

CODE COMMITTEE

The Code Compliance Committee met yesterday in an all day session in Washington. Principal topic on the agenda was news commentators which was discussed at length with particular reference to suggestions from the National Council on Freedom from Censorship for relaxing code provisions now governing them. It was the sense of the committee that these provisions should stand. The committee recommended that stations continue to give time to labor whenever the public interest warrants, and pointed out that time can be sold to labor unions so long as controversial issues are not discussed on paid time. Broadcasting "race-by-race" horse race results by radio was considered; it was the sense of the committee that it was bad radio. A communication from the Radio Council on Children's Programs, signed by Dorothy Lewis, was discussed at length, and the letter referred to the Board of Directors.

Present were: Earl J. Glade, KSL, Chairman; Edgar L. Bill, WMBD; Gilson Gray, CBS; Hugh A. L. Halff, WOAI; Henry P. Johnston, WSGN; Janet Mac Rorie, NBC; Edney Ridge, WBIG; Calvin J. Smith, KFAC, and Russell Place, NAB, Secretary. Also in attendance were Neville Miller, Ed Kirby, Joe Miller and Frank Pellegrin from NAB.

DAYLIGHT-SAVING TIME

On Wednesday the House Committee on Interstate and Foreign Commerce reported out a bill (H. R. 6314) providing for one hour of nationwide daylight-saving time. This is one of two bills introduced by Chairman Lea (D.-Calif.) on Tuesday afternoon; the other, similar to the Wheeler Bill introduced in the Senate on December 30 (S. 2160, see NAB REPORTS, p. 2), would give the President power from time to time to advance or retard the standard time of each zone, or any part thereof, up to two hours. Under both bills DST would go out six months after the war is over.

On Tuesday, the Senate Committee on Interstate Commerce, without hearing, reported out the Wheeler Bill. Senator Taft blocked consideration on the floor of the Senate Wednesday. It was reported that Chairman Lea would seek consideration of H. R. 6314 by the House this week.

The Lea Bill (H. R. 6314), providing as it does for uniform, nationwide DST, is the kind of a bill NAB argued for at the hearings because it would insure certainty in scheduling programs; it has the support of the Association of American Railroads for the same reason.

H. R. 6314

The Lea Bill: A Bill to promote the national security and defense by establishing daylight-saving time.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning at 2 o'clock antemeridian of the twentieth day after the date of enactment of this Act, the standard time of each zone established pursuant to the Act entitled "An Act to save daylight and to provide standard time for the United States," approved March 19, 1918, as amended, shall be advanced one hour.

SEC. 2. This Act shall cease to be in effect six months after the

termination of the present war or at such earlier date as the Congress shall by concurrent resolution designate, and at 2 o'clock antemeridian of the last Sunday in the calendar month following the calendar month during which this Act ceases to be in effect the standard time of each zone shall be returned to the mean astronomical time of the degree of longitude governing the standard time for such zone as provided in such Act of March 19, 1918, as amended.

TRANSCRIPTION CLEARANCE

Stations which are offered a commercially transcribed program which contains music which they are not licensed to play, should bear in mind the provisions of the Consent Decree, signed by ASCAP and BMI, requiring the clearance of all commercial transcriptions at the source, if the station or transcription company so elect. This means that you can accept all of such transcription programs containing ASCAP music, for instance, at a cost no greater to you than if you had an ASCAP "per program" license. Stations that have any difficulty in obtaining the benefits of the Consent Decree in this respect should communicate with the NAB.

SUBCOMMITTEE DISSOLVED

Chairman Clark (D.-Idaho) of the Senate subcommittee which began a preliminary investigation of charges of motion picture and radio propaganda, announced dissolution of the subcommittee.

He said that in the interest of war-time unity, a detailed report on controversial matters covered by the inquiry was not desirable.

NATIONAL ANTHEM ETIQUETTE

A station asks what is the proper etiquette for radio listeners when The Star-Spangled Banner is played.

Captain D'Arcy of the Army Band says any public assemblage of listeners should rise, but in the privacy of the home rising is not obligatory.

Even in the home, all conversation, by custom, ceases during the playing.

Sales

Sales Managers Executive Committee Meets

The NAB Sales Managers Executive Committee will meet at the Roosevelt Hotel, New York, January 13 and 14, and will also participate in a meeting of the Radio Executives Club of New York and the NRDGA annual convention that week.

A committee of agency time buyers and national sales representatives will be invited to participate in the committee meetings. On the committee are Chairman Eugene Carr, WGAR, Cleveland; John Outler, WSB, Atlanta, representing large stations; E. V. Flanigan, WSPD, Toledo, medium stations; Dietrich Dirks, KTRI, Sioux City, Ia., small stations; George Frey, Red network sales,

(Continued on page 10)

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

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

SALES

(Continued from page 9)

New York, representing NBC; Arthur Hull Hayes, WABC, New York, representing CBS, and Linus Travers, WAAB, Boston, representing Mutual-affiliated stations. From the NAB staff will be C. E. Arney, Jr., assistant to the president, and Frank E. Pellegrin, director of the department of broadcast advertising.

Deitrich Dirks Appointed to Committee

Dietrich "Dee" Dirks, a radio veteran and general manager of KRTI, independent outlet at Sioux City, Ia., has been appointed by Neville Miller to the Sales Managers Executive Committee as the local-station representative, succeeding Bob MacKenzie, formerly of WCMI, Ashland, Ky., who resigned his post with that station.

Dept. Store Execs to Hear About Radio

A full half-day session before the Sales Promotion section of the National Retail Dry Goods Association at its huge annual convention in New York has been awarded the NAB and its Sales Managers Division.

The radio presentation will be made Wednesday morning, January 14.

Every station is urged immediately to contact the executives and advertising managers of all its local department stores, and ask them particularly to attend this session. If your local executives have already left for New York, it is suggested that you get their hotel address from their secretaries, and send them a reminder by telegram or special delivery letter. A full attendance at that session by these executives should do much to make your local sales efforts more successful.

Because the NRDGA convention theme is based on wartime merchandising problems now faced by department stores, the radio session is billed as "Wartime Merchandising by Radio." The program will open with a general discussion on that subject, illustrated by charts, displays and case histories, by Frank E. Pellegrin. Following will be a presentation on "Filene's Discovers the Power of Radio," featuring Brooks Shumaker, general manager of Wm. Filene's Sons Co., Worcester, Mass., aided by E. E. Hill, general manager of WTAG, and George Jaspert, commercial manager.

An open question-and-answer session will follow, with the radio panel consisting of the members of the NAB Sales Managers Executive Committee.

Mile O'Dimes Campaign

Cooperation of member stations is requested for the Mile O'Dimes Campaign in conjunction with the Infantile Paralysis drive.

Leaders in radio and in advertising agencies are all unselfishly giving their services in directing the campaign, and all proceeds will be turned over to the National Committee for the Celebration of the President's Birthday.

FTC Report on Advertising

A continued warning to radio stations to maintain close watch over the content of commercials was implied in the 164-page annual report of the Federal Trade Commission to Congress, released January 9, covering the fiscal year ended June 30, 1941. Activities of the Radio and Periodical Division, governing false and misleading advertising, are summarized from the report:

The Commission maintains its Radio and Periodical Division to provide a direct and expeditious handling of certain cases involving false and misleading advertising, violative of the provisions of the Federal Trade Commission Act.

In this phase of the Commission activity, its only objective is to prevent false and misleading advertisements. It does not undertake to dictate what an advertiser shall say, but merely indicates what he may not say under the law.

The Commission believes that its work in this field contributes substantially to the improvement that has been evident in recent years in the character of all advertising.

Newspaper and magazine advertising. It has been found advisable to call for some newspapers and magazines on a continuous basis, due to the persistently questionable character of the advertisements published. . . . 377,764 advertisements were examined of which 25,022 were noted as containing representations that appeared to be false or misleading. (6.6%)

Almanac advertising. The Commission examines almanacs of wide distribution which are used as advertising media for distributors of drugs, devices, and other commodities sold for the treatment of various ailments. This survey covered the examination of 1,414 advertisements, resulting in 289 being set aside as warranting further investigation. (20.4%)

Mail-order advertising. Catalogs and circulars containing an aggregate of 20,238 pages, distributed periodically and seasonably by mail-order companies. . . . 467 advertisements were marked as containing possibly false and misleading representations. A wide variety of commodities (including food, drugs, devices, and cosmetics) is included in this questioned advertising. (2.3%)

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

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

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

During the fiscal year ended June 30, 1941, the Commission received 857,890 copies of commercial radio broadcasting continuities, amounting to 1,737,181 pages of typewritten script. These comprised 1,197,199 pages of individual station script, 529,820 pages of network script, and 10,162 pages of commercial recorded script.

The staff examined 871,909 commercial radio broadcast continuities, amounting to 1,749,557 pages of typewritten script. These comprised 519,640 pages of network script, 1,219,950 pages of individual station script, and 9,967 pages of script representing the built-in commercial portions of transcription recording productions destined for radio broadcast, through distribution of multiple pressings of such recordings to individual stations. An average of 5,755 pages of radio script were read each working day. From this material 24,535 commercial broadcasts were marked for further study as containing representations that might be false or misleading. (2.8%)

Cooperation of radio and publishing industries. In general, the Commission has received the helpful cooperation of the 3 nationwide network chains, 13 active regional networks, and transcription producers engaged in preparing commercial radio recordings, in addition to that of some 781 active commercial radio stations, 491 newspaper publishers, and 533 publishers of magazines, farm journals, and trade publications, and has observed an interested desire on the part of such broadcasters and publishers to aid in the elimination of false and misleading advertising.

Analysis of questioned advertising. An analysis of the questioned advertisements which were assembled by cases and given legal review, discloses that they pertained to 2,839 commodities in the proportions indicated below:

Classification of Products

Food, drugs, devices, and cosmetics:	
Food (human)	12.7
Food (animal)	3.6
Drugs	33.0
Cosmetics	13.5
Devices	2.5
65.3	
Other products:	
Specialty and novelty goods	10.2
Automobile, radio, refrigerator, and other equipment	3.7
Home study courses	1.9
Tobacco products	1.2
Gasoline and lubricants9
Poultry and livestock supplies and equipment, including hatchery products, etc.	1.1
Miscellaneous, including apparel, coal and oil fuels, house furnishings and kitchen supplies, specialty building materials, etc.	15.7
34.7	
Total	100.0

In the item of drug preparations listed above, a substantial proportion of the related advertising contained possible misrepresentations or representations which encompassed possibly injurious results to the public and for that reason were given preferred attention.

Per-Inquiry and Free Time

H. W. Nichols Salesbook Co., Cincinnati, is seeking per-inquiry deals on behalf of its booklet "Income Tax Made EZ." **Gardner-Shea Publishing Co.**, Oklahoma City, is doing likewise for another income tax booklet.

Henry Flarsheim and Staff, Boston, an advertising agency, stating it has some direct selling and mail order clients, is asking for per-inquiry deals or "any other similar proposition."

The Cooperative League of the U. S. A. is seeking free time for a transcription of a "Rochdale Day" broadcast, originated in England, in the interests of cooperatives.

Who Magazine, New York, is offering free scripts, containing credits, of course.

It becomes increasingly apparent that many free-time requests are being sent to the conductors of home economics programs, and it is suggested that you confer with those responsible for these programs at your station and have all such matter cleared through the sales department, which can quickly detect material that should be paid for. Among such attempts recently reported are:

W. E. Featherstone Advertising Agency, Salt Lake City, for J'edwins Color Code; **Pan American Trust Co.**, New York, for Rio No. 7 Coffee; **Landers, Frary & Clark** agency of New Britain, Conn.; **Cranberry Cannery, Inc.**, South Hanson, Mass., for The Cranberry Kitchen; **National Biscuit Co.**, New York, for Nabisco products; **Nestle's Chocolate Test Kitchen**, New York, for Nestle's chocolate.

NEW STUDY COURSE

Clubs or schools wishing to study radio from the listeners viewpoint might well be referred to "A Course of Study in Radio Appreciation" by Alice P. Sterner (Educational and Recreational Guides, Inc., 1501 Broadway, N. Y. C., \$1).

FTC LAW AND PRACTICE

Stations and agencies may be interested in "Federal Trade Commission Law and Practice" by Henry Ward Beer (Callaghan and Co., 401 E. Ohio St., Chicago, \$12). There is an especially interesting section on false, fraudulent and misleading advertising.

FTC REPORT

The Federal Trade Commission in its systematic review of radio advertising, issues calls to individual radio stations, generally at the rate of four times yearly for each station, the Commission explains in its annual report just made public.

The Commission, in its report, explains its radio advertising by stating that the frequency of calls to such individual broadcasters is varied from time to time, dependent principally upon transmittal power, the service radius or area of specific stations, and the advertising record of certain types of stations, as disclosed in analyses of previous advertising reviews.

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Cooperation of radio and publishing industries.—In general, the Commission has received the helpful cooperation of the 3 Nationwide network chains, 13 active regional networks, and transcription producers engaged in preparing commercial radio recordings, in addition to that of some 781 active commercial radio stations, 491 newspaper publishers, and 533 publishers of magazines, farm journals, and trade publications, and has observed an interested desire on the part of such broadcasters and publishers to aid in the elimination of false and misleading advertising.

Source of radio and periodical cases.—Examination of current newspaper, magazine, radio, and direct mail-order house advertising, in the manner described, has provided the basis for 75.4 percent of the cases arising from radio broadcasts and published advertisements, initiated through the Radio and Periodical Division during the fiscal year ended June 30, 1941. Information received from other sources, including information from other divisions of the Commission, and from other Government agencies, formed the basis of the remainder of the division's work.

In directing its attention to the principal sources and areas of questionable advertising campaigns, the Commission has been guided by special analyses made from time to time, which disclose the origin of questioned newspaper and radio advertising proportionately as to population centers.

Analysis of questioned advertising.—An analysis of the questioned advertisements which were assembled by cases and given legal review, discloses that they pertained to 2,839 commodities in the proportions indicated below:

CLASSIFICATION OF PRODUCTS

<i>Commodity</i>	<i>Percent</i>
Food, drugs, devices, and cosmetics:	
Food (human)	12.7
Food (animal)	3.6
Drugs	33.0
Cosmetics	13.5
Devices	2.5
	<hr/> 65.3
Other products:	
Specialty and novelty goods	10.2
Automobile, radio, refrigerator, and other equipment	3.7
Home study courses	1.9
Tobacco products	1.2
Gasoline and lubricants9
Poultry and livestock supplies and equipment, including hatchery products, etc.	1.1
Miscellaneous, including apparel, coal and oil fuels, house furnishings and kitchen supplies, specialty building materials, etc.	15.7
	<hr/> 34.7
Total	100.0

In the item of drug preparations listed above, a substantial proportion of the related advertising contained possible misrepresentations or representations which encompassed possibly injurious results to the public and for that reason were given preferred attention.

Number of cases handled.—During the fiscal year the Commission sent questionnaires to advertisers in 374 cases and to advertising agencies in 19 cases, and accepted 234 stipulations pertaining to radio and periodical advertising. Of these, 19 stipulations (8 relating to drugs and 11 to hair dyes) contained agreements to publish appropriate warnings in advertisements as to the potential

harm that might result from the use of the products in question.

A total of 605 cases were disposed of by the various methods of procedure. Of this number 222 cases were considered settled upon receipt of reports showing compliance with previously negotiated stipulations. The remaining 383 were closed without prejudice to the right of the Commission to reopen if warranted by the facts: 221 of them for lack of jurisdiction or lack of evidence sufficient to establish a violation of law, 143 because of discontinued business and practices, or insufficient public interest, 12 because of fraud orders issued by the Post Office Department against the advertisers, and 7 because the Post Office Department had accepted from the parties concerned affidavits of discontinuance of business.

In addition, the Commission in 23 cases ordered issuance of complaint: in 11 instances where advertisers failed to stipulate; in 5 cases in which the advertiser was not given the opportunity to stipulate because of gross deception, and in 7 involving violation of the terms of existing stipulations previously accepted and approved. In 27 cases field investigations were ordered, including 5 wherein it appeared that application for injunction or criminal proceedings might be warranted. Also, 3 cases were referred to other governmental agencies as concerning matters more appropriately coming within their jurisdiction.

Nine hundred seventy-nine radio and periodical cases were pending on July 1, 1940, and 779 were pending on June 30, 1941.

Commission has access to scientific services.—In addition to receiving scientific advice from its Medical Advisory Division the Commission receives effective cooperation from other agencies of the Government. It has access to the laboratories, libraries, and other facilities of Federal Government agencies, including the National Bureau of Standards, United States Public Health Service, the Food and Drug Administration, and the Bureau of Home Economics and Bureau of Animal Industry of the Department of Agriculture, to any of which it may refer a matter for scientific opinion.

When necessary, the Commission obtains medical and other scientific information and opinions from nongovernmental hospitals, clinics, and laboratories. Such material and cooperation are often particularly helpful in enabling the Commission to reach sound and fair conclusions with respect to scientific and technical questions which come before it.

Procedure in advertising cases.—If it appears that a published or broadcast advertisement coming to the Commission's attention may be misleading, a questionnaire is sent to the advertiser, and request is made for a sample of the product advertised, if this is practicable, and the quantitative formula, if the product is a compound. Copies of all advertisements published or commercial continuities broadcast during a specific period are also requested, together with copies of all booklets, folders, circulars, form letters, and other advertising literature used.

Upon receipt of these data, the sample and formula are referred to the Commission's Medical Advisory Division or to an appropriate technical agency of the Government for a scientific opinion. Upon receipt of the opinion, a list of such claims as then appear to be false or misleading is sent to the advertiser, along with pertinent portions of the opinion. The advertiser is extended the privilege of submitting evidence in support of his claims; he may answer by letter or, upon his request, may confer with the Commission's Radio and Periodical Division in person or through counsel.

If, after a consideration of all available evidence at hand including that furnished by the advertiser, the questioned claims appear to be true, the division reports the matter to the Commission with the recommendation that the case be closed.

If it appears from the weight of the evidence before it that the advertising is false or misleading, the division refers the matter to the Commission with recommendation either that complaint issue or the case be returned to the division for negotiation of a stipulation, provided it is one appropriate for stipulation procedure and the advertiser desires to dispose of it by such voluntary agreement to cease and desist from the use of the acts and practices involved.

If the Commission so authorizes, the division prepares a stipu-

lation and forwards it to the advertiser for execution. Should he object to any of its provisions, he may discuss them by mail or in person. If and when he agrees upon the terms of the stipulation and signs and returns it, the matter is again reported to the Commission with recommendation that the stipulation be accepted and the case closed without prejudice to the right of the Commission to reopen the matter at any time the facts so warrant. If the Commission accepts and approves the stipulation, the advertiser is required to submit within 60 days from the date of acceptance a report in writing showing the manner and form in which he has complied and is complying with the provisions of his agreement.

FEDERAL LEGISLATION

HOUSE

H. R. 6314 (Lea, D-Calif.) DAYLIGHT SAVING TIME—To promote the national security and defense by establishing daylight-saving time. Referred to Committee on Interstate and Foreign Commerce.

FEDERAL COMMUNICATIONS COMMISSION

In answer to a direct question at his press conference on Monday, FCC Chairman, James Lawrence Fly, said that he does not see any chance of the FCC being moved out of Washington at this time.

"No substantial attention has been given to the possibility (of moving out of Washington)," Mr. Fly said, "because our defense work is becoming more extensive and intensive and we have moment to moment close liaison with the other war and defense agencies. While I am not forming judgment I would be very much surprised if serious question was given and I have heard none raised."

The Chairman said at the conference that conferences are being held every day with OPM on priorities matters. He said that these conferences deal mostly at this time with communications equipment.

Mr. Fly said that "the FCC monitoring work, to say the least, is becoming more and more important, more burdensome in terms of operation and more important in terms of the significance of the work than ever before."

PRESS-RADIO HEARING POSTPONED TO JANUARY 21

At the request of the Newspaper-Radio Committee, the FCC has announced postponement from January 8 to January 21 of further hearing in its investigation, pursuant to Order No. 79, to determine what policy or rules, if any, should be promulgated in connection with operation of new FM broadcast stations and future acquisition of standard broadcast stations by newspapers.

In doing so, however, the Commission reiterated its determination to expedite completion of this hearing and will, accordingly, devote three days a week to it instead of the two days a week as heretofore.

LICENSE GRANTED STATION WARM, SCRANTON, PA.

The FCC has granted a license to the Union Broadcasting Co. for Station WARM at Scranton, Pa., now operating on 1400 kilocycles with 250 watts power, unlimited time, under a construction permit. The Commission also granted motion by the Anthracite Broadcasting Co., also of Scranton, for dismissal of the latter's application for like facilities, but did so "with prejudice." At the beginning of the consolidated hearing (B-142), a similar application by George Grant Brooks, Jr., of Scranton was withdrawn.

An Oklahoma radio listener complains of guest movie stars who are "supposed to entertain their air audiences but merely advertise their own pictures." A Mississippi fan suggests that broadcasting "soap" dramas be discontinued "in an effort to uplift the public morale."

While the FCC acknowledges expression of these views, it suggests that such comments be directed to the station or network over whose facilities the particular programs are transmitted. It reminds the writers that the broadcasters themselves have the initial responsibility for the selection of program material.

Licensees of standard broadcast stations are not required to file information regarding accidents to employees, an Ohio inquirer is informed. An Illinois individual is reminded that all transfers of broadcast station stock must be reported to the Commission within 30 days, even if no actual transfer of control is involved.

A North Carolina radio station is told that the Commission has no say in deferment from military service of licensed radio engineers. It explains that the Selective Service Act prohibits group deferments as such, and that the granting of occupational deferments in individual cases is at the discretion of local draft boards.

A Minneapolis resident who asks about relation of municipal ordinances to antenna installation is informed:

"There is no provision in the Communications Act of 1934 expressly providing that the licensing provisions of the Act render invalid or ineffective municipal zoning regulations, but consideration might be given the question of whether by virtue of the Act, the Federal Communications Commission has occupied the field of regulation of radio, rendering ineffective municipal ordinances which are in conflict with its regulation. In considering this question, your attention is directed to Title III of the Act, containing provisions relating to radio, and specifically to Section 319 thereof, which requires that a permit be obtained from the Commission for the construction of radio stations. . . . Attention is also directed to Section 303 which vests general regulatory powers over radio communication in the Commission and which empowers the Commission to regulate radio apparatus 'with respect to its external effects and the purity and sharpness of emissions from each station and from the apparatus therein.'"

"Section 2.81 of the Commission's Rules and Regulations provides as follows: 'The licensee of a radio station, the transmitter of which is authorized at a fixed location, shall not make any changes, without the express authority of the Commission, either in the height or the location of the antenna or its supporting structures, except, in case of other than broadcast station when the existing or proposed antenna or structure has a maximum height not in excess of 100 feet above the ground, changes in height or local changes in location may be made without specific authorization. In no case shall any change in the height or the location of the antenna or its supporting structures be made without authority when located or proposed to be located within five miles of an airport recognized by the Civil Aeronautics Authority or within five miles of the center line of an established federal airway.'"

Having received a number of complaints of interference to radio reception in south Texas by the operation of certain electric signs, the Commission has requested the cooperation of the manufacturer of these signs to remedy the situation. It points out that radiation effects are experienced not only in the broadcast bands but also in the frequency bands used by aviation and police services.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

FUTURE HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, January 12. They are subject to change.

Further Consolidated Hearing

NEW—Utica Observer-Dispatch, Inc., Utica, New York.—C. P., 1450 kc., 250 watt, unlimited time.
NEW—Utica Broadcasting Co., Inc., Utica, New York.—C. P., 1450 kc., 250 watt, unlimited time.
NEW—Midstate Radio Corporation, Utica, New York.—C. P., 1470 kc., 1 KW, unlimited time. DA-day & night.

Wednesday, January 14

KALB—Alexandria Broadcasting Co., Inc., Alexandria, Louisiana.—C. P., 580 kc., 1 KW DA-night, unlimited.

Friday, January 16

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—C. P., 950 kc., 1 KW, DA-night, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

WROL—Stuart Broadcasting Corp. (Assignor), S. E. Adcock, d/b as Stuart Broadcasting Co. (Assignee), Knoxville, Tenn.—Granted consent to voluntary assignment of license (B3-AL-323) of station WROL from Stuart Broadcasting Corp. to S. E. Adcock, d/b as Stuart Broadcasting Company.
WFTL—Ralph A. Horton, Fort Lauderdale, Fla.—Granted construction permit (B3-P-3355) to install a new transmitter and directional antenna for night use, increase power from 250 watts unlimited time to 10 KW, change frequency from 1400 to 710 kc. and move transmitter locally; antenna site and design and proof of performance subject to approval by Chief Engineer.
KIRO—Queen City Broadcasting Co., Seattle, Wash.—Granted modification (B5-ML-1091) of license to make changes in antenna system for non-directional operation daytime on frequency 710 kc.
WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Granted modification of license (B2-ML-1090) to increase night power from 100 to 250 watts; now has 250 watts day, unlimited time on 1240 kc.
WHKY—Catawba Valley Broadcasting Co., Inc., Hickory, N. C.—Granted construction permit (B3-P-3259) to install a new transmitter, directional antenna for night use, increase power from 250 watts to 1 KW night, 5 KW-LS, DA-N, change frequency from 1400 to 1290 kc., and move transmitter locally, conditional to installing and maintaining adequate field intensity monitoring facilities.
WSYB—Philip Weiss, tr. as Philip Weiss Music Co., Rutland, Vt.—Granted modification (B1-MP-1438) of construction permit (B1-P-3090) to make changes in directional antenna system, subject to proof of performance measurements.
WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Granted modification of license (B2-ML-1095) to increase power from 100 to 250 watts day and night.
Gordon Gray, Winston-Salem, N. C.—Granted construction permit (B3-PST-6) for a new ST (studio-transmitter link) broadcast station to be used in connection with high frequency (FM) broadcast station W41MM, Clingman's Peak, N. C., to operate on 337000 kc., 25 watts, special emission for frequency modulation. Granted on experimental basis only.
WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted construction permit (B3-P-3264) to increase power from 500 watts night, 1 KW-LS to 5 KW, install a new transmitter and directional antenna for night use, and move transmitter locally, subject to installing permanent monitoring facilities.
WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted construction permit (B4-P-2717) to install a directional antenna for night use, increase night power from 1 to 5 KW, and make change in vertical antenna for day use, subject to proof of performance. Now operates on 1470 kc., 5 KW-LS.

KYOS—Merced Broadcasting Co., Merced, Cal.—Granted construction permit (B5-P-2545) to change frequency from **1080 to 1490 kc.**, increase hours of operation from day-time to unlimited, and make changes in transmitting equipment.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted extension of special service authorization (B2-SSA-19) to operate on frequency **1170 kc.**, using 5 KW, unlimited time, for a period not to exceed 1 year pending completion of construction.

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted extension of special service authorization to operate on **1190 kc.**, using 10 KW unlimited time, for a period not to exceed 1 year.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted extension of special service authorization (B3-SSA-21) to operate on **1170 kc.**, using 25 KW night, 50 KW-LS, DA-N, unlimited time, for the period ending April 5, 1942 (Expiration date of construction permit).

Gordon Gray, Winston-Salem, N. C.—Granted construction permit (B3-PRE-411) for new station to operate on **156750, 158500, 159300 and 161100 kc.**, special emission for frequency modulation, 50 watts, using directional antenna to transmit programs from studio to transmitter of FM Broadcast Station W41MM in event of failure or unsatisfactory operation of applicant's ST station.

Allen B. DuMont Laboratories, Inc., New York, N. Y.—Granted construction permit (B1-PCT-6) for new station to operate on **78000-84000 kc.** (Channel No. 4) with an ESR of 950, A5 emission and special emission for frequency modulation, unlimited time, completion date 90 days.

DESIGNATED FOR HEARING

Mosby's Incorporated, Anaconda, Mont.—Designed for hearing application for construction permit for new station (B5-P-2694) amended so as to request operation on **1230 kc.**, 250 watts, unlimited time.

Donald Flamm, New York, N. Y.—Designated for hearing application for construction permit (B1-P-3400) for new station to operate on **620 kc.**, 5 KW, unlimited, directional antenna day and night.

MISCELLANEOUS

W47A—The Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted extension of special temporary authority to operate high frequency broadcast station W47A on a commercial basis, using temporary antenna system and temporary main studio at the transmitter of the subject station, pending completion of construction and submission of additional data with license application, from December 24, 1941 to not later than January 26, 1942.

WCBX—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate International Broadcast station WCBX with 10 KW transmitter, using one or more antennas, located at Brentwood, Long Island, from December 28, 1941 to not later than January 26, 1942.

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of special temporary authority to operate television broadcast station WCBW in accordance with construction permit B1-PCT-2 as modified (B1-MPCT-3) except with four KW aural and visual power for the period December 28, 1941 to not later than January 26, 1942.

W67C—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special temporary authority to operate frequency modulation station W67C commercially on **46700 kc.**, 1 KW power, special emission for frequency modulation, using temporary antenna, with transmitter located at 1 North LaSalle St., Chicago, from January 7, 1942 to not later than February 5, 1942 pending completion of construction in accordance with construction permit as modified.

WPTZ—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate station W3XE pursuant to Commission's Rules and Regulations Governing Commercial Television Broadcast Stations, from December 30, 1941 to not later than February 27, 1942; operation to be on Channel No. 3.

WINS—Hearst Radio, Inc., New York, N. Y.—Granted extension of special temporary authority to operate by the indirect

method with power of 1 KW, using Western Electric Type 355-B-1 transmitter (formerly licensed to WHN) located at 20th Avenue and 31st Street, Astoria, Long Island, N. Y. (site formerly occupied by WHN) from December 28, 1941 to not later than January 26, 1942, provided frequency check shows that it is within 5 cycles of assigned frequency.

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—Granted special temporary authority for a period not to exceed ten days, to operate 1 KW auxiliary RCA 1-DA transmitter, pending action on formal application for license.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Denied petition of WAAF for a rule to be directed to the Evening News Association (WWJ), Detroit, to show cause why the operation of WWJ should not be modified so as to afford greater interference protection to the nighttime service of WAAF as proposed by its pending application for construction permit (B4-P-3077); and the Commission, on its own motion, amended the issues to be determined in the hearing on the WAAF application for construction permit so as to include an additional issue as to whether, if the Commission should conclude that public interest, convenience and necessity would be served by a grant of the WAAF application, it should also require the Evening News Association (WWJ) to modify its manner of nighttime operation so as to reduce the interference limitation that would result to WAAF operating as proposed, and if so, to what extent, and ordered that the Evening News Association (WWJ) be made a party respondent in the hearing on the WAAF application.

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to operate additional time from 7 to 10:30 p. m., CST, December 31, 1941, in order to broadcast New Year's Eve church services and special music, only.

WJR—WJR, The Good Will Station, Detroit, Mich.—Granted special temporary authority to transmit to station CKLW for rebroadcast by that station special religious program between 7:15 and 7:30 a. m., January 1, 1942, only.

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Denied request for special temporary authority to operate additional time for a period not to exceed 30 days.

KYOS—Merced Broadcasting Co., Merced, Calif.—Granted special temporary authority to operate from sign-off time (4:45 p. m., PST, December) on December 31, 1941 to 1 a. m., PST, January 1, 1942, only, in order to broadcast New Year's Eve celebration, provided power is reduced to 100 watts.

W9XYH—Head of the Lakes Broadcasting Co., Superior, Wisc.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **43000 kc.**, 1000 watts power, special emission for frequency modulation, with transmitter located at 39th Street and Tower Avenue, Superior, Wisc., from December 28, 1941 to not later than February 26, 1942.

W3XTF—Philco Radio & Television Corp., Philadelphia, Pa.—Granted extension of special temporary authority to operate special experimental television relay transmitter at Wyndmoor, Pa., on **230000-242000 kc.**, with power output of 15 watts (peak) in order to conduct experiments relative to reception and retransmission of television programs to Television station WPTZ for a period beginning January 1, 1942 and ending in no event later than January 30, 1942.

WOSH—Howard H. Wilson, Oshkosh, Wis.—Granted special temporary authority to operate with main studio at 151½ Main Street, Oshkosh, Wis., in lieu of site specified in construction permit (File No. B4-P-3110) for a period not to exceed 30 days, pending action on formal application for change of studio site.

WIND—Johnson Kennedy Radio Corp., Gary, Ind.—Granted license to use old modified Western Electric 5 KW transmitter as an auxiliary transmitter, with power of 5 KW, employing present directional antenna system, for emergency use only (B4-L-1581).

KADB—Nichols & Warinner, Inc., Area of Long Beach, Calif.—Granted renewal of relay broadcast station license for period ending October 1, 1942.

KAAD—Tarrant Broadcasting Co., Area of Fort Worth, Tex.—Granted further extension upon a temporary basis only, pending determination upon application for renewal of license, of relay broadcast station license, to not later than February 1, 1942.

WENK—WLEU Broadcasting Corp., Area of Erie, Pa.—Granted further extension upon a temporary basis only, pending

determination upon application for renewal of license, of relay broadcast station license, to not later than February 1, 1942.

Granted renewal of relay broadcast station licenses for the period ending December 1, 1943, as follows: (areas shown)

WEGV, Champaign, Ill.; WAUY, Evansville, Ind.; WJRL, Jamestown, N. Y.; KEGZ, Spokane, Wash.; WRPM, Cleveland, Ohio.

W2XMN—Edwin H. Armstrong, Alpine, N. J.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on **117430 kc.**, power 40 KW, using special emission for frequency modulation with a maximum band width not to exceed **200 kc.**, subject to the condition that no interference is caused to other stations on same or adjacent channels, for the period January 7, 1942 to not later than March 7, 1942, in order to conduct tests pending completion of new FM station W31NY.

W49D—John Lord Booth, Detroit, Mich.—Granted extension of special temporary authority to operate an RCA 1 KW transmitter on **44900 kc.**, using a temporary antenna, from January 4, 1942 to not later than March 4, 1942, pending completion of construction in accordance with permit (File No. B2-PH-20).

WRUS—World Wide Broadcasting Corp., Scituate (Boston), Mass.—Granted extension of special temporary authority to operate exciter unit of transmitter specified in construction permit (File No. B1-PIB-33) with power of 5000 watts, sharing time with Station WRUL on **6040 kc.**, with Station KWID on **15350 kc.** and with Stations WRUL and WRUW on **11730, 11790, 15130, 15350 and 17750 kc.**, for the period January 9, 1942 to not later than May 8, 1942.

W39B—The Yankee Network, Boston, Mass.—Granted extension of special temporary authority to operate frequency modulation station commercially on **43900 kc.**, 1000 watts power, special emission for frequency modulation, using the transmitter of High Frequency Experimental Station W1XER at summit of Mount Washington, Sargents Purchase, N. H., for period January 13, 1942 to not later than March 13, 1942, pending completion of construction under construction permit (File No. B1-PH-13).

W53PH—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate frequency modulation station W53PH commercially on **45300 kc.**, 1 KW power, without frequency modulation monitor, using temporary transmitter R.E.L. Type 518, maximum rated carrier power 1 KW, located atop the Widener Building, Philadelphia, Pa., for the period January 4, 1942 to not later than February 2, 1942, pending completion of construction in accordance with construction permit as modified (File No. B2-PH-73; B2-MPH-19).

KTNM—Krasin & Krutznier Broadcasting Co., Tucumcari, N. M.—Granted special temporary authority to operate from 7 a. m. to 7 p. m., MST, instead of unlimited time as specified in existing license, for period January 1, 1942 to not later than January 30, 1942, only, pending action on application to reduce hours of operation.

New Mexico Broadcasting Co.—Granted motion to accept amendment to New Mexico Broadcasting Co. (KGGM), Albuquerque, N. M., application with respect to directional antenna proposed (Docket No. 6142); denied as to request for removal of applications of Arizona Broadcasting Co., Inc. (KVOA), Tucson, Ariz., New Mexico Broadcasting Co. (KGGM), Albuquerque, N. M., and New Mexico Broadcasting Co. (KVSE), Santa Fe, N. M., from hearing docket (Dockets 6082, 6142, 6143); on Commission's own motion continued hearing now set for February 9, 1942 to March 18, 1942.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Granted motion to accept amendment to application for construction permit, to reduce night power to 25 KW. (Application now requests **680 kc.**, 50 KW day, 25 KW night, unlimited time, directional antenna day and night.)

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 a. m. to 10 a. m., EST, Monday through Friday, for the period beginning January 2, 1942, and ending in no event later than January 31, 1942, provided WSVS remains silent.

WSVS—Board of Education, City of Buffalo, N. Y.—Granted special temporary authority to remain silent for the period

beginning January 2, 1942, and ending in no event later than January 31, 1942.

KFQD—Anchorage Radio Club, Anchorage, Alaska.—Granted special temporary authority to operate unlimited time instead of S. H.—6 p. m. to Midnight, LST, for a period not to exceed 30 days.

WICA—WICA, Inc., Ashtabula, Ohio.—Denied special temporary authority to operate from sign-off time (5:15 p. m., EST, January) to 6 p. m., EST, on January 4, 11, 18 and 25, 1942.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate additional time using power of 250 watts, as follows: from 7:55 to 9:55 p. m., CST, Jan. 3, 1942; from 6:25 to 8:25 p. m., CST, Jan. 10; from 6:55 to 8:55 p. m., CST, Jan. 12; from 7:25 to 9:25 p. m., CST, Jan. 17, 1942; from 7:25 to 9:25 p. m., CST, Jan. 24, in order to broadcast basketball games played by Univ. of Ill., on sustaining basis.

WEOF—The National Life and Accident Insurance Co., Inc., Nashville, Tenn.—Granted special temporary authority to operate FM relay test transmitter on Group I frequencies, with power of 40 watts using call letters WEOF, for a period not to exceed 30 days.

Newark Broadcasting Corp., Newark, N. J.; Frequency Broadcasting Corp., Brooklyn, N. Y.; Yankee Broadcasting Corp., New York City.—The Commission, on its own motion, advanced the date of the consolidated hearing on these three applications from February 4, as scheduled, to January 19, 1942. These mutually exclusive applications propose new stations to operate on **620 kc.**

WJZ—National Broadcasting Co., Inc., New York, N. Y.—Denied petition for rehearing directed against Commission action of November 25, 1941, granting in part application of Albuquerque Broadcasting Co. (KOB), Albuquerque, New Mexico, for modification of special temporary authorization to operate on **770 kc.**, with power of 50 KW day, 25 KW night, unlimited time.

WELL—Federated Publications, Inc., Battle Creek, Mich.—Denied petition to reconsider and grant without hearing application for renewal of license which, on September 30, 1941, was designated for hearing.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Renewed regular license (**1030 kc.**, 10 KW, unlimited time) for the period ending April 1, 1944, and extended special service authorization on **770 kc.** with power of 50 KW day and 25 KW night, to March 10, 1942.

APPLICATIONS FILED AT FCC

570 Kilocycles

KGKO—KGKO Broadcasting Co., Fort Worth, Texas.—Modification of construction permit (B3-P-2571) as modified, for changes in directional antenna and increase in power, requesting changes in directional antenna for night use and extension of commencement and completion dates from 3-14-41 and 3-14-42 to 30 days after grant and 60 days thereafter, respectively.

620 Kilocycles

KGW—Oregonian Publishing Co., Portland, Ore.—License to cover construction permit (B5-P-2954) as modified, for installation of directional antenna and increase in power, and authority to determine operating power by direct measurement.

790 Kilocycles

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Modification of license to increase hours of operation from specified hours to unlimited time.

1090 Kilocycles

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Extension of Special Service Authorization to operate simultaneously with WBAL using 1 KW night, 10 KW day, unlimited time for period ending 2-1-43.

1150 Kilocycles

WDEL—WDEL, Inc., Wilmington, Del.—Modification of construction permit (B1-P-2758) as modified, for increase in

power and installation of new transmitter and directional antenna for day and night use, requesting extension of completion date from 1-20-42 to 7-20-42.

1270 Kilocycles

NEW—L. J. Duncan, Leila A. Duncan, Josephine A. Keith & Effie H. Allen, d/b as Valley Broadcasting Company, Columbus, Ga.—Construction permit for a new station to be operated on 1270 kc., 50 watts night, 1 KW day, unlimited time, employing directional antenna day and night,

1340 Kilocycles

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Transfer of control through sale of 100 shares common stock (100%) by Bradley R. Eidmann to S. O. Ward.

1350 Kilocycles

KGHF—Curtis P. Ritchie, Pueblo, Colo.—Construction permit to increase power from 500 watts day and night to 500 watts night, 1 KW day, and make changes in transmitter.

1450 Kilocycles

KCMC—KCMC, Incorporated, Texarkana, Tex.—Construction permit to change frequency from 1450 kc. to 1230 kc. and make changes in transmitting equipment.

WGPC—The Albany Broadcasting Co., Inc., Albany, Ga.—Voluntary assignment of license to J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Company.

1490 Kilocycles

WKRO—Oscar C. Hirsch, Cairo, Ill.—License to cover construction permit (B4-P-3022) as modified for a new station, and authority to determine operating power by direct measurement.

1560 Kilocycles

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—Extension of Special Service Authorization to operate on 1560 kc., 10 KW, unlimited time, non-directional antenna, from 2-1-42 to 4-1-44.

NEW—Edward E. Reeder, Seattle, Washington.—Construction permit for a new station to be operated on 1560 kc., 250 watts, unlimited time. Amended: to change requested frequency from 1560 kc. to 1600 kc., facilities of KPMC, contingent on KPMC's change to 1560 kc.

FM APPLICATIONS

NEW—Bremer Broadcasting Corp., Jersey City, N. J.—Construction permit for a new high frequency broadcast station to be operated on 47100 kc., 8,500 square miles coverage, population 11,325,000. Amended: to change transmitter site from 26 Journal Square, Jersey City, N. J., to Montclair, N. J., and studio from 1819 Broadway, New York, N. Y., to 50 Journal Square, Jersey City, N. J., change frequency from 47100 kc., to 49500 kc., coverage from 8,500 to 6,135 square miles, population from 11,325,000 to 10,906,200, make changes in antenna system and change type of transmitter.

TELEVISION APPLICATIONS

W9XCB—Columbia Broadcasting System, Inc., Chicago, Ill.—Modification of construction permit (B4-PVB-74) as modified, for a new television station, requesting extension of completion date from 1-15-42 to 7-15-42.

W2XCB—Columbia Broadcasting System, Inc., Portable-Mobile.—Modification of construction permit (B1-PVB-46) as modified, for a new television relay station, requesting extension of completion date from 1-7-42 to 7-7-42.

MISCELLANEOUS APPLICATIONS

NEW—Columbia Broadcasting System, Inc., Brentwood, L. I., N. Y.—License for new international broadcast station using equipment formerly licensed to station WCBX and for authority to use the station as auxiliary under call letters WCBX or WCRC in event of failure or breakdown of main transmitters of international stations WCBX or

WCRC. Frequencies: 6060, 6120, 6170, 9650, 11830, 15270, 17830, 21520, and 21570 kc., 10 KW, A-3 emission.

FEDERAL TRADE COMMISSION ACTION

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

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.

Heatless Permanent Wave Company—A complaint has been issued charging Irvin A. and Arnold F. Willat, trading respectively as Heatless Permanent Wave Co. and as Willat Production Co., 1122 Folsom St., San Francisco, with the dissemination of false and deceptive advertisements in connection with the sale and distribution of their Willat Method of Heatless Permanent Waving. (4663)

Nestle's Milk Products, Inc.—A complaint has been issued charging Nestle's Milk Products, Inc., 155 East 44th St., New York, with false and misleading advertising in connection with the sale of a food product designated "Nescafé." (4661)

N-A Company, Laurel, Miss., is charged in a complaint with misrepresenting the therapeutic properties of a medicinal preparation known variously as "N-A No. 7," "Vicine," "Nature's Aid," and "N-A." (4662)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders during the past week:

Life Savers Corporation, Port Chester, N. Y., engaged in the manufacture and sale of a candy confection known as "Life Savers," has been ordered to cease and desist from violation of the Robinson-Patman Act. (4571)

STIPULATIONS

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

Arsenic Spring Water Company—Robert Enrico, trading as Arsenic Spring Water Co., Hot Springs, Ark., has entered into a stipulation to cease representing that his preparation "Arsenic Spring Water" constitutes a remedy or cure, or is indicated as a treatment, for diabetes, high blood pressure, constipation, rheumatism, malaria, or liver, stomach, bladder or kidney ailments, or is a tonic or an alternative, or has no equal as a diuretic. The respondent also agrees to cease representing that his product, taken internally, will cleanse the skin, is of therapeutic value for cutaneous diseases, or has a significant laxative effect. (02928)

David P. Barry Corporation, 353 Fifth Ave., New York, distributor of men's dress and novelty jewelry, have entered into a

stipulation to cease representing or placing in the hands of others the means to represent that a die-cut or machine-punched design or pattern has been traced and cut by manual operation and that an item electroplated with a thin coat or flashing of gold is in fact heavily plated with gold or has the quality and value of an article so processed. According to the stipulation, the respondent represented its novelty item, "Name Key Chains," which were machine-punched and thinly electroplated, as being "Hand-Pierced" and "Heavy Gold Plated." (3335)

A. & J. Engel, Inc.—Two New York City firms engaged in the sale of fur products, A. & J. Engel, Inc., 18 East 50th St., and Max Schreiman Fur Company, Inc., 214 West 29th St., have stipulated to cease and desist from designating or referring to fur coats or other articles manufactured from the peltries of Metis lambs or other lambs not full breed Persians as "Persian Lamb." The companies also agree to discontinue advertising, selling, branding or otherwise representing fur or furs as the product of a true species or breed of animals, unless such fur has been obtained from a true species or breed of animals. (3331-3332)

Filtrator Coffee Apparatus Company—Under a stipulation entered into Filtrator Coffee Apparatus Company, Inc., 135 West 25th St., New York, engaged in the sale of coffee apparatus and restaurant supplies, has agreed to cease and desist from passing off coffee filter papers or other merchandise manufactured in Japan or other foreign country as and for such articles which are of domestic origin. (3333)

Filshie Lead Head Nail Co., Inc., 5801-07 South State St., Chicago, engaged in the sale of nails designed for securing sheet metal roofing to wooden roofs, has stipulated that it will cease representing, by diagram or in any other manner, that its ring shanked nails have a designated holding power in excess of that possessed by other roofing nails, when in fact they do not actually have the holding power indicated, and will discontinue representing, pictorially or otherwise, that the lead with which its nails are equipped penetrates through the hole formed by the nail shank in a sheet of metal in either an indicated manner or in a represented amount, when in fact neither the manner nor amount of lead penetration customarily occurs. (3328)

Fox Manufacturing Company, Inc., 1214 Broadway, New York, engaged in selling underwear and sportswear, has stipulated that it will cease and desist from certain misrepresentations in connection with the sale of its products. According to the stipulation, the company marketed certain undergarments under the trade name "Dr. Hopkins Health Underwear," when, in fact, there is no such person as "Dr. Hopkins" connected with the business, nor have the garments any significant features entitling them to be called "Health" underwear. (3330)

M. Goodman & Son, Jacob Goodman, 294 Fifth Ave., New York, wholesale jobber of women's hosiery, entered into a stipulation to cease employing the designation "Crepe Finish" or the word "Crepe," with or without qualifications, as descriptive of hosiery or other merchandise which does not in its fibers, strands, and weave meet the recognized standards of a crepe fabric. The respondent also agrees to cease using the word "finish" or similar term in any manner implying that the surfacing of an article has been completed with any other substance than that actually used. (3337)

Hearn Department Stores, Inc., 14th St. at 5th Ave., New York, stipulated that in the sale of flatware it will cease representing as "heavy silver-plated" an article merely flashed with a thin coating of silver, or which does not meet all the recognized standards for heavy silver plate. The respondent also agrees to desist from use of the words "guarantee," "guaranteed," "guaranty" or other similar words in connection with the sale of its products unless clear disclosure is made of exactly what is offered by way

of security, such as replacement or refund of purchase price. The respondent further agrees to cease representing that certain flatware has a price greater than that for which it is ordinarily retailed and to discontinue using fictitious prices in any manner having a tendency to mislead prospective purchasers. (3336)

Julian & Kokenge Co., manufacturer of women's shoes, 280 South Front St., Columbus, Ohio, has stipulated to cease and desist from use of the word "Alligator," either alone or in connection with the word "Calf" or with any other words as descriptive of shoes which are not made from the hide of an alligator; and from use of the word "Alligator" or any simulation thereof in advertising matter so as to imply that the shoes to which such word or words refer are made from the hide of an alligator. The stipulation provides, however, that the word "Alligator" may be used to designate the finish of shoes which are made from other materials and which are finished or embossed to resemble alligator leather, when such word is immediately accompanied by other words clearly indicating that such designating word refers only to the pattern embossed on the materials. (3327)

Kemp & Lane, Incorporated, Le Roy, N. Y., agreed, in a stipulation that in the sale of its medicinal preparation "Orangeine," it will cease disseminating advertisements which fail to reveal that the preparation should not be used in excess of the dosage recommended; that its frequent or continued use may be dangerous, causing collapse or a dependence on a drug; and that it should neither be taken by nor administered to children; provided, however, that such advertisements need only contain the statement: "Caution, Use Only as Directed," if and when the directions for use, wherever they appear on the label, in the labeling or in both label and labeling, contain a caution or warning to the same effect. The product is advertised for use in relieving headache, neuralgia and the discomforts arising from head colds. The respondent's preparation, according to the stipulation, contains the drug acetanilid. (02929)

Potts-Turnbull Company, an advertising agency located at 912 Baltimore Ave., Kansas City, Mo., has stipulated that it will cease and desist from disseminating certain advertisements concerning poultry products designated "Staley Four Bells Growing Mash," "Staley Four Bells Grower Pellets," "Master Growing Pellets," "Master Growing Mash," "Master Chick All Mash" and "Master Chick All Mash Pellets." (02930)

B. G. Pratt Company, 50 Church Street, New York, engaged in the manufacture and sale of insecticides, including a preparation designated "D-X," has entered into a stipulation to cease and desist from representing that the United States Department of Agriculture has in two consecutive seasons or years found that a spray consisting of or containing "D-X" and arsenate of lead was first in Japanese beetle protection or the most effective spray for Japanese beetles. (3329)

Washington Press-Photo Bureau, 1526 Connecticut Ave., N. W., Washington, D. C., has entered into a stipulation to discontinue certain representations in connection with the sale of portraits. (3326)

Windsor Luggage Company—Judah L. Angard and Meyer S. Friedlander, trading as Windsor Luggage Company, 236 Broadway, New York, engaged in the sale of luggage and other merchandise, have entered into a stipulation to cease and desist from designating or representing their business as "wholesale" in their advertising folders or catalogs or in any other manner, and from using the term "discount" or representing that the prices at which they sell their merchandise constitute a discount to purchasers or are wholesale prices, when, in fact, they are the usual and customary prices at which they sell such merchandise in the normal course of business. (3334)