



### PROPOSED FCC RULE CHANGE—DOCKET NO. 6756

In an Information Bulletin on the FCC rules issued by NAB to all stations on April 26, it was pointed out that licensees and holders of construction permits have been invited by the FCC to comment on the desirability of making public their financial reports, business agreements, contracts affecting control of general program service or understanding affecting the use, management, or operation of licensed facilities.

In the Order of the Federal Communications Commission which was published in full in this Information Bulletin, it was ordered that oral argument should be held before the Commission on May 21 but that such requests for oral argument should be filed on or before May 9 by all persons desiring to appear and each such request should be accompanied by a brief. NAB in the bulletin requested any who filed their appearance to provide a copy so that we might keep fully abreast of developments.

We feel that it is highly important that broadcasters avail themselves of the opportunity to appear at the hearing on this rule. Thus far very few copies of notices of appearance have been filed with NAB headquarters. We again urge this matter upon the attention of station managers.

### FCC WATCHING STATIONS' NEWS POLICY

The Federal Communications Commission on Wednesday (2) made public a letter to the California State Assembly commenting on a resolution adopted by that body which requested the Commission to investigate the recently-announced policy of Station KFI, Los Angeles, relative to the employment of news commentators on sponsored programs.

Following is a copy of the resolution, House Resolution 157, which was passed by a roll-call vote of 65 to 3 on April 12:

#### CONSIDERATION OF HOUSE RESOLUTION No. 157

#### House Resolution No. 157

Relative to radio news commentators and analysts.

WHEREAS, A certain radio broadcasting station in California, KFI of Los Angeles, has recently put into operation a policy that all news commentators and news analysts must be employees of the station, and

WHEREAS, The sudden adoption of this policy has required sponsors of news programs to replace news commentators of wide experience and large public followings with employees of the station, and

WHEREAS, This action has not only been unfair to the sponsors of the programs affected and the members of the public who listened to the programs, but raises a broader issue which is a matter of concern to every person who desires to protect the freedom of speech, and

WHEREAS, Licenses are issued to radio stations on the basis of the public convenience, interest, and necessity, and

entitles the station to the exclusive use of one of a limited number of channels of radio communication, and

WHEREAS, The power of a radio station over news selection and interpretation would, if uncontrolled, center a vast power in a relatively small number of such stations which are almost all under private control, and

WHEREAS, The right of free speech, guaranteed by the Constitution of the United States, connotes a right to free selection by the listener and in view of the inherent limitation on the number of radio stations, this right is jeopardized by any limitation on the dissemination of news by radio; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF CALIFORNIA, That the Federal Communications Commission is hereby requested to investigate the action hereinabove referred to and any other action which results in the control of news by owners of radio stations, and to take such steps as may be necessary fully to protect the right of the people to hear the news regardless of the personal desires, politics or whims of any radio station owner, and be it further

RESOLVED, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the Federal Communications Commission and to each Senator and Member of the House of Representatives in the Congress of the United States from California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Beal, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Burns, Butters, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Davis, Debs, Dekker, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Emlay, Erwin, Fletcher, Fourn, Gaffney, Gannon, Geddes, Guthrie, Haggerty, Hawkins,



THE NATIONAL ASSOCIATION OF BROADCASTERS

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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*.

Heisinger, Johnson, Kilpatrick, King, Kraft, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sherwin, Stephenson, Stream, Thomas, Thomp-son, Thurman, Waters, Watson, Weber, Werdel, and Mr. Speaker—65.

NOES—Field, Knight, and Stewart—3.

The Commission's letter to the Assembly follows:

"Mr. Arthur A. Ohnimus  
Chief Clerk  
Assembly of the State of California  
Sacramento 14, California

DEAR SIR:

This will acknowledge receipt of your letter, dated April 13, 1945, with which was enclosed a copy of House Resolu-tion No. 157.

There are enclosed for your information copies of an exchange of correspondence between the Commission and Station KFI concerning the recently announced policy of that station relative to the employment of news commenta-tors. You will note from the station's response that it does not contemplate a complete discontinuance of news com-mentaries as such, but merely intends in the future to rely entirely upon network commentators furnished by the National Broadcasting Company, with which it is affiliated. However, KFI has announced that, so far as it is con-cerned, all of its newscasters and news analysts must be employees of the station.

Section 3(h) of the Communications Act specifically provides that radio stations are not common carriers. At the same time, Section 326 expressly forbids the Commis-sion to exercise any power of censorship over programs broadcast by radio stations. Under the policy of the Com-munications Act, selection and presentation of program material is left to the discretion of the individual station licensee, and the Commission, therefore, cannot undertake to tell station licensees what programs shall or shall not be broadcast.

However, station licensees are required by the Com-munications Act to operate in the public interest and the Commission periodically upon consideration of station applications for renewal of licenses does review the overall operation of each station to determine if its continued operation will be in the public interest. Of particular importance in this review is the question of whether or not a balanced diversified program service has been pre-sented by the station.

The established policy of the Commission with respect to matters of this kind is stated clearly in its decision in the *Mayflower Broadcasting Corporation* case (8 F. C. C. 333), where, in considering an application for renewal of the station's license, the Commission said:

"More difficult and less easily resolvable questions are, however, presented by the applications for renewal of The Yankee Network, Inc. The record shows without contradiction that beginning early in 1937 and con-

tinuing through September 1938, it was the policy of Station WAAB to broadcast so-called editorials from time to time urging the election of various candidates for political office or supporting one side or another of various questions in public controversy. In these edi-torials which were delivered by the editor-in-chief of the station's news service, no pretense was made at objective, impartial reporting. It is clear—indeed the station seems to have taken pride in the fact—that the purpose of these editorials was to win public support for some person or view favored by those in control of the station.

"No attempt will be made here to analyze in detail the large number of broadcasts devoted to editorials. The material in the record has been carefully considered and compels the conclusion that this licensee during the period in question, has revealed a serious misconception of its duties and function under the law. Under the American system of broadcasting it is clear that respon-sibility for the conduct of a broadcast station must rest initially with the broadcaster. It is equally clear that with the limitations in frequencies inherent in the nature of radio, the public interest can never be served by a dedication of any broadcast facility to the support of his own partisan ends. Radio can serve as an instrument of democracy only when devoted to the communication of information and the exchange of ideas fairly and objectively presented. A truly free radio cannot be used to advocate the causes of the licensee. It cannot be used to support the candidacies of his friends. It cannot be devoted to the support of principles he happens to regard most favorably. In brief, the broadcaster cannot be an advocate.

"Freedom of speech on the radio must be broad enough to provide full and equal opportunity for the presentation to the public of all sides of public issues. Indeed, as one licensed to operate in a public domain the licensee has assumed the obligation of presenting all sides of im-portant public questions, fairly, objectively and without bias. The public interest—not the private—is para-mount. These requirements are inherent in the con-ception of public interest set up by the Communications Act as the criterion of regulation. And while the day to day decisions applying these requirements are the licensee's responsibility, the ultimate duty to review generally the course of conduct of the station over a pe-riod of time and to take appropriate action thereon is vested in the Commission."

The Commission is fully conversant with the situation and is awaiting developments. Should it develop that KFI's new policy is not in accord with the principle of objective presentation of the news and represents the adoption of a definite editorial policy by the station, a violation of the *Mayflower* decision would be involved. In such a situation, the Commission could then call upon Station KFI in connection with its application for renewal of license to show why its license should not be withdrawn because of its failure to operate in the public interest.

By Direction of the Commission,

T. J. SLOWIE,  
*Secretary.*"

## RADIO NEWS EDITORS BEWARE

The need for careful examination of all copy coming into radio stations on press and radio wires is no better illus-trated than by the incident recently brought to the atten-tion of NAB. NAB President Ryan made a release of his statement on the passing of President Roosevelt. The copy which was sent to the press and radio wire services read in part as follows:

"Now, in the hour of his death, radio responds to the sound of his name with overtones of **immortality**. \* \* \*"

One of the press services carried the word "immortality" instead of "immortality." If anything more is needed to emphasize the responsibility of station radio editors than this, we would like to have it called to our attention.



## SPECIAL AWD RELEASES

The first of the special releases prepared by Dorothy Lewis who is attending the San Francisco Conference is being mailed with this copy of NAB REPORTS. Station managers are urged to scan these carefully and route them to their women's director. We believe that this service will ultimately benefit radio's coverage of the Conference.

### RADIO UNAFFECTED BY CURFEW

A press dispatch from Pittsburgh last week told of the action of the regional office of the War Manpower Commission in banning the playing of radios in restaurants after 12 o'clock midnight. NAB felt that this was an unwarranted interference with radio, involving a form of censorship. The matter was immediately taken up with national WMC headquarters and action was taken which brought about a rescinding of the Pittsburgh area office directive.

Should any agency attempt to ban radio reception after 12 midnight, or at any time, station operators are urged to call it to NAB's attention.



### KIWANIS RADIO WEEK BULLETIN WITH THIS ISSUE OF REPORTS

Special Anniversary Bulletin 8 is enclosed with this issue of NAB REPORTS. It also has been sent to all Kiwanis Clubs staging meetings in honor of broadcasters.

Bulletin 8 offers broadcasters a comprehensive chronology covering 25 years of commercial broadcasting and is offered for immediate use in connection with observance of Kiwanis Radio Week, May 13-19, as announced April 13 in 25th Anniversary Bulletin No. 7.

An examination of the eight bulletins thus far issued on 25th Anniversary will reveal much material for use in Kiwanis Radio Week and future occasions during the year.

### PLAN FOR "TELLING THE WORLD"

All stations, coast-to-coast, this week received an outline of the plan of "Telling the World of Radio's Part in the 7th War Loan." Pamphlet of explanation points out that just as the 7th War Loan is the next public service job, the 7th is likewise the next big league service-news event.

Plan is based on receipt of regular individual station reports of support behind the Mighty Seventh. Without them there can be no "Telling the World." Each week stations will be mailed reporting forms for return to NAB. Second form, for the May 13-19 period, will be received at all stations between May 12 and 14.

### LET'S FINISH "LET'S GO TO TOWN"

Events now transpiring in Europe and in the Pacific are reasons why all Task Force Commanders with uncompleted assignments are urged to finish the job.

General Eisenhower asked for 180 hometown shows. A

## SEND IN YOUR PHOTO PRINTS

NAB News Bureau wishes to express appreciation for the large volume of pictures portraying 25 years of radio that have been received in response to a recent request.

If for any reason you have delayed mailing yours, please send them at once, addressed on the envelope to attention of Bruce Starkey, Chief, NAB News Bureau.

Excellent care will be taken of prints, and they will be returned.

total of 127 have been produced. On this basis, the industry is short 53 shows.

Below are interesting letters received from listeners in New Guinea and Canton Islands.

### A Little of St. Louis—'Way Out Here

When Lt. Fred O. Von Dorn, St. Louis, heard the Let's Go to Town program in the Canton Islands, the self-styled "Canton Castaway" sat right down and wrote a letter.

It was sent to La Verne Rosenow, former "Washington University Queen," well known to the young Lieutenant, and a member of the St. Louis program cast.

"I was tuning one of our receivers," wrote Lt. Von Dorn, "and I heard some fellow talking about St. Louis. So I tuned a little closer, and, pretty soon, I heard him giving out talk about Art Hill, The Zodiac, Union Station, Lindell Buses, Muni Opera, Garavelli's and, best of all, Washington University. So you see, way out here, I got a little of St. Louis just as though I were right there, and it was swell.

"I do want you to tell all those swell people who made that broadcast possible, it was O. K. It really makes a fellow happy to hear, personally and directly, about so many things so dear and near to him."

John W. Tinnea, KWK, was Task Force Commander for this show and the second St. Louis production which followed.

### Norfolk Show Heard in New Guinea

Thanks for the Norfolk "Let's Go to Town" program has been received by Henry Cowles Whitehead, WTAR, Task Force Commander, from far off New Guinea. This particular letter was written by Capt. James V. Barker, Signal Corps, who formerly worked in the engineering department of the local electric utility, Virginia Electric & Power Co.

"Reception was perfect," wrote Capt. Barker. "Thanks to all who made the program possible. They did a swell job."

### 2 More Shows Completed

#### DISTRICT I

Boston.....Harold E. Fellows, WEEL, \*TFC  
(2nd of two shows)

#### DISTRICT III

Philadelphia.....Roger W. Clipp, WFIL, \*TFC

\* Task Force Commander.

Due to anticipated wartime developments, allocation changes and new standards which will affect the broadcast services, decision was made sometime ago that the new and revised NAB Engineering Handbook would not be compiled until it became possible to embody the sections on the new broadcast services in the handbook.

The NAB Executive Engineering Committee met recently in New York City for the purpose of discussing the new handbook. Those in attendance were John B. Fuqua, WGAC; Karl B. Hoffman, WGR; William B. Lodge, CBS; O. B. Hanson, NBC; and Howard S. Frazier, NAB. Chairman G. Porter Houston of WCBM, Baltimore, was unable to be present.

The committee has made the following policy recommendations for the handbook:

1. The objective and purpose of the handbook should be to provide a practical technical guide for the operating engineers of broadcast stations. Emphasis should therefore be placed on technical problems encountered in the day-to-day operation of broadcast stations (AM, FM, Television and Facsimile) of all powers. It was the opinion of the committee that no attempt should be made to cover completely those technical subjects usually handled by consulting radio engineers, although sufficient material should be included to provide a concept of the application, but not the design, of directional antennas together with some aspects of allocation engineering sufficient to provide operating engineers with general information on these subjects.

2. It was the committee's view that a recommendation should be made to broadcast engineers in the preface of the handbook as to technical books which should be part of every chief engineer's library. One of the purposes of the handbook would be to enhance the usefulness of the recommended technical books by carrying in the index of the handbook and elsewhere bibliographic references to the library books. In most instances, data contained in the recommended library will not be duplicated in the handbook. On the other hand, technical information of value to broadcast engineers which has been published in the various technical journals will be reproduced in suitable form for convenient reference in the handbook, as it was the opinion of the committee that most engineers do not have a complete file of the technical journals in their libraries.

3. It was the committee's opinion that the handbook should be prepared in the present loose leaf form.

4. It was decided that an effort should be made to gather original material from broadcast stations, radio manufacturers, consulting engineers and others for use in the handbook. Full credit will be given in the handbook to the individuals and companies contributing. It was thought that it might be possible to secure volunteers for the purpose of doing the necessary drafting work on the same basis of personal credits in the handbook. CBS offered to contribute the services of one draftsman for a total period not to exceed approximately two weeks. Similar offers from some of the larger companies should be adequate to solve this problem. It was pointed out that circuit draftsmen are not available in Washington at the present time. The use of specialists was suggested to write and edit portions of the handbook. It was not clear to the committee as to just what specialized subjects would require this treatment and therefore no decision was made.

5. It was decided that the Executive Engineering Committee will serve as a Board of Editors. All material considered for the handbook will be circulated to the committee, together with a questionnaire similar to that used by the IRE Papers Committee for the purpose of providing a convenient means of expressing opinions on the material in proper form for tabulation in order to determine the majority view of the committee.

6. The question was raised as to whether or not the handbook should contain photographs and drawings of typical studio and transmitter buildings for the purpose of aiding local architects. The committee was of the opinion that this subject, if properly treated, would require too much

space and should therefore be considered later as a separate project. However, it was the committee's view that the handbook should contain some data on studio acoustics.

7. It was decided to retain in the new handbook portions of the FCC STANDARDS OF GOOD ENGINEERING PRACTICE and RULES AND REGULATIONS. However, this section of the present handbook should be reviewed for the purpose of bringing this material up to date. The committee was of the opinion that FM and television should be treated from the standpoint of high frequency propagation, antenna design, etc., and that FM and television standards should be included in the handbook when such standards are definitely determined.

8. The committee made no decision as to distribution policy in connection with the handbook.

### Other Business

The committee received a report from Howard Frazier in connection with his membership on the RMA Committee on Standard Broadcasting Transmitters. The committee expressed approval of NAB participation in the work of this RMA committee and a desire to review the RMA recommendations prior to their adoption by RMA.

### TYLER RE-ELECTED TO HEAD AER

In the annual election just-completed for 1945-46 officers of the Association for Education by Radio Dr. I. Keith Tyler, director of radio for Ohio State University was re-elected president. Dr. Tyler has been widely active in educational radio; he is director of the annual Institute for Education by Radio held at Columbus, Ohio, each May, and for five years was head of the Evaluation of School Broadcasts project carried on by Ohio State University.

Luke Roberts, educational director for station KOIN, Portland, Oregon, was elected vice-president; Robert Hudson, director of the Denver Rocky Mountain Radio Council, 2nd vice-president; Kathleen Nichols Lardie, supervisor of radio for the Detroit Public Schools, secretary; George Jennings, acting director of the Radio Council, station WBEZ of the Chicago Public Schools, treasurer.

Blanche Young, supervisor of radio for the Indianapolis Public Schools, was elected president of the Great Lakes Regional Association for Education by Radio and Mary Elizabeth Gilmore, director of radio for the Portland, Oregon, Public Schools, was named to a similar position in the Pacific Coast region.

### COLUMBUS TO HAVE FM-STATION WORKSHOP

The Ohio State University, in cooperation with the U. S. Office of Education, The Ohio State Department of Education, and Cleveland Board of Education, will operate an educational FM-station workshop, at Columbus, June 18-July 27. Dr. I. Keith Tyler, director, radio education, Ohio State, will direct workshop activities.

### "SALUTE TO RADIO"

Using as source the many tributes to broadcasters on their efficient leadership during the hours following death of late President Franklin D. Roosevelt (NAB REPORTS, Vol. XIII, pg. 154), station KOY, Phoenix, informs NAB that it presented a 15-minute program "Salute to Radio" to its listeners.

Letter from KOY Program Director Jack Williams follows:

"The material contained in your bulletin of April 20th, referring to various tributes paid the radio industry for its handling of the news on President Roosevelt's death formed the basis of a one-quarter hour program over KOY in Phoenix.

"We believed the public would be interested in being advised of the tremendous wave of approval from Congress, the press, etc.



"KOY took excerpts printed therein and dramatized them—presenting a one-quarter hour program titled, 'Salute to Radio.'"

### AASDJ THANKS RADIO

Max R. Grossman, President of the American Association of Schools and Departments of Journalism, and Dean of the Journalism School of Boston University, has expressed his thanks to radio for what he terms "radio's magnificent obituary to Franklin D. Roosevelt." "Radio," he continued, "demonstrated that it was incomparable in reporting one of the most tragic stories of all time. I am delighted to see how the press has acknowledged radio's greatness.

"This is not a letter of congratulation: This is a letter of thanks. Nearly everyone knew that radio would reach the heights with the Roosevelt obituary. Everyone is grateful. I am sending you, in the name of the American Association of Schools and Departments of Journalism, our thanks and our gratitude. The Roosevelt story was a noble and notable achievement."

### NEWSPAPER TO COAST BY WIRE FACSIMILE

Persons in attendance at the San Francisco Conference had delivered to them recently a newspaper which was sent from New York to San Francisco via wire facsimile, it has been announced.

A four-page condensation of the N. Y. *Times* with 32 columns of news was sent over the Associated Press wire-photo facilities. Upon receipt in San Francisco, etchings were made and an edition of 2,000 copies was run off on the press of a local newspaper.

Designated as a 2:00 a. m. edition of the *Times*, these copies were handed to delegates at breakfast approximately two hours after the original copy was placed in the sending machine in New York.

Marking the first time this process has been used in journalistic annals for cross-continent transmission of a newspaper, much speculation was aroused concerning the future of radio facsimile.

### RADIO AVERTS FALSE ARMISTICE RECURRENCE

More on the efficiency of radio comes in an article in *PM*, Monday, April 30, under the byline of James T. Howard. Commenting on contrast between the false Armistice Day of 1918, caused by a premature news flash, and the similar occurrence of last Saturday (28), Mr. Howard recognizes radio's powerful influence as a social force with the following observations:

"... Regardless of who was at fault, the reports spread around the world bringing joy, then disappointment. There was a difference, however, between the false Armistice Day of 1918 and the V-E Day of 1945. In 1918 newspapers rolled out their extras and the celebration was going full blast before new extras dampened the festivities. In 1945, there were radio stations to flash the news that V-E Day was here, and then to recall the tidings before the dancing in the streets really was under way. . . ."

### INTER-AMERICAN RADIO CONFERENCE POSTPONED

The State Department advises that the Brazilian Government has decided to postpone to September 3, 1945, the Third Inter-American Radio Conference which was scheduled to take place in Rio de Janeiro on June 1, 1945. The Conference is being postponed in order to afford the governments participating in the Conference more time to prepare their preliminary proposals for the Conference.

### PHILCO SETS UP TELE-NET DIVISION

A new division of Philco Radio and Television Corporation has been announced to handle all Philco television broadcasting, station and network operations.

This announcement follows closely recent inauguration of a television network by Philco from Washington to Philadelphia.

## Federal Communications Commission Docket

### HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 7.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- WIBX—Scott Howe Bowen, deceased (transferor), Estate of Scott Howe Bowen, Margaret P. Bowen, executrix (transferee), WIBX, Inc. (licensee), Utica, N. Y.—Granted consent to involuntary transfer of control of WIBX, Inc., licensee of Station WIBX from Scott Howe Bowen, deceased, to estate of Scott Howe Bowen, Margaret P. Bowen, executrix; no monetary consideration. (B1-TC-435)
- KWBU—Century Broadcasting Co., Corpus Christi, Texas—Granted extension of special service authorization for a period of six months from May 9, 1945, to operate on 1030 kc., with 50 KW power, directional antenna, local sunrise to local sunset; Commissioner Durr dissenting. (B3-SSA-118)
- Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—Granted construction permit for new experimental television relay broadcast station to be used in connection with applicant's commercial television broadcast station WPTZ, Philadelphia. (B1-PVB-143)
- Philco Radio & Television Corp., area of Philadelphia, Pa. (W3XPA, W3XPC, W3XP).—Granted construction permit to increase power to 40 watts, add A3 emission, change antenna and transmitter, and change area to area of Washington, Philadelphia and New York. (B1-PVB-144 through 146)
- Philco Radio & Television Corp., Portable-Mobile, (W3XPD, W3XPE, W3XPF, W3XPG, W3XPH, W3XPI, W3XPK).—Granted modification of construction permits for seven experimental relay stations to change power to 40 watts (peak) visual, 40 watts aural, change type of transmitter and antenna, extend commencement and completion dates to 60 days from date of grant and 180 days thereafter, respectively, and change areas to Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia. (B1-MPVB-119 through 125)
- Philco Radio & Television Corp., Portable—area of New York, N. Y. (W2XPR).—Granted modification of construction permit (which authorized a new experimental television broadcast station) to increase power to 40 watts and A3 emission, change area to Washington, Philadelphia and New York, change transmitter, and extend commencement and completion dates to 60 days from date of grant and 180 days thereafter, respectively. (B1-MPVB-126)
- KINY—Edwin A. Kraft, Juneau, Alaska.—Granted license to cover construction permit, as modified, which authorized increase in power, installation of new transmitter, and changes in antenna (B-L-1790); granted conditionally. Granted authority to determine operating power by direct measurement of antenna power. (B-Z-1571)

The Ohio State University, Columbus, Ohio.—Granted construction permit for new relay broadcast station to be used with standard Station WOSU. (B2-PRY-299)

W7XTE—Temple V. Ehmsen, Portland, Oreg.—Granted modification of construction permit which authorized new developmental broadcast station, for extension of completion date only, from June 30 to December 30, 1945. (B5-MPEX-14)

Cowles Broadcasting Co., Des Moines, Iowa.—Granted petition to intervene in the hearing now scheduled for May 16 on application of KFNF, Inc., Shenandoah, Iowa, for renewal of license, and application of Henry Field and Midwest Broadcasting Co., Shenandoah, for transfer of control of licensee corporation.

### LICENSE RENEWALS

Granted renewal of following station licenses for the period ending August 1, 1946:

KWIL, Central Willamette Broadcasting Co., Albany, Oreg.; WGAC, The Twin States Broadcasting Co., Augusta, Ga.; WIBU, William C. Forrest, Poynette, Wisc.; WCRW, Clinton R. White, Chicago, Ill.

Granted renewal of following station licenses for the period ending February 1, 1946:

KWNO, M. H. White and H. R. Wiecking, d/b as Winona Radio Service, Winona, Minn.; WDSM, WDSM, Inc., Superior, Wisc.; KGDE, Charles L. Jaren, Fergus Falls, Minn.

Granted renewal of following station licenses for the period ending May 1, 1948:

WGGA, Blue Ridge Broadcasting Co., Gainesville, Ga.; WHN, Marcus Loew Booking Agency, New York, N. Y.; WTAM, National Broadcasting Co., Cleveland, Ohio; KLRA, Arkansas Broadcasting Co., Little Rock, Ark.

### DESIGNATED FOR HEARING

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—Designated for hearing under policy of January 16, 1945, application for construction permit to change frequency from 1340 to 590 kc., increase power from 250 watts unlimited to 250 watts night, 1 KW day, and install new transmitter. (B5-P-3854)

KXL—KXL Broadcasters, Portland, Oreg.—Designated for hearing application for modification of license to change hours of operation from limited time—WSB to unlimited time. (B5-ML-1212)

### MISCELLANEOUS

WALV—Thomas Garland Tinsley, Jr., Richmond, Va.; and WBBL, Grace Covenant Presbyterian Church, M. A. Sitton, agent, Richmond, Va.—Adopted memorandum opinion granting application of Thomas Garland Tinsley, Jr., for modification of construction permit to make changes in antenna, change transmitter and studio location of Station WALV (B2-MP-1798), and granting application of Grace Covenant Presbyterian Church for modification of construction permit (which authorized change in frequency, hours of operation, move of transmitter, changes in equipment and antenna) for approval of transmitting equipment and authority to use presently licensed antenna and transmitter site of Station WBBL (B2-MP-1799). The Commission further ordered that construction permits as above modified should be issued subject to the condition that permittees shall, when materials and personnel become available, file appropriate applications to complete construction in accordance with Commission's Rules and Regulations and Standards of Good Engineering Practice.

WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—Adopted memorandum opinion granting modification of construction permit for approval of antenna and approval of transmitter and studio location, and ordered that a construction permit as thus modified should issue. (B-MP-1784)

WBHD—Southside Virginia Broadcasting Corp., Petersburg, Va.—Adopted memorandum opinion granting application for modification of construction permit for change in equipment and approval of transmitter site and antenna system, and ordered that a construction permit as thus modified should issue. (B2-MP-1791)

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order issuing special temporary authorization for the continued operation of Station WOKO until further order of the Commission (petition for rehearing having been filed). (Docket 6486; B-203)

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Adopted order denying application for construction permit.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order denying petition for rehearing directed against the Commission's action denying application for renewal of license of Station WOKO; and further ordered that the special temporary authorization for the continued operation of Station WOKO be extended until 3 a. m., Thursday, May 31, 1945. (Commissioner Denny not participating.)

The following applications for construction permits for new high frequency FM broadcast stations were placed in pending file in accordance with Commission policy adopted February 23, 1943:

Jack M. Draughon and Louis R. Draughon, d/b as WSIX Broadcasting Station, Nashville, Tenn. (B3-PH-474); Review Publishing Co., Alliance, Ohio (B2-PH-475); Lynchburg Broadcasting Corp., Lynchburg, Va. (B2-PH-476); Roanoke Broadcasting Corp., Roanoke, Va. (B2-PH-477)

WTAW—Agricultural and Mechanical College of Texas, College Station, Texas.—Adopted order denying petition for a grant without hearing of application for construction permit to change frequency from 1150 to 1470 kc. and hours of operation from daytime to unlimited time, and designated said application for hearing, to be consolidated with hearing on applications of H. C. Cockburn, tr/as San Jacinto Broadcasting Co. for a new station at Houston, Texas (Docket 6725), Reporter Broadcasting Co. for construction permit to change frequency of Station KRBC, Abilene, Texas, to 1470 kc. (Docket 5968), and Calcasieu Broadcasting Co. for construction permit to change frequency of KPLC, Lake Charles, La., to 1470 kc. (Docket 6664)

### APPLICATIONS FILED AT FCC

#### 1050 Kilocycles

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—License to cover construction permit (B2-P-3595 as modified) which authorized construction of a new standard broadcast station.

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Authority to determine operating power by direct measurement of antenna power.

#### 1240 Kilocycles

NEW—George E. Miller, J. Myron Honigman and Lou Poller, d/b as Baron Broadcasting Co., Wilkes-Barre, Pa.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. AMENDED: to substitute P. J. McCall for J. Myron Honigman as a member of the partnership.

#### 1340 Kilocycles

NEW—Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

#### 1400 Kilocycles

WNEX—Macon Broadcasting Co., Macon, Ga.—License to cover construction permit (B3-P-3688 as modified) which authorized a new standard broadcast station.

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

WCNC—Albemarle Broadcasting Co., Elizabeth City, N. C.—Construction permit to move transmitter and studio to Norfolk, Va.

WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Authority to determine operating power by direct measurement of antenna power.



## 1450 Kilocycles

NEW—Indiana Broadcast, Inc., Indiana, Pa.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

## FM APPLICATIONS

NEW—George A. Mayoral, William Cortada and Ramon Cortada, New Orleans, La.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47100 kc.**, with coverage of 13,300 square miles. AMENDED: to change coverage to 8,000 square miles, specify site, equipment.

NEW—New Jersey Broadcasting Co., Inc., Newark, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49100 kc.**, with coverage of 6,200 square miles. AMENDED: to change name of applicant to Atlantic Broadcasting Co., Inc.

NEW—Hudson Broadcasting System, Inc., Mt. Vernon, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47900 kc.**, with coverage of 2,500 square miles (formerly submitted in name of United Broadcasting System, Inc.).

NEW—Robert F. Wolfe & Margaret Wolfe, a partnership, d/b as Robert F. Wolfe Company, Fremont, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on **49700 kc.**

NEW—Myles H. Johns, Milwaukee, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46500 kc.**, with coverage of 6,950 square miles.

## TELEVISION APPLICATIONS

NEW—The Connecticut Television Co., Greenfield Hill, Conn.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (**162000-168000 kc.**), ESR 1810. AMENDED: to change requested frequency to Channel #8 (**186000-192000 kc.**) as proposed in the reallocation and change transmitter site to Booth Hill, Conn., and antenna changes.

W2XCS—Columbia Broadcasting System, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-110 which authorized new experimental television station) for extension of completion date from 5-12-45 to 11-12-45.

## MISCELLANEOUS APPLICATIONS

W4XAP—Voice of Alabama, Inc., Birmingham, Ala.—License to cover construction permit (B3-PEX-48) for a new developmental broadcast station.

NEW—Everette C. Atkerson, Birmingham, Ala.—Construction permit for a new developmental broadcast station to be operated on **43700 and 87,400 kc.**, 250 watts power, and special emission for FM.

WENH—WJR, The Goodwill Station, area of Detroit, Mich.—Construction permit to change frequencies from **1646, 2090, 2190, 2830 kc.** to **30820, 33740, 35820, 37980 kc.**, change power from 150 watts to 100 watts and make changes in equipment.

NEW—The Journal Company (The Milwaukee Journal), Richfield, Wis.—Construction permit for a new developmental broadcast station to be operated on **91000 kc.**, power of 500 watts and special emission for FM.

# 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.

**Food Display Machine Corp.**—A complaint alleging misrepresentation in connection with the sale of a safety razor blade sharpener designated Razoroll has been issued against Food Display Machine Corporation, 620 North Michigan Avenue, Chicago, and its president, Adam H. Kulikowski. The corporate respondent trades as Razoroll Company. (5308)

**Rachel Johnson**, 1118 Freeman Ave., Kansas City, Kansas, is charged in a complaint with misrepresentation in connection with the sale of preparations designated "Mme. Rachel Johnson's Pomade Hair Grower" and "Mme. Rachel Johnson's Hair Grower." (5310)

**Northwest Dried Fruit Association**, Portland, Oreg., and its members and officers are charged in a complaint with engaging in a conspiracy to restrain trade and create a monopoly in the sale of dried prunes.

The Association is composed of trade associations and their members and other parties variously engaged in growing, packing and selling fruit, including prunes, and comprises practically the whole of the industry which is located in Washington, Oregon, Idaho and California.

The complaint names the following association members as respondents: Oregon Prune Exchange, Portland, selling agent for a number of fruit growers associations; Washington Growers Packing Corporation, Vancouver, Washington, packing and sales agent for prune producers in the State of Washington; and Rosenberg Bros. & Co., San Francisco and Portland, engaged in buying, packing and selling dried prunes. (5311)

**Sprague Military Institute**—A complaint alleging misrepresentation of a correspondence course in military procedure, advertised as enabling students to enter the service "as veterans instead of as raw recruits," has been issued against Harold R. Lister and Margaret Lister, trading as Sprague Military Institute, 307 North Michigan Avenue, Chicago. The so-called "Military Institute" is an affiliate of Blackstone College of Law, another correspondence school operated by Lister at the same address. (5304)

**Steri-Seal**, 329 East Long Street, Columbus, Ohio, is charged in a complaint with misrepresentation in connection with the sale of devices designated Steri-Seal for use as caps on nursing bottle nipples. (5309)

**Stone Manufacturing Company** is charged in a complaint with disseminating advertisements which misrepresent the therapeutic properties of the ozone-generating devices he sells and which fail to reveal their possible harmful effects. The devices are sold under the names Stone's Ozone Producer and Stone's Ozone-Ray Producer. (5307)

## CEASE AND DESIST ORDERS

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

**American Flag Co.**, 73 Mercer St., New York, manufacturer of flags, pennants and banners, has been ordered to cease and desist from failing to disclose, and misrepresenting, the fiber content of certain of its products, in violation of the Federal Trade Commission Act, and from misbranding others in violation of the Wool Products Labeling Act. (5261)

**Cramp Shipbuilding Co.**—An order to cease and desist has been entered against a group of respondents found to have conspired in the submission of fictitious and collusive bids for supplying material for rehabilitating the shipyards of the Cramp Shipbuilding Company, Philadelphia, when it was under contract to construct naval vessels for the Government. (4802)

**E. Griffiths Hughes, Inc.**—An order to cease and desist from disseminating false advertisements concerning a medicinal preparation designated "Kruschen Salts" has been entered against E. Griffiths Hughes, Inc., 26 Forbes St., Rochester, N. Y. (4711)

**Humania Hair Goods and Specialty Co.**, 303 Fourth Ave., New York, has been ordered to discontinue the dissemination of false advertisements concerning cosmetics and hair preparations which he sells in interstate commerce. (5249)

**Samuel R. Israel and Al Goldstein**, trading as House of Royalsun, 5 West 36th St., New York, engaged in the sale of knitting yarn, has been ordered to discontinue representing, through use of the words "Shetland," "Saxony," "Scotch" or any other terms indicating foreign origin, or otherwise, that yarns manufactured from domestic products are imported or made from imported products. (5078)

**Al Rosenfeld, Inc.**, 9 East 38th St., New York, and its officers, Al Rosenfeld and S. Theodore Lande, engaged in the sale of perfumes and toilet preparations, have been ordered to discontinue using trade and brand names of French origin to designate or refer to products of domestic make. (5051)

## STIPULATIONS

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

**American Trading Co.**, 505 Elm St., Cincinnati, manufacturing and distributing fur garments, have stipulated in connection with the advertising or invoicing of their products to cease and desist from the use of the terms "Hud-Seal," "Sealine," "Beaverette" or any other fictitious animal designation or coined fur-connoting term as descriptive of their products; or using any animal or purported animal name for fur which is not the true name of the animal producing the fur; provided that if the fur is so dyed as to simulate another fur . . . that fact shall be set forth as an integral part of the designation, and if the name of the animal whose fur is so simulated be given, such name shall be immediately followed by and compounded with the word "dyed," together with the true name of the animal producing the fur as the last word of the description—all words or designations to be in like type and equally conspicuous. (4021)

**Bastian Bros. Co.**, 1600 Clinton Ave., North, Rochester, N. Y., manufacturer of fraternity and school jewelry, entered into a stipulation to discontinue misrepresenting the gold content of rings and other jewelry. (4042)

**Bibles For Victory, Inc.**—A stipulation to discontinue representing that metal-covered Bibles and Catholic prayer books will afford physical protection to members of the armed forces who carry them, has been entered into by Bibles For Victory, Inc., 1141 Broadway, New York, and Isaac Steinbrook, general manager of the corporation. (4025)

**Camille, Inc.**, Bernardsville, N. J., entered into a stipulation to discontinue certain misrepresentations in connection with the sale of Camille Cake Mascara and Camille Cream Mascara. (4017)

**Colorcrete Industries, Inc.**, Holland, Mich., manufacturing a product designated "Colorcrete" for application to concrete and masonry, and engaged in its sale and distribution, together with machines to mix and spray the product, has stipulated to cease and desist from certain misrepresentations of the product. (4047)

**Eagle Druggists Supply Co., Inc.**—A stipulation has been approved in which Eagle Druggists Supply Co., Inc., 43 West 23rd St., New York, jobber of druggists' supplies, agrees to cease and desist from certain misrepresentations in connection with the sale of rayon Protex-U Dental Floss, which was advertised as being made of synthetic silk and having "extra strength." (4043)

**Kol-Saver Sales Co.**—Under a stipulation entered into a copartnership trading as Kol-Saver Sales Co., Albert Lea, Minn., has agreed to cease misrepresenting the effectiveness of a coal saving

device designated Kol-Saver, which consists of a supplemental grate for use in coal burning furnaces. Members of the copartnership who signed the stipulation are Richard A. Trow, Ingwald G. Olson, E. H. Mickelson, Edwin Johnson, William O. Lindahl and Robert C. Trow. (4034)

**Mammoth Mail Order House**—A stipulation to discontinue certain misrepresentations in connection with the sale by mail order of wearing apparel has been entered into by Samuel Schweiger and Harry Arkin, trading as Mammoth Mail Order House and as Southerners' Bargain House, 412 Grand St., New York. (4015)

**National Drug Co.**, 4663 Stenton Ave., Philadelphia, manufacturer and distributor of pharmaceuticals, stipulated that it will stop representing it has the exclusive patent right to make, use and sell a sulfanilamide allantoin ointment it sells under the name of Allantomide. The preparation is recommended as a treatment for wounds, scalds, burns, abscesses and ulcers. (4026)

**Nim-Pah Products Co.**, Las Vegas, Nevada, stipulated that they will cease and desist from misrepresenting the therapeutic property of a medicinal preparation designated Nim-Pah and from disseminating advertisements which fail to reveal the potential danger in its use. (4019)

**Franklin Simon & Co.**, operating a department store at Fifth Ave. and 38th St., New York, stipulated that in connection with the sale of women's coats it will discontinue using the words "Camel Hair" or "Camel" as descriptive of a fabric not composed of camel hair. (4016)

**S-K Research Laboratories, Inc.**, Phoenix, Ariz., engaged in the sale and distribution of a medicinal preparation designated "Adreno-Mist," represented as being a remedy for asthma, has stipulated to cease representing that Adreno-Mist, or any similar product, is a competent treatment or adequate remedy for the relief of asthma, or that it could afford more than a temporary relief from the paroxysms of asthma. (4045)

**Twin City Shellac Co., Inc.**, 338 Flushing Ave., Brooklyn, engaged in the sale and distribution of Dan-Dee No Rubbing Floor Wax, entered into a stipulation to cease and desist from representing that the product lasts twice as long as ordinary wax or has enduring properties in excess of competitive products of standard quality; or that it is a heavy duty wax so constituted as to withstand strain, exposure or wear of an unusual nature, or that its luster improves with wear. (4020)

## FTC EXPORT INVESTIGATION

The Federal Trade Commission has ordered an investigation under the Export Trade Act (Webb-Pomerene Law) to determine whether General Milk Company, Inc., an export trade association, 19 Rector Street, New York, and its stockholder-members, officers and directors have entered into agreements and engaged in restraint-of-trade practices in violation of law. The corporation is registered with the Commission as an association which engages solely in the export of milk products.

Stockholder-members of the association are Carnation Company, Milwaukee, and Pet Milk Company, St. Louis. Officers are E. H. Stuart, Seattle, president; W. T. Nardin, St. Louis, and H. J. Mountrey and L. H. Wilson, both of New York, vice presidents; L. C. Gunther, New York, vice president and treasurer; L. A. DeBow, New York, secretary; and P. G. Kinzer, Milwaukee, and J. A. Latzer, St. Louis, directors.

The Export Trade Act authorizes the organization of cooperative associations in export trade and requires that they file with the Commission copies of their organization papers and current reports as to their operations. Under the terms of the Act, such an association shall be engaged solely in export trade and shall



not restrain the trade of a domestic competitor, artificially or intentionally enhance or depress prices in this country, or substantially lessen competition or otherwise restrain trade in the United States.

The notice of investigation states that if the Commission, upon investigation, shall conclude that the Export Trade Act has been violated, it will make recommendations to General Milk Company, Inc., for the readjustment of its business in order that the association may thereafter maintain its organization and management and conduct its business in accordance with law.

The date of the opening of the investigation will be announced later.

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