

The National Association of Broadcasters

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JAMES W. BALDWIN, Managing Director

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NEW FCC COMMISSIONERS CONFIRMED

The Senate before adjournment confirmed Frank R. McNinch and T. A. M. Craven as members of the Federal Communications Commission to fill the vacancies left by the death of Chairman Anning S. Prall, and Dr. Irvin Stewart, resigned.

Mr. Craven was sworn in as a member of the Commission on Wednesday. It is reported that Mr. McNinch will not take the oath of office for a short time owing to the fact that he has some matters at the Federal Power Commission which he wishes to clear up first.

NEBRASKA BROADCASTERS ELECT OFFICERS

The Nebraska Broadcasters Association held its annual meeting at Grand Island on August 9. The officers and directors elected for the ensuing year are: John M. Henry, KFAB-KFOR-KOIL, President; Clark Standiford, KGFV, Vice-President; Art Thomas, WJAG, Secretary-Treasurer; Frank Manchester, WAAW, and L. L. Hilliard, KGKY, Directors.

CHANGE IN POWER AND FREQUENCY RECOMMENDED

Broadcasting Station KABR, Aberdeen, S. Dak., applied to the Federal Communications Commission for a construction permit to change its frequency from 1420 kilocycles to 1390 kilocycles and to increase its power from 100 watts, unlimited hours to 500 watts night-time and 1,000 watts LS, with unlimited hours of operation.

Examiner R. H. Hyde, in Report No. I-481, recommended that the application be granted. He stated that due to the unusually large geographical area and the long distances between larger communities, the additional facilities applied for are needed to improve the service now available in Aberdeen and to extend it to a greater area and he added that the proposed changes would not cause interference to other stations on the same or adjacent frequencies.

STATUS OF FEDERAL RADIO LEGISLATION

The resolution of Senator White of Maine calling for an investigation of the radio industry was not passed

A Special Bulletin concerning the A. F. of M. situation will be issued later this week following a meeting of the NAB Executive Committee.

during the closing hours of the first session of the Seventy-Fifth Congress which adjourned Saturday, August 21.

The White resolution was favorably reported by the Senate Committee on Interstate Commerce but an appropriation of \$25,000 was added to defray the expenses of the investigation which necessitated its reference to the Senate Audit and Control Committee. As the session ended the resolution had not been reported out by the latter committee.

All bills introduced during the present session will retain their status when Congress reconvenes for the second session of the Seventy-Fifth Congress.

There follows a tabulation of the status of all federal bills of importance to broadcasters, separated as to Senate and House of Representatives.

SENATE

S. 5: Copeland (N. Y.): Food, Drug and Cosmetics. Passed Senate and referred to House Interstate and Foreign Commerce Committee.

S. 7: Duffy (Wisc.): Copyrights. To Patents Committee, January 6. No action.

S. 1353: Walsh (Mass.): Radio operators. To Interstate Commerce Committee, February 1. No action.

S. 1369: Capper (Kans.): Prohibits radio liquor advertising. To Interstate Commerce Committee, February 5. No action.

S. 2031: Sheppard (Texas): Copyrights. To Patents Committee, March 29. No action.

S. 2240: Guffey (Pa.): Copyrights. To Patents Committee, April 22. No action.

S. 2407: Sheppard (Texas): Radio operators minimum age provision. Passed Senate and referred to House Interstate and Foreign Commerce Committee.

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S. 2755: Schwellenbach (Wash.): Requires periods for broadcasts on social and political matters. To Interstate Commerce Committee, July 8. No action.

S. 2756: Schwellenbach (Wash.): Requires broadcasters to keep records of applications for time and reasons for any rejections. To Interstate Commerce Committee, July 8. No action.

S. 2757: Schwellenbach (Wash.): Radio censorship. To Interstate Commerce Committee, July 8. No action.

S. 2758: Wheeler (Mont.): Prohibits transmission of gambling information by radio. To Interstate Commerce Committee, July 8. No action.

S. Res. 93: Pittman (Nev.): Provides for broadcasts of Congressional proceedings. To Interstate Commerce Committee, March 15. No action.

S. Res. 149: White (Me.): Investigation of radio broadcasting industry. Reported favorably by Interstate Commerce Committee. No action by Senate.

S. J. Res. 197: Pittman (Nev.): Appropriation for Habana radio conference. Passed by Senate.

HOUSE

H. R. 13: Culkin (N. Y.): Prohibits liquor advertising by radio. To Interstate and Foreign Commerce Committee, January 5. No action.

H. R. 30: Dickstein (N. Y.): Alien actors. Hearings held by Immigration and Naturalization Committee. No action by House.

H. R. 300: Chapman (Ky.): Food, Drug and Cosmetic (Companion bill to S. 5). To Interstate and Foreign Commerce Committee, January 5. No action.

H. R. 2695: Moser (Pa.): Copyrights. To Patents Committee, January 12. No action.

H. R. 3004: Bloom (N. Y.): Copyrights. To Patents Committee, January 12. No action.

H. R. 3033: Scott (Calif.): Broadcast records (Companion bill to S. 2756). To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3038: Scott (Calif.): Radio censorship (Companion bill to S. 2757). To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3039: Scott (Calif.): Periods for social and political broadcasts (Companion bill to S. 2755). To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3140: Culkin (N. Y.): Prohibits liquor advertising by radio. To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3892: Wearin (Iowa): Prohibits radio monopoly. To Interstate and Foreign Commerce Committee, January 28. No action.

H. R. 3898: Lea (Calif.): Requires all radio operators to be licensed by FCC. Became Law.

H. R. 4281: Celler (N. Y.): Provision for Government broadcasting station. To Naval Affairs Committee, February 3. No action.

H. R. 4738: Culkin (N. Y.): Prohibits liquor advertising by radio. To Interstate and Foreign Commerce Committee, February 15. No action.

H. R. 4960: Martin (Mass.): Broadcast advertising of foreign-made goods. To Interstate and Foreign Commerce Committee, February 19. No action.

H. R. 5038: Anderson (Mo.): Provision for five-year broadcasting licenses. To Interstate and Foreign Commerce Committee, February 24. No action.

H. R. 5275: Daly (Pa.): Copyrights. To Patents Committee, March 3. No action.

H. R. 5300: Maloney (La.): Personal endorsement of articles by radio. To Interstate and Foreign Commerce Committee, March 3. No action.

H. R. 5336: Welch (Calif.): Minimum age requirement for radio operators. To Interstate and Foreign Commerce Committee, March 4. No action.

H. R. 5376: Welch (Calif.): Minimum age requirement for radio operators. To Interstate and Foreign Commerce Committee, March 5. No action.

H. R. 5548: Dickstein (N. Y.): Alien actors. To Immigration and Naturalization Committee, March 11. No action.

H. R. 6072: Whelchel (Ga.): Copyrights. To Patents Committee, April 1. No action.

H. R. 6440: Boylan (N. Y.): Wattage tax on radio stations. To Ways and Means Committee, April 15. No action.

H. R. 8230: Bernard (Minn.): Radio freedom of speech. To Interstate and Foreign Commerce Committee, August 13. No action.

H. Res. 61: Connery (Mass.): Investigation of radio industry. To Rules Committee, January 13. No action.

H. Res. 92: Connery (Mass.): Investigation of radio industry. To Rules Committee, January 28. No action.

H. Res. 313: McFarlane (Texas): Investigation of radio industry. To Rules Committee, August 13. No action.

H. Res. 321: Wiggleworth (Mass.): Ownership of stocks of radio corporations by FCC employees. To Interstate and Foreign Commerce Committee, August 18. No action.

H. Res. 342: Bacon (N. Y.): Investigation of lobbying interests at FCC. To Rules Committee, August 21. No action.

H. J. Res.: McReynolds (Tenn.): Appropriation for Habana radio conference (same as S. J. Res. 197). Passed by House.

RECOMMENDS POWER INCREASE FOR WMMN

Broadcasting station WMMN, Fairmont, W. Va., operating unlimited time on 890 kilocycles, applied to the Federal Communications Commission for an increase in power from 500 watts night, 1,000 watts LS, to 1,000 watts night, 5,000 watts LS.

Examiner Robert L. Irwin recommended that the application be granted. He stated that there is a need for additional service in the area, that the increase will not cause interference with any existing or proposed stations and that the granting of the application will be in the public interest, convenience and necessity.

ANTENNA TOWER MARKING

The Federal Communications Commission has issued the following in connection with the marking of antenna towers.

It has come to the attention of the Commission that the effectiveness of the antenna marking of many radio stations is considerably below normal, due to employing improper lamps and covers, failure to keep covers clean and deterioration of the tower paint.

In order to increase the effectiveness of this marking, thereby reducing the hazard to air navigation, the following instructions are issued:

(a) All antenna marking fixtures now equipped with lamps of 100 watts or less shall be equipped with 100 watt traffic signal lamps, Type A-21 clear, medium screw base. All lamps must be enclosed in aviation red prismatic obstruction light globes.

(b) All 200 watt code beacons shall be equipped with 200 watt general lighting service lamps, Type PS-30, clear, mogul prefocus base (where mogul prefocus base sockets are not now installed, these shall be installed).

(c) All 500 watt code beacons shall be equipped with 500 watt general lighting service lamps, Type PS-40, clear, mogul prefocus base (where mogul prefocus base sockets are not now installed, these shall be installed).

(d) All 500 watt rotating beacons shall be equipped with 500 watt aviation lighting service lamps, Type T-24 clear, mogul bi-post base.

(e) All 1000 watt rotating beacons shall be equipped with 1000 watt aviation lighting service lamps, Type T-20 clear, mogul bi-post base.

Attention is invited to the fact that these lamps which are particularly designed for the services specified, having considerably longer life than ordinary lamps of similar wattage, and in addition are much more efficient for these services. The use of the proper lamps as above stated, should materially increase the effectiveness and reduce the cost and inconvenience of maintenance.

(f) The tower paint shall be kept in good condition and repainted as often as necessary to maintain this condition. Towers now painted black and yellow shall when repainting is necessary, be painted in accordance with the present standards as follows:

"Each tower shall be painted throughout its height with alternate bands of international orange (orange yellow No. 5 of Color Card Supplement to the United States Army Quartermaster Corps Specifications No. 3-1) (see color card attached) and white, terminating with international orange bands at both top and bottom. The width of the international orange bands shall be one-seventh the height of the structure (if towers are over 250 feet, bands should be from 30 to 40 feet). The white bands shall be one-half the width of the international orange bands."

These instructions are effective immediately and the licensees of all stations where antenna marking is required shall proceed immediately to comply therewith.

WGL POWER INCREASE RECOMMENDED

Radio station WGL, Fort Wayne, Ind., operating unlimited time on 1370 kilocycles applied to the Federal Communications Commission to increase its power from 100 watts to 100 watts night and 250 L. S.

Examiner Tyler Berry, in Report I-477, recommended that the application be granted. He states that there is a need for additional service in that area and that no objectionable interference will be caused by the proposed increase in day power.

APPROPRIATION FOR RADIO CONFERENCE

Just before adjournment the House of Representatives passed S. J. Res. 197, providing for an appropriation of \$15,000 for the use of the American delegation to the Inter-American Radio Conference to be held at Habana, Cuba, beginning in November. The resolution had already passed the Senate.

RECOMMENDS AGAINST NEW ILLINOIS STATION

Robert Raymond McCulla applied to the Federal Communications Commission for a construction permit for a new broadcasting station at Oak Park, Ill., to be operated on 1500 kilocycles, 100 watts power and daytime operation.

Examiner Tyler Berry, in Report No. I-480, recommended that the application be denied. He found that the applicant was not technically or financially qualified to construct and operate the proposed station, that the area is now receiving satisfactory primary service and that the site selected for the station was not satisfactory from an engineering standpoint.

DENIAL RECOMMENDED ON ILLINOIS APPLICATION

The Key City Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Kankakee, Ill., to operate on 1500 kilocycles, 100 watts power, unlimited time.

Examiner Tyler Berry, in Report No. I-479, recommended that the application be denied. He stated that the applicants were not financially and technically qualified to construct and operate the proposed station, that the area now receives primary service from a number of stations, and the proposed station would cause objectionable interference with Station WHIP.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints 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.

No. 3205. A complaint has been issued against **S. C. Ross**, 64 West Randolph St., Chicago, trading as **Ideal Gift Company**, alleging unfair methods of competition in promoting the sale of rotary clocks, fountain pen and pencil sets, and other merchandise through use of lotteries or gift enterprises.

The complaint alleges that the respondent furnishes customers with pushcards, the use of which involves the distribution of merchandise to ultimate consumers wholly by lot or chance. The pushcard, it is alleged, permits the drawing of prizes by chance through selection of a certain name from among a number of feminine names appearing on the cards.

No. 3206. Misrepresentation of certain piece-goods as silk, when in fact they are composed of other materials, is alleged in a complaint issued against **H. Kluger, Inc.**, 180 Madison Ave., New York.

On labels and in advertising matter, the respondent allegedly describes and refers to products not composed of silk as "Pur'Di", "100% pure dye", "pure silk filled", "100% pure dye crepe" and "crepe".

Dress goods and other items of wearing apparel to which such descriptive words and phrases are applied, the complaint charges, have for a long time been associated in the public mind with a fabric commonly known as and understood generally to be silk.

No. 3207. Use of lotteries or gift enterprises to promote the sale of bed and table linen, silverware, wearing apparel and other merchandise is alleged in a complaint against **John C. Merritt**, 1321 South 22nd St., Birmingham, Ala., trading as **Merco Sales Company**.

The respondent is charged with furnishing customers with pushcards, the use of which involves the distribution of merchandise to ultimate consumers wholly by lot or chance. The pushcard, it is alleged, permits the drawing of prizes by chance through selection of a certain name from among a number of feminine names appearing on the card.

No. 3208. **Corrugated Container Corporation**, 230 Third Ave., Brooklyn, is respondent in a complaint alleging use of unfair

methods of competition in the sale of corrugated paper fiber boxes.

The case involves the company's alleged improper stamping of its products in violation of rules on file with the Interstate Commerce Commission relating to the construction requirements of corrugated paper boxes used in shipments by rail.

No. 3209. The **William M. Hardie Company**, 1584 East 19th St., **Cleveland**, is charged in a complaint with unfair competition in the sale to dealers of candies so packed and assembled as to involve use of a lottery scheme when such products are resold to ultimate consumers.

No. 3120. Charging false and misleading representations in the sale of men's and women's wearing apparel, a complaint has been issued against **Samuel Stores, Incorporated**, 460 Fourth Ave., **New York**.

In advertisements and sales talks, the respondent company is alleged to have represented that with purchases amounting to \$25, certain gifts would be awarded, consisting of a choice of a \$6.95 dress, an all-weather sport coat, or a pair of men's shoes.

Stipulations

The Commission has entered into the following stipulations:

No. 2031. The **Stetson Pants Company**, 212 East 8th St., **Cincinnati**, selling men's clothing, agreed to discontinue use of the word "free" as descriptive of garments which actually are not given free but are given as a consideration to persons for services performed by obtaining new customers. The company also will cease using the phrase "tailored-to-fit" or words of similar meaning so as to imply that the garments to which such words refer are made to the individual measure or order of customers, when this is not true. The **Stetson Pants Company** also trades as **The Manhattan Neckwear Company**, **Gibson Sweater Company** and **The Burton Pants & Garment Co.**

No. 2033. **Silverman & Grean, Inc.**, 231 West 29th St., **New York**, selling fur coats, will stop using in advertising matter as a brand or label for its products, the word "seal" or the word "Bioseal" alone or in connection with the explanatory phrase "the aristocrat of dyed coney," so as to imply that such coats are made from seal. The company also will discontinue employing such descriptive words or phrase in any manner tending to confuse purchasers as to the kind of fur from which its coats are manufactured.

No. 2034. False and misleading advertising will be discontinued under a stipulation entered into by **Samuel T. and Dora Schwartz**, trading as **Chas. Schwartz & Son.**, 708 Seventh St., N. W., **Washington, D. C.**, dealers in jewelry and other merchandise.

The firm agreed to desist from the use in advertising matter of the word "free" as descriptive of merchandise represented to be given away with the purchase of other merchandise, when, in fact, the so-called "free" article is included in the price asked for the goods sold.

No. 2035. **Les Parfums Marly, Inc.**, 525 Broadway, **New York**, agreed to cease using the word "Paris" or "France" or the phrase "Made in France", alone or in connection with each other on its packaged perfume products, or otherwise, so as to directly assert or imply that such perfumes are of French origin and imported from France as finished perfumes. Use of the word "Paris" or of the address "Paris, 24 Rue Caumartin" on packaged products or in any manner implying that the company has an office at such place, when this is not a fact, will be discontinued. According to the stipulation, the company is engaged in compounding perfumes in this country from imported essential oil and essences, to which is added denatured alcohol as a diluting agent.

No. 2036. **Busch Jewelry Company, Inc.**, 35 West 14th St., **New York**, stipulated that in advertising certain radio sets it sells it will stop employing the word "General" in connection with the statement "Headquarters for General Electric Radios", and will no longer use the word "General" as a trade name so as to imply that the sets so branded are manufactured by **General Electric Company**, **Schenectady, N. Y.**, when such is not a fact.

No. 2037. **M. Milstone**, trading as **Aeme Liquor Store**, 927 **Pennsylvania Ave.**, N. W., **Washington, D. C.**, will desist from representing in advertising matter of otherwise that rum produced in the **Virgin Islands** and which he sells under the name "Three Saints" is either distilled, aged or bottled under the supervision of the **United States Government**, when such is not a fact.

No. 01843. Under a stipulation entered into, **The R. L. Watkins Company**, 170 Varick St., **New York**, engaged in the interstate sale of **Dr. Lyon's Tooth Powder**, will discontinue certain

false and misleading representations in advertising such dentifrice.

The respondent company stipulated that it will stop advertising that **Dr. Lyon's Tooth Powder** has twice the cleansing properties of tooth paste, is doubly efficient, and costs only half as much to use; that there is nothing known that will clean, whiten or polish teeth so quickly or effectively as powder; that dentists everywhere recommend **Dr. Lyon's**, and that people by the thousands or millions are discarding other methods of teeth cleansing and are using powder instead.

No. 01844. A stipulation to cease the use of false and misleading advertising in the sale of bunion and arch appliances, medicated soaps and preparations for the relief of foot trouble, has been entered by **The Scholl Manufacturing Company, Inc.**, 211 West Schiller St., **Chicago**.

Among the representations to be discontinued are that the respondent company's bunion appliances build up crippled structures and tissues, or are recognized by orthopedic surgeons as practical in every detail, and that by use of any of **Dr. Scholl's** products one may obtain permanent or immediate relief from whatever foot trouble one has, or that any or all of such products tone up the feet or enable one to wear smaller shoes.

No. 01845. **Desider Rosenberg**, trading as **Seboline Co.**, Post Office Box 2408, **Kansas City, Mo.**, has entered into a stipulation to discontinue false and misleading advertising in connection with the sale of his **New Improved Seboline Treatment**, a preparation for the skin consisting of a facial cleanser, an over-night application and a soothing powder.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2293. Prohibiting unfair competition through certain misrepresentations in the sale of cigars, an order has been issued to cease and desist against **John F. Bolon**, 89½ South Summit St., **Bethesda, Ohio**, trading as **John F. Bolon Cigar Co.**

Bolon is directed to discontinue representing, through use of the words "Vuelta Abajo" or other words of similar meaning, as descriptive of cigars, that they are made from tobacco grown in and imported from **Cuba** and the **Cuban Province of Pinar Del Rio**, unless this is a fact. **Vuelta Abajo** is the name of a district in **Pinar Del Rio Province, Cuba**.

Use of the phrase "cured in rum", or other words of similar meaning to represent that cigars have been cured, flavored or sweetened with rum, unless such is a fact, is also barred by the order.

No. 2998. An order to cease and desist from certain false representations concerning **Birconjel**, a feminine hygiene preparation sold with a patented appliance, has been entered against **Birconjel Corporation, Inc.**, having places of business at 420 Lexington Ave. and 37 East 28th St., **New York**.

The representations ordered discontinued are that use of the preparation will prevent conception; that it is a scientific prophylactic and a protection against disease, and that it may be used with safety and without deleterious effects in all cases.

No. 2390. An order to cease and desist from representing that it is a distiller of spirituous beverages, when such is not a fact, has been entered against **Distillers Brands, Inc.**, formerly of **Cincinnati** but now of **Jacksonville, Fla.**

The respondent company is ordered to discontinue representing, through use of the word "distillers" in its corporate name, in advertising matter, on labels, or otherwise, that it distills whiskeys, gins or other spirituous beverages; that it manufactures such products through a process of distillation, or that it owns or operates a distillery, unless and until it does own or operate such a place.

No. 3043. Prohibiting certain misrepresentations in the sale of correspondence courses designed to prepare students for civil service examinations, an order to cease and desist has been entered against **Public Service Institute, Inc.**, 425 DeBaliviere Ave., **St. Louis**.

Among representations prohibited by the order are those to the effect that enrollment for the respondent's courses constitutes enrollment for a civil service examination or position; that the respondent is connected with or represents the **United States Government**; that it conducts a residence school, and that the number of its students who have successfully passed civil service examinations or obtained government positions and the number of instructors on its staff are greater than the facts warrant.

No. 3058. An order to cease and desist has been issued against **Maryland Baking Co.**, 1200 South Eutaw St., **Baltimore**, direct-

ing discontinuance of certain lottery methods in the sale of ice cream cones.

The respondent is ordered to stop selling to wholesalers and retailers cones so packed and assembled that their sale to ultimate purchasers may be made by means of a gaming device.

Packages or assortments of ice cream cones are not to be supplied dealers when, without alternation or rearrangement of their contents, they may be used to conduct a game of chance in the sale of cones to the public.

No. 3082. The Solvotone Co., 4303 Cottage Grove Ave., Chicago, and its president, **Jessie Rogers**, have been ordered to cease and desist from misrepresenting the therapeutic effects and properties of Solvotone, a medicine consisting of three preparations which users are directed to take together in the treatment of conditions for which they are recommended.

Prohibited by the order are representations that the preparations constitute a cure, remedy or competent and adequate treatment for gall-stones, ailments of the gall-bladder, or for diseases of the stomach or liver; that they are useful or effective in the treatment of gall-stones, ulcers or cancer of the stomach, or any other serious pathological condition, or will prevent an operation when any such condition exists; and that their use will end suffering and relieve tightness around the waist or pain in the right side, regardless of the cause thereof, or when such symptoms are due to any serious pathological condition.

No. 3097. An order to cease and desist from certain unfair competitive practices has been entered against **Wesleyan Diesel Service, Inc.,** 2906 Leavenworth St., Omaha, Nebr., engaged in selling correspondence courses of instruction in the installation, care and maintenance of Diesel engines.

The order prohibits the respondent from representing that students finishing the course are qualified to install, maintain and service Diesel engines and that a free employment service is operated for the benefit of such students; that a limited number of students are to be selected and trained in Diesel engine work and that the demand for such trained men is greater than it actually is; and that the tuition fee paid by a student will be refunded if he is not satisfied with the results obtained after completing the course.

No. 3112. Keeley's, Inc., 258 South State St., Salt Lake City, Utah, has been ordered to cease and desist from selling candy so packed and assembled that sales to ultimate purchasers may be made by means of a lottery, gaming device or gift enterprise.

The order prohibits the respondent company from packing in the same assortments for sale to the public at retail, boxes of candy together with punchboard devices which may be used in the retail sale of candy to the public.

No. 3160. Oppenheim, Collins & Co., Inc., 33 West 34th St., New York, has been ordered to discontinue using the words "silk", "crepe", "taffeta" or "satin", as descriptive of women's garments which are not composed of silk, but of other materials.

The respondent company, which operates department stores, was found to have falsely represented in newspaper advertisements, through use of the words mentioned, that certain articles of wearing apparel were made of silk, when such was not a fact.

No. 3163. F. B. Washburn Candy Corporation, Forest St., Brockton, Mass., has been ordered to cease and desist from selling and distributing to dealers candy so packed and assembled that sales of such candy to the general public are to be made, or may be made, by means of a lottery, gaming device or gift enterprise.

FTC CASES DISMISSED

Nes. 2592 and 2601. Complaints against **Harford Frocks, Inc.,** and **Fashion Frocks, Inc.,** Cincinnati concerns selling women's wearing apparel, have been dismissed by the Federal Trade Commission.

Harford Frocks, Inc., was charged with misrepresenting the conditions of employment and the earnings of agents who sell its goods. The complaint in the other case also alleged misrepresentation of earnings, and that **Fashion Frocks, Inc.,** contrary to its representations, did not give free dresses to sales persons, except when they had earned a certain commission.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in broadcast cases during the week beginning August 30.

The Broadcast Division has taken the following action subject to ratification at its next regular meeting:

APPLICATIONS GRANTED

WBHP—Wilton Harvey Pollard, Huntsville, Ala.—Granted extension program test period for period of 30 days from August 16.

WIBX—WIBX, Inc., Utica, N. Y.—Granted extension program test period for period of 30 days from August 22.

KAAX—Columbia Broadcasting System, New York City.—Granted special temporary authority to operate a mobile low frequency pack relay broadcast transmitter on frequency 2830 kc., 5 watts, for the period August 20 to 28, to relay broadcast National Amateur Golf Tournament at Alderwood Country Club, Portland, Ore.

WJAR—The Outlet Company, Providence, R. I.—Granted extension special temporary authority to operate 1 KW auxiliary transmitter as regular transmitter for the period August 18 to September 16, pending installation of new 5 KW transmitting equipment as authorized under C. P.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted special temporary authority to rebroadcast over WMBD conversation carried on between experimental stations W5XAR and W5XAS of the Western Radio Telegraph Co., for a period of not more than 1 hour, between August 22 and August 27, flying weather permitting.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted extension special temporary authority to remain silent for period August 22 to September 20, 1937, pending action on application for C. P. to move transmitter.

MISCELLANEOUS

Granted petition of Don Lee Broadcasting System (KGB), San Diego, Calif., to intervene in the proceedings upon the application of David G. Adams, d/b as Adams Recording Studio, for authority to make electrical transcriptions and manufacture records for stations XEBG and XEMO, at Tia Juana, Mexico.

Granted petition of William Penn Broadcasting Co. (WPEN) and WRAX Broadcasting Co. (WRAX) for waiver of Rule 104.6 (b) and accepted their answer to the appearance of Southern Minnesota Broadcasting Co., Rochester, Minn., in Docket No. 4642.

Granted motion of West Virginia Broadcasting Corp., Wheeling, W. Va., for continuance of the hearing upon its application for C. P., Docket 4716, now scheduled for September 15, until November 15, 1937.

Denied petition of Falls City Broadcasting Corp., Falls City, Nebr., requesting reconsideration and grant in part for daytime hours of its application for C. P. for new station, Docket 4217, which was denied on July 6, 1937.

EXAMINER REPORT RELEASED SINCE AUGUST 18

WGL—Ex. Rep. 1-477: Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Examiner Tyler Berry recommended grant of C. P. to increase power from 100 watts to 100 watts, 250 watts LS.

APPLICATIONS RECEIVED First Zone

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction 550 permit to reinstate W.E. Type D-87737, 1-KW transmitter and use as an auxiliary transmitter.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction 550 permit to make adjustments in WKBW's present licensed transmitter and use as WGR's main transmitter.

WJAR—The Outlet Co., Providence, R. I.—License to cover construction permit (B1-P-1285) for changes in equipment and increase in power.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction 1480 permit to make changes in equipment and increase power from 5 KW to 10 KW of the present licensed transmitter of WGR, to be used as the main transmitter of WKBW.

WCNW—Arthur Faske, Brooklyn, N. Y.—Construction permit to 1500 move transmitter from 1525 Pitkin Avenue, Brooklyn, N. Y., to 180 Morgan Avenue, Brooklyn, N. Y.

W1XAL—World Wide Broadcasting Corporation, Boston, Mass.—Modification of license to cancel frequencies 6040, 11790, 15250, 21460 kc. and add 9550, 11730, 15130 and 21500 kc., on a temporary provisional basis.

Second Zone

- WIP—Pennsylvania Broadcasting Company, Philadelphia, Pa.—
610 Construction permit to use old W.E.106-B transmitter as an auxiliary, power of 1 KW, and move transmitter 200 feet (same address).
- NEW—Fred B. Fitch, tr/as Thumb Broadcasting Co., Sandusky, Mich.—
950 Construction permit for a new station on frequency not stated, 500 watts night and 1 KW day power, unlimited time. Amended: Specifying **950 kc.** frequency, and studio site as East Sanilac Ave., and transmitter site as Section 3, township of Watertown, Mich.; change name from Thumb Broadcasting Co., Inc., by Fred B. Fitch, to Fred B. Fitch, tr/as Thumb Broadcasting Company.
- NEW—Arlington Radio Service, Inc., Arlington, Va.—
1140 Construction permit for a new station to be operated on **1510 kc.**, 250 watts, unlimited time. Amended to make changes in requested equipment, change requested frequency from **1510 kc.** to **1140 kc.**, power from 250 watts to 1 KW, and hours of operation from unlimited time to daytime.
- NEW—Cuyahoga Valley Broadcasting Co., Warren, Ohio.—
1200 Construction permit for a new station to be operated on **1200 kc.**, 100 watts, unlimited time.
- WBLV—Herbert Lee Blye, Lima, Ohio.—Voluntary assignment of **1210** license from Herbert Lee Blye to The Fort Industry Co.
- WMBG—Havens & Martin, Inc., Richmond, Va.—
1210 Construction permit to make changes in equipment and increase power from 500 watts to 500 watts night, 1 KW day, using directional antenna.
- WMBG—Havens & Martin, Inc., Richmond, Va.—
1210 Construction permit to make changes in equipment and increase power from 500 watts to 500 watts, 1 KW day. Amended to change requested power from 500 watts, 1 KW day, to 1 KW.
- NEW—Cuyahoga Valley Broadcasting Co., Cleveland, Ohio.—
1500 Construction permit for a new station to be operated on **1500 kc.**, 100 watts, daytime. Amended to change hours of operation from daytime to unlimited time, using 100 watts power.
- W3XIW—Reading Broadcasting Co., Reading, Pa.—License to cover construction permit (B2-PRE-122) for a new relay broadcast station.
- WAAH—West Virginia Broadcasting Corporation, Wheeling, W. Va.—
 —License to cover construction permit (B2-PRY-8) for a new relay broadcast station.
- WAAH—West Virginia Broadcasting Corporation, Wheeling, W. Va.—
 —Modification of construction permit (B2-PRY-8) to make changes in equipment.
- W8XKB—West Virginia Broadcasting Corp., Wheeling, W. Va.—
 —Modification of construction permit (B2-PRE-22) as modified to make changes in transmitter.
- W8XKB—West Virginia Broadcasting Corp., Wheeling, W. Va.—
 —License to cover construction permit (B2-PRE-22) for a new relay broadcast station.

Third Zone

- WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—
580 Modification of construction permit (B3-P-1717) for equipment changes and increase in power, further requesting changes in equipment.
- WOLS—O. Lee Stone, Florence, S. C.—
1200 Modification of construction permit (B3-P-1104) for a new station, requesting changes in equipment and move of transmitter from 121 Evans Street, Florence, S. C., to Charleston Highway, 1/8 mile south of Florence, S. C.
- KVSO—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—
1210 Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.
- WSMB—WSMB, Inc., New Orleans, La.—
1320 License to cover construction permit (B3-P-1446) as modified for a new transmitter and directional antenna and move of transmitter.
- WMFJ—W. Wright Esch, Daytona Beach, Fla.—
1420 Modification of construction permit (B3-P-1518) for a new transmitter, requesting extension of completion date from 9-19-37 to 3-19-38.
- WAPO—W. A. Patterson, Chattanooga, Tenn.—
1420 License to cover construction permit (B3-P-1509) for changes in equipment, increase in power, and change in hours of operation.
- KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—
1420 Construction permit to install a new transmitter and increase power from 100 watts to 100 watts night, 250 watts day.
- NEW—Amarillo Broadcasting Corp., Amarillo, Tex.—
1500 Construction permit for a new station to be operated on **1500 kc.**,

100 watts, unlimited time. Amended to change requested transmitter site from outside of city limits, Amarillo, Tex., to site to be determined, Amarillo, Tex.

- NEW—The National Life & Accident Insurance Co., Inc., Mobile in area of Nashville, Tenn.—
 Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 2 watts.
- NEW—The Constitution Publishing Co., Atlanta, Ga.—
1240 Construction permit for new station to be operated on **1240 kc.**, 1 KW night and 5 KW day, unlimited time. Directional antenna night use.
- WACO—KTSA Broadcasting Co., Waco, Tex.—
1420 Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.
- KNOW—KUT Broadcasting Co., Austin, Tex.—
1500 Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night and 250 watts day; also make changes in antenna.

Fourth Zone

- WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—
900 License to cover construction permit (B4-P-1220) as modified for new equipment, increase in power, and change in hours of operation.
- KSO—Iowa Broadcasting Co., Des Moines, Iowa.—
1430 Construction permit to make changes in transmitting equipment; install directional antenna for night use; increase power from 500 watts, 2 1/2 KW day, to 1 KW night and 5 KW day.
- NEW—Sam Klaver and Nathan Belzer, d/b as The Great Western Broadcasting Co., Omaha, Nebr.—
1500 Construction permit for a new station to be operated on **1420 kc.**, 100 watts, unlimited time. Amended to change frequency from **1420 kc.** to **1500 kc.**
- NEW—Woodmen of the World Life Insurance Assn., Omaha, Nebr.—
 —Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 100 watts.
- W9XRS—WDAY, Inc., Fargo, N. Dak.—
 —License to cover construction permit for a new relay broadcast station.
- W9XSO—WDAY, Inc., Fargo, N. Dak.—
 —License to cover construction permit (B4-PRE-119) for a new relay broadcast station.
- WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—
1400 Construction permit to install new transmitter and move transmitter from Millersville Road and Groveland Avenue, Indianapolis, Ind., to Ralston Road, Indianapolis, Ind.
- NEW—South Bend Tribune, South Bend, Ind.—
 —Construction permit for high frequency broadcast station, **25950 kc.**, 100 watts, unlimited time.
- NEW—South Bend Tribune, South Bend, Ind.—
 —License to cover above.
- W9XPU—WDZ Broadcasting Co., Tuscola, Ill.—
 —Construction permit for changes in equipment and increase in power from 10 watts to 30 watts.
- W9XPU—WDZ Broadcasting Co., Tuscola, Ill.—
 —License to cover above.

Fifth Zone

- KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—
1240 Construction permit changes in transmitter, install vertical antenna, increase power from 1 KW to 1 KW night, 5 KW day and move transmitter from 143 Second St., W. Twin Falls, Idaho, to on Highway 30, 4 miles W. of Twin Falls, Idaho. Amended: To omit request for changes in transmitter, and increase in day power, and change requested transmitter site from on Highway 30, 4 miles W. of Twin Falls, Idaho, to U. S. Highway 30, West of Twin Falls, Idaho.
- KCRJ—Charles C. Robinson, Jerome, Arizona.—
1310 License to cover construction permit (B5-P-1711) for changes in equipment, vertical antenna, increase in power, change in hours of operation and move of transmitter.
- KID—KID Broadcasting Co., Idaho Falls, Idaho.—
1320 Construction permit to make changes in equipment and increase power from 500 watts night, 1 KW day to 500 watts night, 5 KW day.
- KUMA—Albert H. Schermann, Yuma, Ariz.—
1420 Construction permit to install a vertical antenna and move transmitter from Fourth Avenue and Eighth Street, Yuma, Ariz., to 30 Fourth Street, Yuma, Ariz.
- KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—
1500 License to cover modification of construction permit (B5-MP-377) for changes in equipment.