

NLRB REBUKES PETRILLO

The National Labor Relations Board has entered a final Decision and Order in the NBC and Blue Network case involving the National Association of Broadcast Engineers and Technicians (NABET) and the American Federation of Musicians. The Board adopted in full the findings, conclusions and recommendations of the Trial Examiner with the exceptions, additions and qualifications set forth in note 1, appearing in the verbatim copy of the Decision and Order. To fully understand the Board's final Decision and Order, the Intermediate Report of the Trial Examiner should be read. This is published in full in Vol. 13, page 74, *et seq.*, of the NAB REPORTS.

The Order directs NBC and the Blue to cease and desist from refusing to bargain collectively with NABET as the exclusive representatives of their employees including "all technical employees * * * engaged in the operation of technical facilities used in transmitting, converting, and/or conducting audio, video and/or radio frequencies for use in broadcast, re-broadcast, audition, rehearsal, recording and/or 'on the air play-back' excepting 'on the air' play-back in Chicago, Illinois."

This means that exclusive jurisdiction over "platter turners" in NBC and Blue managed and operated stations, except in Chicago, Illinois, is awarded to NABET.

(NOTE: For further information with reference to preliminary negotiations leading up to this final decision, see NAB REPORTS, Vol. 13, page 37.)

The full text of the Decision and Order follows:

UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

Case No. 2-C-5735

In the Matter of

NATIONAL BROADCASTING COMPANY, INC.

and

NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND
TECHNICIANS

and

AMERICAN FEDERATION OF MUSICIANS

Case No. 2-C-5734

In the Matter of

AMERICAN BROADCASTING COMPANY, INC.

and

NATIONAL ASSOCIATION OF BROADCAST ENGINEERS AND
TECHNICIANS

and

AMERICAN FEDERATION OF MUSICIANS

Decision and Order

On February 3, 1945, the Trial Examiner issued his Intermediate Report in the above-entitled consolidated

proceeding, finding that the respondents had engaged in and were engaging in certain unfair labor practices and recommending that they cease and desist therefrom and take certain affirmative action, as set out in the copy of the Intermediate Report attached hereto. Thereafter, the American Federation of Musicians, herein called the AFM, and the respondent American Broadcasting Company, Inc., filed exceptions to the Intermediate Report; the respondent American Broadcasting Co., Inc., also filed a supporting brief. Oral argument, in which the respondents, the AFM, and National Association of Broadcasting Engineers and Technicians, herein called NABET, participated, was held before the Board at Washington, D. C., on March 6, 1945. The Board has reviewed the rulings of the Trial Examiner and finds that no prejudicial error was committed. The rulings are hereby affirmed. The Board has considered the Intermediate Report, the exceptions and briefs of the parties, and the entire record in the case, and hereby adopts the findings, conclusions, and recommendations of the Trial Examiner, with the exceptions, additions, and qualifications noted below:¹

1. At the oral argument before the Board, counsel for the AFM conceded that unless the Board were to reverse its determination of the appropriate unit in the representation proceeding, the contentions of the AFM would constitute no valid defense to the respondents' refusal to bargain with NABET. No new evidence has been offered and no new arguments have been advanced relating to the issue of whether platter turners should be within a musicians' unit as claimed by AFM or, except in Chicago, within an engineers' and technicians' unit as determined by the Board in the representation proceeding. After full reconsideration of the issues we affirm our unit determination in this respect.

2. As part of their defense, the respondents inferentially base their refusal to bargain with NABET on the letters of January 27 and 28, 1944, which both the AFM and the respondents contend constitute valid contracts. However, at the representation proceeding and at the oral argument before the Board in the present proceeding, it was admitted that these alleged agreements had been made subject to our determination in a proper representation proceeding that platter turners, except in Chicago, would be included in a musicians' unit represented by the AFM.² Since we

¹ The Trial Examiner found that the parties met for the last time on January 24 and that during this meeting the respondents unsuccessfully attempted to induce NABET to waive its jurisdiction over platter turners. The record shows and we find, that while the parties met again after January 24, 1944, the last time that the respondents attempted to induce NABET to waive its jurisdiction over the platter turners was at a meeting with NABET on January 24, 1944.

² The record in the representation proceeding contains the following statements:

MR. McDONALD (Counsel for the respondent National Broadcasting Company, Inc.): . . . We discussed terms with Local 802 under which platter turners would be employed, provided the NLRB certified the AFM jurisdiction of platter turners, . . .

* * * * *

MR. PADWAY (Counsel for the AFM): Well, I accept Mr. McDonald's explanation of it, that is all, and that saves a lot of time.

The transcript of the oral argument in the present proceeding contains the following statements:

MR. PADWAY: The contract of the musicians was about to expire. Conferences were had respecting . . . any other terms and conditions which would enter into the new contract; that the musicians made a formal demand for platter turners; that their demand was granted

(Continued on page 134)

J. H. Ryan, President

C. E. Arney, Jr., Secretary-Treasurer

Lewis H. Avery, Director of Broadcast Advertising; Robert T. Bartley, Director of Government Relations; Helen A. Cornelius, Asst. Director of Broadcast Advertising; John Morgan Davis, General Counsel; Willard D. Egolf, Director of Public Relations; Howard S. Frazier, Director of Engineering; Dorothy Lewis, Coordinator of Listener Activity; Paul F. Peter, Director of Research; Harlan Bruce Starkey, Chief, News Bureau; Arthur C. Stringer, Director of Promotion.

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(Continued from page 133)

have determined that they should be included in a unit of engineers and technicians represented by NABET, this condition was never met. Accordingly, apart from any other considerations, we find that the letters of January 27 and January 28, 1944, do not constitute a valid defense to the respondents' refusal to bargain.

3. As a further defense to their refusal to bargain with NABET the respondents, as set forth in the Intermediate Report, rely upon the economic reprisals which the AFM threatened to put into effect if they recognized and bargained with NABET as the exclusive representatives for platter turners. We have fully considered the respondents' contention in this respect and, as we have previously held, we find that neither as a matter of law does it constitute a defense to the duty to bargain required by the Act nor in the exercise of our discretion do we regard it as a valid justification for such refusals.⁸

Order

Upon the entire record in the case, and pursuant to Section 10 (c) of the National Labor Relations Act, the National Labor Relations Board hereby orders that:

A. The respondents, National Broadcasting Company, Inc., and American Broadcasting Company, Inc., both of New York City, and their respective officers, agents, successors, and assigns, shall cease and desist from:

(1) Refusing to bargain collectively with National Association of Broadcast Engineers and Technicians as the exclusive representative of their respective employees in the respective appropriate units set forth in paragraphs B (1) and C (1) of this Order with respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Engaging in any like or related acts or conduct interfering with, restraining, or coercing their employees in the exercise of their right to self-organization, to form labor organizations, to join or assist National Association of Broadcast Engineers and Technicians, or any other labor organization, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection, as guaranteed in Section 7 of the Act.

subject to whatever might be determined by the National Labor Relations Board.

* * * * *

MR. McDONALD: Gentlemen of the Board, in answer to Judge Padway's question I would like to state that it is my understanding that the letters given in January of 1944, were, of course, subject to any decision that this National Labor Relations Board might make, but he (sic) letter of N.B.C. did not specifically so state. I regarded it as an implied condition . . .

⁸ Matter of Gluek Brewing Co., 47 NLRB 1079, 1093, enf'd 144 F. (2d) 847 (C.C.A. 8); Matter of McQuay Norris Manufacturing Company, 21 NLRB 709, 717, enf'd 116 F. (2d) 748 (C.C.A. 7), cert. denied 313 U. S. 565; Matter of Star Publishing Company, 4 NLRB 498, enf'd 97 F. (2d) 465 (C.C.A. 9); Matter of Isthmian Steamship Company, 22 NLRB 689, 699, enf'd 126 F. (2d) 598 (C.C.A. 2); and Matter of Walgreen Company, 44 NLRB 1200, 1214.

B. The respondent National Broadcasting Company, Inc., and its officers, agents, successors, and assigns, shall take the following affirmative action which the Board finds will effectuate the policies of the Act:

(1) Upon request, bargain collectively with National Association of Broadcast Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of National Broadcasting Co., Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Post in its studios at New York City; Chicago, Illinois; Washington, D. C.; Cleveland, Ohio; Denver, Colorado; and San Francisco, California, copies of the notice attached hereto, marked "Appendix A." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by the respondent's representative, be posted immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the respondent to insure that said notices are not altered, defaced, or covered by any other material;

(3) Notify the Regional Director for the Second Region in writing, within ten (10) days from the date of this Order, what steps the respondent has taken to comply herewith.

C. The respondent American Broadcasting Company, Inc., and its officers, agents, successors, and assigns, shall take the following affirmative action which the Board finds will effectuate the policies of the Act:

(1) Upon request, bargain collectively with National Association of Engineers and Technicians as the exclusive representative of all technical employees, wherever located, of the engineering department of American Broadcasting Company, Inc., engaged in the operation of technical facilities used in transmitting, converting and/or conducting audio, video, and/or radio frequencies for use in broadcast, rebroadcast, audition, rehearsal, recording and/or "on the air" playback, excepting "on the air" playback in Chicago, Illinois, but excluding chief engineer, operating engineer and assistant, engineering managers, engineers in charge, operations supervisors, television operations supervisors, station engineers at transmitters of more than 5 kw., television station engineers, engineers in charge and their first assistants in the following engineering groups: radio facilities, audio facilities, development, and technical services; construction superintendents; engineer in charge of television; and all other supervisory employees with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action, in respect to rates of pay, wages, hours of employment, and other conditions of employment;

(2) Post in its studios at New York City; Chicago, Illinois; San Francisco, California; and Los Angeles, California, copies of the notice attached hereto, marked "Appendix B." Copies of said notice, to be furnished by the Regional Director for the Second Region, shall, after being duly signed by the respondent's representative, be posted by the respondent immediately upon receipt thereof, and maintained by it for sixty (60) consecutive days thereafter, in conspicuous places, including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the respondent to insure that said

notices are not altered, defaced, or covered by any other material;

(3) Notify the Regional Director for the Second Region in writing, within ten (10) days from the date of this Order, what steps the respondent has taken to comply therewith.

Signed at Washington, D. C., this 31st day of March 1945.

HARRY A. MILLIS,
Chairman.

GERARD D. REILLY,
Member.

JOHN M. HOUSTON,
Member.

(SEAL)

NATIONAL LABOR RELATIONS BOARD

FCC ELEVATES HYDE

Rosel H. Hyde, longtime FCC assistant general counsel, has been named by the Commission to fill the post of General Counsel vacated by Charles R. Denny who was sworn in as Commissioner last Friday.

Appointment of Vernon L. Wilkinson of the Lands Division, Department of Justice, to succeed Mr. Hyde as assistant general counsel in charge of broadcasting was announced at the same time. Leonard H. Marks was moved up to the post of assistant to the general counsel.

Marks fills the position vacated last fall by Peter Shuebruk, and in assuming his new duties leaves behind him the position of chief of the New Facilities Division.

8TH DISTRICT MEETING

Concluding a series of 18 district meetings, broadcasters of the 8th NAB District (Michigan-Indiana) convened in Detroit on Monday and Tuesday (2-3). District Director John E. Fetzer, WKZO, presided and introduced J. Harold Ryan, NAB President. Mr. Ryan occupied nearly the entire morning session in a detailed review of NAB activities and objectives. In the absence of John Morgan Davis, General Counsel, Mr. Ryan also covered the labor relations activities of the Association.

The afternoon session of the first day was given over to a presentation of the Broadcast Measurement Bureau. President Hugh Feltis was aided by Otto Stadelman of Needham, Louis and Brorby. In addition Joe Neebe, Vice President of Campbell-Ewald, likewise presented the agency viewpoint, assisted by M. A. Hollinshead, Radio Director of Campbell-Ewald. Horace Stovin, a member of the Board of the Bureau of Broadcast Measurement, the Canadian organization which parallels BMB, and Walter Elliott, BBM Research Counsel, who were guests at the meeting, told of the progress of the Canadian organization. A full account of the results will be published in an early BMB bulletin.

Following the BMB presentation, Director Fetzer who is serving as Assistant Director of Censorship in Charge of Radio, outlined problems incident to censorship. Al H. Lewellen of the Cleveland office of OWI, told of the plans for allocation which lie immediately ahead. The afternoon session was concluded by a presentation in behalf of the NAB Program Directors Committee by Carl Vandergrift, Program Director of WOW.

Those attending the meeting were guests of WJR at a reception following the afternoon session.

At the morning session of the second day, Robert Mason, WMRN, Chairman of the NAB Small Market Stations Committee, presided over a panel dealing with that subject. Owen Uridge, WJR, 8th District Chairman of the Sales Managers Committee, presided over a sales session at which Lewis H. Avery and Helen Cornelius of the NAB Broadcast Advertising Department discussed various sales

problems. Miss Cornelius dealt largely with problems incident to retail radio advertising.

This morning's session ran over slightly into the afternoon session which was concluded with a report by the Resolutions Committee made up as follows: Howard Loeb, WFDF, John O'Harrow, WKZO, and George Jackson, WBOW. The following resolutions were unanimously adopted:

WHEREAS the 8th District of the National Association of Broadcasters, assembled in Detroit, Michigan, the second and third day of April, 1945, has given careful consideration to the proposed plan of the newly organized Broadcast Measurement Bureau, and

WHEREAS the plan has received the hearty endorsement of a large majority of the 8th District broadcasters, now, therefore

BE IT RESOLVED that the officers and directors of the Broadcast Measurement Bureau be given a vote of confidence and thanks for their accomplishments to date, and

BE IT FURTHER RESOLVED that the 8th District broadcasters be furnished with all available details of the plan before it is put into operation, so that additional suggestions may possibly be made by subscribing stations.

* * * * *

WHEREAS the broadcasters of the 8th NAB District wish to recognize the services rendered to the broadcasting industry by certain individuals, now, therefore

BE IT RESOLVED that the entire body expresses its appreciation for the untiring efforts of J. Harold Ryan during his term of office as President of NAB; to Hugh Feltis, President of BMB, for his diligent work in establishing an understanding of the new Measurement Bureau plan; to John Fetzer for his work in the Office of Censorship as well as in his directorship of the 8th NAB District; to Lewis H. Avery, Director of Broadcast Advertising, Helen A. Cornelius, Assistant Director of Broadcast Advertising of NAB, and to Robert T. Mason of WMRN, Marion, Ohio, Chairman of the Small Market Stations Committee for their contributions to the field of broadcast advertising.

9TH DISTRICT MEETS

Broadcasters of the 9th District (Illinois and southern Wisconsin) reelected Leslie C. Johnson, WHBF, as District Director for the ensuing two-year term. The action was taken at the closing session of a two-day meeting held in Chicago on Thursday and Friday (March 29-30).

The first morning of the meeting was devoted to a review of NAB activities and objectives by J. Harold Ryan, NAB President. He was followed by John Morgan Davis, NAB General Counsel, who outlined plans for a more complete service on employer-employee matters by NAB.

The broadcasters in the district responded promptly and enthusiastically to the presentation of the Broadcast Measurement Bureau plan by Hugh Feltis, BMB President, at the afternoon meeting on the first day. At the end of the meeting, 88 per cent of those registered had signed.

The session on the second morning opened with a discussion of engineering problems led by Oscar C. Hirsch of WKRO and KFVS, District Chairman of the NAB Engineering Committee. Mr. Hirsch talked at length on the limited channels available for relay broadcasting and reviewed the resolution on the subject which he had submitted to the Resolutions Committee. (See end of report for text of resolution.)

One of the most interesting analyses of public relations delivered at any of the district meetings was presented by Edward E. Lindsay of WSOY, District Chairman of the NAB Public Relations Committee. From his background of several years as a newspaper editor and three years as a radio station manager, Mr. Lindsay brought the problem of good public relations into sharp focus from this dual point of view.

The Small Market Stations Panel was presided over by

Robert T. Mason of WMRN, Chairman of the NAB Small Market Stations Committee. His presentation included a review of the work of this committee since its organization in June, 1943, and a transcribed program outlining the opportunities and obligations of small market stations.

Hugh K. Boice, Jr., of WMBD, District Chairman of the NAB Sales Managers Committee, directed the Sales Managers Clinic, during which Lewis H. Avery and Helen A. Cornelius spoke. On a show of hands, the broadcasters present endorsed the so-called continuing renewal clause by a vote of nine to two.

Acting upon the recommendations of the Resolutions Committee, resolutions were adopted as follows: One, reciting the fact that the Treasury Procurement Division is placing a schedule of advertisements in newspapers for disposal of surplus property and is asking that this same service be performed by broadcasters as a public service, called upon the NAB Board to seek equal treatment for radio broadcasters in this respect.

A second resolution called for a change in Section 3,409 of the FCC Rules and Regulations to eliminate the provision requiring the station to keep on file the names and addresses of officers and directors of organizations and companies from whom scripts are received.

A third resolution commended the BMB plan for a standard method of measuring station coverage and called upon all broadcasters to pledge their unanimous support to the enterprise.

The need for some protective statute in each state to protect broadcasters against libel and slander suits was recognized in a fourth resolution. It called upon the NAB to exert its efforts and influence to the end that broadcasters in each NAB district should seek legislation in their respective states which will provide adequate protection against libel and slander in matters beyond the control of the broadcaster.

Petrillo and his platter-turner demands came in for a strong resolution on the part of these 9th District broadcasters. They reiterated their condemnation of the "made work" principle. They called upon all broadcasters and the networks to coordinate their activities with respect to matters involving a precedent in labor relations and asked that the fullest disclosure and industry-wide discussion of labor problems be given.

An engineering problem was the subject of another resolution unanimously endorsed by the meeting. It dealt with the subject of relay broadcasting, commended the NAB and Panel 4 of RTPB for the stands taken in behalf of the allocation of an adequate number of frequencies for the exclusive use of the radio broadcasting industry for relay broadcasting. The resolution further demanded the elimination of the rules prohibiting the use of relay broadcasting when wire facilities are available.

The efforts of the Board of Directors of NAB and the Labor Executive Committee in working to improve the service in the field of employer-employee relations rendered by NAB was highly commended. The resolution called for an effective, well-staffed Labor Department with sufficient funds to insure successful operation and service. They further urged a well-planned educational effort to secure the whole-hearted cooperation of all members to the end that the Labor Department could function efficiently and constructively.

Music copyright came in for attention in a resolution which pointed out that ASCAP and BMI, the two major sources from which radio now draws its supply of music, are operating under consent decrees, the terms of which require clearance at the source, and that other music licensing organizations are not so obligated. It was resolved that effort be made through NAB to prevail upon all music licensing groups not now licensing at the source to do so.

A final resolution adopted read as follows:

"Whereas the affairs of NAB have progressed and prospered under the sound administrative ability of J. Harold Ryan as president, therefore,

"Be It Resolved that the broadcasters of District 9 here express their appreciation of President Ryan's constructive leadership; their regret that he has determined to retire from the presidency, and their well wishes to him on his return to the biggest job of all, the role of a successful radio broadcast station operator."

FLORIDA BROADCASTERS MEET

Announcing that one of its major policies for the coming year would be whole-hearted cooperation in favoring BMI music for the coming and ensuing years, the Florida Association of Broadcasters held their annual meeting in Jacksonville on March 21.

The following officers were elected to serve for 1945-1946: President—James M. LeGate, WIOD, Miami; First Vice-President—Glenn Marshall, Jr., WFOY, St. Augustine; Second Vice-President—G. G. McBride, WDBO, Orlando; Secretary-Treasurer—Fred Mizer, WQAM, Miami (elected for third term); First Director—Jack Hopkins, WJAX, Jacksonville; Director—Teresa M. Myers, WTAL, Tallahassee; Director—S. O. Ward, WLAK, Lakeland.

MILLER INTRODUCES BILLS AFFECTING UNIONS

Rep. Arthur Lewis Miller (R), Nebraska, has introduced two bills in the U. S. House of Representatives, one of which would make illegal "check-off" payments and the other of which would make illegal "royalty" payments.

The text of H. R. 2818 is as follows:

A BILL

TO MAKE UNLAWFUL CERTAIN CONTRACTS AND PRACTICES IN CONNECTION WITH LABOR RELATIONS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any agreement hereafter entered into between an employer and a labor organization, under which such employer undertakes to deduct from any employee's compensation any sum to be paid by such employer to such labor organization as membership dues of such employee, shall be unlawful.

(b) It shall be unlawful for any labor organization to demand or accept from any individual, not a member thereof, payment of any amount in consideration of the granting to such individual of a permit to work for any employer.

(c) Whoever enters into an agreement made unlawful by subsection (a), or violates the provisions of subsection (b), shall upon conviction thereof be punished by a fine of not to exceed \$

SEC. 2. As used in this Act—

(1) The term "employer" means an employer engaged in commerce or in the production of goods for commerce.

(2) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(3) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

The text of H. R. 2819 is as follows:

TO MAKE UNLAWFUL CERTAIN AGREEMENTS PROVIDING FOR PAYMENTS BY EMPLOYERS TO LABOR ORGANIZATIONS

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any agreement hereafter entered into between an employer and a labor organization, under which such employer is obligated to pay to such labor organization any amount or amounts in consideration of any undertaking, concession, or commitment made by such labor organization with reference to the performance of work or services by members of such union, shall be unlawful.

(b) Whoever enters into a contract made unlawful by subsection (a) shall upon conviction thereof be punished by a fine of not to exceed \$.

SEC. 2. As used in this Act—

(1) The term "employer" means an employer engaged in commerce or in the production of goods for commerce.

(2) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(3) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia or any Territory of the United States and any State or other Territory, or between any foreign country and any State, Territory, or the District of Columbia, or within the District of Columbia or any Territory, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign country.

RADIO NEWSMEN TO ATTEND SAN FRANCISCO PARLEY IN RECORD NUMBERS

The following letter from Richard Harkness, President, Radio Correspondents Association, has been received by Bruce Starkey, Chief, NAB News Bureau:

DEAR MR. STARKEY:

I want to thank you for your cooperation in presenting the request for registrations for the United Nations Security Conference at San Francisco. We have received more than 30 individual applications—which is very large for radio news coverage of such an event by individual stations.

I note that more than one-third of these requests were in response to the notice which the NAB sent out. Every member of our organization appreciates this, and I am sure that we will take advantage of your offer to cooperate in similar matters in the future.

Very truly yours,

(Signed) RICHARD HARKNESS, *President,*
Radio Correspondents' Association.

"LET'S GO TO TOWN" SHOWS DRAW PRAISE

Leslie Johnson, general manager, WHBF, Rock Island, Illinois, and NAB Director of District No. 9, got the surprise of his life, last week, when he heard from two Rock Island boys, both well known to him, who reported on the locally produced "Let's Go to Town" show.

Ensign Hugo Birkhahn, from aboard ship, somewhere in the Pacific, said: "It was the next best thing to being right at home."

Sgt. Edward Wisley, radio-gunner, caught the show just after he had returned from a mission. "I thought I had ear trouble," he wrote. "... the show was really a shot in the arm ... morale boosted 100%."

Cpl. Lloyd C. Carlson, Moline, wrote from a base hospital in England: "... was really one of the big thrills of a lifetime."

"Best Thing in 2½ Years Away from Home"

Bob E. Hall, USN, Tulsa, former radio entertainer, wrote Allan Page, program director, KVOO, and Task Force Commander, that the Tulsa show was the best thing he had heard during his 2½ years absence from Tulsa. "... I got a feeling that I could never put into words. As the program moved along on the tour of familiar sounds, it seemed as though I were once again making those rounds myself," he said.

"Are You from New Bedford, Mate?"

When Leonard Allan Ashworth, acting chief mate in the Merchant Marine, was two days out of England, United States-bound, the radio operator yelled: "Are you from New Bedford, Mate?" "Sure." "Well, put on your earphones and listen." And then the New Bedford man heard the "Let's Go to Town" program made by WNBH.

He heard the looms at the Wamsutta mill, cans in the tinning room at the Aerovox, the High School band playing "On New Bedford," the girl cheer leaders, and other New Bedford familiar sounds, including traffic at Union and Pleasant streets and a sports summary.

"A Funny Feeling Welled Up Inside"

"... when suddenly I heard the words 'Continental Wood Screw,' my ears started to flop and I took the whole thing in from there. ... What a funny feeling welled up inside of me—and I'm not fooling. The sound of the St. Lawrence Church—with my own two children living but two blocks away from it—you sure hit a lot of tender spots. ..."

Those are quotes from another letter received by WNBH from somewhere in the Pacific.

"Frank and Jake Heard It, Too"

Frank and Jake, U. S. Coast Guard L.S.T. (764), from somewhere in the central Pacific wrote WNBH:

"... What brought memories back to both of us was when the announcer connected the program to hear the street cars and noise in the city; the first noise we heard was the Lunds Corner street cars bell, and we actually felt that we were riding in the streetcar as a civilian again."

"On the Marianas, 9,000 Miles from Home"

Back in 1933, Sgt. Tom Stockley, 19th Fighter Squadron, AAF, was known as "The Cape Cod Minstrel" with a 15-minute show over WNBH. On March 22, he caught the New Bedford "Let's Go to Town" program way out on the Marianas, 9,000 miles from home. Hugh R. Norman, station manager, was the Task Force Commander.

"Many Hear Troy Program"

Pacific and European locations have provided a large number of listener verifications to Troy "Let's Go to Town" program, of which Woodbury Carter, assistant station manager, was Task Force Commander.

In addition, letters came from families of servicemen that were advised by sons, brothers and husbands of the broadcast. One soldier wrote to the "Troy Record" from the Philippines expressing his pleasure for the program and his letter was published in full.

Complete 5 More Global Shows

Completion of 5 more "Let's Go to Town" programs has been reported since last week. The Sacramento show was actually shipped to Los Angeles on January 22, but its completion previously has not been reported. The complete list follows:

DISTRICT III

Scranton, Wilkes-Barre. . . George D. Coleman, WGBI, *TFC

DISTRICT VIII

Evansville. Clarence Leich, WGBF, *TFC

DISTRICT IX

Decatur. Edward F. Lindsay, WSOY, *TFC

DISTRICT X

St. Louis. John W. Tinnea, KWK, *TFC
(2 of 2 shows)

DISTRICT XV

Sacramento. Leo Ricketts, KFBK, *TFC

* Task Force Commander.

CRIPPLED CHILDREN MADE HAPPY BY WHIO COMICS

An avalanche of 20,000 comic books, cards, magazines and other items rolled into the offices of WHIO, Dayton, in response to a plea for these and other articles of interest for Barney Community Center, a Dayton institution for the care and education of crippled children.

Hearing of the happiness this activity was bringing to the Center, several other hospitals asked if they might be included in the program.

No adequate evaluation can be placed upon this work says WHIO. The handicapped children have been thrilled beyond measure with the joy of reading the funnies and with the beauty of the cards and pictures. Creative impulses have been stirred by the making of scrap books; idle hands and minds went to work with unusual zest. Unconsciously, the children are absorbing a knowledge and appreciation of art and beauty, and above this educational and pleasure value is the incalculably greater therapeutic value of busy hands and minds, and happy hearts.

"MANAGEMENT IN THE PUBLIC INTEREST" COMING OFF PRESS SOON

Inquiries have been received at NAB headquarters relative to the publication date of the industry's new public relations book, "Management in the Public Interest."

The 120-page volume will require an additional two weeks for completion and binding.

The first available bound volumes will be shipped to station managers, one to each station. Orders for extra copies will be filled soon after.

GOOD NEIGHBOR SUGGESTION

NAB has received a letter from Benjamin Edward Neal, president of the Good Neighbor Foundation, sponsors of *Good Neighbor Day*. Mr. Neal suggests:

"The second half of the war—in the Pacific—would end more quickly and the lives of many of our boys would be saved, if radio would prepare quickly to use station breaks, around the clock for twenty-four hours to tell America on the day after the defeat of Germany:

"I hear America calling me to duty until the last shot is fired. I will answer the call: I will carry my full share of the load to speed the coming of the day of enduring peace on earth. My heart is in America and America is in my heart! I am an American!"

KGVO GIRL IN NEW GUINEA

Hermine Girson, former traffic manager of KGVO, Missoula, Montana, now with the Red Cross as an overseas secretary, has arrived in New Guinea for reassignment in the Pacific Theater of War, it was learned this week at the station.

DILLARD GETS PUBLIC RELATIONS ASSIGNMENT

Headquarters of the American Public Relations Association informs NAB that Everett L. Dillard, owner and operator of NAB FM member Station KOZY in Kansas City, Mo., two FM outlets in Washington, D. C., and General Manager, Commercial Radio Equipment Co., has been named by the APRA Board of Governors to a position on the National Advisory Committee, representing the activities of the Radio Division.

He will help spearhead association endeavor in the organization and promotion of public relations procedures in AM, FM and television fields and will serve in a key post in the association's cooperation with the public relations program of radio facilities throughout the nation.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, April 9. They are subject to change.

Monday, April 9

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license, 580 kc., 5 KW, unlimited, DA-night.

Tuesday, April 10

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Renewal of license, 1280 kc., 1 KW night, 5 KW day, unlimited.

Wednesday, April 11

NEW—Copper City Broadcasting Corp., Rome, N. Y.—C. P., 1450 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

WBBL—Grace Covenant Presbyterian Church, Richmond, Va.—Granted request for 30 days extension of time within which to comply with the procedural conditions attached to the conditional grant for construction permit to change frequency, etc.

WRIV—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted request for 30 days extension of time within which to meet the terms of conditional grant for a new station.

Chas. P. Blackley, Staunton, Va.—Granted request for 30 days additional time within which to comply with procedural conditions in conditional grant of new station.

WFTL—The Fort Industry Co., Miami, Fla.—Granted request to change call letters of station from WFTL to WGBS.

WLB—University of Minnesota, Minneapolis, Minn.—Granted request to change call letters of station from WLB to KUOM.

WHNC—Henderson Radio Corp., Henderson, N. C.—Adopted memorandum opinion granting modification of construction permit (pursuant to Commission's action on December 12, 1944, authorizing a new station to operate on 890 kc., 250 watts, daytime only), to make changes in antenna, transmitter site and studio location; and further ordered that a construction permit as thus modified be issued.

WMFR—Radio Station WMFR, Inc. (assignor), James E. Lambeth, et al., d/b as Radio Station WMFR (assignee), High Point, N. C.—Granted consent to voluntary assignment of license of station WMFR (and relay station WHPT) from Radio Station WMFR, Inc., to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR, from a corporation to a partnership. No monetary consideration involved. (B3-AL-486)

WRBL—The Columbus Broadcasting Co., Inc. (assignor), J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co. (assignee), Columbus, Ga.—Granted consent to voluntary assignment of license of station WRBL (and relay stations WBLR and WJWC) from the Columbus Broadcasting Co., Inc., to J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co.—a newly formed partnership. No monetary consideration involved.

KICD—L. W. Andrews (transferor), Ben B. Sanders (transferee), Iowa Great Lakes Broadcasting Co. (licensee), Spencer, Iowa.—Granted consent to transfer to control of Iowa Great Lakes Broadcasting Co., licensee of station KICD, from L. W. Andrews, to Ben B. Sanders, through transfer of 309 (64.375%) shares of common stock and 120 (47.25%) shares of preferred stock, for a consideration of \$19,000 less an amount by which accrued and current liabilities of licensee exceed accrued and current assets by more than \$5,882 as at date of settlement. (B4-TC-429)

DESIGNATED FOR HEARING

KFNF—Henry Field (transferor), Midwest Broadcasting Co. (transferee), KFNF, Inc. (licensee), Shenandoah, Iowa.—Designated for hearing application for consent to transfer of control of KFNF, Inc., licensee of station KFNF, from Henry Field to Midwest Broadcasting Co. (B4-TC-430)

KFNF—KFNF, Inc., Shenandoah, Iowa.—Designated for further hearing in consolidated proceeding with application for transfer of control, the application for renewal of license of station KFNF.

LICENSE RENEWALS

Granted extension of following relay broadcast station licenses upon a temporary basis only, pending receipt and/or determination upon applications for renewal of license, in no event later than June 1, 1945:

KFBL and **KFBM**, Frontier Broadcasting Co., area of Cheyenne, Wyo.; **WHMK** and **WJEK**, Hagerstown Broadcasting Co., near Hagerstown, Md.; **KBIB**, The KANS Broadcasting Co., area of Wichita, Kans.; **WAIE**, Joe L. Smith, Jr., area of Beckley, W. Va.; **WAAK**, Radio Station WSOC, Inc., area of Charlotte, N. C.

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than June 1, 1945:

KFAA, A. H. Belo Corp., area of Dallas, Tex.; **KNED**, Carter Publications, Inc., area of Ft. Worth, Tex.; **WADA**, Charleston Broadcasting Co., area of Charleston, W. Va.; **WAUT**, Evansville on the Air, Inc., Evansville, Ind.; **KIEL**, Fisher's Blend Station, Inc., area of Seattle, Wash.; **WQER**, Georgia School of Technology, area of Atlanta, Ga.; **KAXY** and **KEJR**, KGKO Broadcasting Co., area of Ft. Worth, Tex.; **WAXJ**, Lamar Life Insurance Co., area of Jackson, Miss.; **KABF**, McClatchy Broadcasting Co., area of Sacramento, Calif.; **WABG**, Memphis Publishing Co., area of Memphis, Tenn.; **WAOE**, Martin R. O'Brien, area of Aurora, Ill.; **WAIN** and **WEKH**, Peoria Broadcasting Co., area of Peoria, Ill.; **KBTA** and **KBTB**, Red River Broadcasting Co., Inc., area of Duluth, Minn.; **WAXL**, Jonas Weiland, area of Kinston, N. C.; **WAIJ** and **WAIY**, WIBX, Inc., area of Utica, N. Y.; **WTNK**, **WOAX**, Inc., area of Trenton, N. J.; **WMWA**, **WOKO**, Inc., area of Albany, N. Y.

WCBE—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Granted further extension of license of relay broadcast station, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than May 1, 1945. (B3-SRY-102)

Granted extension of licenses of following stations, upon a temporary basis only, pending determination upon applications for renewal of license, in no event later than May 1, 1945:

KADA, Ada, Okla.; **KANS**, Wichita, Kans.; **WPAT**, Paterson, N. J.; **WJDX**, Jackson, Miss.; **WGBB**, Freeport, N. Y.; **WOMT**, Manitowoc, Wisc.; **WJMC**, Rice Lake, Wisc.; **WEDC**, Chicago, Ill.; **KBIZ**, Ottumwa, Iowa; **WTAX**, Springfield, Ill.; **WHIZ**, Zanesville, Ohio; **WHAI**, Greenfield, Mass.; **WFXM**, San Bernardino, Calif.; **KFUN**, Las Vegas, N. Mex.; **WLOK**, Lima, Ohio; **WSOC**, Charlotte, N. C.; **WJTN**, Jamestown, N. Y.

MISCELLANEOUS

WSSC—Savannah Broadcasting Co., area of Savannah, Ga.—Granted license to cover construction permit authorizing a new relay broadcast station to be used with standard station WTOC; frequencies 30820, 33740, 35820 and 37980 kc., 2 watts. (B3-LRE-440)

The following applications for High Frequency (FM) broadcast stations were placed in the pending files in accordance with Commission policy of February 23, 1943:

The Crosley Corp., Washington, D. C.; **WKBH**, Inc., LaCrosse, Wisc.; Mobile Daily Newspapers, Inc., Mobile, Ala.; **Hopkinsville Broadcasting Co., Inc.**, near Hopkinsville, Ky.; **Henderson Broadcasting Co., Inc.**, Henderson, Ky.; **UAW-CIO**, Detroit, Mich., Los Angeles, Cleveland, Flint, Mich., Newark, N. J., Chicago, Ill.; **Findlay Radio Co.**, Findlay, Ohio.

Scripps-Howard Radio, Inc., Cleveland, Ohio.—Placed in the pending files in accordance with Commission policy of February 23, 1943, application for new commercial television broadcast station.

Sacramento City Unified School District, Sacramento, Calif.—Placed in the pending files application for new noncommercial educational broadcast station.

Midstate Radio Corp., Utica, N. Y.—Petition to intervene in hearing on application of Copper City Broadcasting Co. passed over.

Utica Broadcasting Co., Inc., Utica, N. Y.—Petition to intervene in hearing on application of Copper City Broadcasting Co. passed over.

WMFF—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Granted petition to intervene in the hearing on application of the Brockway Company for a new station in Massena, N. Y.

Copper City Broadcasting Corp., Rome, N. Y.—The Commission on its own motion postponed the hearing now scheduled for April 11 to May 7, on application of Copper City Broadcasting Corp. for a new station in Rome, N. Y.

APPLICATIONS FILED AT FCC

910 Kilocycles

NEW—Valley Broadcasting Assn., Inc., McAllen, Texas—Construction permit for a new standard broadcast station to be operated on 910 kc., with power of 1 KW, unlimited hours of operation, and employing directional antenna day and night. **AMENDED**: to change location of transmitter from near McAllen, Texas, to near Edinburg, Texas.

1230 Kilocycles

WJBC—Arthur Malcolm McGregor, Dorothy Charlotte McGregor, and Hugh L. Gately, a partnership, d/b as Radio Station WJBC, Bloomington, Ill.—Involuntary assignment of license to Arthur Malcolm McGregor and Hugh L. Gately, a partnership, d/b as Radio Station WJBC.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Voluntary assignment of license to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR.

WHPT—Radio Station WMFR, Inc., area of High Point, N. C.—Voluntary assignment of license to James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR.

NEW—The Corinth Broadcasting Co., Inc., Corinth, Miss.—Construction permit for a new standard broadcast station to be operated on 1230 kc., with power of 250 watts, and unlimited hours of operation.

KPHO—Phoenix Broadcasting, Inc., Phoenix, Ariz.—Acquisition of control of licensee corporation by Rex Schepp through purchase of 216 2/3 shares common stock (21 2/3%) from Central Newspapers, Inc.

1240 Kilocycles

WGGB—Harry H. Carman, Freeport, N. Y.—Modification of license to change hours of operation from share WFAS to unlimited time.

1300 Kilocycles

NEW—Broadcasting Corporation of America, N. of Brawley, Calif.—Construction permit for a new standard broadcast station to be operated on 1420 kc., with power of 1 KW. and unlimited hours of operation. AMENDED: to request 1300 kc., and power of 1 KW day and 500 watts night.

1330 Kilocycles

WFIN—Findlay Radio Co., Findlay, Ohio—Voluntary assignment of license to Fred R. Hover, tr/as Findlay Radio Company.

1450 Kilocycles

KFLW—Herald Publishing Co. of Klamath Falls, Klamath Falls, Ore.—Modification of construction permit (B5-P-3684 which authorized a new standard broadcast station) for changes in antenna and change of transmitter and studio locations.

NEW—Orangeburg Broadcasting Corp., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Florida Broadcasting Co., Jacksonville, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44700 kc., with coverage of 11,700 square miles. AMENDED: to change transmitter location from W. of Jacksonville, Fla., to Jacksonville, Fla.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc., with coverage of 4500 square miles.

NEW—Radio Broadcasting Corp., Twin Falls, Idaho—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc., with coverage of 2640 square miles.

NEW—Larus & Brothers Co., Inc., Richmond, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc., with coverage of 17,898 square miles.

TELEVISION APPLICATIONS

NEW—United Broadcasting Co., Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78000-84000 kc.), with ESR of 1030.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (84000-90000 kc.), with ESR of 970.

MISCELLANEOUS APPLICATIONS

NEW—William Henry Alford, Winston-Salem, N. C.—Construction permit for a new developmental broadcast station to be operated on 48100 kc., with power of 160.7 watts and A3 and FM emission.

NEW—Fred R. Hover, tr/as Findlay Radio Co., area of Findlay, Ohio—Construction permit for a new relay broadcast station to be operated on 30820, 33740, 35820, 37980 kc., with power of 25 watts, A3 emission.

Federal Trade Commission Docket

COMPLAINTS

The Federal Trade Commission has alleged unfair competition 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.

Century Travel Service, Inc., 655 Fifth Ave., New York, and Harry Craig Cooper and Joseph C. Cooper, Jr., brothers residing at 1016 Fifth Ave., New York, are charged in a complaint with misrepresentation in connection with the sale of so-called "packaged tours," which are travel trips, at an all-inclusive price, and include transportation, hotel reservations, baggage and passenger transfers between terminals and hotels, sight-seeing trips and other incidental services. The brothers are copartners and trade as Century Travel Service, Century Travel Service Deluxe Tours, Mexican Advisory Tourist Bureau and Florida Advisory Hotel Bureau. (5299)

Mid-West Research Laboratory, 3806 Floyd Ave., Sioux City, Iowa, engaged in selling serums and medicinal preparations for poultry and domestic animals, is charged in a complaint with misrepresenting its business status. The complaint alleges that the respondent, by selling its preparations under the corporate name of Mid-West Research Laboratory, and by using such name on its stationery and in advertising, represents, when such is not a fact, that it owns, operates or controls a "research laboratory" or a "laboratory" within the common and usual meaning of the words. (5300)

Mirra Chemical Laboratories, 198 East Long St., Columbus, Ohio, is charged in a complaint with misrepresentation in connection with the sale of a moth preventive product designated "Mirra Moth Immunizer" or "Mirra Moth Carverizer." They also sell a cleansing compound under the name "Mirra All Purpose Soapless Household Cleaner." (5301)

STIPULATIONS

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

American Biochemical Corp.—A stipulation to discontinue misrepresenting the therapeutic properties of a medicinal preparation designated Paracelsus has been entered into by American Biochemical Corp., Hanna Building, Cleveland, Ohio. (3266)

Allied Radio Corp., et al.—Two Chicago corporations and a Washington, D. C., firm entered into stipulations to discontinue misrepresenting the tube capacity of certain radio sets they sell in interstate commerce.

Those entering into the stipulations are Allied Radio Corp., 833 West Jackson Blvd., Chicago; Nathan N. Wallack and M. D. Montague, trading as Star Radio Co., 409 Eleventh St. N. W., Washington, D. C.; and Spiegel, Inc., 1061 35th St., Chicago. They agree to cease and desist from representing that any radio receiving set contains a designated number of tubes or is of a designated tube capacity when one or more of the tubes referred to do not perform the recognized and customary functions of radio receiving set tubes in the detection, amplification and reception of radio signals. (03262-03263-03268)

A & N Trading Co., Inc., 8th and D Sts., N. W., Washington, D. C., stipulated that it will cease and desist from advertising, labeling or selling merchandise under any representation implying that such merchandise was manufactured for the armed forces or under Army or Navy specifications, unless it is regulation Army or Navy merchandise. (3999)

Berosol Products, Rockaway Beach, N. Y., entered into a stipulation to cease and desist from representing that the medicinal preparation he sells under the name "Mayr's" will prevent the absorption of toxic substances, relieve or correct indigestion or regulate the flow of bile, or that it is a stomach remedy. (03269)

Consolidated Trimming Corp.—A stipulation to discontinue misrepresenting the fiber content of thread designated "Silkso Twist" has been entered into by Consolidated Trimming Corp., 27 West 23d St., New York. (4004)

Exelento Medicine Co., Atlanta, Ga., has entered into a stipulation to cease certain misrepresentations in connection with the sale of cosmetics. The company agrees that it will discontinue representing that Exelento Hair Pomade will produce lustrous hair or improve the hair, or be of any benefit to the hair other than to straighten it temporarily and produce temporarily a smooth, oily appearance; that Exelento Skin Ointment possesses healing action; or, by use of the word "Whitener" in the brand name of the preparation Exelento Temporary Skin Whitener, or otherwise, that the product will whiten the skin or give it a pale creamy complexion. (03266)

Knickerbocker Leather & Novelty Co., Inc., 19 West 18th St., New York, engaged in the manufacture and sale of advertising novelties and specialties, stipulated that it will cease and desist from representing, through the use of the words "Genuine Leather" or the word "leather," or other words or symbols of similar meaning, that merchandise sold by it and made from the inner split of leather is made from the outer split or any part of the hide or skin other than the inner split. (4007)

Lanteen Medical Laboratories, Inc., 900 North Franklin St., Chicago, stipulated that in the sale of a preparation designated Ex-teen it will cease representing that the product will relieve or overcome distressing psychic or disposition phenomena accompanying menstruation, such as depression, self pity, nervousness and irascibility, or that it will provide a stimulating effect. (03265)

J. Levine Co. and Georgia Mfg. Co., 449 Broadway, New York, stipulated that he will cease and desist from using the letters "Mfg." in his trade name, and from using any other abbreviation of the word "Manufacturing" or any word of similar meaning, the effect of which tends to cause the belief that he actually owns and operates or directly and actually controls the plant in which are woven or manufactured the drapery fabrics which he sells. He also agrees to stop using the word "Guaranteed" or any other word of similar meaning in connection with the advertising or sale of his fabrics, unless clear and unequivocal disclosure is made in direct connection therewith of exactly what is offered by way of security; and to discontinue the use of any guaranty unless strict and complete performance be made therewith. (4003)

Modern Product, Inc. of America—Under a stipulation entered into Modern Products, Inc. of America, 1428 North 24th St., Milwaukee, agrees to cease and desist from making the following representations, among others, concerning certain vitamin, mineral and so-called health food products it sells in interstate commerce. (4001)

Lido Sportswear, Inc., 462 Seventh Ave., New York, engaged in the manufacture and sale of women's sportswear, entered into a stipulation to cease and desist from using the word "linen," either alone or in connection with the word "shantung," as descrip-

tive of garments not made of flax, and from using such words in any other manner tending to convey the belief, when such is not a fact, that the fabric used in the manufacture of such merchandise is that product generally known as linen or flax. (4005)

Sullivan Co., 212 East Trigg Ave., Memphis, Tenn., entered into a stipulation to cease and desist from misrepresenting the effectiveness of products it advertises and sells as being capable of waterproofing concrete and masonry structures. (4000)

Vita-Man, et al.—Two stipulations to discontinue representing that the vitamin preparations they sell, each containing calcium pantothenate as its principal ingredient, are capable of preventing gray hair and of restoring the natural color to hair have been entered into by Henry Gottlieb, trading as Vita-Man, 175 East Broadway, Brooklyn, and The Carlay Co., 160 East Illinois St., Chicago. Gottlieb's preparation is designated Vita-Hair Tablets and the product sold by The Carlay Co. is known as Grayvita. (03267-03270)

Warner Trust, Boston, and associated concerns have entered into a stipulation to discontinue certain misrepresentations in connection with the sale of preparations and services known as the Warner Treatment for hair and scalp disorders. (3996)

Wiener & Wiener, et al.—Three New York manufacturers of fur garments have entered into stipulations to discontinue certain misrepresentations in connection with the sale of their products.

Abe Steisel, 208 West 30th St., New York, agrees to discontinue in his trade publicity, invoices or labeling the use of the term "Leopard Cat," or other words denoting leopard, to designate furs or fur garments made from peltries of South American spotted cats or of any animals or species other than the true leopard (4002).

Joseph Wiener and Max Wiener, trading as Wiener & Wiener, 312 Seventh Ave., New York (4006), and Abraham Katz and Philip Goldstein, trading as Katz & Goldstein, 115 West 30th St., New York (4008), stipulated that they will discontinue the use of the terms "Sealine," "Hudseal," "Beaverette" or any other fictitious animal designation or coined fur-connoting term as descriptive of their fur products.

CEASE AND DESIST ORDERS

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

Bortz & Co., Trust Service Co., and Susquehanna Pen Co., Anderson, Ind., has been ordered to cease and desist from unfair and deceptive practices in connection with the sale of postcards, form letters and folders sold to creditors, collection agencies and attorneys for use in obtaining information concerning delinquent debtors. (4961)

Commercial Art Co., 720 East Diamond St., Pittsburgh, and Daniel G. Ries, trading as Progressive Portrait Co., 929 Fifth Ave., Pittsburgh, has been ordered to cease and desist from unfair and deceptive acts and practices in connection with the sale of colored enlargements of photographs and of frames therefor. Griffin formerly traded as American Arts. (5133)

Coast Fishing Co.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act has been issued against Coast Fishing Co., 621 So. Fries Ave., Wilmington, Calif., engaged in the packing, sale and distribution of canned sea food products, including tuna, mackerel and sardines. (5197)

Marine Products Co., 3370 Harasthy St., San Diego, Calif., has been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of sea food products. (5137)

Norman Co., 169-173 Madison Ave., New York, has been ordered to cease and desist from shipping or delivering their merchandise to department stores and other retailers without previous agreement to purchase, for the purpose of inducing the purchase of their products. The respondents sell various items of merchandise, including lamps, shades and novelties. (3812)

Harry Steinberg—An order has been issued directing Harry Steinberg, 9 East 38th St., New York, to cease and desist from misrepresenting the quality of handkerchiefs sold in gift packages for members of the armed forces. (5212)

FTC CASES DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Club Razor & Blade Manufacturing Corp., 36 Green St., Newark, N. J., with misrepresentation in connection with the sale of safety razor blades.

The Commission has also dismissed without prejudice its complaint against S. H. Kress & Co., 114 Fifth Ave., New York, operating a chain of retail stores throughout the country; Vita-Var Corporation and its subsidiary, Beautykote Corporation, 46 Albert Ave., Newark, N. J.; and C. J. Robison, T. H. Gibson and E. G. Robison, officers of the two last named corporations.

The complaint had charged the respondents with misrepresentation in connection with the sale of shellac.

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