registrants constantly for reconsideration under the more liberal requirements, and many are reclassified into 1-A as a result.

Q. Why does one see so many young men still in civilian clothes?

A. Many of them have been rejected for physical disabilities, which may not be apparent. The usual rejection rate for this cause varies according to age group but averages about 30 per cent. Others are war workers, of course.

Q. What is being done by the local boards with the 38- to 45-year-olds who cannot, under the President's order, be called?

A. They will be put in new class, 4-H, and could be made available for armed service if the President should rescind this order. However, it is expected that most of them will find essential jobs in war industries.

Q. With the Navy, Marines and Coast Guard now drawing men through Selective Service for the first time, will the registrant have an opportunity to choose his service?

A. At the time he is inducted, a registrant will have an opportunity to express his preference. The needs of the services and the man's own skills and experience will be major factors in determining which branch takes him.

Q. Does the Selective Service System operate fairly?

A. The heart of the system are the 6,500 local boards representing every county in the United States and our possessions. The boards are composed of citizens and residents of these counties serving without pay, who have first-hand knowledge of local conditions and possess the confidence of their neighbors. In more than two years of Selective Service operations, these boards have sent into military training and service more than 3,000,000 men drawn from every level of society, from every race and creed.

Q. What about rumors of influence being used with local boards?

A. Lotteries have been held to guarantee that selection of men, and the order in which they should go, should be determined without reference to wealth, influence, social position or other such factors.

Q. There have been rumors of prejudice for or against various races, creeds and colors. What about them?

A. Major-General Lewis B. Hershey, Director of Selective Service, has just answered that one. He says:

"Casualty lists from the area of actual combat, which include men of all colors, race and creeds, are the best indication of all, that the Army which has been raised through Selective Service represents America at its best.

"The winners of the awards for bravery are from the North as well as the South, and from the middle West and the far West, colored as well as white, and representing every creed in the population of our great nation. The newspapers and other periodicals have told the story graphically. The qualities of bravery, courage, initiative, and patriotism in their finest sense are not the exclusive property of any race or color, of the citizens of any particular economic level, or of any section of our land."

Q. What are the current classifications of registrants and what do they mean?

A. Here are the classes, and their definitions.

- 1-A Registrants available for general military service.
- 1-A-O Registrants who are conscientious objectors available for noncombatant military service when found acceptable to the land or naval forces.
- 1-C Registrants who have been inducted into, enlisted in, or appointed to the armed forces.
- 2-A Registrants who are necessary or essential in their civilian activity.
- 2-B Registrants who are necessary or essential to the war production program, excluding agriculture.
- 2-C Necessary or essential men in agriculture.
- 3-A Registrants with dependents, engaged in less essential industry or less essential agriculture.
- 3-B Registrants with dependents, engaged in an activity necessary to the war production program.
- 3-C Registrants with dependents engaged in essential agriculture.
- 4-A Registrants who before induction have become 45 years of age, since they registered.
- 4-B Registrants who are deferred specifically by the law itself.
- 4-C Registrants who are aliens not acceptable to the armed forces or who waived their rights to become citizens to avoid military service.
- 4-D Registrants who are ministers of religion or divinity students.
- 4-E Registrants who are conscientious objectors available only for service in civilian work of national importance.
- 4-F Registrants who are mentally, morally, or physically unacceptable to the armed forces.
- 4-H Registrants who are 38 to 45 years of age. New class.

Q. How many have been registered and classified?

Number

A. Registration—U. S. Total (as of Sept. 30, 1942)	26,151,913
Unclassified	1,948,238
Classified	24,203,675

N. Y. STATE TRAINS TECHNICIANS

Editor's Note: The following report was presented before New York state broadcasters on December 7, during the two day meeting of District 2, in New York City. Because it records an outstanding historical achievement in assisting our Nation at war, it is presented in full:

By COL. HARRY C. WILDER, WSYR
Chairman, Military Committee
Second NAB District

Do we broadcasters remember Pearl Harbor? In one year in one state the all-out effort of radio stations is nothing short of amazing. I will report only on one phase of this war effort.

We sought beyond our war news and important morale functions some extra means of supporting the forces. The NAB shortly after Pearl Harbor decided that broadcasters enroll and train radio technicians for the war. The need then and now is desperate. Through the U. S. Depart-

ment of Education funds were made available for instruction and equipment, but someone in each state had to organize this ambitious plan. The radio stations of New York have seen it through.

Just before the end of December 1941 I was designated to organize the colleges of this District. No time was lost. In the first week of January two meetings were held; one in Syracuse and one in New York City, at which nearly every college and university in New York and New Jersey was represented in response to our invitation. In many cases the heads of these institutions attended.

Art Stringer, secretary of the NAB War Committee, who has done a magnificent job, and Commander Lee of the Navy explained the plan and outlined the 32-week night courses. We promised that the broadcasters would recruit all they could train in these courses, would furnish instructors wherever possible, would give surplus equipment and would otherwise see this project through. Nearly every college had more applicants than could possibly be accommodated. The stations, without exception, all deserve fullest possible credit.

Courses Started in February

All of these courses were soon under way and by February 1942 in nearly every New York community with over 10,000 population, one or more of these night courses was in operation. It is to the eternal credit of our stations that hard pressed as we are for engineers to keep us on the air, we were nevertheless, able to furnish a large number of instructors. These men have worked their regular shifts and devoted long extra hours every week as war instructors. Some of these engineers were later drafted; a reflection upon American handling of manpower problems.

The two Co-Ordinators representing directly the U. S. Education Department are Dean Hollister of Cornell University and Dean Newman of the College of the City of New York. Dean Hollister and his efficient staff supervise everything north of New York City. Dean Newman has metropolitan New York and New Jersey. Early in the year it was found best for radio to function as state units. New Jersey was separated and I refer only to the training activities in New York state, with emphasis on the area north of New York City.

In the face of later heavy demands upon the colleges for many other large war training courses, they have continued these night courses. There should be no move in Washington toward cutting down this activity because all services are still short. We have the recent statements of the Army and Navy that the quality of those who have completed our fundamental courses is high. This is after all, the acid test.

Along in the summer preference was given to applicants who were acceptable to the enlisted reserve of the Signal Corps. Since then the Army Air Forces, Communication Branch, has come to us with a similar enlisted reserve plan. We have also invited the Navy to join in this reserve plan. The Signal Corps pioneered and have taken most of the acceptable enrollees. Many of our graduates, however, have joined other services.

Both Men and Women Trained

Yet we have never at any time permitted the urgent dilemma of the stations to cross up the main purpose—that we must furnish these graduates to the armed services. We have, however, included a few women as extra students, who receive the same instruction. Now the WAAC's want some of these women. Many women will be available to replace station engineers entering the services.

The stations should contact the nearest college to line up these trained women or certain men who cannot enter

war service for age, physical or other reasons. We have not been selfish in this project but we have incidentally provided a small reservoir of trained people to replace depleted station ranks. For example, let's mention only one of many. Station WJTN of Jamestown, has one full time employee who graduated from one of these courses and who now has a first class license. Another graduate is a half time employee. The manager of WJTN states that these two men have been of tremendous aid in their fast depleted engineering staff and they plan to bring another nearby student in. They have kept such stations on the air.

We have insisted upon scrupulous observance of the courses as outlined by NAB because they were as required by the armed services. It is true that the stations can on their own, establish code and other technical classes and turn out many more trainees. Many high schools now operate radio courses for pupils not high school graduates. Without extensive later experience, these courses all help but can hardly meet the military needs for well rounded fundamental radio training in these "college-level subjects."

Students Complete Studies

A very large percentage now are able to finish the courses; in fact, more than expected. We must have some additional equipment and instructors without which new courses cannot be added. We now call on all stations to hunt up among amateurs and from their own surplus stocks any possible usable equipment.

The total number who have taken the upstate courses is 4,000 of which 170 are women. Because these courses in New York City were separated from upstate, we can only estimate state-wide results.

Probably one-third can be added from Greater New York to the upstate totals; there being no complete record available.

In the state about 5,200 have taken these night courses. 2,400 have completed the first half and are well along to final graduation in upstate colleges.

In addition, several other types of radio courses have been given in New York colleges, mostly by direct arrangement with the armed services. I have reason to believe that over 15,000 have in 1942 taken some radio course in state colleges, not including the public school system or commercial radio schools.

Sixty-five station engineers now teach these courses and 35 more engineers are at once available as instructors. Probably 50 engineers would volunteer as instructors if equipment were available for more classes. This apparatus bottle-neck is hard to crack, as priorities are not usually granted to colleges urgently needing apparatus to train more radio men.

Conclusion: For the first time in radio history, college radio courses have been put on a mass production basis. We know it is possible to concentrate such training in area as large as upstate New York. Most of these graduates are immediately needed in the war, but they also constitute a future trained supply for the radio industry. Whether these courses will continue another year, nobody knows. It depends on changing military policies. It is quite possible that in the future all will first be enlisted and then trained in colleges under full military supervision of the Army and Navy and without the sponsorship of broadcasters. All of these graduates will be needed to man new developments in the post-war radio age, but the single and only objective today is to produce these technicians to get the war over with. And complete victory can be speeded by extra effort by everyone on the home front, which is the challenge accepted by the New York stations.

Labor

ESCALATOR CLAUSES

The War Labor Board ruled this week that "escalator" clauses in labor contracts should not be enforced when they would bring salaries to more than 15 per cent above their January, 1941, levels.

For instance, take the case of a contract made in April, 1942, which provided that employees who had been making \$30 a week for some years should receive a raise of \$2.50 a week, with another \$2.50 raise each six months for the duration of the contract. Under the WLB ruling, the employees could be given only \$2 of the first "automatic" raise, and then could receive no more, even though they were provided by the contract.

Any adjustment would have to be approved by the WLB. The text of the order:

TITLE 29—LABOR

CHAPTER VI—NATIONAL WAR LABOR BOARD

Part 803—General Orders

(Adopted December 8, 1942)

§ 803.22—General Order No. 22. (A) No clause contained in any labor agreement, commonly known as an "escalator clause," relating to wages or salaries subject to the jurisdiction of the National War Labor Board, regardless of when the agreement was made, which provides for an adjustment in wage rates after October 3, 1942, or an adjustment in salary rates after October 27, 1942 because of changes in the cost of living, shall be enforced, where such adjustment would result in rates in excess of fifteen per cent above the average straight time hourly rates or equivalent salary rates prevailing on January 1, 1941.

(B) Adjustments within the fifteen per cent limit must be submitted for approval by the Board in the usual manner.

SICK BENEFITS

The WLB decided this week (Strand Baking Co. case) that it would not impose new or more liberal sick benefit clauses in the absence of special employment hazards.

Broadcast Advertising

1943 SALES PROMOTION CALENDAR IS AVAILABLE

Through the courtesy of Richard G. Meybohm, Manager, Sales Promotion Division of the National Retail Dry Goods Association, the 1943 Sales Promotion Calendar for Retailers and National Advertisers is being made available to broadcasting stations at \$2.50 each. This is considered the most authoritative work in the field of day-by-day merchandise promotion.

With the increased emphasis which is being placed on department stores and retail establishments as sources of broadcast advertising, many radio stations will want to have a copy of this comprehensive analysis of sales promotions by months and by days.

Among the subjects covered for each month are: comments on that month's promotions; sales percentages by departments for that month; important departments for that month; volume of the average store's total annual sales for the country as a whole that should be produced that month; and individual daily recommendations.

No better exposition exists of the problems of the retailer under wartime conditions than that contained in the Foreword to the 1943 Calendar, written by Mr. Meybohm. Here are the opening paragraphs:

"The year 1943 promises to be one of historical significance in retail sales promotion. Faced with an almost unpredictable merchandise situation caused by an ever-increasing diversion of production from civilian goods to war goods, the job of 'selling' in a period which contrasts an ebb of production against a peak of demand might not on the surface appear to be important. Yet if retail advertising and promotion be considered with its true purpose in mind—that of store promotion instead of sales promotion—it appears to become more important than ever. For probably never before has store selling been as worthy of consideration than at present.

"Certainly wartime conditions and their attendant shortages of merchandise, price and inventory control, etc., must be viewed as temporary whereas the life of the retail store may be reasonably expected to continue after Victory has been won.

"The successful store in peace time has always been that store which has been able and willing to cater to the needs and wants of people in a larger measure than competition. There seems to be no reason why this rule for success should not continue now and into our post war life.

"Normally these requirements and desires were in the main linked with merchandise which stores offered for sale. The availability of quantities sufficiently large to satisfy all demands and to profitably advertise was practically assured. Today this picture appears to be rapidly changing.

"The needs and wants of the American people have and will continue to change as the full impact of war is felt. Of necessity then sales promotion methods must also change. Large scale merchandise promotions might eventually become impractical because of the lack of quantities of specific types of merchandise. As a substitute implement to draw traffic and to keep those necessary daily contacts with customers, stores might well become centers of wartime information; their promotional activities might lean toward help in solving the customers' problems brought on by the war; to the establishment of bureaus of information; lectures, forums, instructive classes and the like. It short, stores might well serve as centers of community life."

You can obtain a copy of the 1943 Calendar through the Department of Broadcast Advertising of NAB. Make your check for \$2.50 payable to the National Retail Dry Goods Association.

WARTIME SHIFTS IN CONSUMER BUYING HABITS

From an Address before the
National Federation of Sales Executives

By WILLIAM H. HOWARD

Executive Vice-President

R. H. Macy and Company

*Reprinted Through the Courtesy of
"The Advertiser's Digest"*

During the course of the recently completed tour of district meetings, many station managers and sales managers asked for copies of the "Wartime Shifts in Consumer Buying Habits" from which Lewis A. Avery quoted during the forecast of business. Through the courtesy of "The Advertiser's Digest," in which this speech was reproduced, we are able to reprint the salient points of this talk.

"The changes that are taking place in people's lives nowadays are becoming fairly obvious, and now the changes in their buying habits are beginning to make themselves felt. No one knows how far-reaching these changes will become because they are bound up with the length of the war, the extent to which rationing becomes

necessary, and still further stringencies in transportation and the availability of consumer goods.

" . . . We called a meeting of the publicity staff at Macy's and posed ourselves this problem: Now that we are at war, a great many changes are going to take place in the lives of individuals. Let us list on a sheet of paper all of the changes we can think of that are occurring to people. Then, we are in a position to decide what we want to do with our advertising, publicity, displays, our promotion of merchandise and the approach of our sales force.

"The list we finally enumerated was a lengthy one: it consisted of such things as:

"1. Women will have less time for normal pursuits than formerly, since they will be engaged in an increasing number of war activities. If they have less time for normal pursuits, they obviously will have less time for shopping and still less time for reading advertising.

"2. With the shortage of tires and with gasoline rationing, they will not be driving into town to shop.

"3. A certain number of families living in the suburbs will find the transportation problem too much for them and will move back into town. A certain other group of families, fearful of air raids and apprehensive about the safety of their children, will move to the suburbs, as close to transportation as they can get.

"4. There will be more home entertainment. Nearby movies will become increasingly popular. They will listen to the radio more.

"5. Women are going to be concerned with making what they have last longer because they will be doubtful about the quality of replacement goods.

" . . . We must make our appeal to them (women) as brief, and informative, and to the point, as we can . . . it is equally true that they are very much interested these days in merchandise. . . . So while our story must be to the point it must also be complete; it must be more factual than it has been in the past. It must be simple, straight-forward, convincing and easy to buy from."

Doesn't that need match many of the distinctive advantages of broadcast advertising?

FREE TIME REQUESTS

The Radio Script Service of "Feature Bureau" at 50 East 42nd Street, New York City, is offering radio stations "free" monthly scripts on a Cooking Conservation Contest. Although various government agencies are alleged to be cooperating in the contest, stations have found that all scripts emphasize the importance of molasses in cooking conservation. This is no mere coincidence. Earlier this year, in response to a request for information on the purpose of the "Feature Bureau," Miss Marion Cahn wrote in part:

"The scripts as we offer them to radio programs are non-commercial in the majority of items—and in one or two items we represent associations like the doughnut industry; molasses industry . . ."

The old adage still holds true: "If you give it away, you can't sell it."

The managers of several Firestone Stores (subsidiary of Firestone Tire and Rubber Company) have approached radio stations with the suggestion that they broadcast Philharmonic records on a no-charge basis, with the understanding that the station will announce: "You are listening to a program of Philharmonic records sold exclusively by Firestone dealers and stores." Obviously, this is a commercial proposal and should be so regarded by the stations approached.

Listener Activities

CLEVELAND COUNCIL EVALUATES PROGRAMS

Mrs. J. Leon Ruddick, Chairman of the Evaluation Committee of the Radio Council of Greater Cleveland, has issued a most interesting report. In September the Cleveland Council sponsored the second regional conference on radio. As a result standards for the evaluation of children's radio programs were recommended. These standards follow:

1. Children's programs should be artistically sound. Top writers, actors and producers should be used in the creation of these programs.

2. Programs should be planned by joint committees including persons with a knowledge of children and those with a knowledge of showmanship.

3. Programs should build attitudes such as: loyalty, dependability, responsibility, integrity, tolerance, and pride.

4. Programs need, in this war era, to instill more definitely in children our democratic ideals. Definite propaganda for this purpose is desirable in our war against the totalitarian practices of the Axis Nations.

5. Children should have a wide range of programs such as the range for adults, including: variety, quiz, news, drama, and music.

In her release of December 4, Mrs. Ruddick, as Chairman of the Committee, states:

"A committee representing the Radio Council, working with the above standards in mind, submits the following list of programs which seem most nearly to measure up to the standards given. Programs were judged with children of Elementary and Junior High School ages in mind. The hours of listening agreed upon were 4 to 8 p. m. on school days, and 8:30 a. m. to 8 p. m. on Saturday and Sunday.

"Using the standards in the order of their listing, programs most nearly fitting these standards are given.

1. Let's Pretend; Saturday, a. m.; WGAR.
Family Hour; Sunday, 5 p. m.; WGAR.
2. Story Time; Saturday, 9:45 a. m.; WGAR.
Story Teller; Saturday, 10:45 a. m.; WHK.
Little Doctor Hickory; Sat., 2:35 p. m.; Blue Network.
Little Blue Play House; Saturday, 11:30 a. m.; WHK.
3. Uncle Henry's Dog Club; Sunday, 9:45 a. m.; WTAM.
* Pan-American Holiday; Saturday, 1 p. m.; WTAM.
** Wings Over Jordan; Sunday, 10:30 a. m.; WGAR.
4. *** God's Country; Saturday, 11:15 a. m.; WGAR.
5. **** Kostelanetz; Sunday, 4:30 p. m.; WGAR."

The committee also recommended "Cavalcade of America" and "Men of the Sea" as worthwhile programs that dramatized the lives of heroes of all time and those in today's struggle for freedom.

* "Pan American Holiday" was included because it brings to children an understandable picture of our Latin American neighbors.

** "Wings Over Jordan" while directed to adults, was selected because it teaches children tolerance and an appreciation of other races.

*** "God's Country" dramatizes the various sections of our own land and it was felt that this gave valuable information and inspiration to youth.

**** The "Kostelanetz" program, by its styling, brings to youth an awareness of the best in music in both classic and popular fields.

DU PONT AWARDS

The Alfred I. duPont Annual Radio Awards was established May 1942, by Mrs. Alfred I. duPont of Jacksonville, Florida, and the Florida National Group of Banking Institutions in Florida.

Two awards of \$1,000 each will be given each year.

One will go to the individual radio station in the United States which, in the opinion of a board of impartial judges, has rendered outstanding public service during the calendar year by encouraging and promoting American ideals and giving devoted service to the nation and to its community. The other award will go to the radio commentator who, in the opinion of the judges, has performed outstanding public service by aggressive, consistently excellent, and accurate gathering and reporting of news during the calendar year, and for expert and reliable interpretation of the news.

The awards for the 1942 calendar year will be announced the first week in March, 1943. In order to give the judges adequate time for consideration of all stations and commentators nominated for the awards, it will be necessary that all nominations be in by January 1, 1943. These nominations should be made by writing to W. H. Goodman, Secretary, Alfred I. DuPont Radio Awards, Trust Department The Florida National Bank, Jacksonville, Florida. Nominations should be accompanied by data supporting the claims of outstanding service made by the nominator. The decision of the Judges will of course be final and conclusive in all respects.

N. Y. SLANDER CASE

The New York Supreme Court last week in an action for slander ruled that a radio station is not liable for the extemporaneous defamatory remarks of a political candidate, provided the station had exercised "due care in the selection of the leasee of its facilities and in the inspection of the script." The ruling was made by Judge Wasservogel in the case of *Josephson v. WMCA*, and appears to apply to defamation in political broadcasts the "due care" rule laid down by the Supreme Court of Pennsylvania in the Summit Hotel Case.

"The fourth and fifth defenses," the court said, "plead qualified privileges under Section 315 of the Federal Communications Act. This section prohibits discrimination among qualified candidates for public office in the use of the facilities of a radio station and denies the right of censorship to the radio station. The person who uttered the defamatory matter was such a candidate. Since this statute creates certain obligations and limitations, it is proper that the owner of the radio station be given corresponding qualified privileges against liabilities for statements which it has no power to control."

In the State of New York the Court of Appeals is the court of last resort, with right of intermediate appeal to the Appellate Division of the Supreme Court. The Supreme Court is the trial court. Until affirmed by the Court of Appeals the ruling will not have the effect of binding authority in New York.

NETWORKS GRANTED REVIEW

The Supreme Court Monday granted review in the CBS-NBC cases against the Government to annul the network regulations and placed the case on the summary docket. Under the Urgent Deficiencies Act the networks have the right of direct appeal to the Supreme Court, and it was virtually a formality for the court to note probable jurisdiction and expedite hearing. Operation of the regulations was stayed by the New York court until February 1, 1943, or until argument before the Supreme Court, whichever is earlier. It is expected the cases will be reached for argument in January.

NAB ASKS TREASURY FOR OPINION ON GOVERNMENT TIME

NAB has requested the Treasury's opinion on the deductibility from gross income of the value of time given by radio stations to the Treasury, the War and Navy

Departments, and other agencies of the Government for programs and announcements in support of the war effort.

Section 23(q) of the Internal Revenue Code, as amended by Section 125, the Revenue Act of 1942, provides, in part, for the deduction from gross income "in the case of a corporation (of) contributions and gifts payment of which is made within the taxable year to or for the use of (1) the United States * * * for exclusively public purposes * * * to an amount which does not exceed 5 per centum of the taxpayer's net income as computed without the benefits of this section."

PUBLIC RESPONDS TO SPOTS

Thanks to you the public is beginning to understand.

Our appreciation is expressed to the following stations for cooperation in directing listeners to bring radios to radio repairmen instead of asking that they be picked up. Other stations who are helping have been reported in previous issues of NAB REPORTS.

As a matter of fact, ODT regulations have now restricted the movement of servicemen's cars to such an extent that, generally speaking, no other course is feasible.

The short messages, which stations were asked to broadcast on a rotating schedule, are helping both industry and government. When the wartime situation is explained and understood by listeners, there is little or no resentment over the elimination of the pickup service. Removal of this "frill" enables radio repairmen to handle more sets per day and thus *partially* compensate for hundreds of servicemen in uniform.

WAKR, Akron; WROW, Augusta, Ga.; KFYZ, Bismarck; WDOH, Chattanooga; WEST, Easton; KVFH, Fort Dodge; KARM, Fresno; WTIC, Hartford; WAZL, Hazelton; KMTR, Hollywood; KCMO, Kansas City, Mo.; WASK, Lafayette; WGAL, Lancaster; KOOS, Marshfield; WNYC, New York City; KBON, Omaha; WDAS, Philadelphia; KGFX, Pierre; WWSW, Pittsburgh; WTAD, Quincy; WSYR, Syracuse; KFYO, St. Louis; KTUC, Tucson; KVOA, Tucson; KUJ, Walla Walla; WDEL, Wilmington.

FRANK RECEIVES "AWARD OF MERIT"

Last summer, Nathan Frank, WCBT, Roanoke Rapids, N. C., went all out for Navy, putting both the station and himself solidly behind recruiting.

On December 10 he received the Award of Merit by the Navy Recruiting Station at Raleigh for the enlistment of 585 men. During five months, July through November, Mr. Frank, alone, interviewed 1,187 men. Of this number the 585 were enlisted and are now serving in the Navy.

FEDERAL COMMUNICATIONS COMMISSION

FLY PRESS CONFERENCE

Some progress is being made by FCC in connection with the manpower situation in the industry, Chairman James Lawrence Fly stated at a press conference this week.

The FCC staff has been in conference with the staff of the Manpower Commission, and the Chairman said, "We feel assured that the Manpower Commission will review the entire list of requirements of the industry, and when I speak of the requirements I do not think that we ought to be unduly concerned over some reports that only news and information service and those devoted to that particular service will be deemed essential."

He called attention to the fact that the broadcasting structure rests upon the foundation of commercial broadcasting and broadcast stations cannot exist for the isolated purpose of news and information "unless they be subsidized broadly."

"Of course there is always," the Chairman said, "the further factor that audiences must be built up and sustained. Without continuing the service and without attractive service, including entertainment, the audience will not be there. Audiences cannot be turned on and off like a spigot. I am sure it will be very obvious to all of us who are concerned with the continuity, stability and security of the broadcasting industry that all positions essential to those requirements will be recognized."

Mr. Fly expressed concern over the tendency "on the part of certain applicants and broadcast stations and their backers to assume that the wartime rules may be broken down." He said these rules are designed to prevent the use of materials and to preserve new materials for war purposes.

There is extreme demand for radio materials for essential war purposes, and this is thoroughly understood throughout the industry, Mr. Fly continued. Certain equipment has been taken by agreements of the owners out of the hands of some of our broadcasters, and no doubt additional materials which are available will be called for in the future.

"I think we have got to make it awfully clear here," the Chairman said, "that as long as these rules are in effect we have all got to live under them as best we can." Mr. Fly stated that he thought the question of living up to the rules had come about through the recent grant of the Commission which moves WJW. In this connection he called attention to the fact that no new material is being used in this program.

The FCC, Mr. Fly said, is still making studies and holding conferences regarding the status of small stations which may have difficulty in staying on the air due to the falling off of local business. This is particularly acute in a number of smaller towns and cities served by local stations dependent upon the business of the particular town. The Chairman expressed hope, "that some sound plan can be evolved for the relief of these stations so we can be assured of their continuing operation during the war. Perhaps not a more essential class of station in the whole broadcasting structure. Needless to say the tax measure may be of some assistance. That can hardly be deemed a major alleviative."

DEMPSEY IN KOA CASE

The FCC has designated Mr. William J. Dempsey as Special Counsel for the purpose of assisting in the preparation and presentation to the Supreme Court of the case entitled "National Broadcasting Co., Inc. (KOA) v. Federal Communications Commission." This case involves the validity and interpretation of the Commission's intervention rule which was adopted while Mr. Dempsey was General Counsel of the Commission.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 21. They are subject to change.

Monday, December 21

Further Hearing

- WTNJ—WOAX, Incorporated, Trenton, N. J.—Renewal of license, 1310 kc., 500 watts, SH-WCAM and WCAP.
WTNJ—WOAX, Incorporated, Trenton, N. J.—Modification of license, 1310 kc., 500 watts, unlimited; request facilities of WCAM and WCAP.
WCAM—City of Camden, Camden, N. J.—Renewal of license, 1310 kc., 500 watts, SH-WTNJ and WCAP.
WCAM—City of Camden, Camden, N. J.—Modification of license, 1310 kc., 500 watts, SH-WCAP; request facilities of WTNJ.
WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Renewal of license, 1310 kc., 500 watts, SH-WTNJ and WCAM.
WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Modification of license, 1310 kc., 500 watts, SH-WCAM; request facilities of WTNJ.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

- WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Granted modification of construction permit for approval of studio site, move of transmitter location and change in antenna system, on condition that applicant take care of reasonable complaints on blanketing (B2-MP-1650).
WSAY—Brown Radio Service & Lab. (Gordon P. Brown, Owner), Rochester, N. Y.—Granted modification of construction permit for change of location of transmitter, change type of transmitter and change directional antenna system for day and night use (B1-MP-1609).
WOW—Woodmen of the World Life Insurance Society (Assignor), Radio Station WOW, Inc. (Assignee), Omaha, Nebr.—Granted consent to voluntary assignment of license for Station WOW, from Woodmen of the World Life Insurance Society to Radio Station WOW, Inc. The assignor proposes to assign the license and lease all the fixed assets used in connection with Station WOW to the assignee. The lease agreement is for a term of 15 years at a monthly rental of \$8,166 for the first three years and \$5,680 per month for the remaining 12 years of the lease. (Commissioners Walker, Wakefield and Durr dissented.)

LICENSE RENEWALS

- WDBC—Delta Broadcasting Co., Escanaba, Mich.—Granted renewal of license for the period ending in no event later than December 1, 1943.
Granted renewal of following station licenses for the period ending in no event later than December 1, 1944:
KARM, Fresno, Calif.; KDTH, Dubuque, Iowa; KLO, Ogden, Utah; KPRO, Riverside, Calif.; WWRL, Woodside, Long Island, N. Y.
WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted renewal of license for the period ending not later than August 1, 1944.
WMRO—Martin R. O'Brien, Aurora, Ill.—Granted renewal of license for the period ending not later than October 1, 1944.

DESIGNATED FOR HEARING

- KDNT—Harwell V. Shapard, Denton, Tex.—Designated for hearing application for modification of license to change frequency from 1450 to 1400 kc. (B3-ML-1143).
WJNO—WJNO, Inc., West Palm Beach, Fla.—Designated for hearing application for construction permit to reinstate construction permit B3-P-3041, which expired September 23, 1941, for use of formerly licensed composite transmitter and install new vertical antenna as an auxiliary unit at 511 Dutra St., West Palm Beach, and specify 1230 kc. (B3-P-3449).

WMAM—M & M Broadcasting Co., Marinette, Wisc.—Designated for hearing application for modification of license to change hours of operation from daytime to unlimited time, using power of 100 watts, 250 watts LS (B4-ML-1146).

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Designated for hearing application for renewal of license of Station WCOP (1) to determine the qualifications of the applicant to operate station WCOP in the public interest; (2) to determine the manner and method in which applicant has heretofore operated Station WCOP, particularly with respect to but not limited to foreign language programs, including methods of selecting and investigating personnel, qualifications of personnel, sale of time, and supervision of programs; (3) to determine whether, in view of the facts shown by the examination of the foregoing issues, the continued operation of Station WCOP would serve public interest, convenience, and necessity.

The Commission has announced that it has designated for hearing an application of the Massachusetts Broadcasting Corp. for the renewal of license of Station WCOP, Boston, Mass. The station is one of several foreign language stations controlled by Arde Bulova. The bill of particulars states that the hearing has been set to determine the manner in which the applicant has heretofore operated Station WCOP, particularly with respect to foreign language programs. Testimony at the hearing will concern methods of selecting and investigating personnel, qualifications of personnel, sale of time, and supervision of programs. Following examination of the foregoing issues the Commission will determine whether continued operation of Station WCOP by the present operator would serve public interest.

The Commission has investigated Franco Gallucci, one of WCOP's announcers and its chief Italian program time-broker, who was president for many years of the Massachusetts Federation of Dopolavero, a Fascist front organization, and Ubaldo Guidi, another announcer. Guido had close contact with the Italian Consulate at Boston and was widely known throughout New England as an organizer of a Fascist group. Guido has been arrested by the FBI and has been interned since the attack on Pearl Harbor.

Italian broadcasting on the station was begun at the direction of the late Luigi Fiato, who was executive secretary of the Boston Fascio of the Fascist League of North America.

COMMISSION ORDERS

The Commission has set aside and annulled its order of January 21, 1941, revoking the license of station WDLP, of Panama City, Florida. In the same order it renewed the station license and granted the transfer of control of the Panama City Broadcasting Company to Bay County Publishers, Inc.

The Commission also annulled its order of January 21 revoking the license of Station WTMC, of Ocala, Florida. It granted license renewal to the station and granted transfer of control of the licensee corporation, Ocala Broadcasting Co., Inc., from John T. Alsop, Jr., to News-Journal Company.

Its orders in these two cases are as follows:

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 2nd day of December, 1942:

The Commission, having under consideration its order of January 21, 1941, revoking the license of Panama City Broadcasting Company, licensee of Station WDLP, Panama City, Florida, the evidence adduced at the hearing thereon and the proceedings of record therein; and also the application (File No. B3-TC-220) for transfer of control of the licensee corporation to Bay County Publishers, Inc.; and also the application (File No. B3-R-1053) of Panama City Broadcasting Company for renewal of license to operate Station WDLP; and the Commission finding that public interest will be served by vacating, setting aside and annulling its order of January 21, 1941, herein, and by granting the application for transfer of control and renewal of license of Panama City Broadcasting Company, licensee of Station WDLP, Panama City, Florida;

It is ordered, that the Commission's order of January 21, 1941, revoking the license of Panama City Broadcasting Com-

pany, licensee of Station WDLP, Panama City, Florida, be, and it is hereby, vacated, set aside and annulled; and

It is further ordered that the application (File No. B3-TC-220) for transfer of control of Panama City Broadcasting Company to Bay County Publishers, Inc., be, and it is hereby, granted; and

It is further ordered, that the application (File No. B3-R-1053) of Panama City Broadcasting Company for renewal of license to operate Station WDLP, be, and it is hereby, granted.

The Commission, having under consideration its order of January 21, 1941, revoking the license of Ocala Broadcasting Company, Inc., licensee of Station WTMC, Ocala, Florida, the evidence adduced at the hearing thereon and the proceedings of record therein; and also the application (File No. B3-TC-219) for transfer of control of the licensee corporation from John T. Alsop, Jr., to News-Journal Company; and also the application (File No. B3-R-1003) of Ocala Broadcasting Company, Inc., for renewal of license to operate Station WTMC; and the Commission finding that public interest will be served by vacating, setting aside and annulling its order of January 21, 1941, herein, and by granting the application for transfer of control and renewal of license of Ocala Broadcasting Company, Inc., licensee of Station WTMC, Ocala, Florida;

It is ordered, that the Commission's order of January 21, 1941, revoking the license of Ocala Broadcasting Company, Inc., licensee of Station WTMC, Ocala, Florida, be, and it is hereby, vacated, set aside and annulled; and

It is further ordered, that the application (File No. B3-TC-219) for transfer of control of the licensee corporation from John T. Alsop, Jr., to News-Journal Company, be, and it is hereby, granted; and

It is further ordered, that the application (File No. B3-R-1003) of Ocala Broadcasting Company, Inc., for renewal of license to operate Station WTMC, be, and it is hereby, granted.

DOCKET CASE

The Commission has announced its Findings of Fact, Conclusion, and Order (B-150), denying the application of Dodge City Broadcasting Co., Inc. (KGNO), Dodge City, Kans., for modification of license to increase nighttime operating power from 250 to 500 watts (Docket No. 5955).

In its conclusion, the Commission states:

"One of the issues to be determined in connection with the instant application is whether the granting thereof would tend toward a fair, efficient, and equitable distribution of radio service, as contemplated by Section 307(b) of the Communications Act of 1934, as amended. As heretofore shown, the granting of the instant application would enable KGNO to extend its present nighttime service to include an additional area of about 231 square miles and some 1,068 potential listeners who are now without primary broadcast service. This gain in service, however, would be accomplished at the expense of some 5,630 listeners who would lose service from Station KFRO, Longview, Texas. While it is clear from the evidence that some of these listeners who would be so affected have service available from KOCA, Kilgore, Texas, there has not been an adequate showing as to the number or portion thereof residing within the nighttime primary service area of this station. Since the showing in this respect is not complete, we are unable to resolve the issue heretofore stated in favor of the applicant and reach the requisite statutory conclusion that the operation proposed herein would serve public interest, convenience, or necessity."

MISCELLANEOUS

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted modification of construction permit as modified, which authorized installation of new transmitter and directional antenna for day and night use, change hours of operation, increase power, and move transmitter and studio, for change in type of transmitter and extension of completion date from November 30, 1942, to 90 days after grant (B2-MP-1667), subject to conditions.

WMBI—The Moody Bible Institute of Chicago, Ill.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1475).

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted extension of special service authorization to operate unlimited time with power of 25 KW, 50 KW LS, employing direc-

tional antenna at night, and using transmitter described in its construction permit B3-P-2539 (B3-SSA-54).

K37LA—Earle C. Anthony, Inc., Los Angeles, Calif.—Cancelled outstanding construction permit (B5-PH-45 and B5-MPH-66), deleted call letters, and closed the records of the Commission with respect to this station, because of inability to obtain materials.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Passed for two weeks petition for leave to intervene in the hearing on application of WQBC, Vicksburg, Miss.

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.; KFAB—KFAB Broadcasting Co., Lincoln, Neb.; WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.; WJAG—The Norfolk Daily News, Norfolk, Neb.—Passed for one week petition to dismiss without prejudice applications of applicants in Dockets 5269, 5270, 5271 and 5864.

KNOE, Inc., Monroe, La.—Granted motion to dismiss without prejudice application for construction permit (B3-P-2887).

WCSH—Congress Square Hotel Co., Portland, Maine.—Granted petition to dismiss without prejudice application for construction permit (B1-P-3490).

KVAK—Carl Latenser (Assignor), Radio Enterprises, Inc. (Assignee), Atchison, Kans.—Granted motion to dismiss application for voluntary assignment of license of station KVAK (B4-AL-320).

WHKC—United Broadcasting Co., Columbus, Ohio.—Granted petition to accept amendment to application for construction permit for changes in directional antenna system.

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Denied petition for reconsideration and grant of application for construction permit to increase power from 1 KW to 5 KW, move transmitter, install new transmitter, and install directional antenna for night use (B-P-3499, Docket 6440).

APPLICATIONS FILED AT FCC

710 Kilocycles

WFTL—Ralph A. Horton, Ft. Lauderdale, Fla.—Modification of construction permit (B3-P-3355 as modified, which authorized change in frequency, increase in power, new transmitter and directional antenna for night use and move of transmitter) for extension of completion date from 1-5-43 to 3-5-43.

750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Special service authorization to operate from 7 a. m. to local sunrise during months of November, December, January and February, with power of 250 watts, for period ending 2-1-44.

820 Kilocycles

WGST—Georgia School of Technology, Atlanta, Ga.—Authority to determine operating power by direct measurement of antenna power.

860 Kilocycles

KTRB—KTRB Broadcasting Co., Inc., Modesto, Calif.—Modification of license to move main studio from McHenry & Sylvan Aves., Modesto, Calif., to Norwegian Ave., between Sunrise Ave. & Coffee Road, 1¼ mile N. of NE corner of Modesto.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Authority to determine operating power by direct measurement of antenna power.

1330 Kilocycles

WHAZ—Rensselaer Polytechnic Institute, Troy, N. Y.—Authority to determine operating power by direct measurement of antenna power.

TELEVISION APPLICATION

W2XCB—Columbia Broadcasting System, Inc., area New York, N. Y.—Modification of construction permit (B1-PVB-46 as modified, which authorized new television relay station)

for extension of completion date only, from 1-7-43 to 7-7-43.

MISCELLANEOUS APPLICATIONS

W55M—The Journal Co. (The Milwaukee Journal), Richfield, Wis.—License for new auxiliary modulator unit (using unit formerly licensed to Station W9XAO).

KSRO—Ernest L. Finley, Santa Rosa, Calif.—Involuntary assignment of license from Ernest L. Finley, deceased to Ruth W. Finley, Executrix.

KA0Y—Don Lee Broadcasting System, area Los Angeles, Calif.—License to cover construction permit (B5-PRE-297 as modified, which authorized new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

L. & C. Hardtmuth, Inc., Bloomsbury, N. J., and Koh-I-Noor Pencil Co., Inc., 373 Fourth Ave., New York, are charged in a complaint with falsely representing that the pencils they manufacture and sell are wholly of domestic make when actually the leads therein were imported from Germany and Czechoslovakia. (4875)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Baltimore Luggage Co., 105 West Pratt St., Baltimore, stipulated to discontinue representing that any part of an article of luggage sold by them is made of wood or brass when actually such part is made of a product or products other than wood or brass; use of the word "genuine" as descriptive of split leather; selling any article of luggage made of so-called split leather or leather other than the top grain, unless tags or labels showing that such leather is split or cut from the under side of the hide and is not top grain be attached to the article so as to remain thereon until it reaches the ultimate purchaser; and making any representation which has the tendency of misleading or deceiving the purchasing public with respect to the grade, quality, origin, construction, durability, character, or finish of any article of luggage, its fittings, or the leather or other material of which it is composed. (3580)

Federal Bakery Co., Winona, Minn., selling a food product designated "Federal Prize Winner Bread," and M. H. White and H. R. Wiecking, trading as Winona Radio Service, 216 Center St., Winona, advertising agents who disseminated advertisement for the product, have stipulated to cease and desist from representing that Federal Prize Winner Bread supplies substantial amounts of the vitamins and the food minerals; that it conforms to the recommendations of the Committee on Food and Nutrition of the National Research Council; that the consumption of this bread in customary amounts will provide the daily minimum requirement of thiamin; that the bread is made with whole milk as one of its ingredients; or that more of this bread is sold in the Winona, Minnesota, market than any other bread, or that because of the presence of thiamin it will aid in the digestion of food. (03079)

Hill Brothers Co., Hudson, Mass., manufacturing and selling men's shoes, has stipulated to cease and desist from use of the words "Cross & Cross," in connection with a crown or shield, or the words "The House of McGregor's Ltd.," either alone or in connection with the words "Bespoke Bootmakers," or with any other words, picturization, or insignia customarily identified with the British Isles, as a mark, stamp or brand name for, or to otherwise purportedly describe or refer to its domestically-made products; and from use of words or combinations in any way, the effect of which conveys the belief to purchasers that the products are of British make or imported from England; from use of the words "Hand Made," or words of similar implication as purportedly descriptive of products not made by hand; and from use of any named concern, such as "Dominick & Dominick," so as to convey the belief that the products are manufactured by or in accordance with the specific order of the named concern when such is not the case. (3575)

Old Trusty Dog Food Co., Inc., Needham Heights, Mass., stipulated that in the sale of a dog food designated "Supreme Meal" it will cease and desist from representing that the United States Government has adopted general specifications for dog foods and that its product is compounded in accordance with "U. S. Government Specifications"; that its product is "scientifically balanced" or constitutes a balanced ration for dogs of all breeds and ages; that "Supreme Meal" contains blood-purifying minerals or by reason of its mineral or other content possesses blood-purifying properties, and that the product will prevent infectious diseases or insure the virility, vigor or health of dogs. The respondent company also agrees to stop making any comparison of the vitamin content of its product with the vitamin content of a dog food deficient in the vitamins indicated, the effect of which is to imply that its product contains vitamins in excess of the actual vitamin content. (3579)

Paul's Furniture Store, Westwood, N. J., Paul Gluck and Bernard Gluck, retailers of household merchandise, furniture and rugs, stipulated that they will discontinue the use of advertising which has the capacity or tendency to convey the belief to customers that the merchandise referred to in such advertising is new when actually it has been used or repossessed; that the persons referred to in the advertising are in possession of the advertised merchandise or have a salable interest in it; that the price for which the merchandise is advertised for sale is the unpaid balance due thereon or does not exceed the sum remaining unpaid by such persons; or that the advertising had been inserted or authorized by such persons. The respondents also agree to stop using the word "Oriental" to refer to rugs which are not made in an Oriental country and do not contain all of the essential characteristics and qualities of Oriental rugs; unless, if such word is used properly to designate only the pattern or design of the rugs, it shall be immediately accompanied by other words, such as "design" or "pattern," printed in equally conspicuous type, so as to clearly indicate that only the design or pattern is a likeness of an Oriental design or pattern. The respondents further stipulate that they will discontinue using the words "Oriental Reproduction" as descriptive of rugs which are not in fact reproductions of the indicated type. (3581)

Reese Chemical Co., Cleveland, Ohio, selling a medicinal preparation designated "Blu-Tabs," has stipulated to cease and desist from disseminating any advertisement which fails clearly to reveal that frequent or continued use of the preparation may cause nervousness, restlessness or sleeplessness; that individuals suffering from high blood pressure, heart disease, diabetes or thyroid trouble should not use the preparation except on competent medical advice; that it should not be used in case of lung disease or

chronic cough, and that if a skin rash appears its use should be discontinued; provided, however, that such advertisement need only contain the statement: "Caution, use only as directed," if the directions for use contain a caution or warning to the same effect. (03080)

Ruckel Manufacturing Co., 547 Broadway, New York, manufacturer of comforter and blanket covers, entered into a stipulation to cease and desist from the use on labels or stationery, or in any other manner, of the term "Eighty Square" as descriptive of the fabric of which his products are made and from the use of such term or of any similar term, the effect of which tends to convey the belief that the fabric is composed of the designated number of threads or picks to the square inch when actually the thread count is other than that indicated; the term "Full Size" to imply that products so designated are of a 72-inch by 84-inch size, as the term "Full Size" is understood in the trade; and the brand "82 x 90" or any other purported size indication which is not truthfully representative of the actual dimensions of the products. (3578)

Ben Schwartzman, Inc., 150 West 28th St., New York, selling and distributing fur garments, has entered into a stipulation to cease and desist from the use in advertisements or on labels, tags, or other media, of any representation or designation of a fur which deceptively conceals the true name or nature of the fur with the tendency to mislead or deceive purchasers, and from designating or describing furs in any manner other than by the use of the correct name of the fur as the last name of its description, and when any dye, blend or process is used in simulating another fur, the true name of the fur appearing as the last word of the description shall be immediately preceded in equally conspicuous type by the word "dyed" or "blended" compounded with the name of the simulated fur, such as "Seal-dyed Coney," "Beaver-dyed Coney," and "Mouton-dyed Lamb." (3574)

Standard Corset Co., 144 Race St., Holyoke, Mass., has entered into a stipulation to cease and desist from representing that the corsets or foundations it sells will cause firm muscles, remove excess avoirdupois, reduce the hips or waist, or correct irregularities or defects of the figure; and that the front of its so-called "Armmori Belt" is fully elastic, is made to comply with the laws of nature, and is prescribed by physicians and surgeons for abdominal irregularities. (3576)

St. Lawrence Textile Mills, Inc., 1261 Broadway, New York, engaged in the sale of oil silk and rayon fabrics, stipulated to discontinue use of the word "Mills" as part of its corporate or trade name and the word "manufacturers" or other words of like meaning to imply that it manufactures the products it sells or actually owns and operates or directly controls a plant or factory in which such products are made. (3577)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Joseph Cohen, 713 Otis Place, N. W., Washington, D. C., has been ordered to cease and desist from the sale and distribution of so-called press supplies, including press cards and automobile press tags represented as entitling the holder to pass through police and fire lines and to receive the courtesies and privileges extended to regular newspaper correspondents. (4783)