

# TELEVISION

November 1967  
Volume XXIV  
Number 11  
One Dollar

**The Federal Trade Commission:  
Does it know its own strength?**

VF





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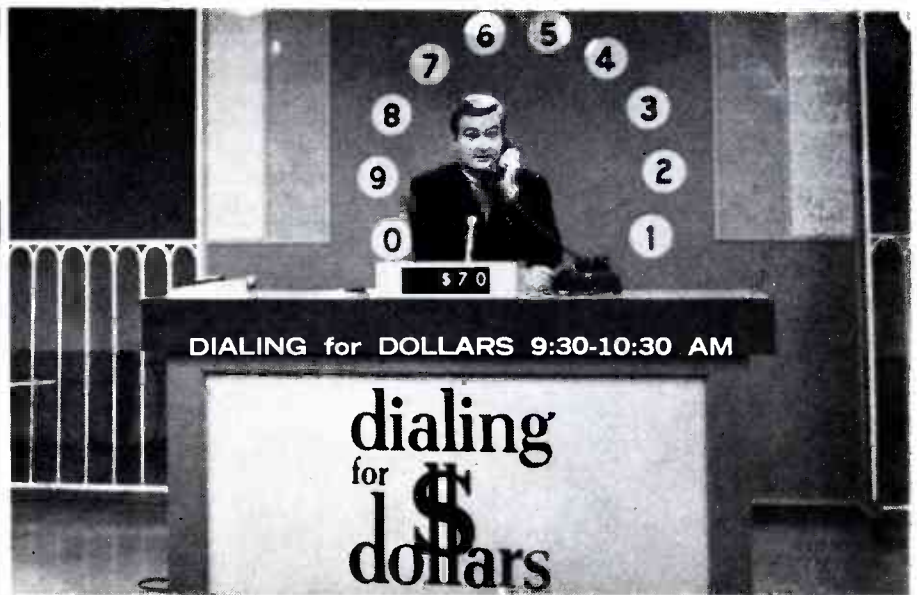


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5:30-6:00 PM



LEAVE IT TO  
BEAVER  
4:30-5:00 PM

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# TELEVISION

November 1967  
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## 27 WALKING SOFTLY WITH A GROWING STICK AT THE FTC

The Federal Trade Commission has enough law on the books and enough liberal support at the top of the federal court system to arrest much of the free play on the current advertising market place. But it dances to the pipes of the President and Congress.

## 32 SPINNING OFF TO MADISON AVENUE MINI-AGENCIES

As Adam begat Abel so Doyle Dane Bernbach begat Papert, Koenig, Lois—which begat Carl Ally which, with its father PKL, begat Seali, McCabe & Sloves. It's incestuous but no moral stigma attaches. It's generally individualism mated with a TV budget. The offspring multiply.

## 38 THE STRANGE CASE OF THE SUCCESS THAT FAILED

TV producer Lee Rich, sometime ad agency critic of network program tyranny, thought his pilot show *Sheriff Who?* would ride a network saddle. It got shot off the schedule. Rich isn't crying bloody murder, but this eulogy is meant to leave no dry eyes in the gallery.

## 36 THE MANIFEST DESTINY OF NETWORK TV SCHEDULES

Over the last decade the three television networks have increased the amount of programming in their schedules—almost to saturation. Occasionally their affiliates scream too much, or enough. An economic interpretation of the history of network program expansion.

## 40 THE STAR'S THE THING IN TALENT UNION POWER

Television's talent unions display a startling range of strength and weakness. If all were as successful as the Screen Actors Guild, TV's profit margin would suffer. The second article of a three-part labor series. Next month: below-the-line unions.

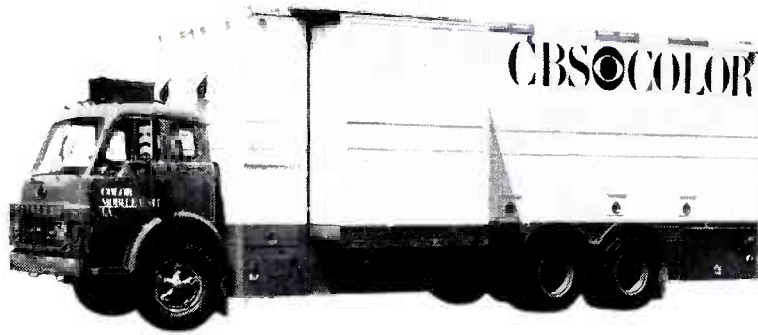
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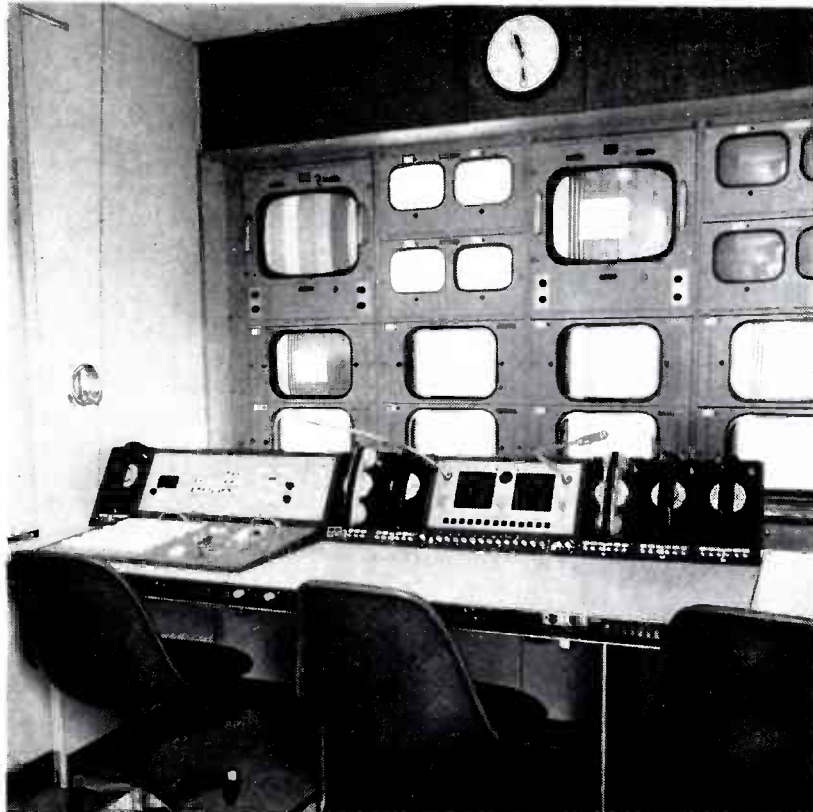
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# ON LOCATION

**New York: a swinging way to study commercials.**

**Urban renewal in Hollywood—television style.**

**Washington: polo (polo?) at a lawyers' picnic.**

**In Chicago: new efforts to realize an old dream.**

**London: more cutbacks in cigarette advertising.**

## NEW YORK:

Along Madison Avenue, ad agency presentations are one thing, cocktail parties another and Jack Tinker & Partners screenings are something else.

The Tinker Gallery One-Man Shows combine cocktail party and agency presentation—along with a touch of discothequing, the atmosphere of a young people's Third Avenue pick-up bar, the critic's screening room, the artist's garret and the face on the cutting room floor.

Tinker, the "creative" agency offspring of McCann-Erickson, less launched than sneaked off its venture in creative cocktail parties. In early fall, formidably grey posters arrived at the offices of media personnel, friends of Tinker executives and more than one pretty young secretary. They cryptically announced: "The Tinker Gallery, 1414 Avenue of the Americas, invites you to attend a series of one-man shows, Thursdays from 5 o'clock to 7 o'clock beginning Sept. 7 and going on almost forever. Cocktails will be served." There followed the imposing schedule, including: "The collected works of Kirk; the School of Auditor; Russo's first decade; pioneers in new products I (Heisler) and II (Silbert); a Wilvers retrospective; Kambanis, the Chocks Cycle and other works; the little-known works of Case; Spectism; Ziff in all media; the formative years of Frankel; Devoto-Feitelbaum, a century of collaboration; Symon, the American period; Di Torio, his life/his work, and recent acquisitions I-IV (Sundland, Hubschmann, Mason, Chestman)."

It was intriguing enough to draw the curious the first week. Was it a

creative joke? Was Tinker decking its new offices with a wave of obscure modern art? Or was it handing out a small sop to disgruntled graphics men on the staff who felt they'd sold out real art for 30,000 pieces of silver a year?

By the second week, word spread to the point where the price of admission was enduring a crush comparable to rush-hour in the subway. For first-week visitors found not a cramped ground-floor alcove hung with watercolors, but a cramped 17th floor labyrinth leading to the agency's modernistic screening room, filled with a two-man bar and a sound system blaring the latest psychedelic rock-and-roll (the Beatles' "Sergeant Pepper's Lonely Hearts Club Band" occasionally interrupted by an FM *Back to the Bible* broadcast for a bit of low-camp variety).

Corridors swarmed with beards, miniskirts, the latest Pierre Cardin suits, long hair, boots, slim cigars, four-inch-wide flowered neckties, and earnest young men distractedly disengaging themselves from limpid-eyed girls to mumble phrases about "the grammar of the cinematic montage."

They sure as hell looked creative anyway. And the art? Yes, the Art! Between sallies into the hall for a drink and back into the screening room the projectionist, twice during each week's gallery session, lowers the screen for the ultimate TV watcher's dream (or nightmare): A festival of nothing but commercials. Thus in 15 minutes each week you get such things as Schulman's recent works, with part of the new Alka-Selzer series that already has drawn comment from the *New Yorker* magazine, or a widely applauded but as yet unre-

leased cycle of new Coca-Cola commercials starring a man, a scruffy dog and a series of variations on the company theme (e.g.: "Florence Chadwick went better with Coke").

To be sure, things haven't always gone without gaffs: There was the Tinker vice president who adjusted his double-breasted blue blazer, patted back his foaming blond hair and shoved his way through the milling crowd to tell a young visitor: "My God, you look like Eleanor Roosevelt."

"I beg your pardon," she said in recoil.

"I mean, well, I mean," stumbled the usually glib young adman, "she's one of my favorite people of all time," and beat a hasty retreat. The young woman hasn't returned. And there was the showing of one creative talent's unpublished print and unproduced TV, which turned out to be an expensive compendium of dubiously tasteful print and film ads for a multiple vitamin pill whose unpublishability was further illuminated the next day with the announcement in the *New York Times* that the account was being transferred to another agency.

But on the whole, the sessions have been a smashing success: If the building's late sign-out book were to be believed, frolicsome visitors have included, unseen: General Sarnoff, Jim Aubrey, Walter Cronkite, Ken Murray, Corliss Archer and Dr. Frank Stanton and party. A visitor who left his Panama hat in a fit of confusion one week returned the next to find it pinned up as a wall decoration.

Overall, it is the people and the conversation between screenings that catches the beat of creative, with it Madison Avenue in the mid-60s. Take 1, Action:

Tight shot of forest of legs jostling and feet stepping on each other . . . something a little lower than Tinker's celebrated belly shots in the "no matter what shape your stomach's in" series. Loud conversation and music over. Pull back to establishing shot of crowd jammed around improvised bar where two bartenders—creative but definitely not agency types (short hair, paunches and white aprons)—are creating what certainly is not Fresca, Tab or Diet-Rite Cola at an assembly-line rate.

Cut to close shot of character-type in a rumpled seersucker jacket and greasy tee-shirt. Tufts of whitish hair blossom from inappropriate points about his head and he wears glasses that look like the



## On October 26, 1966, the Marines locked up 81 newsmen to keep them from reporting the President's activities.

Lyndon Johnson was about to be smuggled into Vietnam. His safety depended on how tightly the secret could be kept.

So, reporters were placed under guard. Then, after hours of being locked up at the U.S. Embassy in Manila, they were loaded onto a press plane. Only after takeoff did they learn that the next stop would be Cam Ranh Bay, South Vietnam.

Sid Davis, Group W's White House correspondent, wasn't shanghaied like the rest.

Instead, Sid and seven other pool reporters, representing all media, were taken to another plane. Air Force One. And the man in the khaki uniform who stepped into the cabin to tell them of their destination was the President of the United States.

They landed to the sound of thousands of cheering troops. And for the next 2 hours and 24 minutes, the enthusiasm never let up.

From the chow line to the award ceremonies to the field hospital, Sid Davis followed the GIs as they followed their Commander in Chief. Taping interviews. Recording their reactions.

And when Group W audiences tuned to the news the next morning, they had no doubt of the kind of welcome their President received on the other side of the world.

They could hear it.

Sid Davis is part of our Washington News Bureau. A team of newsmen who cover the Capital and the people who make it tick. Lyndon Johnson is his beat.

It's a tough assignment. Because nobody knows when or where the President will make news.

But you can be sure of one thing. When he does, Sid Davis will be there.



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NEW YORK WINS  
PHILADELPHIA KYW • KYW-TV  
BALTIMORE WJZ-TV  
PITTSBURGH KDKA • KDKA-TV  
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CHICAGO WND  
SAN FRANCISCO KPX  
LOS ANGELES KFWB

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## ON LOCATION

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bottom of Coke bottles—unmistakably an art director. Two-shot as he taps a bland, but bearded, non-agency type next to him.

"Pardon me," says arty type, "but haven't I seen you around Stanley's Old Reliable?"

"You mean the saloon in the East Village?" asks the outsider. "I didn't know agency people were getting so creative you're even living with the hippies."

"Actually, I don't live there," says arty type. "But I drop by occasionally to visit a gallery an old friend runs in the neighborhood, the 'Thousand Flowers Gallery.' Obviously, he's a Maoist."

Cut to blank look on face of outsider.

"I'm a Trotskyite, myself," says arty type.

"Aren't you a little out of date?" says outsider, "I thought they went out with the 30's."

"I've been around some time," says arty type. "Someone has to maintain the values."

"I know these agencies encourage individuality, but don't some of the clients get a little sticky about having a Communist art director?"

"I'm not an art director," says arty type. "I'm a mail-room clerk."

"Oh," says outsider.

"It's all right," says arty type. "I'm getting out the first of the year. I'm only in the agency business for the money, but a man can compromise his integrity only so long, even if it's profiting off the capitalist system."

Cut to medium shot of palsy Jim Dooley type inviting everyone to come on down: "All right, gang, all aboard for the last showing of today's masterpiece." Sound track fade of crowd noise as screen begins to descend dreamily from ceiling . . . something like slow motion girl-meets-boy sequence in Clairrol commercial.

As lights dim, cut to medium shot of Billy De Wolfe type in 1930 floorwalker outfit ogling a link of silver chain undulating low on the miniskirted hips of a model moving through the crowd: "Get a load of the 'Story of O' belt."

Cut to tight shot of De Wolfe elbow in ribs of man next to him.

Cut to man next to him, a straight grey-flannel agency type looking uncomfortable—something like a middle-aged salesman in a "You ate too much, you ate too fast" commercial. Earnestly: "Gee, you know my wife made me read 'The Story of O', but I couldn't

ever get it straight when they were doing things to each other. I guess I've got a really lousy mechanical sense."

Screen lights up on a Tootsie-Roll commercial.

"Take a look at the hard edge of those chromatics," says professorial voice from the dark. "I haven't seen color used like that outside Antonioni's 'Blow Up.'"

Cut to screen. Man with attache case dripping Tootsie-Rolls is attempting to escape pursuing band of children.

"The guy in the tree," answers another voice from the dark. "Rather effective, if heavy-handed use of symbolism, to depict the alienation of man in modern society. . . ."

Treed man on screen is looking down in terror at Tootsie-Roll crazed monsters below.

" . . . unable to relate even to the simple pleas of children."

"Who is that man," asks female voice in dark. "I've seen him before."

"That's the shnook who got his car stolen in 'Bonnie and Clyde,' dumbo," answers an exasperated male voice. "Honestly, Daphne, you're totally lacking in astuteness."

"Ya," calls Woody-Allen type voice from adjoining knot of cinema viewers, "but she can frug good."

Anguished cry from corner: "Hey, this isn't my scotch. Whose bourbon is this? I had scotch."

Anonymous effeminate moan from corner: "Oh, wow!"

Lights go up amid creative scramble for bar.

"Kudos, Arnie. Marvelous grasp of the medium."

"How do you think up all those crazy ideas," says breathy female. "I mean you must have a way-out mind."

Arnie smiles enigmatically as he condescends to accept a light from her for his pre-Castro Havana panatella.

"Frankly I wasn't enthusiastic about his changes when I saw the rough cut, but it has picked up a certain ineffable ambience in the transfer from the work print. . . ."

"Hey, do you want to go to Elaine's for dinner when this thing is over?"

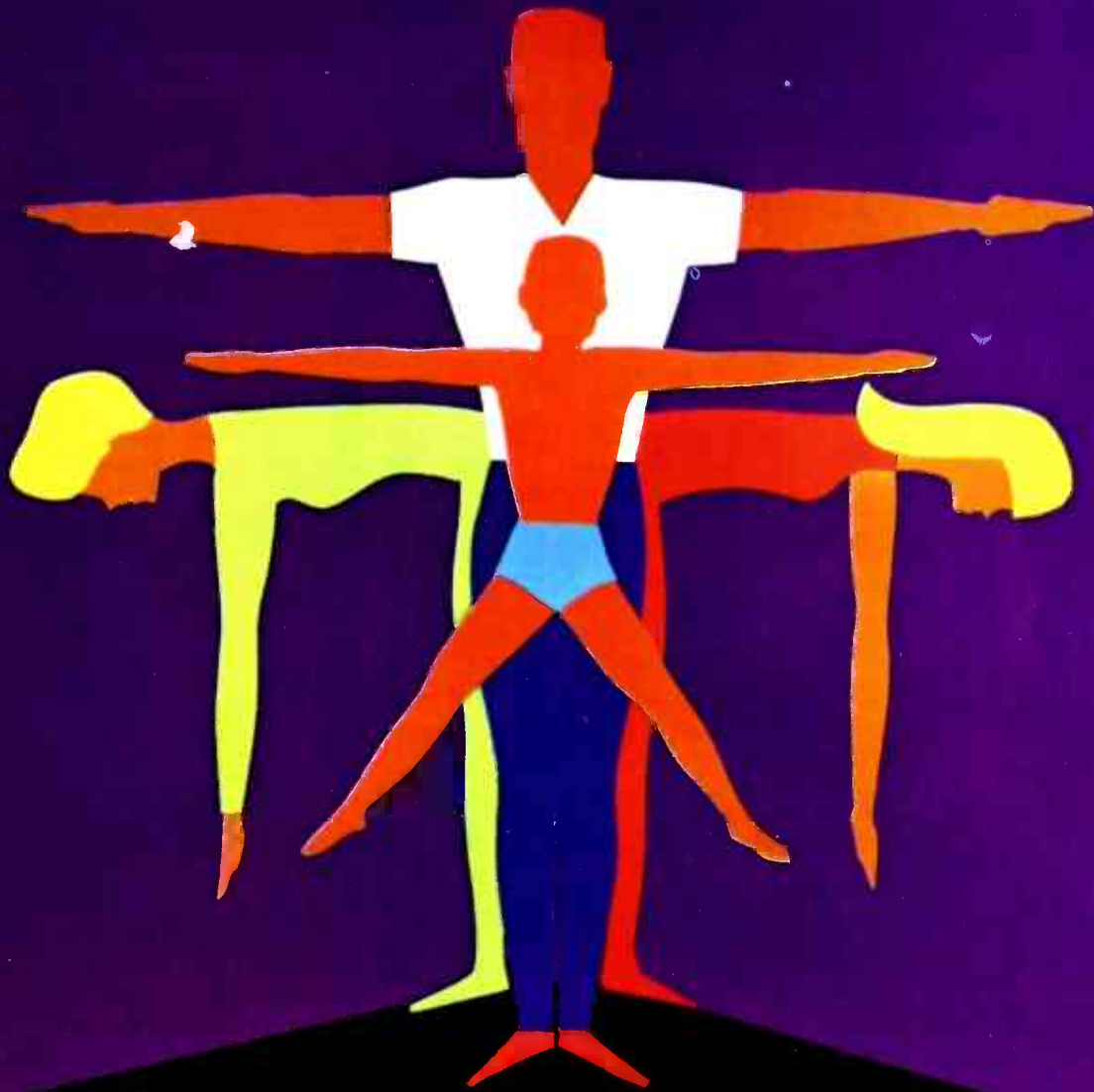
"Arnie has managed to pick up a subliminal sense of visual lyricism. He owes a tremendous debt to Truffaut."

"Then how about we go to Yellow Fingers?"

"Oh, wow?"

"You think this place swings,





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## ON LOCATION

from page 6

you should have seen us before we moved out of the Dorset hotel. An open bar. It was zonk city. All the time."

"Oh, wow."

"Well, you wanna seen some skin flicks? I know an artist with a loft down on Canal Street got a bunch of people coming up tonight."

The crowd swirls.

"Well, why don't we just go back to my place."

Pairs and trios and even quartets surge toward the elevators.

"Oh, wow!"

The bartenders create ever more furiously.

"Who's on next week?"

"Who cares?"

A waiter looks disconsolately around for his relatives.

WALTER SPENCER

### HOLLYWOOD:

The physical area of Los Angeles known as Hollywood once was the robust entertainment production center of the world. That was during the days of radio's loudest hurrahs when Sunset and Vine was the home of NBC and CBS and when movie-makers outnumbered hippies and the Hollywood Brown Derby was where the entertainment elite met to eat.

But now there are three banks and a music shop on the four corners of Sunset and Vine, while a holy roller performs daily up the street on Hollywood and Vine, in loud competition with flower children selling underground papers and Black Muslims thrusting forth *Muhammad Speaks*. The ad agencies have moved to the Wilshire district, NBC is in Burbank, CBS is a neighbor of the Farmer's Market, the talent peddlers are in Beverly Hills and some of the more important film studios are either already located in or looking to go to the suburban valleys.

Ralph Story, the local poet laureate, commiserated about it on CBS Radio's *Dimension* last month: "... Hollywood has become old and shabby," he sadly reported. "So much so that the film industry is in an uproar over whether to rebuild—or just move away and forget it..." The physical center of Hollywood suffers by comparison with the main intersection of almost any small city anywhere in the country."

And yet, in recent weeks—since Story made his report—the weakling has given promise of muscle. Quietly, almost imperceptibly, Hollywood's production cup has filled to near overflowing. And sud-

denly there's promise of its physical rejuvenation.

Maybe Metromedia Inc., that mushrooming multimedia organization, provided the initial injection. A couple of years back it shifted its television division's high command from New York to Hollywood. Only last month its television program department made the same transfer, while the parent company was announcing the construction of a \$15 million Metromedia West communications center on Sunset Boulevard. To a great extent the moves were made to accommodate Metromedia's ever-mounting Hollywood television production for its owned stations and for syndication. About 20 hours of such programming each week now are being taped by Metromedia in Hollywood, including the daily half-hour *Truth or Consequences* and daily 90-minute *Woody Woodbury* programs, both relatively recent additions to the production schedule.

Meanwhile, Metromedia's kissing cousin, sure-enough next-door neighbor, Golden West Broadcasters, has all but moved into the completely renovated studio lot that until this year was going to seed as rental facilities under the management of Paramount Pictures. The 10-acre block of Hollywood land, which will house KMPC and KTLA (TV), both GWB-owned properties, is getting a multimillion dollar overhauling. Together, the Metromedia and Golden West construction programs should give sorely mistreated Sunset Boulevard its most dramatic facelifting since Gloria Swanson came out of retirement.

Joey Bishop, out of Philadelphia by way of Las Vegas, also is part of Hollywood's comeback story. When his late-night competition to Johnny Carson's New York product began last spring, he seemed to have little more than a lot of worry lines and a hopeful network going for him. The talk on the street was that this was one rat packer who would sink before he would swim. Yet operating out of ABC-TV's neat Vine Street Theater, Bishop is still afloat and indeed making some waves.

His survival has helped stimulate such other variety-show strips out of Hollywood as *Woody Woodbury* and *Pat Boone*. The Filmways-Cooga Mooga Inc. *Pat Boone* in *Hollywood* production, which came to life in a big hurry in late summer, really had to pull its home out of a hat. So thoroughly was Hollywood suddenly enveloped in a pro-

duction boom, that there just weren't facilities enough available. But some enterprising businessmen, going under the corporate name of Western Video Industries Inc., had anticipated production needs. Some months back they had leased a little-used ABC facility, also on Vine Street, invested some \$3 million in capital assets, and opened it as a handy tape studio called the Hollywood Video Center. The Boone show is the first major project for the new facility, but with three stages available there's promise of much more to come.

Not to be caught asleep at the switch—or maybe to confound critics who already are convinced of the charge—the Los Angeles city council (Hollywood is merely a part of Los Angeles) has proposed to redevelop a 500-acre section in Hollywood as a world center for television, movie and communications. A resolution has been passed calling for a committee study to see if the project would be feasible. That's probably the kiss of death, of course (just a straightforward epitaph reading "died in committee" should be sufficient), but at least the thinking is in the right direction.

The true Hollywood touch was added only a few weeks ago. At a disjointed news conference, held in the venerable Brown Derby amid glaring television lights, jockeying reporters, tangled cables and generally jangled nerves, an odd couple of interests plus one announced a \$6.5-million project that includes a ride-in-the-sky to what some people already are labelling a pie-in-the-sky. This cream-puff idea, aimed at making Hollywood the autograph hounds' Disneyland, was concocted by RKO General Inc., Don Fedderson Productions and Cliff Gill Associates, a group broadcaster, film producer and radio-station operator, respectively. It calls for an aerial gondola system, some 9,000 feet in length, traveling to the top of a 1,650-foot-high Hollywood mountain, where a Hall of Fame building, honoring the radio, television, motion picture and recording industries, will be the center of attraction. The gondola cars would each be named after an entertainment personality and that star's voice would be heard inside acclaiming the points of interest.

This last Hollywood entry is running as a decided long-shot right now. Again, though, there's at least lots of smoke even if the fires of renaissance still are less



## The day they invaded Canada.

It was a strange army: one general, and no troops. In fact, no one knew what was happening until the general gave the war-cry in Montreal's crowded Town Square.

*Vive le Québec libre!*

Even now the stunned Québécoises ask — was it an invasion at all?

Few people are better equipped to deal with that question than Bernard Redmont, Group W's correspondent in Paris; our man with De Gaulle.

He was there when the General landed in Quebec. And he was there when the retreat was sounded in a Montreal subway — with no one else to hear it. This is how it happened:

On July 24, De Gaulle had shouted "Long live Free Quebec." Later that day Prime Minister Pearson called the remark "unacceptable." By night, the big question was: will the General cut short his visit? The official answer was a firm "no."

Next morning, De Gaulle and his press secretary were inspecting the new Montreal subway system.

Redmont was with them. As the train hummed along, the French press secretary turned to Redmont and whispered the news. De Gaulle would not go to Ottawa. He was going home.

At the next station, Redmont phoned in the bulletin. He was the only newsman with the story.

It wasn't the kind of scoop they write novels about. Indeed, for Bernard Redmont it wasn't a scoop at all; simply an example of the advantages that come from covering the same beat — France — for many years.

At Group W, this kind of intimacy with an assignment is essential. A correspondent must be more than a reporter. He must be an expert as well. He must be able to analyze a country's moods and, with a certain degree of precision, predict its actions.

Bernard Redmont does. And so does every Group W correspondent around the world.

Our audience expects it of them.



BOSTON WBZ · WBZ-TV  
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PHILADELPHIA KYW · KYW-TV  
BALTIMORE WJZ-TV  
PITTSBURGH KDKA · KDKA-TV  
FORT WAYNE WOWO  
CHICAGO WIND  
SAN FRANCISCO KPIX  
LOS ANGELES KFWB

WESTINGHOUSE BROADCASTING COMPANY

## ON LOCATION

from page 8

than overwhelming. And the important thing is that it's happening right in physical Hollywood, not in the San Fernando Valley, North Hollywood, or Beverly Hills, or the Conejo Valley or Culver, Universal and Century Cities. In the recent past they have been the usurpers of the Hollywood dateline in what has amounted to an ironic grab at a glamour that is no more.

No, the action is most definitely in that Central Park-size area that is Hollywood and oddly it comes at a time when the place is going through one of its periodic business-thinking upheavals. For the Niensens show as many as four movies in the top-10 rated programs. The more popular movies are, the more they will be shown, the less there will be of conventional television production. It means another shift of gears for a community that hasn't always been ready or willing to change.

Yet the Hollywood that outlasted talkies, radio, Harry Cohn and television and still wound up in the 90% tax bracket is likely, too, to survive the banks, the hippies, and the movies that hog two hours of situation comedy time.

MORRIS GELMAN

### WASHINGTON:

It was surrealistic. A mounted parking attendant cantered up and down, directing sedans, limousines and ranch wagons into orderly position in the wide pasture. A little larger than life in the saddle, he had too many trappings for a common drugstore cowboy. Silver star, boots, 10 gallons on top, pistol on the hip, rifle in sheath, neck-reining his mount between cars, he waved his arms furiously at a maverick Volkswagen and ranged out at a gallop after a stray Chevrolet. It was a deputy sheriff on special assignment. If his presence seemed ornamental, he was all business going about his job.

Could this be the annual outing of the Federal Communications Bar Association? It looked more like the Potomac Polo Club. That's what the sign said, and the manicured fields could be no other than those of the Maryland hunt country. It didn't sound much like the old days when the late Horace Lohmes, an old-school communications attorney, made an annual sacrifice of his Virginia farm for the occasion, the days when the gaming tables were splashed with four-digit bills, and the few members of the communications bar came to indulge themselves in the

company of the most solvent clients they represented and colleagues with whom they fought their legal battles, including representatives of the FCC.

There was no mistake. A familiar figure, Nicholas Zapple of the Senate Commerce Committee, wending toward the festivities—then a slew of recognizable men—reversed disbelief.

It was only midafternoon but the roast-beef line already had a discouraging length. Those who hadn't gotten around to serious drinking yet and who could withstand the lure of the dice tables on the first pass were drifting toward the outer perimeters of the club, where a variety of athletic events was in progress.

At a far corner was softball, a strictly Alice in Wonderland affair. The playing field took a bizarre dip from home plate to second base, then rushed uphill toward center field where players chased flyballs at their own risk. Had it been pool, it would have been played "with a crooked cue and a cloth untrue and elliptical billiard balls."

It was softball, and a team from the FCC appeared to be thrashing a bar association group in an open-end game under jurisdiction of an umpire who might have studied jurisprudence under the Red Queen. He could be as arbitrary about a putout as about the number of innings to be played, and no one cared save a few earnest sneaker-shod types (only one wore spikes) whose zeal bounced pathetically off a careless majority.

The umpire, in real life a tariff specialist from the FCC's common carrier bureau, could not be accused of favoritism—his decisions were too unencumbered by consistency. It was a case of whimsy, not insidious intent.

The FCC gang looked younger, in better physical repair and less neurotic and took fewer spastic steps in the topsy-turvy environment. Despite appearances, the score was reliably reported a 7-7 tie after seven full innings.

In a neighboring pasture, touch football was underway but attracting no spectators. Infrequent displays of coordination went unapplauded; the participants eventually tired of the exercise and retreated to the bar. Comaraderie was winning the day over competitive enthusiasm. Construction of a badminton net had scarcely been worth the exercise. No cry went up for replacement of defeathered shuttlecocks.

Liquor began to flow in greater quantity at the bar and the clank of metal on metal in the horse-shoe pits seemed to decrease in inverse proportion. As dusk came on electricity failed in one of the large tents and gaming tables were moved outside, the better to distinguish snake eyes from sevens.

At that moment reached at all association outings, when the temperature of the baked-bean pot falls below body heat and paper plates become garbage, the public-address system at the polo field began to issue static and one-two-three's and flood lights turned on.

Cold baked-bean time, which once meant the hour to blend voices around the band in the barn or to press closer around the dice tables, meant something else. The affair was to be toned up with a polo match, four full chukkers' worth of the sport of refined and very wealthy gentlemen, nothing nouveau riche about it.

The whole show was saying something different about the communications bar, status catching up with wealth or something faintly undemocratic like that. It wasn't as though anyone would suggest that the FCBA had been deficient in the class department to the tune of one polo match a year, or that there seemed to be some distance between the gentlemen riders on the field and the slightly seedy civil servants in the stands.

Two commissioners—Kenneth Cox and Robert Lee—showed for the event and appeared to enjoy themselves thoroughly. One seemed freshly nettled by published criticism of FCC absenteeism but was able to joke about it.

And so two riders dashed neck and neck after the ball, horses jostling each other, and the loud speaker was saying: "You can see they're bumping there, but that's good bumping and good bumping is part of the game." Etiquette is obviously as important as appearance in polo.

One team of three ringers represented the FCC and for the FCBA it was two ringers and a genuine player representative, Tom Dowd from the firm of Pierson, Ball and Dowd, who happens to own the polo club land.

The bar association team got off to a quick lead, upsetting the handicappers, and by the end of the third chukker no odds could induce a bet on the "FCC" riders.

Alas it was a small portion of the gathering of 800 (about 250 from the FCC) who were taking the polo lesson. Some had left the

# from Warner Bros.-Seven Arts...

Why Triangle Broadcasting's  
**WFIL-TV, Philadelphia**  
 has bought a total of  
**145 "Films of the 50's and 60's"**  
 (88 IN COLOR) including:

## VOLUMES 11 & 12

"WFIL-TV—the nation's 13th television station to go on-the-air—looks forward to its most successful season ever as it begins its

### 20th YEAR OF TELECASTING

this month.

Feature films have always highlighted our diversified programming schedule. And, in company with our other feature film presentations, this season we will build upon the success story of our Philadelphia TV Movie Specials series sponsored by the Pepsi Cola Bottlers of Delaware Valley which premiered earlier this year.

Of our 5 top weekend feature presentations, we are particularly proud of "Filmdom's Finest," our Sunday afternoon movie showcase (5:00 to 7:00 P.M.) which this year has delivered a high of 325,000 TV Homes.

This season, Warner Bros.-Seven Arts' Volumes 11 and 12, in addition to our previously acquired Volume 10, will indeed substantially contribute to a very happy 20th Anniversary.



ROGER W. CLIPP  
 Vice President and  
 General Manager, WFIL-TV

Why WUSN-TV, Charleston, S.C.  
 has bought 302 "Films of the 50's & 60's"  
 (171 in color) including

Volumes 1, 2, 3, 8, 10 and

## VOLUMES 11 & 12

Over the years, good product and good service from Warner Bros.-Seven Arts has helped build for WUSN-TV an enthusiastic and responsive feature film audience which is loyal to our 9 weekly movie presentations, which include: THE MORNING MOVIE (Mon.-Fri., 8:30 A.M.), THE FRIDAY NIGHT MOVIE (11:30 P.M.), SATURDAY CINEMA (11:00 P.M.) and SUNDAY HOLLYWOOD SPECIAL (4:30 P.M.), in addition to our...



Douglass M. Bradham  
 Vice President and  
 General Manager, WUSN-TV

**MONDAY NIGHT  
 PRIME TIME MOVIE  
 IN COLOR**

Why KTUL-TV, Tulsa has bought  
 261 "Films of the 50's and 60's"

(146 in color) including

Volumes 1, 2, 8, 10 and...

## VOLUMES 11 & 12

"KTUL-TV requires top motion picture entertainment for our discriminating advertisers and viewers of *The Morning Movie* (Mon.-Fri., 9:30 A.M.), *Sunday Premium Theatre* (11:00 P.M.), various other weekend feature showcases, and our...

**MONDAY NIGHT  
 PRIME TIME MOVIE  
 IN COLOR**



WILLIAM D. (BILL) SWANSON  
 Vice President and  
 General Manager, KTUL-TV

That's why, over the years, we have profitably highlighted our film library with Warner Bros.-Seven Arts' "Films of the 50's and 60's."

Why Gerity Broadcasting's  
**WNEM-TV** has bought  
**613 "Films of the 50's and 60's"**  
 (304 IN COLOR) including:

## VOLUMES 11 & 12

"WNEM-TV 5 has consistently presented quality programming. Our leadership in this rich Eastern Michigan market—including Flint, Saginaw, Bay City and Midland—is directly attributed to top news coverage, dedication to public service AND the excellent movies we regularly telecast.

Of all the film libraries we have viewed, we never cease to be pleased with those features offered by Warner Bros.-Seven Arts, which we successfully program around-the-clock:

- THE LATE NIGHT MOVIE: Monday through Friday at 1:05 A.M.
- Various Weekend Feature Slots
- HOLLYWOOD AWARD MOVIE: Monday through Friday at 9:00 A.M., Saturdays at 5:00 P.M. and Sundays at 6:00 P.M.

TV 5's past association with the "Films of the 50's and 60's" in Volumes 1, 2, 3, 4, 5, 7, 8 and 9 has been a long and profitable one. It shall continue to be so."



James Gerity, Jr.  
 President,  
 Gerity Broadcasting Co.



**WARNER BROS.-SEVEN ARTS**

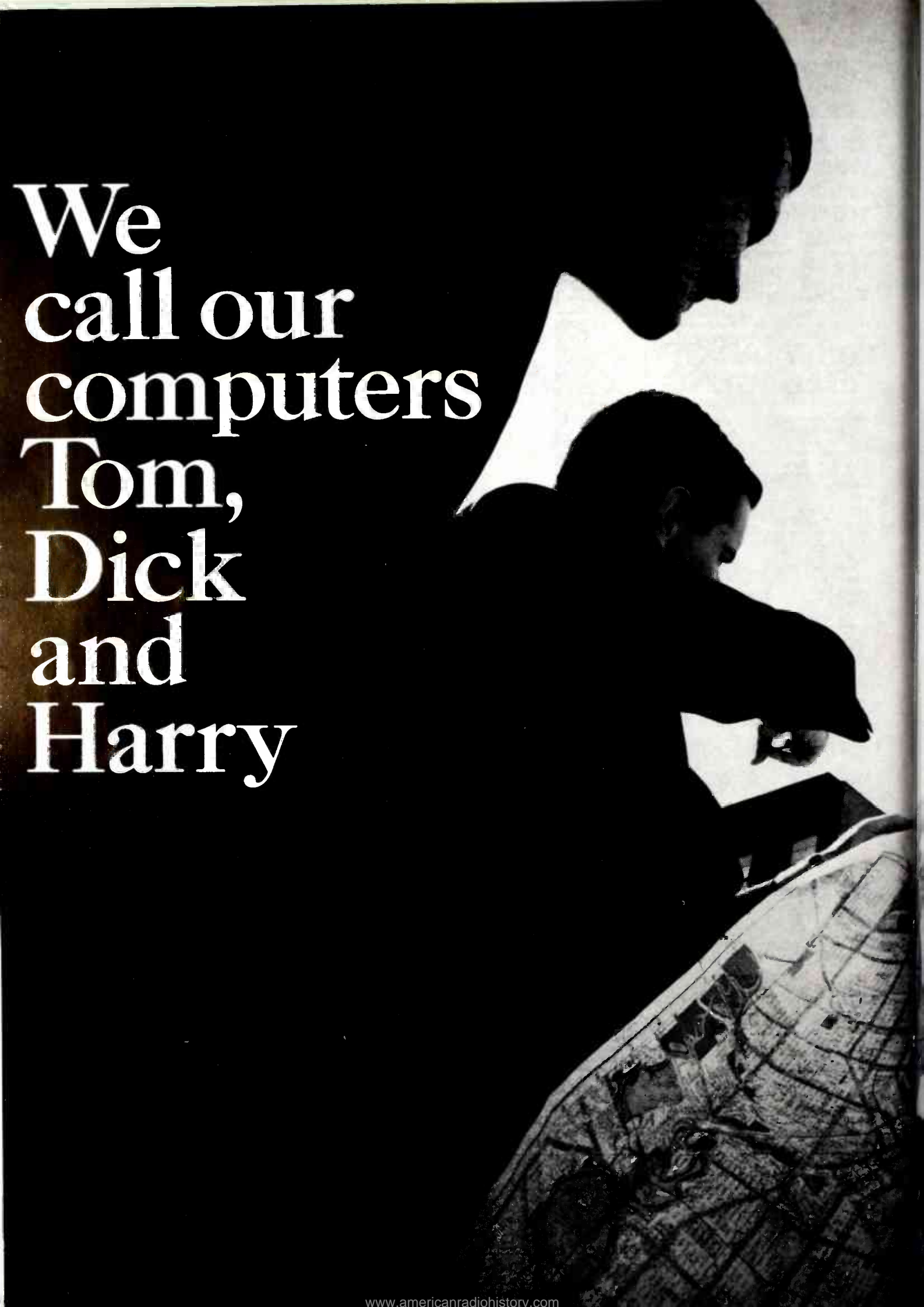
NEW YORK: 200 Park Avenue, YUkon 6-1717

CHICAGO: 4630 Estes, Lincolnwood, Ill., ORchard 7-1717

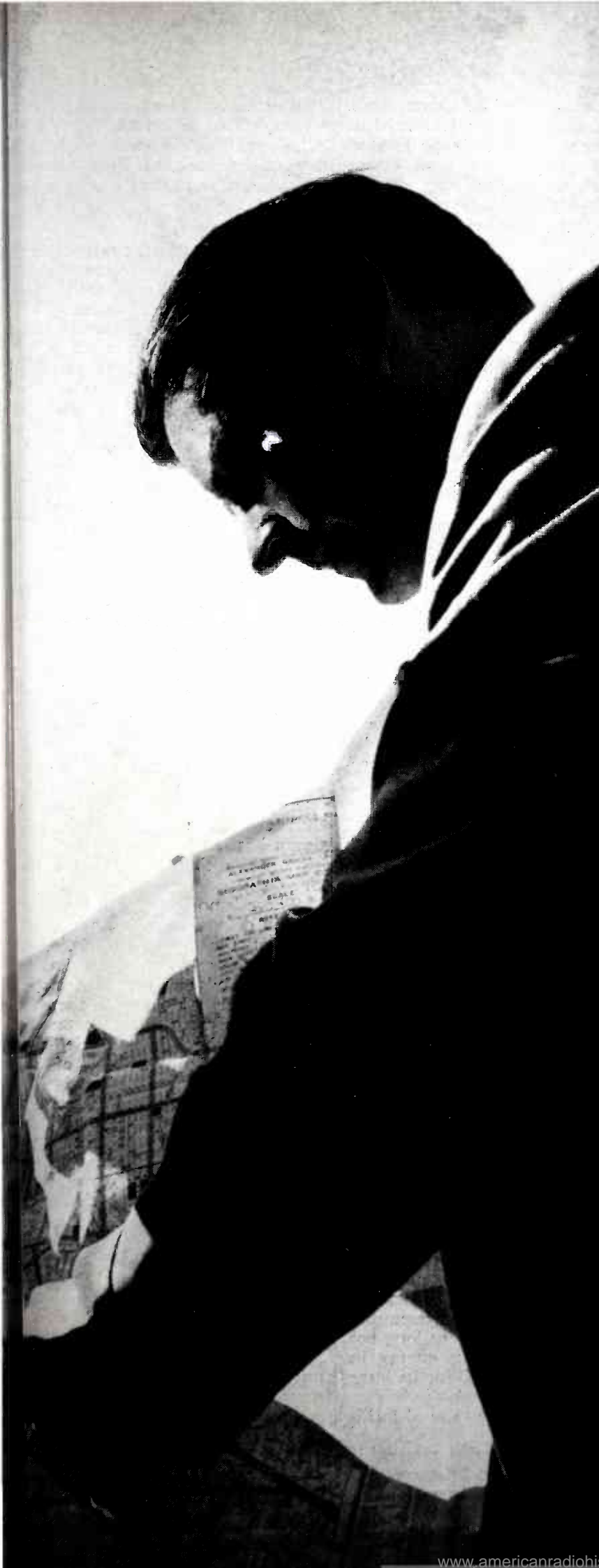
DALLAS: 5511 Royal Crest Drive, EMerson 3-7331

LOS ANGELES: 3562 Royal Woods Drive, SHerman Oaks, Calif., STate 8-8276

TORONTO, ONTARIO: 11 Adelaide St. West, EMpire 4-7193



We  
call our  
computers  
Tom,  
Dick  
and  
Harry



No one is more aware than we of the fabulous advances in automation. In fact, we use computers extensively through outside bureaus. To us, computers are an asset in the fast-paced business of spot sales.

There are also facts that don't come out of computers.

That's why at Peters, Griffin, Woodward, Inc. every Tom, Dick and Harry is a broadcasting expert who can guide you in the ways of spot buying. They understand the subtleties and ins-and-outs of a rather complex business.

We talk your language—so no matter what you want to know about spot television—



**Ask us  
first.**

**P**PETERS, **G**RIFFIN, **W**OODWARD, INC.  
Pioneer station representatives since 1932

## ON LOCATION

from page 10

outing, and the bar and gaming tables were not to be denied.

"Could we have a mallet on that score?" asked the announcer, but the latest hero was too modest to give himself away.

Abruptly the FCC team was on the offensive and in contention. In the closing moments, with the bar association leading 8-7, a small band of FCC functionaries thought it detected an association pony deferring to an FCC horse. One of the group couldn't hold his tongue. "My God, they're playing company polo," he said. Mercy.

JOHN GARDINER

### CHICAGO:

Turning back time you can move ahead.

This is the formula three forces in Chicago are employing to put the town back into the mainstream of production instead of merely swimming about in the backwash of production from Hollywood and New York.

Until now the three forces—labor groups, production sources and an industry association called Chicago Unlimited—have been splashing about on their own. But suddenly by a sequence of events they are being forced to swim in a formation of common effort that could ultimately make Chicago a much more significant factor in programs as well as commercials than it is now.

Chicago has long indulged itself in memories: a major movie capital at the turn of the century, before the trek west to California's sunshine; the home of the radio daytime serial; network radio's repeating station west, when live people did it live twice because they were the best technology then available; scene of experiment of television's early days, where the Dave Garroways, Mary Hartlines and Burr Tillstroms worked before the great talent exodus to the coasts seized upon the land.

Chicago dreams of former glory as it labors in the more practical arts, turning out millions of dollars worth of business and industrial films each year, probably more slide films than any other city and possibly as many radio commercials as anywhere else.

Yet a few in the visual media have kept alive the flickering image of Chicago the creator. Walter Schwimmer does it in his network TV specials and syndication product. Wilding, Fred Niles, Film Makers, MPO and Sarra are among

those doing it in film commercials. WGN Continental Productions Inc. and WMAQ-TV Video Tape Productions, especially the WGN house, presently are busy turning out successful product on tape.

Generally, however, Chicago advertising agencies continue to make most of their commercials in Hollywood and New York, not locally. While the big money will still leave town, it appears, the local spending prospects seem to be brightening.

Clinton E. Frank Inc. boosts its stable of in-house production talents, including a musical director, for example, so as to capitalize most efficiently upon local facilities. Leo Burnett Co., about a year ago, suggested to its people that when possible commercials should be done in Chicago if quality is comparable.

Then just a few weeks ago the really big splash for Chicago splashed. Mayor Richard J. Daley announced Chicago once again would become a permanent center for production of full-length theatrical motion pictures. He would bend every effort to cut the red tape that often ensnarls and discourages film and commercial producers who venture to shoot on location in his city. The mayor disclosed a co-production agreement between Chicago-based Bell & Howell (parent of Wilding Inc.) and Second City Productions Inc., a Near North Side theatrical group not unfamiliar to television.

Three business managers of locals of the International Alliance of Theatrical Stage Employees can't be smiling more. When the Studio Mechanics Local 476, the International Photographers Local 666 and the Lab Technicians Local 780 began pounding hard on the mayor's door early this year, his honor was sure to hear and respond. It's a reflex that comes naturally in big labor towns.

Meanwhile, the industry's quasi-chamber of commerce, Chicago Unlimited, moves ahead with its long-range project to carry the Chicago creative story right into the pocketbook of Hollywood and New York. CU comprises representatives of every segment of the communicative arts in Chicago but long has dissipated much of its energy in being a luncheon club for its huge board of directors and a publisher of a useful directory to local facilities and talents.

Now, however, the money is being committed and the committees are at work. Chicago Unlim-

ited's members intend to beat their drum at Hollywood and Vine and all along Madison Avenue. They're beginning to act as if they believed in their name. LARRY CHRISTOPHER

### LONDON:

An eyeball to eyeball confrontation between the British government and the tobacco companies over the means used to promote cigarette sales is moving toward some sort of climax—or some sort of deadlock, whichever way you like to read it. The present row centers on gift-coupon schemes and restraint of the total spent on advertising, and it is the latest in a long series of defensive actions fought, generally unsuccessfully, by the industry over the past eight years. The industry has no reason to believe that the new encounter will end any more advantageously.

The government has announced it will ask Parliament to pass legislation limiting the amount of money that cigarette manufacturers may spend for any kind of advertising and prohibiting some types of promotion, including the distribution of coupons that are exchangeable for gifts. The details of the government's proposals won't be known until formally submitted to Parliament, probably early this month. But Health Minister Kenneth Robinson has left little doubt that the restrictions that he has in mind are rigid.

There is no indication, however, of any disposition to attack cigarettes at the point of sale, even though the advertising restrictions are intended to discourage smoking. This may be because the government is aware that the tax on tobacco is the biggest single indirect tax in Britain: 76% of the 90-cent cost of a regular-sized pack of cigarettes goes to the treasury, which derives nearly \$3 billion from this source. The tax is so heavy that it has been limiting the growth of smoking—and encouraging the trend to tipped cigarettes, which pay less tax. So, for the first time ever, the tobacco tax was not increased as part of a deflationary package in July 1966, and the total yield fell over \$100 million short of the estimates that year.

The new action by the government follows the collapse of a voluntary agreement among cigarette companies to restrain advertising and promotion. Divisions among the companies may be explained in market terms. Imperial Tobacco ("Imps"), with the famous Wills and Players brand names, had been





## Every Thursday night, an organization in Cambridge, Massachusetts, meets to defy the Federal Government.

Nearly 4,000 people live in the Brookline-Elm Street district of Cambridge.

Some own clapboard houses that have been in the family a hundred years. Others, students from M.I.T. and Harvard, will probably move on after a few semesters.

But they have one thing in common. Their fight to keep the government from running a high-way through the neighborhood.

Recently, a number of them took that fight to Washington.

Stephen Gary of the Group W Washington News Bureau met them when they arrived.

Throughout the day the Citizens Committee for Cambridge made their rounds. Taking their complaints to the Federal Highway Administrator, to Senators Kennedy and Brooke and, finally, to the gates of the White House.

And throughout the day, Stephen Gary broadcast their activities. Not to all our stations across

the country. But to one. WBZ Radio in Boston.

By the time it ended, the trip was a success. It brought the people of the Brookline-Elm Street district new support and a promise of re-evaluation by the government.

It's not unusual for one of our Washington reporters to handle a story like this one. Because Bureau Chief Arthur Schreiber assigns his men to local stories the same way he does for national news events.

To us, it means operating a news bureau that's big enough to work for all our stations, but flexible enough to work for one.

To the people in Cambridge in danger of losing their homes, it meant getting the news when they wanted it. And that meant a lot. To them. And to us.



BOSTON WBZ - WBZ-TV  
 NEW YORK WINS  
 PHILADELPHIA KYW - KYW-TV  
 BALTIMORE WJZ-TV  
 PITTSBURGH KDKA - KDKA-TV  
 FORT WAYNE WOWD  
 CHICAGO WIND  
 SAN FRANCISCO KPX  
 LOS ANGELES KFWB

WESTINGHOUSE BROADCASTING COMPANY

## Your Blair Man Knows . . .

Figures can look good even if they are based upon estimates. The WTRF-TV Wheeling-Steubenville Market 'measures up' lucratively for alert advertisers. For example, the Nielsen Color TV Ownership estimate for Feb-Mar '67 credits WTRF-TV with 179,212 Color TV Homes. That's a lot of color sets and our other market figures shape up, too. Does WTRF-TV deserve your researching? You bet it does! Estimates may be estimates but the Wheeling-Steubenville Market is WTRF-TV.

### BLAIR TELEVISION

Representative for

# WTRF-TV

Channel 7

Wheeling, West Virginia

## Win Victory over Arthritis



Support  
THE ARTHRITIS FOUNDATION

## ON LOCATION

from page 14

dominant until active promotion of cigarettes started again about 12 years ago, after the final end of war-time restrictions. Then it was challenged, first by Gallaher with the regular-sized Senior Service brand. This challenge was accepted philosophically, since Imps holds 37.5% of the Gallaher equity. Then Dr. Anton Rupert, a South Afrikaner millionaire who had built up the Rembrandt Tobacco concern, took over the rather dozy British firm of Carreras and started to promote its brands very heavily, especially on television.

This started a trend toward the use of more television by all cigarette makers—until March 1962 when the Royal College of Physicians issued a report, "Smoking and Health," which asserted a causal relationship between the consumption of cigarettes and lung cancer, tuberculosis and heart disease, among other infirmities. The reaction was immediate. Cigarette sales slumped by as much as 25%. The government officially endorsed the physicians' report and began circulating antismoking posters and literature. Within a month the major cigarette companies voluntarily agreed to restrict their television advertising to periods after 9 p.m., a gesture intended to convey the impression that cigarette advertising would be kept from the young, who, it was naively supposed, would be in bed by that hour.

In the next couple of years the cigarette companies and the Independent Television Authority, which controls the commercial system, continued to refine the content of commercials to minimize appeals to any youngsters who might still be up at night. Almost all claims were removed. A man and woman (and especially a boy and girl) could not be seen together on the screen with a cigarette. All commercials eventually came to look much the same: closeup of the pack against a background of clouds and voice-over breathing, as sexily as the ITA permitted, the brand name.

Then in October 1964 came the Labor government, and the Socialists, never afraid of being didactic, banned all cigarette advertising from television as from Aug. 1, 1965.

Before that Imps, whose market share had fallen below 60%, had launched, using television, the first coupon-gift brand, Wills' Embassy to be introduced since a truce had

ended a prewar coupon competition. It was an immediate success. When television was denied the tobacco companies, the assumption was that the market would be frozen as it was, and that no new brand could ever be launched. That assumption did not take into account the resourcefulness of the tobacco marketers. Within three months, Players, another Imps company, successfully introduced its No. 6 cigarettes, complete with coupons.

As matters now stand, Embassy has a quarter of the total British cigarette market, and Players No. 6 is the second brand. Gallahers tried to launch a coupon brand, Sterling, but this flopped. Carreras, which had always jeered at the idea, tried the reductio ad absurdum of launching a brand (Crown) with coupons, and taking in other people's coupons as well.

Last November the three companies agreed to a six-month period of voluntary restraint, total expenditure on advertising to be kept at \$28 million a year, no advertising on cinema screens or on commercial radio (which the government was trying to ban anyway). Then came the question of coupons. Gallaher and Carreras were willing to abandon these schemes, since they had been the losers in the coupon war. Imps was prepared only to limit the growth in its schemes. Since then the voluntary agreement has broken down, with Carreras resuming cinema advertising—and within the last couple of months Dr. Rupert himself has taken over the active management of Carreras from the company's previous anticoupon management.

The present stalemate cannot last. But one thing has become startlingly clear over the past couple of years. Television may be the most effective medium of advertising mass-consumer products, but there are other promotional means that can be effective in promoting new brands. Cigarette sales are marginally down over the past couple of years, after a relatively static period disguised by the sharp shift to tipped cigarettes, currently over two-thirds of the market; but this drop is the result of increased price and general deflation. Look at the poor distillers: Their sales are down too, and they have never advertised on television, and, thanks to the breakdown of resale price maintenance, spirits are being actively promoted at heavily cut prices, for the first time ever.

NICHOLAS FAITH

# DISTINCTIVELY DETROIT



Photograph by Kirsch Studios

**MEADOW BROOK MUSIC FESTIVAL.** Held on the beautiful campus of Oakland University and featuring the Detroit Symphony Orchestra with renowned guest soloists such as Van Cliburn, Meadow Brook is acknowledged as one of the most noteworthy musical events in the United States.

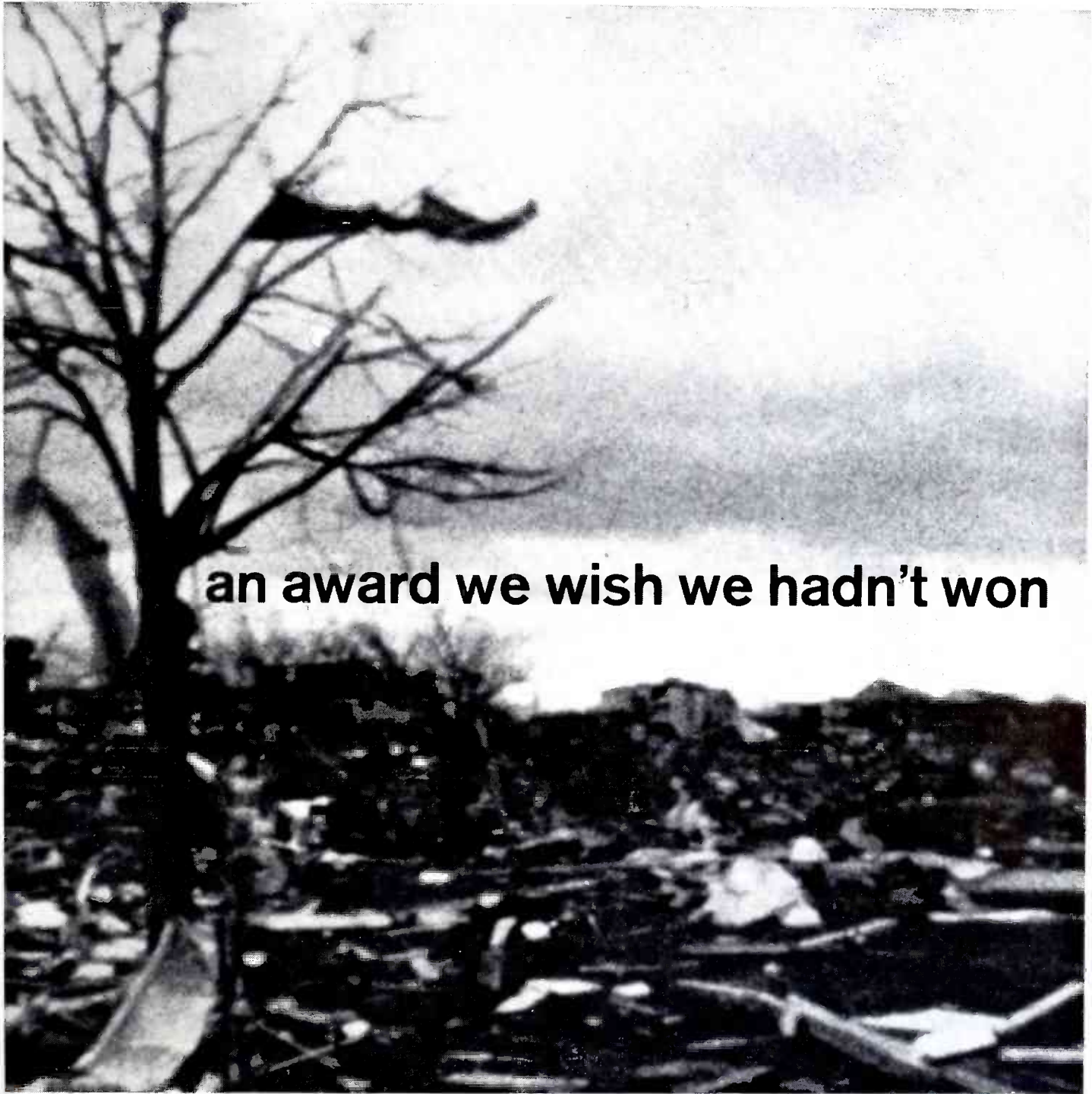
Just as Detroiters regard this highly acclaimed concert series as distinctive of Detroit, so they have regarded The WWJ Stations as distinctively Detroit for 47 years. Why? Because of programming that reflects the city's own interest in local news, sports, entertainment, public affairs, and community service. And, because of WWJ's home-ownership by The Detroit News. When you ask a Detroiters which radio and TV stations are distinctively Detroit, he'll instinctively tell you "WWJ."

## WWJ and WWJ-TV

OWNED AND OPERATED BY THE DETROIT NEWS, AFFILIATED WITH NBC.

NATIONAL TELEVISION REPRESENTATIVES: PETERS, GRIFFIN, WOODWARD, INC. • NATIONAL RADIO REPRESENTATIVES: MCGAVREN-GUILD-PGW RADIO, INC.





**an award we wish we hadn't won**

Ever seen what a tornado can do to a town? We did. On April 21st, the worst twister in Illinois history ripped through several communities outside Chicago. And we reported it. With movie cameras in color. With helicopters. With reporters wired for sound.

Now, they say our coverage was the best spot television news reporting of the year. Who are *they*? The Radio Television News Directors Association.

Sure, we're glad to have our work commended by our fellow professionals. But we can't forget the tragedy we witnessed. And we wish none of it had ever happened.

But if you report news, like WGN Television does, you're there when it happens and you tell it like it is. Even if it hurts.



**WGN**  
**IS**  
**CHICAGO**

*the most respected call letters in broadcasting*

# CLOSEUP

**JOSEPH V. GETLIN** The newly elected chairman of the board of the Association of National Advertisers began his career as an elementary school teacher, got into sales selling cereals, went on to advertising, and rose to his present position of vice president, marketing, Ralston Purina Co. He still has some of the soft-spoken precision of a teacher. "I'm concerned with clutter, and of course with growing costs, the same sort of thing most of us are concerned with who spend a great deal of money in television. After all, 75% of our relatively high budget is spent in television." Getlin started with Ralston Purina in 1941 as a salesman, went on to district and regional manager posts, then, in 1948, was appointed advertising manager of the cereals division. Getlin moved to Seabrook Farms in 1955 as marketing vice president, three

years later joined Associated Products Co. as executive vice president of the then new Rival Packing Division. In 1959 he was named president of Rival. In 1964 he returned to Ralston Purina as director of marketing for the grocery products division and was named vice president, marketing, a year later. As a marketing man, he says "I'm up to my neck in advertising." Does he watch television? "I'd better. I've got a set in my office so I can keep in touch with programs, especially the ones we have sponsorship in." Married, the father of two sons (a third was killed in Vietnam several months ago) Getlin's leisure-time thoughts and activities revolve around young people. In addition to the family activity of camping and canoeing he is a director of the Youth Foundation of America, which is dedicated to instilling Christian ideals of leadership in the young.

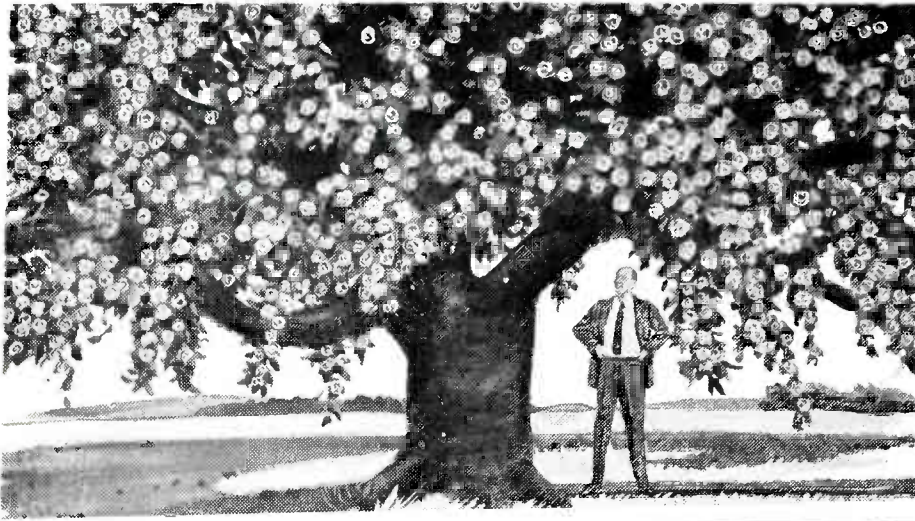


**RICHARD C. BLOCK** If electricity is all that is needed to make a fourth television network go, then Kaiser Broadcasting Corp., which has very definite ambitions along those lines, has the inside track. It has as vice president and general manager Dick Block, whose very voice seems charged with static (although his roots are in the relatively noise-free FM spectrum). Block is the man who got Kaiser interested in UHF television back in 1962 and the company went out and applied for channels in seven major markets. Since then Block has been going through the arduous business of getting them going. He's looking forward to Jan. 2 when tv's more outlets (in Cleveland and in San Francisco) go on the air, "and I plan to be in both places." He's also very much involved in a plan to establish a fourth live network by the fall of 1970. Why can Kaiser make a fourth network go when others have failed? "Because we'll have owned stations in key markets. If you look at CBS, NBC or ABC, they were able to start because they had owned stations delivering a significant portion of the country." Block thinks that with that base Kaiser can easily escape the fate of the *Bill Dana Show*, for instance, and build truly nationwide coverage. Block has spent nearly all of his adult life, and a good portion of his childhood, in broadcasting. NBC programming chief Mort Werner, then working at a Los Angeles radio station, let the 13-year-old Block read some copy over the air. That was in 1939. Block went on to FM radio, got into UHF after the war. He was hired to run the Kaiser stations in Honolulu in 1958 and was brought back to San Francisco in 1961 to help expand Kaiser broadcast properties. He has no hobbies he can think of ("I'm always relaxed") and lives in the Seacliff section of San Francisco.

**HARVEY BERNHARD** How does it feel to handle the strings on a purse that contains \$6 million? Harvey Bernhard knows. As vice president and treasurer of Wolper Productions, that's how much he'll be allocating in the 1967-68 season for some 20 entertainment programs. For this is the year of the special and Wolper is the special specialist. It adds up to making Bernhard a busy, busy treasurer with an open but careful hand. "The last thing I want to do is throttle any of our producers," he says. He knows creative and business people are Arabs and Jews. There seems to be no common ground between them. But Bernhard tries. He listens to creative problems, is often sympathetic, but also tries to explain the hard realities of business pressures. "We've got to make the show for what we're getting for it," he is constantly saying. "In television there's no way to recoup a deficit, no box-office intangibles to surprise you." He's adequately equipped to represent management, while understanding the creative side. Born in Seattle, a graduate of Stanford Univer-

sity, he worked in real estate and also helped produce the syndicated *Night Court* series for Sandy Howard Productions. During a stint in Las Vegas, he was instrumental in creating the lounge entertainment format of most hotels. Bernhard joined Wolper in 1961 as business administrator in a one-man department. Now he has 10 people working for him. He also has Metromedia Inc. behind him and, according to Bernhard, that's the biggest plus of all. Since Metromedia acquired Wolper Productions some three years ago, Bernhard's activities have grown up and out. "Metromedia provided us with the financing to grow," he points out. "Without them we wouldn't have been able to move so fast and so far." How fast and how far? In recent months, for example, Bernhard had to figure out practical budgets for a program that covered 2,000 miles of Central Africa (\$350,000), another program that was delayed and complicated by Sophia Loren's miscarriage (\$550,000) and a series of programs that explored the Red and Mediterranean seas (\$300,000 per program).





**YOU MAY NEVER SEE A ROSE TREE 40" THICK\*—**

**BUT... Sales Can Be Rosy in the 39th Market with WKZO-TV!**

A rose without a thorn—that's the Grand Rapids-Kalamazoo and Greater Western Michigan market served by WKZO-TV.

Already the nation's 39th television market, this area is still growing, still unfolding. In Kalamazoo

alone, for instance, four new plants have recently created 7,200 new industrial and service jobs. They brought over 18,000 new people to town and added another \$25,000,000 to retail sales. That's just Kalamazoo; the same sort of growth is taking place all over the market!

If you like the heady fragrance of climbing sales—now and later on—sow your selling seed via WKZO-TV. Your green-thumbed Avery-Knodel man can give you complete particulars on our rich soil and year-round "growing" season.

And if you want all the rest of upstate Michigan worth having, add W<sup>TV</sup> WTV/W<sup>UP-TV</sup> Cadillac-Sault Ste. Marie, to your WKZO-TV schedule.

\*There's one at Tombstone, Arizona.  
†ARB's 1965 Television Market Analysis.



**The Felzer Stations**

**RADIO**  
 WKZO KALAMAZOO-BATTLE CREEK  
 WJEF GRAND RAPIDS  
 WJFM GRAND RAPIDS-KALAMAZOO  
 WWTV-FM CADILLAC

**TELEVISION**  
 WKZO-TV GRAND RAPIDS-KALAMAZOO  
 WWTV CADILLAC-TRAVERSE CITY  
 WWUP-TV SAULT STE. MARIE  
 KOLN-TV LINCOLN, NEBRASKA  
 KQIN-TV GRAND ISLAND, NEB.

**WKZO-TV**

100,000 WATTS • CHANNEL 3 • 1000' TOWER

Studios In Both Kalamazoo and Grand Rapids  
 For Greater Western Michigan

Avery-Knodel, Inc., Exclusive National Representatives

# LETTERS

## References

By coincidence I found myself preparing a speech for the Chicago Advertising Club, which was conducting a television and radio workshop, at just about the time that your new swinging publication arrived on my desk. The material in your magazine suited my needs almost as though by design.

Now the second issue of your new format has arrived, just as I am preparing an address to be made to the IGA. Again I find myself leaning heavily upon the contents of the second swinging issue. . . Roy C. Porteous, vice president, central sales, CBS-TV, Chicago.

Your comprehensive articles on the future of telecommunications in the September issue [are] magnificent. . . Not only has there been need for a compilation of facts and opinion, such as your staff did so well, but additionally the perspective presented by your treatment may be helpful in resolving many of the current problems.

Richard F. Shively, president, Telesis Corp., Chicago.

I've been so busy reading your stories in the [September] TELEVISION that I haven't had a chance to write before. I mean it quite literally when I say the book is filled with a variety of really interesting and useful material. . . Keith A. Culverhouse, MGM Television, New York.

In behalf of the National Cable Television Association, we request permission to reprint the article entitled "A Searching Look" from the September issue of TELEVISION. Purpose of the reprint will be for informational mailings to members of the association.

In behalf of Teleprompter Corp., we request permission to reprint the articles entitled "Four Views from the Leading Edge" and "Wiring New York" from the same issue. Purpose will be informational mailings to shareholders and friends.

Incidentally, these three articles form a really outstanding report on telecommunications. John R. Barrington, Richards Associates, Washington, D.C. (Permission granted.—Ed.)



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## On April 24, 1967, one war in Vietnam ended. And a new one began.

Little Dienbienphu, they called it. Bloodiest conflict of the war.

U.S. Marines versus North Vietnamese in a 12-day battle for three hills known as 861, 881 North and 881 South.

As a broadcaster, our job was to bring you the facts. Direct reports from Vietnam. The reaction in Washington. The hard news.

We could have quit there. But facts alone aren't always enough. Somebody has to put them into perspective. Rod MacLeish did just that.

MacLeish is a veteran news correspondent, a student of Vietnamese history and one of Group W's commentators.

He saw the battle as a turning point in the war.

To him, it was the end of America's limited struggle on behalf of South Vietnam. The end of North Vietnam's limited struggle on behalf of the communist Viet Cong.

There were no Viet Cong involved in this bloody

siege. No South Vietnamese. The original combatants had outgrown their original purpose. Now the battle was one of ideologies—anti-communism versus anti-imperialism.

New motives. And a new war.

Perhaps Rod MacLeish was right. Perhaps not. In any case, he forced his audience to look beyond the day to day fighting into some of the basic issues that men are dying for.

We think it's important to have men like Rod MacLeish and his colleagues Erwin Canham and Carl Rowan. Not to simplify the facts or come up with a handful of pat answers. But to point out the complexities and ask some intelligent questions.

Because we aren't satisfied just to gather news and report it.

We feel it is up to us to make you think about it.



BOSTON WBZ - WBZ-TV  
NEW YORK WINS  
PHILADELPHIA KYW - KYW-TV  
BALTIMORE WJZ-TV  
PITTSBURGH KDKA - KDKA-TV  
FORT WAYNE WOWO  
CHICAGO WIND  
SAN FRANCISCO KPIX  
LOS ANGELES KFWB

WESTINGHOUSE BROADCASTING COMPANY



**HAYRIDE** is being offered as a strip for the first time in its twenty year history on television. There are now *91 hours and 182 half-hours* available—all videotaped in brilliant color by AVCO Broadcasting in Cincinnati. Each HAYRIDE includes the regular cast of thirty performers plus a big-name guest star. And every show gives you the winning combination of country, western, folk, popular and inspirational music. HAYRIDE has proved that country and western entertainment has an audience in every type of market. You should have a colorful daily HAYRIDE in your city.

**abc ABC  
FILMS**

# DAILY HAYRIDE AVAILABLE.

# TELEVISION

NOVEMBER 1967 VOL. XXIV NO. 11

To some it's a government funhouse where smart-aleck young lawyers come to cut their bureaucratic wisdom teeth on the smelly flesh of dishonest business. To more liberal spirits it's the necessary, if inefficient, agent of business morality. When the investigative reporters sniff around it they can't resist its familiar indignities: "old lady of the avenue," or "the museum." Lately they're calling it a tough new cop with a heart of gold.

A close look shows it's pretty much the same old political engine it always was, but one that has enough steam in its boiler to send it rolling over the advertising industry if its engineer ever got the signal to put it on a new track.

Outside, a pair of stone horses that might have galloped out of a Walt Disney studio strain toward the

Capitol. They seem equipped to drag the building between them right down Pennsylvania Avenue, but their progress is arrested by two heroes of Popeye musculature, government men putting a check rein on willful industry.

Inside, on the top floor, a \$70,000 robot pulls on a sample of cigarettes, digesting for the record their tar and nicotine counts. One floor below, a media monitoring room, equipped with a TV set of uncertain vintage and film projection apparatus, is dark and empty. Somewhere in the building a band of five monitors is perusing the scripts of TV, radio, newspaper and magazine ads at a five-a-minute clip, in search of deception, well acquainted with such masquerades as mashed potatoes standing in for ice cream in a television commercial or a blank frame trying to pass its noncomplexion as a sheet of glare-proof glass.

On the ground floor, data processing equipment may be sorting consumer complaints and market factors to decide whether the wig business or debt-consolidation plans will be investigated next.

Up on the fifth floor the chairman of the organiza-

## The enormous power that the FTC hasn't used yet

by John Gardiner



tion is telling a reporter: "It's a great big wonderful economy we've got and it takes a lot of things to make it go." That's a second answer to a question about what he thinks ought to be done about cigarette advertising. His initial response: "No comment."

Elsewhere within, an economics bureau may be struggling to uncover possible anticompetitive effects of the sale of piggyback and other TV commercials and to find the fatal economic flaw in the use of food store games. Its companion bureau of restraint of trade, which must enforce provisions of the Clayton and Robinson-Patman Acts, asks the economists for industry analyses, the better to deal with such abstractions as product-extension mergers and market definitions.

A bureau of textiles and furs with functionaries on far-flung assignment makes sure that a rabbit coat is not being sold as Siberian seal skin, or one of 90 other aliases that rabbit skin went by before the Fur Act was passed.

Little wonder that Washington lawyers who must deal with this strange bureaucratic machine like to call it the Federal Trivia Commission. Its real name is

the Federal Trade Commission and the trivialities it deals with add up to the totality of U.S. interstate commerce.

The range of its inquiry and investigative authority is staggering and the elbow room allowed it by the courts for finding deception and anticompetitive business procedure seems enormous. The major restraints on its fault-finding powers appear to be the reasonableness of its five commissioners and staff and the prevailing political wind. The result, says one Washington attorney who frequently handles FTC cases, is a generally amoral agency.

Television pays little enough attention to this government creature whose case law has methodically infiltrated TV's central nervous system. For a medium that has its own government agency (the FCC) to worry about it's not surprising that TV generally thinks of the FTC as the advertiser's concern.

As an organization whose jurisdiction is all of U.S. interstate commerce and whose opinions may require the most extensive kinds of economic research, the FTC, on its face, is a pathetically small agency. Its 1,175 employes subsist on a budget of about \$15

### The Trade Commissioners



*PAUL RAND DIXON, chairman, age 53, Democrat, received LL.B. from University of Florida Law College in 1938. Joined FTC same year as trial attorney; left in 1957 to direct Senate Antitrust and Monopoly Subcommittee where he engineered major price-fixing investigations. Backed by late Senator Estes Kefauver (D-Tenn.), he was appointed FTC chairman in 1961 by President Kennedy, but fits squarely in Lyndon Johnson let-us-reason-together mold. He was appointed by Johnson to new seven-year term in September.*



*JOHN R. REILLY, age 39, Democrat, received J.D. from Law College of State of Iowa in 1955. Appointed commissioner by President Johnson for term expiring in 1969. Recently indicated intention to leave FTC in December for private law practice.*

million, 95% of that going for salaries and travel. The commission has no outside contracting authority.

The advertising industry might be tempted to thumb its nose at the agency in the manner of an agile street youth at a flabby old burgher, helpless to give chase. But there the FTC sits, with the right to judge as deceptive any artifact in a television commercial demonstration, no matter whether it gives a TV appearance that is more realistic than might be achieved by use of the object it represents. The principle was established in the commission's case against the Colgate-Palmolive Co. and the Ted Bates agency, who were using sand-covered plexiglass as a substitute for sandpaper in a television demonstration of the beard-softening powers of Rapid Shave shaving cream.

A Supreme Court affirmation of FTC philosophy found deceit in the use of any mockup in a demonstration of reality, not just in the commercial's superficial representations, which were also found lacking in candor.

And there the FTC sits with the court-established right to force affirmative disclosure in advertising.

The right may have been ceded to the commission so that it could force the shills of hair restoratives to advise their commercial audience that some 80% of bald heads got that way genetically and will lie fallow no matter what the fertilizer. But where does the duty of disclosure end, asks Gilbert Weil, general counsel to the Association of National Advertisers? Extending the principle to absurdity, what more useful information could a sponsor disclose than that his competitor sells a better product for the same money? The court history of FTC ad deception cases, cases that may have started with commendable social consciousness, has left the agency's staff a vast meadow in which to frolic, with reason or with whimsy.

Instead of clarifying the advertiser's responsibility the so-called sandpaper decision has resulted in endless debate about what constitutes deception. ANA counsel Weil suggests that any artifact in a commercial demonstration could now be considered deceptive, even special lighting effects. The FTC staff has so much running room that full exercise of its powers within the letter of the law could conceivably cause more economic damage than social benefit. And



*A. EVERETTE MacINTYRE, age 66, Democrat, received LL.B. from George Washington University Law School. Joined FTC legal staff in 1930 and served there 25 years until 1955 when he left to become staff director of House Select Committee on Small Business where he acquired strong backing of Representative Wright Patman (D-Tex.). Appointed by President Kennedy for term expiring in 1968, he has disagreed sharply with more activist members.*



*MARY GARDINER JONES, age 46, Republican, received LL.B. from Yale Law School in 1948. Appointed by President Johnson to fill unexpired term of Sigurd Anderson in 1964, reappointed to full term in 1966. She is only commissioner with outside industry experience, having practiced law with two New York firms. Was trial attorney with Justice Department from 1953 to 1961 after which she specialized in trial and antitrust work in private practice. "The biggest trust buster of us all," says one admiring colleague.*



*PHILIP ELMAN, age 49, political independent, received LL.B. from Harvard Law School. Once law clerk to Justice Felix Frankfurter, Elman served as assistant to U. S. solicitor general from 1946 to 1961. Appointed commissioner by President Kennedy in 1961 to fill unexpired term, reappointed to full term expiring in 1970. Sensitive about reputation as enfant terrible of FTC.*

interest in advertising practices is not slacking off, it's growing. The FTC has undergone a noticeable reallocation of resources in the last several years.

According to its controller, William Glendenning, its expenditures, which once broke down 60% to 40% in favor of antitrust activity over deceptive practice work, are now evenly divided between the two areas. "The change," he says, "is to more consumer protection at the grass roots." But antitrust questions may have come home to roost at television's door.

The commission's purview in anticompetitive business practices finds television not only the subject of a sales-practice investigation in its own right, but also a potential agent of unfair advantage that can add to the illegality of corporate mergers because of advantages it may offer its larger customers.

The FTC-instigated case against the merger of Clorox into Procter & Gamble Co., eventually upheld by the Supreme Court, is now benchmark law and is frequently invoked in merger activity, even those combines once designated conglomerates and once considered simon-pure.

Reversing a court of appeals decision, the Supreme

Court wrote, among other findings, that "Procter would be able to use its volume discounts to advantage in advertising Clorox. Thus a new entrant would be much more reluctant to face the giant Procter than it would have been to face the smaller Clorox."

Out of this battle over the household liquid-bleach market came the term "product-extension merger" that was to be used by the commission in lieu of "conglomerate" and that seemed to negate the importance of the actual product—a new one for Procter & Gamble—and to stress instead the similarities in marketing techniques of the two companies. The essential character of the product seemed to be how it was sold rather than what it was, and advertising weight—television advertising in particular—was thrust into the case as a salient factor.

Advertising advantage, though not the only point in the list of anticompetitive possibilities in the Clorox case, could conceivably stand on its own feet as *the* cause for disallowing a merger. At least one Federal Trade commissioner, Everette MacIntyre, doubts that he would ever support such a finding, but another, John Reilly, noting the commission's contin-



*WILLARD F. MUELLER, director, bureau of economics. Age 42, he joined FTC in 1961 as chief economist and director of economics bureau after academic career at University of California and University of Wisconsin and brief stint as chief economist for the House Select Committee on Small Business in 1961.*



*HUGH B. HELM, chief, division of advisory opinions. Age 53, he joined FTC in 1938 as attorney in trade practice conferences section. Helm practiced law in Tennessee after World War II, then rejoined FTC in 1961, became trial attorney in bureau of restraint of trade and in 1966 was made chief of advisory opinion division.*



*CHARLES A. SWEENEY, director, bureau of deceptive practices. Age, 58, he was FBI employee in 1930-35, and joined FTC in 1935 as attorney. His entire career at commission has been devoted to deceptive-practice program. Appointed legal advisor for radio and TV in 1958 and chief of food and drug advertising division when FTC was reorganized in 1961.*

using surveillance of consumer goods conglomerate mergers—among others—thinks the subject of TV advertising will frequently raise its head.

The latitude allowed by the Supreme Court for antimerger activity leaves an advertising-based merger suit a clear possibility.

In the same Clorox case the high court took the appeals court to task for finding the FTC guilty of "treacherous conjecture" and held that the core question of whether a merger will lessen competition necessarily requires a prediction of the merger's effects. Further the Supreme Court said no mergers are beyond the reach of the antitrust language of Section 7 of the Clayton Act, no matter what the variety, conglomerate or other.

The commission, as a matter of policy, investigates all mergers where the acquirer's company has over \$10 million in assets. Last year there were 101 manufacturing company mergers of that size and the FTC investigated all of them. The total of reported mergers is running at about 2,000 a year and the FTC or its partner in merger control, the Justice Department, attacks about 25 or 30 of them annually.

No project currently underway at the commission is more important to television than the review of network program sales practices, which last summer grew from a year-old informal check into a full-scale investigation designed to uncover any "discriminatory practices or other unfair methods of competition." The commission's bureau of economics says it entered the network sales area as a result of facts uncovered in TV-related merger investigations, but considerable pressure for review has come from Congress, specifically from Senator Phil Hart's (D-Mich.) Antitrust and Monopoly Subcommittee.

The FTC has asked the networks to supply sales information for the five top-rated and five bottom-rated regular programs in the 1966-67 and 1967-68 seasons and similar information about a handful of special shows. If the commission gets all it's asking for there won't be much it doesn't know about how those shows were sold, which sponsors bid for them, how much they bid for them and what intramural communication went on concerning their sale.

Economics bureau director Willard Mueller says the networks are cooperating fully, "acting as if they don't  
*Continued on page 73*

*EDWARD F. DOWNS, senior attorney, deceptive practices bureau. Age 50, Downs joined FTC in 1938 as messenger while attending law school. After service in World War II he joined commission's legal staff and has been trial attorney since 1948. Downs has been involved in major FTC cases concerned with deception in television commercials.*



*ARTUR ANDERSON, chief, division of industry analysis of bureau of economics. Age 35, Anderson joined FTC in 1963 as economist and was appointed to current post last year. He has Ph.D. in economics from Harvard and was economics instructor at Massachusetts Institute of Technology and University of Maryland.*



*JOHN BROOKFIELD, chief, division of food and drug advertising of bureau of restraint of trade. Age 63, Brookfield joined FTC in 1935 after eight years in private law practice. He has spent all of his 32 years at commission in deceptive practice work. Staff of media monitors is part of his division.*



# Just one agency after another

by Richard Donnelly

THERE ARE TRENDS in advertising as in fashion, and the trend this year along Madison Avenue is to the mini-agency. Like the mini-skirt, the mini-agency is for the young, the free wheeling, the exhibitionistic, and it has its followers—advertisers in search of the creativity muse, today's goddess of sales.

Almost all of today's new agencies are stressing their alleged creativity. They wear it like a badge, for it gets them into the board rooms of some of the larger corporations. The small agency isn't necessarily for small clients nor is the creative agency necessarily for creative clients. Advertisers who have gone to the small and/or creative shops in recent times include Procter & Gamble, American Motors, Miles Laboratories, Coca-Cola, Philip Morris, Clark Oil, American Home Products and Consolidated Cigar.

Because they have clients like that, the small agencies are not (as tradition would have it) turning out only exquisite magazine ads. They're doing those all right, but as an alter-thought. Their basic interest is in television, where both product and agency can be, literally, overnight successes.

It can be argued that television is mainly responsible for the rash of new agencies. First, it created the problem that the existence of more advertising agencies helps to solve: product conflicts. Second, simply by multiplying advertising impressions, simply by existing, television has aggravated an old problem: getting through to that message-bombarded consumer in a meaningful way. To achieve this, many companies are seeking the help of those special talents who can give them the unique or at least the unusual. And those special talents, aware of the demand, are forsaking salary and security for the risks and rewards of owning their own shops.

Says Carl Ally, chairman of the New York agency bearing his name, who started out with Volvo and watched it walk away to a new shop: "People like to talk about the dignity of advertising. But avarice is the main consideration. The big question with all of these new agencies is: Will avarice be assuaged?"

Ally laughs at his own bluntness. Frederic Papert, board chairman of Papert, Koenig, Lois, has seen nearly a dozen PKL people, including one of his partners, start up new shops. Papert is a bit gentler: "A creative person capable of making \$50,000 to \$75,000 a year realizes he's better off in some sort of capital-gains situation, and that often means owning a public company where he'll really have some walking money when he's 55."

Another major reason why there are so many new agencies is purely historical: The time was ripe. The ground had been prepared for them by the success of others, notably Doyle Dane Bernbach; Papert, Koenig, Lois, and, most recently by the success of Wells, Rich, Greene.

Another motive not to be dismissed is the possibility of a sort of psychological sibling rivalry. Nearly all of these people have worked with or against one another at numerous agencies, and the competitive instinct is strong in them. They are related by a similar attitude toward advertising, that its persuasion aspects are of prime importance. "You can have a sound marketing plan, brilliant media strategy, but if you don't move the consumer, what's the point of it all?" asks one young executive. "It's all wasted money."

This point of view, hardly original in the business, but one still seemingly imperfectly understood, was given impetus by William Bernbach back in 1949 when he helped found Doyle Dane Bernbach, which is the granddaddy of all creative shops and a swinging granddaddy at that (as exemplified by its ads and commercials for Avis, Volkswagen, Gillette, Polaroid, Sony). Bernbach doesn't look the part of a man who started a minor revolution in advertising that inspired the growth of new agencies (all of which, at a rough guess, control approximately \$265 million in television billings). Bernbach has grey hair, was wearing a white shirt and tie when last seen, resembles an accountant, speaks gently, and avoids the flaming pronouncement.

Recalls Bernbach: "I guess you could say we pio-

*Continued on page 50*

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**The kick is creativity; the incentive is a shop of their own—and TV makes it possible**

---



**Lois  
Holland  
Callaway**  
September 1967

**Chappell,  
Fiore,  
Endelman**  
March 1967

**David,  
Oksner  
& Mitchneck**  
August 1967

**Scali,  
McCabe  
& Sloves**  
May 1967

**Carl Ally**  
July 1962

**Papert,  
Koenig,  
Lois**  
February 1960

**Wells,  
Rich,  
Green**  
March 1966

**LaRoche,  
McCaffrey  
& McCall**  
January 1966

**Doyle,  
Dane,  
Bernbach**  
June 1949

**Jack  
Tinker  
& Partners**  
July 1964

**Ogilvy  
& Mather**  
March 1948

# How TV updates a classic



Modern taping promises biggest audience at lowest cost of all 'St. Joan' presentations. by Walter Spencer.

On Dec. 28, 1923, an audience of 550 persons in the Garrick Theater on New York City's 35th Street saw the world's first performance of "St. Joan," the historical drama considered by many theatrical experts to be the greatest play of George Bernard Shaw. In its 244-performance run at the Garrick and, a few months later, at a larger theater, the production by the young New York Theater Guild cost a total of about \$100,000 and was seen by fewer than 200,000 people.

Since then a score of major revivals has been done throughout the world; including 10 in London and important ones in New York in 1936, 1951, 1954, 1962. A new one by the repertory company of Lincoln Center is scheduled to open Jan. 4 with Negro actress Diana Sands as St. Joan. The play also has been a favorite of educational and civic theater groups throughout the English-speaking world.

Yet in all its stage productions, "St. Joan" has been seen by not more than a few million people.

One of the early attempts at commercial talking pictures was made in London in July 1927, when famed British actress Sybil Thorndike made a combination film and synchronized phonograph record version of the play's cathedral scene. In 1957, also in England, Otto Preminger made an

American film adaptation with Richard Widmark, Richard Todd, Sir John Gielgud and a then-unknown 17-year-old actress named Jean Seberg. Preminger's effort was one that most critics felt set talking pictures back further than Dame Sybil's effort had advanced them. "St. Joan" on film cost about \$1 million. In theatrical distribution, it has been seen by an estimated 5 million people or less.

On the night of Dec. 4, from 9 until 11 p.m., NBC-TV's *Hallmark Hall of Fame* will show a two-hour color video-tape version of "St. Joan" starring more than a half-dozen well-known actors and a little-known 23-year-old French-Canadian actress named Genevieve Bujold. According to reliable network sources, the production cost an amazingly low \$150,000 and will be seen by an estimated 20 million persons; perhaps nearly equal the total audience for all past performances of the play.

Thus, at least on the basis of time, network television may be far and away the most effective way of presenting classic drama, although there is no way of guessing how Shaw would have reacted to this result of modern technology (probably not entirely without enthusiasm, since he demonstrated a very early interest in film as an effective way to carry his works to wider audiences).

The state of the art in video-tape  
*Continued on page 62*



**A**sk one wag what happened and he'll tell you the networks took their affiliates into the woods, plied them with intoxicating amounts of programing and misused them for selfish economic gain. Ask another and he'll swear the slatternly stations teased until they were getting all the network programing they wanted, cried about it, and still enjoy the experience.

If the truth be known, network and station are a couple of coy flirts and if they've got a quarrel with each other about invasion of station time by network programing, it's a lovers quarrel, not a tooth-and-nail affair.

That network program schedules have expanded in the last 10 years is an indisputable fact. It's only when you ask how come that you get an argument. The fall lineup in 1967 differs from the fall lineup in 1957 by 40 hours and 35 minutes more of networking a week. The three networks are not equally responsible. ABC's venture into daytime television with "Operation Daybreak" in 1958 can account for a great jump in total network hours. NBC has grown with more modest increments, while CBS's increases are comparatively slight. CBS is the last holdout in late-night TV, and most observers agree that its days as such are numbered.

Expansion has followed no consistent pattern, but, rather, conforms to the topography of the schedule, filling out gaps, moving naturally into vacuums. The weekends and late-night hours absorbed a large part of the expansion. Prime time was booked up long before 1957, and weekday daytime on NBC and CBS was stabilized.

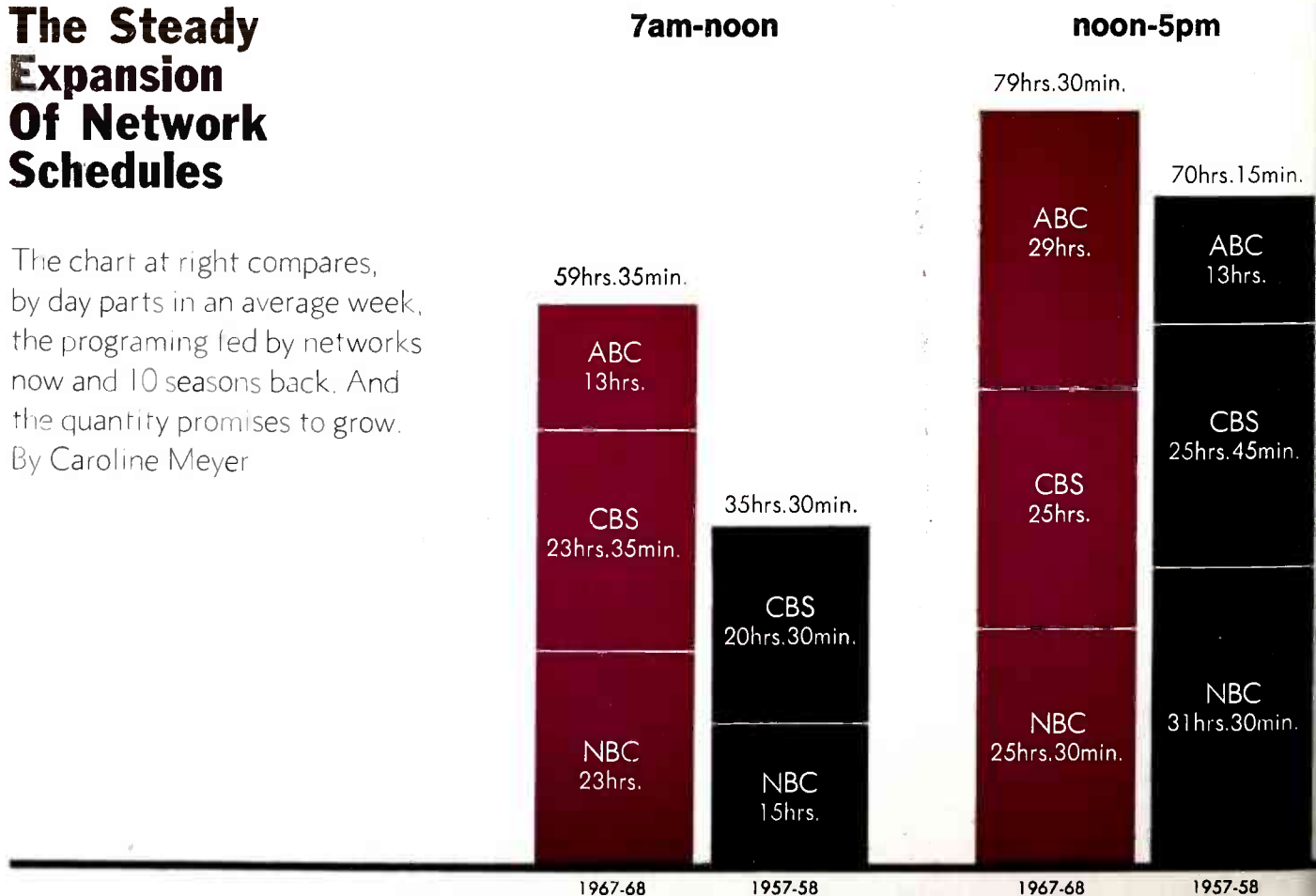
The people who stand to lose by their expansion tend to view the networks as cancerous, with the station at their complete mercies. The people that stand to gain by network expansion tend to view the networks as a vital program source, a benevolent parent feeding its hungry brood. Neither the stations nor the networks themselves fall completely into one or the other of these categories. Network expansion can mean a loss of revenue to a station. When ABC expanded its daily news last year from 15 minutes to half an hour, it meant a loss of 15 commercial minutes a week to an affiliate. In a market like Philadelphia, where each minute might bring \$700 into the WFIL-TV till, network expansion could cut back gross revenues by over \$10,000 a week. But station operators, like all good businessmen, think in terms of net, not gross. If the station was losing that business, it was also shedding the cost of running its own program in that 15-minute block and gaining the going network compensation rate for carrying the network feed. And in situations such as this, the station often gets a minute within the network program for local sale.

Network compensation formulas generally give the station 25% to 30% of its local hourly rate in return for passively riding the network line.

Each market must be evaluated individually. In large cities, where network affiliation is something to cherish and protect from the independent stations, the networks have the lever. They can always threaten to take their schedules elsewhere, though other factors

## The Steady Expansion Of Network Schedules

The chart at right compares, by day parts in an average week, the programing fed by networks now and 10 seasons back. And the quantity promises to grow.  
By Caroline Meyer



may prevent such switching. In Washington the Metro-media independent, WRC (TV), is a strong station with the resources to attract a network. But Metro-media has established a history of very successful independent station operation. Furthermore two of the VHF stations in Washington are affiliated with the city's leading newspapers, an attractive plus for the networks, and the other VHF there is out of the question for a switch. Its NBC-TV's owned and operated WRC-TV.

In a small market, where there may not be three stations to carry the networks, the station is in the advantageous position. Such a station may be able to choose between the offerings of two or three networks, pre-empt and delay as it wishes. The networks have a legitimate complaint. The network as entrepreneur is taking all the risk with its program commitments, while one-station markets are reaping the sizeable rewards. News, expanded or otherwise, is of no use to ABC if it doesn't clear. As the third network historically, ABC has been short-changed on affiliates, and the networks claim that news in general gets poor clearance.

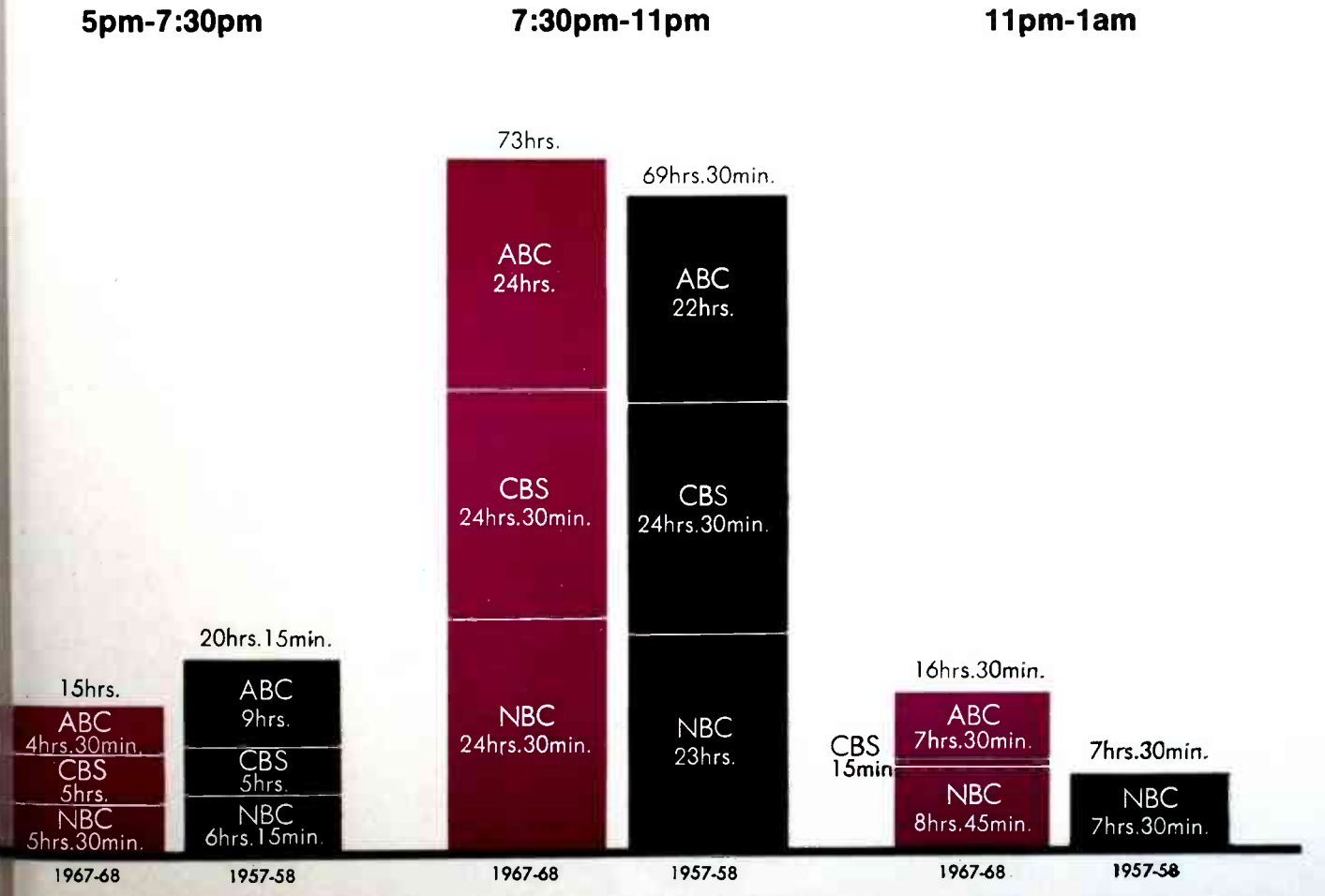
Dr. David Blank, CBS Broadcast Group vice president, economics and research, defends the networks: "The rate of return of affiliates is much greater than that of the networks, and the rate of risk is much less. For the networks, the swing of profit is irregular." ABC lost \$9 million last year, says Blank, and he challenges anyone to show him an affiliate down 10% in the same year.

The whole business of network-station relations becomes a very delicate matter. The station representatives complain loud and long about networks eating into local time, especially fringe-time expansion in the last few years. The Katz Agency claims that the stations it represents all pre-empt an average of an hour and a half a week. According to Ron Krueger, assistant director of sales development at Katz, the majority of those pre-emptions find their way back into the station's schedule in time. Of all the shows Katz stations don't clear, 83% of ABC's are broadcast later and 50% of CBS's and NBC's are delayed. Krueger sums it up: "They may allow you to do that, but they are going to turn around and ask you to do something for them."

Exactly. Networks and stations are both partners and competitors. If you juggle a prime-time movie, you may be expected to take Joey Bishop with no belly aching. The networks claim that much of their programming is the result of cries of "encore" from the affiliates. Dr. Blank explains: "When we had a chance of losing NFL football, the stations begged us to bid anything for it." Network sports have moved into what was once a local stronghold: weekend afternoons. But it's not due to network greed; it's due to popular demand.

Weekend sports and the Saturday morning kiddie fare constitute a large chunk of what once was local time now gone network. National sports are more popular at a local level than local sports, and the stations are willing and able to take all those Sunday

*Continued on page 76*



**THE AGONIES  
OF SHERIFF  
WHO?**

**T**elevision is a hard-boiled business with little interest in anything short of success. It has limited sympathy for also-rans and no time for the artistic triumph that gets lost in the shuffle. It's tough, demanding and competitive. Because it *does* have this one-track obsession with success, it's exciting, challenging and stimulating to be a part of. Everyone is interested in success and in the excitement that goes along with it.

So I'm going to unravel here a "success story"—but one with a difference.

This is the story of a television show that didn't get on the air.

Now that might seem like a contradiction. If it didn't get on the air, where is the success?

I might be inclined to wonder that myself, especially when I think of the long effort that went into it. The skull sessions. The all-night meetings. The time it took. The money it took. And most of all, the television shows that got on the air instead.

Be that as it may, I still enter the whole venture on the "plus" side of my own mental ledger.

Why? Because this show had the unmitigated audacity to be a little bit different. Because it was self-confident enough to take some good-natured pokes at a few of the sacred cows of TV. Because it didn't rigidly conform to a lot of moth-eaten so-called "ground rules." Because it showed some independence of spirit; in the whole creative premise of the show, in the way it was played, in not being afraid to flirt with the danger of being original. And those are pretty rewarding accomplishments in themselves.

Now, I realize as much as anyone that producing television fare for mass viewing is no business for the self-indulgent. Just because a program concept is fun to develop (to those doing the developing, just because it's built around an idea that the producers happen to like) is no reason it should get on the air. Our primary and ultimate concern has to be with the audience that will see it, with *their* tastes, *their* interests, *their* attention. What I resist is the assumption that the run-of-the-mill, the undistinguished, the masterpieces of me-tooism that we see all too often on the tube, are really what the public wants.

I have a hunch that a few of the "experts" agree with me. To illustrate, let me quote part of a review from a recent issue of *Life* magazine. The review points out that while other networks were premiering their new TV shows, NBC televised eight pilot shows of series it had *not* chosen. The review goes on to say . . .

"The rejected shows in the main seemed as good or as bad as anything else on television. With one exception. That was a show called *Sheriff Who?* It was not like the average TV series. *Sheriff Who?* is falling-out-of-your-seat funny. The premise is absolutely original, the pace unflagging, and the sight gags a delight. The story is laid in Blood, Tex., where Evil

Roy Slade rules the roost. Played with malevolent glee by John Astin, Evil Roy elbow-jabs cronies, wears four holsters, grabs old ladies' shawls to lay across mud puddles in his path, and dispatches sheriffs with such speed that the undertaker cannot even remember their names at the funeral. . . ."

The review continues in that fashion, and then says: "How network programmers could fail to appreciate the obviously superior result escapes comprehension."

I'd like to continue quoting this review, but tears keep welling up in my eyes.

From the time that the idea for a television series is put down on a piece of paper until the time that that series, hopefully, gets on the air, a year and a half has elapsed. A year and a half of (to coin a phrase) blood, sweat and tears.

I would like you to keep that single fact in the back of your minds as I tell you the detailed story of what happened to *Sheriff Who?* Keep that one thought there because that says that by the lack of decision, by the indecisiveness, by their fear, certain people have taken a year and a half out of other people's lives, and that is the single most frightening thing about this story. No individual has the right to do that to another individual.

On March 8, 1966, Larry Cohen, a writer, was on the Goldwyn lot in Hollywood visiting Quinn Martin to whom he had just sold an idea called *The Invaders*. While waiting for Quinn, Larry told me that he had an idea for a new comedy western that had been brought to him by a friend named Curtis Sanders. I had been in Hollywood long enough to know that you always listened to any new idea, because a *good* new idea is a most precious commodity.

Larry told me about a program that he called *Sheriff of Nottingham*, and the basic idea, as he described it, was the story of a "villain" who lived in and controlled a little town called Nottingham, Tex. Each week the sheriff would be played by a comedy guest star who would hold office for the length of that particular episode and would be disposed of by our villain and/or hero, as we may call him.

I was extremely interested in the idea and asked Larry for a presentation, which was delivered a week later. It was 15 pages long and contained six story

*Continued on page 66*

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*Lee Rich is now a refugee from Hollywood. In the time described in this article he was president of Mirisch-Rich, TV subsidiary of the Mirisch Brothers movie empire. Last May he became vice president in charge of media services at Leo Burnett, Chicago. Before his Hollywood adventure he was a senior executive at Benton & Bowles, New York. P. S. At the time this article went to press, NBC-TV was thinking of reviving Sheriff Who? as a midseason replacement.*

# The Above-The-Line Unions

The organized performers and creators are a divergent lot, which suits management fine. If they ever got together—zap. Part two of three parts.

by Morris Gelman

It's like nothing else in unionism. Just about everyone who has anything to do with the creative process of a film, live or tape television program—from continuity writer to musical arranger, from stars to extras, and even including producers and directors—now belongs to a labor union or guild. Some of these tillers of the creative soil draw the highest individual salaries paid by any industry in the world.

Last year, for example, 117 members of the Screen Actors Guild earned more than \$100,000 each. Another 318 members made between \$50,000 and \$100,000. Presumably, too, such producers as David Dortort and Norman Felton and such directors as Delbert Mann and George Schaefer are among the world's best paid workers.

Yet talent unionism in the entertainment field is uniquely confusing. Maybe only the building trade involves such a varied and meticulous division of labor. And, perhaps, at no other union table is the meal so often feast or famine.

For last year, too, at the Screen Actors Guild, 6,232 members—the largest breakout—earned only between \$1,000 and \$5,000 and another 1,640 members made more than \$5,000 but less than \$10,000. And while some screen extras gross \$20,000 or more a year, a great many others eke out \$60 to \$80 a week.

Precisely 21 years ago *Fortune* magazine, in a memorable November issue entirely devoted to the labor situation in this country, made a perceptive evaluation of the collective-bargaining arena in Hollywood: “. . . the highest paid and the lowest paid work cheek by jowl. What is more, the unionists have arranged themselves in a plaid-like pattern of 43 crafts and talent groups—each organized into a union as distinct from all others as a star's new custom-built car is distinct from all others in the parking lot. Inevitably the labor-management conflicts of Hollywood are peculiarly complex. Wages and hours are often left far behind when the battle is really warmed up.”

What was true specifically about the movie studios more than two decades ago, still is essentially accurate today despite the intrusion of a major new element—

television. Television really didn't change the basics of the situation. It just made the rules tremendously more complicated and the stakes incredibly higher.

Stars still hobnob with trombone players. A man is still an extra if he merely rides a horse and keeps quiet, but an actor if he says little more than “yup.” The Association of Motion Picture Producers has added television to its name but still has to deal with a bewildering pack of 46 unions and guilds (actually all labor organizations are unions, but professionals are reluctant to associate their cause with noncraft workers and seem to take comfort in the guild designation). And wages and hours as predicted, indeed, have been left far, far behind.

Instead, the one relatively new ingredient that really counts is a singularly talent-originated concept called residuals (in essence being a demand of payment for subsequent uses of each television commercial or program). Without residuals, labor relations in the broadcasting field are complex but dull. With them labor-management affairs become exotic confrontations in the competition of high finance.

Industry sources in the television commercial production field, for instance, estimate that commercial talent payments total in excess of \$40 million a year (representing probably half of the cost of producing commercials). Residuals, or reuse payments account for a sizeable chunk of that total.

Two pedantically exacting items in the current SAG television commercial contract, negotiated with the three television networks, the Association of National Advertisers and the American Association of Advertising Agencies in New York last year, gives slight but telling indication of the bite that residuals put on commercial production: a system of holding fees that insures a player in a commercial of payment of at least one minimum session fee—\$120 for on camera work, \$90 for off camera—every 13 weeks, whether or not the commercial is used, as long as the sponsor wishes to retain the right to use the commercial; and payment of session fee as well as reuse fees for each track to singers recording an additional track or tracks or whose voices are



mechanically or electronically multiple tracked.

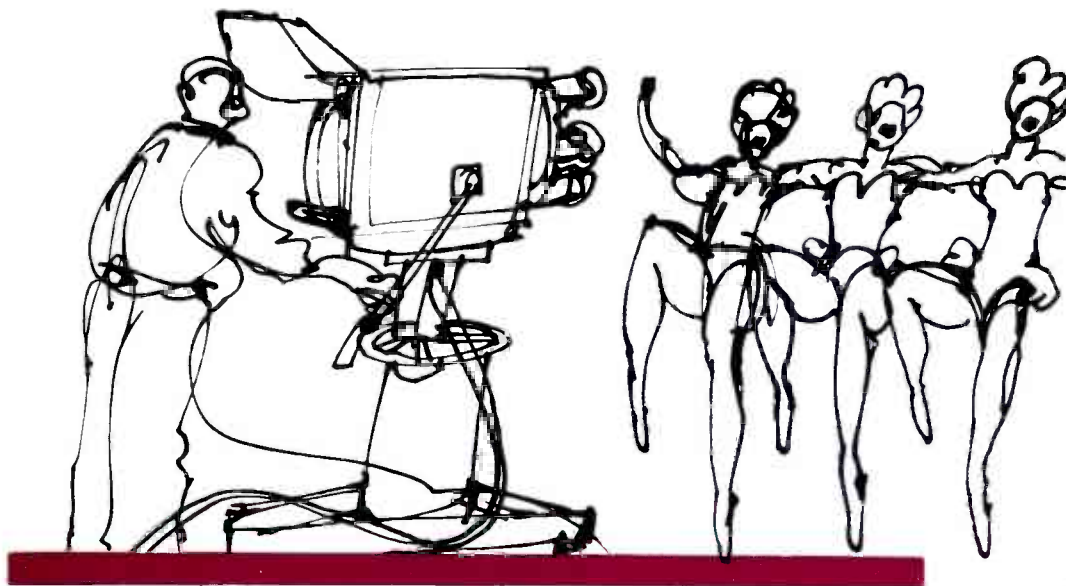
Residuals on television entertainment programs have had, if not a greater, at least a more discernible effect on the medium. Since 1953 when the principle of reuse or residual was first established, the industry's talent unions are estimated to have realized more than \$100 million in subsequent performance payments for domestic and foreign television entertainment and for feature motion pictures shown on television.

Again SAG gives the most striking illustration. From 1953 through the end of August of this year, SAG collected on behalf of its members \$67,939,167 in domestic TV entertainment program residuals, \$2,918,283 in foreign residuals and \$1,571,681 for motion pictures shown on television. It adds up to \$72,429,131 after less than 15 years of tapping this one particular source of revenues.

Even such a modest-sized participant in the talent-union arena as the Writers Guild of America, West (it has 1,229 active members out of a total of 2,554 as compared to SAG's total of nearly 17,000), is proving a plucky residual earner in its own right. As of last month, WGAW had registered an impressive total of \$3,247,849 for its members in domestic and foreign residuals and royalties for the year. The West Coast writers seem assured of a record-breaking performance, the previous peak year being 1964 when \$3,339,000 was earned via reruns.

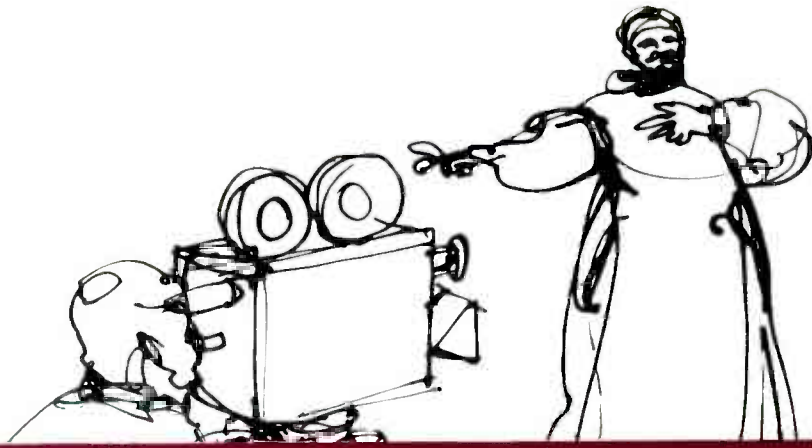
Comments one talent guild official: "Residuals affected the industry substantially. It's an economic consideration of major magnitude. Maybe more importantly it—really television—ushered in an era of change that is not yet finished. The residual principle, if nothing else, made it clear to all unions that they had to establish and enforce their rights quickly before the next revolution took place. Once left behind, they'd never catch up."

In the flow of the changing tides since television, the Screen Actors Guild, among all talent unions involved in broadcasting, is out in front. The Writers Guild of America and Directors Guild of America are on even keel, seemingly keeping pace with the potential of each new wave. The American Federation of Television and Radio Artists, left adrift by an industry change of direction and stunned by a series of miscalculations, is floundering. The American Federation



**AMERICAN FEDERATION OF TELEVISION AND RADIO ARTISTS** . . . serves interests of announcers, actors, singers, dancers and newsmen in live and taped television . . . has polyglot membership of some 18,000 at 32 chapters and eight locals across country . . . record high was 24,000 in 1946, slipped to 20,000 in 1948 when TV roared in . . . emergence of film as prime TV product was reason for drop . . . national negotiations are conducted with three networks and reps of advertising agencies in New York . . . Actors Equity Association originally held jurisdiction over radio and TV . . . set up division known as Radio Equity . . . but Screen Actors Guild and American Guild of Musical Artists also had members active in radio . . . it being obvious that new field needed separately chartered organization. Actors Equity relinquished jurisdiction . . . on Aug. 16, 1937, American Federation of Radio Artists was created . . . chartered by Associated Actors and Artistes of America, loosely knit umbrella organization of various entertainment labor organizations . . . performers were led by such highly paid stars as Eddie Cantor, Edward Arnold, Lawrence Tibbett, James Wallington and Dick Powell . . . big breakthrough came in July 1938, when both NBC and CBS signed first contract involving union performers . . . ad agencies followed soon afterwards . . . first contract called for wage increases up to 125% and AFRA shop . . . in years before World War II, AFRA made steady progress in organizing performers at local stations . . . during and after war union was involved in series of jurisdictional disputes with AFM, IBEW, IATSE, NABET and, most bitterly, with SAG . . . most publicized fight was with legendary producer Cecil B. DeMille,

AFRA member making \$5,000 weekly as host of *Lux Radio Theater* . . . but DeMille didn't want to pay \$1 local assessment, was suspended from union, fought case to Supreme Court and lost . . . it was landmark ruling . . . Associated Actors and Artistes created trusteeship organization. Television Authority, on April 16, 1950, to negotiate in TV . . . TVA worked out first TV network contract in December 1950 and then some two years later merged with AFRA to create AFTRA . . . new organization was soundly trounced by SAG in NLRB jurisdictional elections . . . backed by labor arbitrator David Cole it sought merger with film actors in 1959, but SAG would not go along . . . still AFTRA and SAG have been negotiating jointly in TV commercials field since 1960 . . . last March AFTRA had its first walkout of nationwide scope . . . strike was against networks, agencies and independent producers . . . at issue was percentage of earnings management may withhold from talent fees earned by newsmen . . . it lasted for 13 days, ending just in time to save Academy Awards telecast . . . during that strike and later NABET strike, which AFTRA supported at first, federation has been wracked with defections from its authority . . . most notable being news commentator Chet Huntley . . . this is most critical period in union's history with possibility that splinter groups may break away and form own collective bargaining agencies . . . two dominant figures in union have been George Heller and Donald Conaway . . . Heller, dancer-actor turned labor leader, was one of founders and early spearhead . . . Conaway took over as national executive secretary in 1956, year after Heller died . . . Conaway is conservative, gives impression of solidity.



SCREEN ACTORS GUILD . . . probably only collective bargaining agency to have one ex-president now U.S. senator, another now state governor and active member running for Congress . . . is power among talent unions—growing, prosperous, well-organized, regally independent . . . if it strikes, whoops there go studio and network film operations closed down tight . . . was formed June 30, 1933, when day workers at movie studios earned maybe \$15 for day and other freelance workers got about \$65 for six-day week . . . six actors, Ralph Morgan, Grant Mitchell, Berton Churchill, Charles Miller, Kenneth Thomson and Alden Gay Thompson, were founders . . . early members included Groucho Marx, James Cagney, George Raft, Eddie Cantor, Robert Montgomery, Frederic March, Ralph Bellamy . . . like AFTRA, got its AFL charter through Associated Actors and Artistes of America, paper international . . . won union shop and first contract from studios in 1937 . . . early contracts established limitations on number of hours actors could be required to work and provided premium pay for overtime and Sundays and holidays . . . when television came in guild established then-new principle under which actors were to be compensated separately, in addition to original compensation, for reruns of TV films . . . ushered in era of residuals . . . guild also negotiated TV commercials contract that provides detailed schedule of fees for reuse of filmed spots, continuing as long as they're played . . . membership is now at all-time high of more than 16,000, almost double 1940's roll of 8,704 . . . expectations are that membership will top 17,000 by end of year . . . breakdown shows some 9,500 members in Los Angeles, 6,000 in New York, 440 in Chicago, 402 in Florida (fastest growing area), 222 in San Francisco, 150 in Boston, 142 in Detroit and 66 in Colorado . . . SAG has walked out on management three times over years . . . each strike revolved around television . . . first strike, lasting for 12-week

period from December 1952 to February 1953, was against producers of TV-filmed commercials . . . strike established new pattern for reuse payments for actors working in film spots . . . only two years later SAG hit street again, this time against producers of TV entertainment films . . . 12-day strike won actors larger rerun payments . . . throwing its muscle in still another direction, film guild struck producers of theatrical motion pictures in 1960 . . . issue was payments for post-1948 movies distributed to television . . . after month-long walkout, SAG lost its bid for residuals on movies made between Aug. 1, 1948, and Jan. 31, 1960, but producers agreed to make retroactive payment of more than \$2 million to pension plan for actors . . . even so SAG's residual pot is most abundant in industry . . . for incomplete current fiscal year beginning Nov. 1, 1966, until end of late August, actors had received \$8.6 million from domestic TV entertainment films, \$1.6 million for motion pictures shown on TV and \$2.9 million in foreign residuals . . . since 1953, when residual principle was established, actors have gotten total of \$67.9 million in domestic residuals from entertainment programs and grand total of more than \$72.4 million from all residuals other than on commercials (which go directly to performers) . . . SAG's net worth at end of fiscal 1966 was \$1,030,754.36 . . . guild earned \$23.7 million, or 22.63% of 1966 revenues from theatrical motion pictures; \$40.4 million, or 38.60%, from TV films; and \$40.6 million, or 38.77%, from TV commercials (including small amounts for industrial and educational films) . . . added up to total revenues for year of \$104,753,000 (several million paid by producers for pensions should be added) . . . top administrative job at SAG is held by John L. Dales . . . Stanford University law school graduate has been national executive secretary for 24 years . . . second in command and heir apparent is Chester L. Migden.

of Musicians, once the flagship of the entire talent union fleet, is in the wake of others now and still trying to override technological obstacles. The Screen Extras Guild, an ill-fated, ill-equipped tug boat of an organization, is still chugging along, well behind but making noises louder than its resources would indicate. The Screen Cartoonists Guild, an odd and all but swamped vessel, doesn't know whether to sink or float or grab at another union's ready, but conditional, lifeline. The Composers and Lyricists Guild of America is a late starter with great distance to make up. The Producers Guild of America, a new and puzzling participant, is accepted by few and suspected by most.

SAG's lead over the others is sure. The guild has never been in better financial shape. For its fiscal year ended Oct. 31, 1966, SAG had surplus assets of \$1,030,754.36. Its members earned more than \$104 million in calendar 1966. Compare this with \$585,953.18 in surplus assets and some \$27.6 million in income for the last pre-TV year of 1948.

Without question television has made the difference. It created many more work opportunities for actors, entirely opening the new field of commercials and unlocking the door to residuals. Now more than 77% of all income earned by SAG members comes from work performed in television production of one form or another. Television commercials alone are accounting for more than 38% of total income. Theatrical motion pictures, which used to be the screen actor's whole bag, now generate just under 23% of the total annual income.

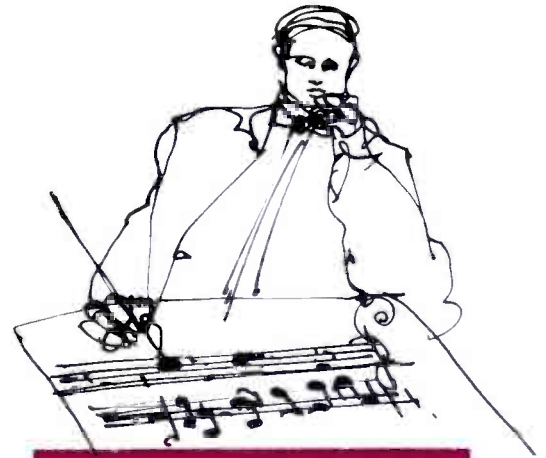
There may be even more significant signs of well being. Gains made by the guild in its new television contract, negotiated earlier this year, are substantial. Minimum rates were increased 20% in two steps. Television day players who were making the \$100 scale before the contract, are now making \$112 and will get a raise to \$120 in 1969. Weekly freelance players went from \$350 a week to \$392 immediately and will go to \$420 two years from now. Reruns, extended beyond the former sixth-run cutoff, will now be paid through the 10th run at 15% of applicable minimum for each separate run. The formula for payment of residuals on foreign showings of television programs was increased from the previous total of 25% of minimum to 35%.

According to guild officials,



PRODUCERS GUILD OF AMERICA . . . founded in 1950 as Screen Producers Guild . . . now some 260 members . . . more than half working in TV . . . union of hyphenates with about 65% of membership producer-writer, 35% producer-director, 25% producer-actor, smaller percentage combination of all four . . . to qualify members must have produced one feature length or 13 short subject films for theatrical distribution or six hour programs or 13 half-hour programs in film, live or tape TV . . . initiation fee is flat charge for all, dues based on income . . . started out as professional group dedicated to improving standards of craft and image . . . obtained code of practices agreement from production companies in 1954, but it had no economic meaning . . . only credits and status were involved . . . merged with Television Producers Guild in 1962 . . . in last year took "bold forward step" by voting more than 90% in favor of becoming collective-bargaining agency and then changing name to embrace producers from everywhere and, for the first time, associate producers . . . it wants to negotiate as union for producers . . . it's seeking such recognition from management . . . feels

that its members, even though some of the highest paid workers in the world such as Frank Sinatra, Mervyn LeRoy, Nunnally Johnson and Jerry Lewis are included, are entitled to economic benefits other guilds enjoy . . . heading list are health and welfare, pension and piece of TV residuals . . . but National Labor Relations Act defines producers as supervisors, does not recognize them as collective-bargaining employees . . . yet any group can get together and bargain for rights by persuasion . . . that's what directors, also classified as supervisors, did . . . Producers Guild now trying hard to add strength and reinforce prestige on way to "friendly" negotiations with Association of Motion Picture and Television Producers . . . some say possibility Writers Guild would negotiate for producers spurred Producers Guild into action . . . more likely motivation was changing face of business with television subjecting producers to different status and generating new needs . . . crusty Lou Greenspan, one-time AP correspondent, is executive director and heads paid staff of two . . . David Dortort, boss of *Bonanza* and *High Chaparral* spreads on NBC, is PGA president.



COMPOSERS AND LYRICISTS GUILD OF AMERICA . . . formed in 1960 . . . composers and lyricists wanted to establish minimum rates and working conditions and to promote ownership and publishing rights in connection with their music . . . rates and working conditions they have . . . ownership and publishing rights are in abeyance . . . first contract signed with Association of Motion Picture Producers and independent producers separately . . . now negotiate only with merged Association of Motion Picture and Television Producers . . . have signed three contracts since founding . . . latest was late this summer . . . called for 10% hike in minimums . . . but producers have consistently rejected demands for residuals . . . actually residuals in conventional sense are not issue . . . composers and lyricists get performing royalty from American Society of Composers, Authors and Publishers or Broadcast Music Inc. when work is used . . . but when work created for, say, movie is then used on series, guild feels members are entitled to reuse payment . . . one thing CLGA has established is that when movie is sold to TV, composers and lyricists whose work is involved get paid again . . . guild has about 400 members, little more than 325 on West Coast, balance in East . . . headquarters is in Hollywood, with branch in New York . . . CLGA has taken two strike votes in brief existence, but never had to use it . . . new contract with producers runs until July 1, 1969 . . . before end of this year, guild hopes to engage networks in negotiations . . . again basics of wages and working conditions are what initially will be sought . . . officials confident they'll get reuse and publishing and ownership rights eventually . . . Ted Cain, in film business since 1928 and once head of music for 20th Century-Fox, is executive director . . . has been on job for last six months.



DIRECTORS GUILD OF AMERICA . . . represents some 3,300 members in motion pictures, film TV, live TV, radio, commercial and industrial production . . . about 1,800 in Hollywood, 300 in Chicago and 1,200 in New York . . . more than half are directors . . . assistant directors next largest segment . . . then come associate directors and stage managers . . . along with Producers Guild and Screen Actors, aristocrat among talent unions . . . some two years ago negotiated four-year contract with television networks, highlight being 10% over-all wage hike . . . year before had signed four-year contract with Association of Motion Picture and Television Producers calling for similar 5% salary increase in first two years and additional 5% in final two years . . . minimum scale salaries under old contract were \$675 per week for directors, \$425 per week for first assistant directors and \$250 per week for second assistant directors . . . besides salary increase, agreement also spelled out director's so-called bill of rights . . . among other rights, directors were given opportunity of screening films shot each day and cutting film at end of shooting schedule, while being consulted whenever possible on script changes . . . first organization devoted to needs of film director was the Motion Picture Directors' Association . . . it lived from about 1915 until 1925 . . . Screen Directors Guild, representing about 75 director members, was formed

in 1936 . . . idea was to improve status of directors and to campaign for more creative freedom (always particular sore point with this segment of talent) . . . included on original board of directors were such famed people as William Wellman, Rouben Mamoulian, John Ford, Clarence Brown, Frank Tuttle, Lewis Milestone . . . King Vidor was first president . . . two years later assistant directors were admitted . . . today guild reps all directors and assistant directors in motion pictures and TV films . . . at first directors not regarded by producer as appropriate bargaining unit . . . argument was that they were not employes under terms of National Labor Relations Act . . . directors appealed to NLRB for certification . . . before board could render decision, agreement was reached between directors and producers . . . in 1939, what could be called first director's bill of rights recognized . . . it established creative status of directors, including right to screen credits, and set minimum wages and working conditions for assistant directors . . . about five years later agreement was extended to cover minimum scales for directors . . . first TV film contract negotiated in 1950 . . . in addition to basic wages and working conditions it recognized director's right to participate in revenue from filmed shows used on television commercially . . . guild now has processed and paid

out to members far more than \$9 million in residual payments . . . merged with Radio-Television Directors Guild, itself chartered as Radio Directors Guild in mid-30's, some seven years ago . . . about 800 members in RTDG came over . . . in 1963 assistant directors' local 161, New York, also merged into DGA . . . next year unit production managers merged with guild . . . absorbed Screen Directors International Guild in 1965 . . . almost 400 members of SDIG taken into DGA . . . but six of newcomers refused to sign loyalty oath . . . late last year U.S. Supreme Court refused to reconsider lower court decision that these six film and TV directors should be admitted to DGA in spite of their refusal to sign . . . guild also embroiled with Writers Guild over question of film credits . . . writers got clause in most recent contract with motion picture producers that directors can't say picture is theirs in credits (e.g. Alfred Hitchcock's "Psycho") unless they were principal author of screenplay on which product is based . . . controversy is in courts . . . Delbert Mann recently elected president for two-year term . . . executive director is Joseph Youngerman . . . obviously bouncing and bountiful talent union . . . dedicated 11,000 square foot building on Sunset Boulevard in 1955 . . . included inside is fine screening theater . . . new headquarters is planned.

when this increase in foreign residuals is computed based on the 20% increase in television minimums, the actual increase to actors in this one area alone will amount to 68% by mid-1969.

SAG's pension plan, one of the strongest in any industry, has to be the ideal all talent unions hope to achieve. First negotiated in 1960, it's financed by a producer payment of 3% figured on gross earnings of actors, with a limitation of \$100,000 per actor per feature movie and \$5,000 per actor per episode or per week in television (an additional 2% pays for the guild's health and welfare plan). The plan guarantees the lowest qualifying participant \$100 a month in retirement benefits. Some guild pensions, however, reach as high as \$900 a month.

How does a house get in such order? Obviously, the housekeeper has to be quick and nimble and knowing. Back in February 1959, TELEVISION reported that John Dales, the veteran national executive secretary of SAG, "has been called the 'ablest man in the business' by management representatives." There doesn't seem to be any reason to change that opinion today. And down through the years, Dales has been backed by the forensic powers of such one-time guild presidents as now U. S. Senator George Murphy (R-Calif.), former Eisenhower aide Robert Montgomery and now California Governor Ronald Reagan. They would seem a pretty good team of winners.

Observes SAG's assistant executive secretary, Chester Migden: "There's no question we occupy a unique position of leadership. Circumstances gave us a strong opportunity to achieve. We've used that opportunity to the fullest. What we have achieved has now become the goal for actors everywhere, all over the world, if not for all talent unions."

The circumstances that made for opportunity were keyed to a membership that includes entertainment's most precious commodity—the star. The weight and prestige of SAG's more publicized members were the battering rams that knocked down a lot of barriers. "You see," begins one network negotiator, "with the other unions we could find another way to skin the cat. If they strike it may hurt us, but we find a way around it.

"But with the actors, with the real stars," he continues, "that's another thing. Sure we have some film in the can we can use, but in



AMERICAN FEDERATION OF MUSICIANS... was established and powerful talent union long before movies spoke, radio transmitted, television beamed... received national charter on Nov. 6, 1896... AFL-CIO affiliate... more than 260,000 members in more than 700 locals in U.S. and Canada... New York local 802, with about 30,000, is biggest... Los Angeles local 47, with almost 14,500, ranks next... no huge middle class among members... it's either feast or famine for them... local 47 is somewhat representative... only 4,000 out of total membership work full time as musicians... some 2,000 make living in broadcasting area... most of members are freelancers... besides regular dues, members pay weekly additional work dues equal to 2% of their minimum wage scales... one historian called musicians union "study of personalities, power and technological change"... James Caesar Petrillo, one of most dominant labor leaders of all time, was embodiment of personality and power. He ruled AFM for 18 years, until 1958, as president... technological change overwhelmed union even before Petrillo... "We're the earliest victims of automation," comments former movie studio staff trombonist John Trauchitella, now president of local 47... he saw coming of sound in movie business knock some 5,000 musicians out of theater orchestra pits between 1929 and 1930... Petrillo and radio got union back to strength again... he carried ceaseless aggressive war against mechanical music—records, transcriptions, juke boxes, tapes—that impinged on employment opportunities of musicians... musician, he was convinced, was creating mechanical device used to destroy himself and something had to be done... in 1942, Petrillo laid down law... AFM members would not make records, transcriptions or other types of mechanical reproduction of music...

ban lasted more than 27 months... when it was over record companies and stations had to pay royalty for every record and transcription made by union members... broadcast talent today can thank Petrillo for residuals... for musicians he raised wages, reduced hours, improved working conditions and brought wrath of government regulation down on them... his demands—and personal ego—seemingly knew no bounds... in efforts to get stations to hire more musicians and to secure guaranteed employment for AFM members, he pushed too hard, once too often... result was Lea Act, passed by Congress in 1946... it's undoubtedly one of most personally punitive pieces of legislation in country... it was meant to curb Petrillo and AFM and succeeded (by preventing musicians union from fixing quotas of members for broadcast stations)... now instead of large staff orchestras at networks on both coasts, three networks in New York have some 60 staff musicians each in New York and only NBC maintains staff people in Los Angeles (25 work 20 hours weekly for \$257 minimum)... and AFM has been left behind in TV residuals... musicians only get 1% of gross rental of movie to network... when "Music Man" was sold to CBS-TV, some 200 musicians shared meager total of \$6,777 in residuals... still AFM, under current president lawyer and one-time orchestra leader, Herman D. Kenin, seems to be making strong comeback... increase in live and tape variety and special shows has helped... also more film-TV series are using new arrangements and live music instead of canned stuff... most significantly pugnacious approach of Petrillo has been out and softer sell in... yet more musicians are making more money out of hotel, nightclub and ballroom work than out of television.



SCREEN EXTRAS GUILD . . . bubble, bubble, toil and trouble . . . that seems to be fate of this union almost from start . . . status and economic strength of its membership are precarious . . . made up of some 3,400 members in Hollywood, San Francisco and Hawaii who are background people in films . . . someone once called them "moving props" . . . many make only \$60 to \$80 per week . . . minimum in theatrical and television film is \$29.15 per day . . . those lucky enough to scale mountain or ride horse can earn \$100 or more in extra pay for hazardous work . . . in commercials minimum for general extra is \$30.25 per day . . . most have to wear own clothes in work . . . it helps greatly if they possess elaborate and versatile wardrobe . . . concluded negotiations on contract with New York Film Association and Advertising Agencies' Joint Negotiation Committee covering extra players in film and tape television commercials this year, retroactive to November of last year . . . it runs until 1969 . . . currently working under 1964 film agreement with Association of Motion Picture and Television Producers that also expires in 1969 (extras in New York are covered by contract with Screen Actors Guild) . . . SEG officials say that roughly 80% of members have dual membership in SAG . . . once was sort of junior guild under SAG's jurisdiction . . . through this branch system elected own council and officers

. . . really was part of SAG because extras' bargaining power was negligible . . . in early 1940's, internecine warfare raged . . . some question as to whether extras wanted to leave SAG or screen actors were eager to get rid of them . . . probably combination of both . . . extras who demanded separate union formed Screen Players Union . . . won certification from NLRB as bargaining rep for extras . . . fight developed within SPU ranks . . . Communist issue was raised . . . defectors from SPU formed SEG and won jurisdiction over extras in 1946 . . . dissension now rampant again . . . came to head in recent months . . . Robert W. Gilbert, SEG counsel for last 20 years was let go . . . in his place came Alexander H. Schullman, once counsel for controversial Screen Players Union . . . five top officers, including President Tony Regan, resigned . . . Lucas Saucier elected interim president with new elections set for this month . . . supposedly power on rise is Michael D. Jeffers, business rep for defunct SPU . . . Jeffers reported deeply involved in ugly and violent Conference of Studio Unions strike against movie companies in 1945 . . . he was said to be top strategist of Herbert Sorrell, stormy figure of that time . . . H. O'Neil Shanks, executive secretary since 1946, has contract that expires next year . . . but there is question as to whether Shanks's contract will be renewed

television, time is so critical. We work so close to schedule. There's no way around it. The actors go out for any prolonged period of time and we may as well close our doors."

Television's almost total swing to film in the early 50's and its reliance on the Hollywood factories for the bulk of its prime-time programs, set the stage for the screen actor's dominance. With regrets to Shakespeare and to the film writers, who really spark the creative process, it's not the play that's the thing in television competition, it's the big-name player.

And SAG, fully aware of its muscle, has not been afraid to use it. Three times in the last 15 years, the guild has walked out on management. Each time the issue was television. Each time the issue was big. The ability to know when to strike and what to strike for, is perhaps the most significant thing SAG leadership has going for its membership.

Not all the strikes were totally successful. In the last strike, seven years ago, the film actors were not able to gain residuals for post-1948 theatrical pictures sold to television (they do, of course, get residuals for post-1960 movies), which is what the strike was really about. Yet they still got producers to make past-service-credit payment of \$2.25 million into what has now become the thriving pension plan. And previous strikes had won the guild the right of reuse payments in TV commercials and a change in the rerun patterns for TV entertainment films.

In comparison, AFTRA, which admittedly has much less weight to push with, apparently has not used the strike weapon to good advantage. The federation's 13-day-long strike against the three TV-radio networks last March and April—the first nationwide walkout in its 30-year history—seemed to prove little more than that the union could survive a beating. AFTRA was thrust off the deep end by a tiny but militant minority of its total membership. The dispute primarily centered around what amounted to some fringe benefits for fewer than 150 newsmen. There was, and still is, some question (particularly among newsmen themselves) as to whether news reporters and newscasters belong in the same collective-bargaining agency as performing artists; including actors, singers, dancers and announcers.

In the most publicized action of the whole affair, NBC newsman

Chet Huntley openly broke with and defied his own union. It was like Carl Yastrzemski quitting the Red Sox in the heat of a pennant drive. Some nonnewsmen in AFTRA, wondering why they should be burdened with an unpopular cause, voiced strong dissent within the union. In the end, AFTRA came to terms with networks without gaining any significant concessions. Even the union's chief spokesman, Executive Secretary Donald F. Conaway, in a most modest appraisal, termed it a "sane and sensible agreement."

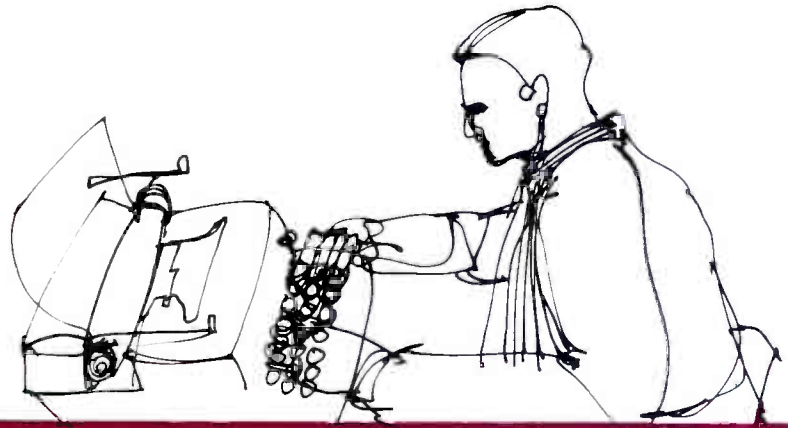
It's difficult to compare the latest AFTRA contract with the first one negotiated by its predecessor organization, the Television Authority, in 1950. Categories have been considerably revised. However, a principal actor in a 15-minute TV program, as one example, was paid \$70 a performance then as against \$100 in the new contract. Generally, AFTRA's gains over the years, union insiders admit, have not been dramatic. Still, they point out that gains achieved during the period of drastic decline in live programming and slight ascendency in taped shows—the union's two major provinces—is a gift horse not to be looked at too closely.

AFTRA people would rather talk about more solid achievements in other more general areas. The assets of national AFTRA in 1967, for instance, amounted to a highly respectable more than \$1 million. The union's pension fund has assets at book value in excess of \$26 million.

Hardly recovered from the less-than-shining hour of its first national walkout, AFTRA was forced into another cauldron of decision when the National Association of Broadcast Employees and Technicians went on strike against ABC in September. NABET supported the AFTRA strike. Could AFTRA do less? Did it not have, if nothing else, a moral commitment to support a fellow union?

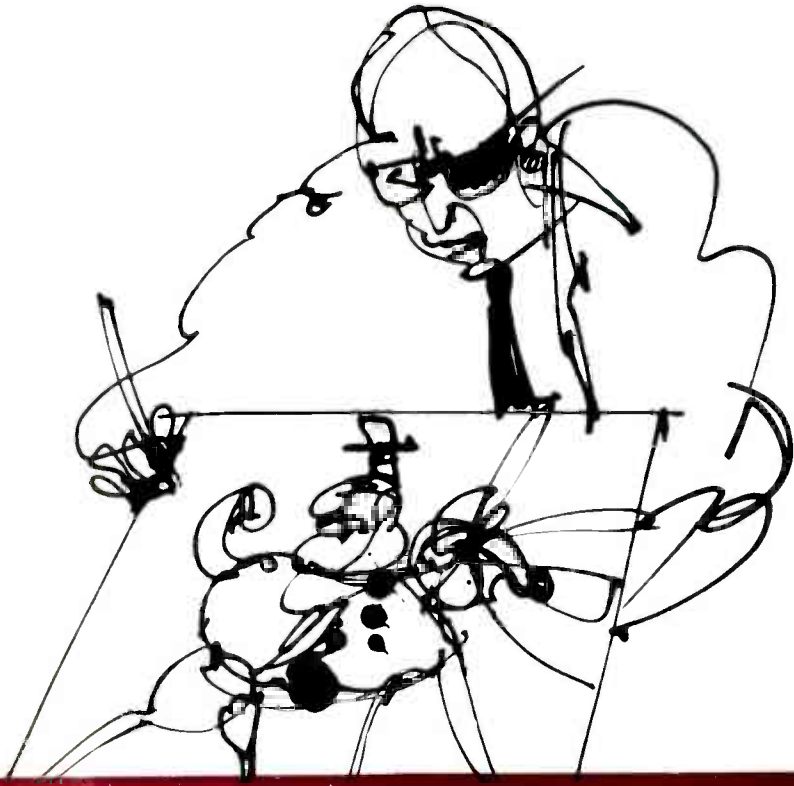
After carefully pondering the dilemma, AFTRA, which technically still does not have a signed contract with the networks, ordered its members to respect NABET picket lines. In the eyes of some industry observers that was key mistake number two. It appeared to have unfurled the union banners for another unpopular cause.

Maybe the termites in the wood pile are the newsmen, who just aren't sure that their "professionalism" has anything in common with trade unionism. A small but in-



WRITERS GUILD OF AMERICA INC. (Writers Guild of America, East, and Writers Guild of America, West) . . . amalgam of Screen Writers Guild, Radio Writers Guild, Television Writers of America, TV writers group of Authors League of America . . . first contract with networks for writers negotiated by Authors League of America and Screen Writers Guild in 1952 . . . year later Television Writers of America defeated Authors League of America and Screen Writers Guild in NLRB election to determine national bargaining rep for writers of live network TV . . . out of such chaos Writers Guild of America was formed in October 1954 . . . Writers Guild, East, and Writers Guild, West, are separate labor organizations, separate but affiliated . . . constitutions are interlocking . . . all negotiations are done on national basis . . . contract demands are approved by both coasts . . . TV film negotiations are on West Coast with writers from East sitting in . . . procedure is reversed for negotiations in live TV . . . where member lives determines membership . . . automatic transfer provision covers members who move . . . WGAE, some 1,500 strong, basically has jurisdiction over freelance news and continuity writers at three networks . . . WGAW unmistakably is bigger of two . . . it has staff of 36, three times size on East Coast . . . current membership totals more than 2,500 . . . breakdown shows 1,229 active, 808 associate members, 517 inactive . . . as of Sept. 1, 646 of active members work in TV as compared with 144 in theatrical motion pictures . . . WGA

requires that anybody employed in writing for television beyond 30 days must join . . . has contracts in live and film TV with three networks and with just about every TV and theatrical film producer . . . guild struck three networks and film producers for 22 weeks in 1960 . . . at issue was residual patterns for post '48 theatrical films sold to TV . . . out of that strike came six-year agreement . . . new three-year contract signed with producers last year just in time to avert strike . . . new deal, estimated to eventually cost management more than \$7 million, called for return to conventional residual plan instead of royalty-type plan writers had won in 1960 strike . . . obviously residuals are key thing with this union that lives by written word . . . look at WGAW's latest financial statement shows why . . . as of Oct. 12, this guild had collected \$2,050,325 in domestic residuals for year, \$205,669 in foreign residuals, \$991,854 from its royalty plan and \$460,835 from motion pictures sold to TV . . . WGAW is cinch to break its peak residual total of more than \$3.3 million established in 1964 . . . chances are good that it may top \$4 million in residuals . . . WGAE is headed by Evelyn F. Burkey, executive director . . . former economics teacher, she's described as "mother hen" to her member-writers . . . Michael H. Franklin, 43-year-old former Paramount Pictures lawyer, is executive director of WGAW . . . perfectly cast for role, he's a quick and sharp and smooth labor executive.



SCREEN CARTOONISTS GUILD . . . one of two film cartoonists unions . . . other is Motion Picture Screen Cartoonists, with local 839 in Hollywood, local 841 in New York and local 732 in Chicago . . . these all are part of International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the U.S. and Canada (to be covered in subsequent article) . . . SCG, independent and located in tiny two-room office in Hollywood, has seen better days . . . was chartered as local 852 of Brotherhood of Painters, Paperhangers and Interior Decorators in 1937 (Herbert Sorrell, perhaps most controversial labor leader ever in Hollywood and at that time head of Painters' local 644, was guiding light) . . . signed contract with MGM in 1940 . . . maybe was first time noncompany cartoonist's union was recognized as bargaining rep . . . in one of West Coast's bitterest labor disputes, struck Walt Disney studio in May 1941 . . . some three months later SCG was recognized as bargaining agent, ending holdout of last major studio . . . members supposedly complained that they had nothing in common with painters and paperhangers so dropped out of Painters' International . . . over years lost jurisdictional elections at major studios to IATSE locals, which now hold sway at such giants as Disney, Hanna-Barbera and MGM . . . SCG has about 200 members, far less than IATSE locals . . . included are directors, animators, assistant animators, background and layout

people, inkers and painters . . . about two-thirds classified as talent, rest craftsmen . . . nearly all work in television in one form or another and are essentially freelance help . . . not so with IATSE cartoonists, who are mostly staff people . . . SCG has contracts with about dozen producers including Jay Ward Productions, Quartet Films, Pelican Films of California, Cascade Pictures and Bill Melendez Productions ("Peanuts") . . . there has been persistent talk about merger with IATSE . . . way things are now, SCG people must join rival union—pay dual dues—if they want to work at major studio . . . merger may be imminent . . . but SCG is fearful of being swallowed, losing voice . . . feels it has negotiated better contract even though independent . . . officials claim assistant animator with them, for example, gets \$184 a week and only \$160 a week under IATSE contract . . . but fringe benefits apparently are better with bigger union . . . nobody in field is getting effective residuals . . . SCG people joke that guy who only says "woof" in dog cartoon gets residuals, while they get nothing but blisters . . . fight for residuals and negotiations with networks may be ahead in future if—as unlikely as it now seems—somehow more strength can be mustered . . . Xerography, in other words automation, is growing problem . . . attorney Douglas Smithers, business agent, and female assistant are entire paid staff . . . assistant animator Selby Daley, formerly at Disney, is president.

creasing number of AFTRA members, mostly newsmen, crossed the NABET lines and returned to work in defiance of orders. The pressure from within mounted until last month when AFTRA, in a move that must have sickened its leadership, withdrew its support of the NABET strike. This surrender has left the actor's federation shaken, its prestige at an all-time low—and faced with the delicate and potentially destructive problem of disciplining its disobedient members.

Why the emphasis on SAG and AFTRA? Any way you cut it, they're the two biggest slices in the talent-union loaf. Oddly, they are both native to other media, only movers in television through naturalization.

AFTRA drew its strength from radio, SAG from motion pictures. Both were long predated by the musicians who organized nationally as the National League of Musicians of the United States in 1886. When the NLM decided not to affiliate with then 15-year-old American Federation of Labor, dissidents, encouraged by Samuel Gompers, formed the American Federation of Musicians in 1896.

By 1919, both talent and unionism were gaining recognition. Actors' Equity Association, a hard-won battle with Broadway theater managers behind it, was the dominant union in the theatrical business. An AFL charter for entertainers of the public in the U.S. and Canada, once in the possession of the White Rats (star spelled backward) Actors Union, was then reissued to a newly created organization, the Associated Actors and Artistes of the America (Four A's), then and now a paper organization without centralized power. Chorus Equity and the Hebrew Actors Union were in existence, but it was actually Actors' Equity that ruled the field.

Radio broadcasting was still some months from being introduced by KDKA Pittsburgh, but some Hollywood actors already were unionized and belonged to the Screen Actors of America. Bit players were members of the Motion Picture Players Union. From 1921 through 1929, Equity tried to organize the screen actors under its jurisdiction with little success. Failing to bring off a strike in 1929 by its members who had migrated to Hollywood, Equity withdrew from the field.

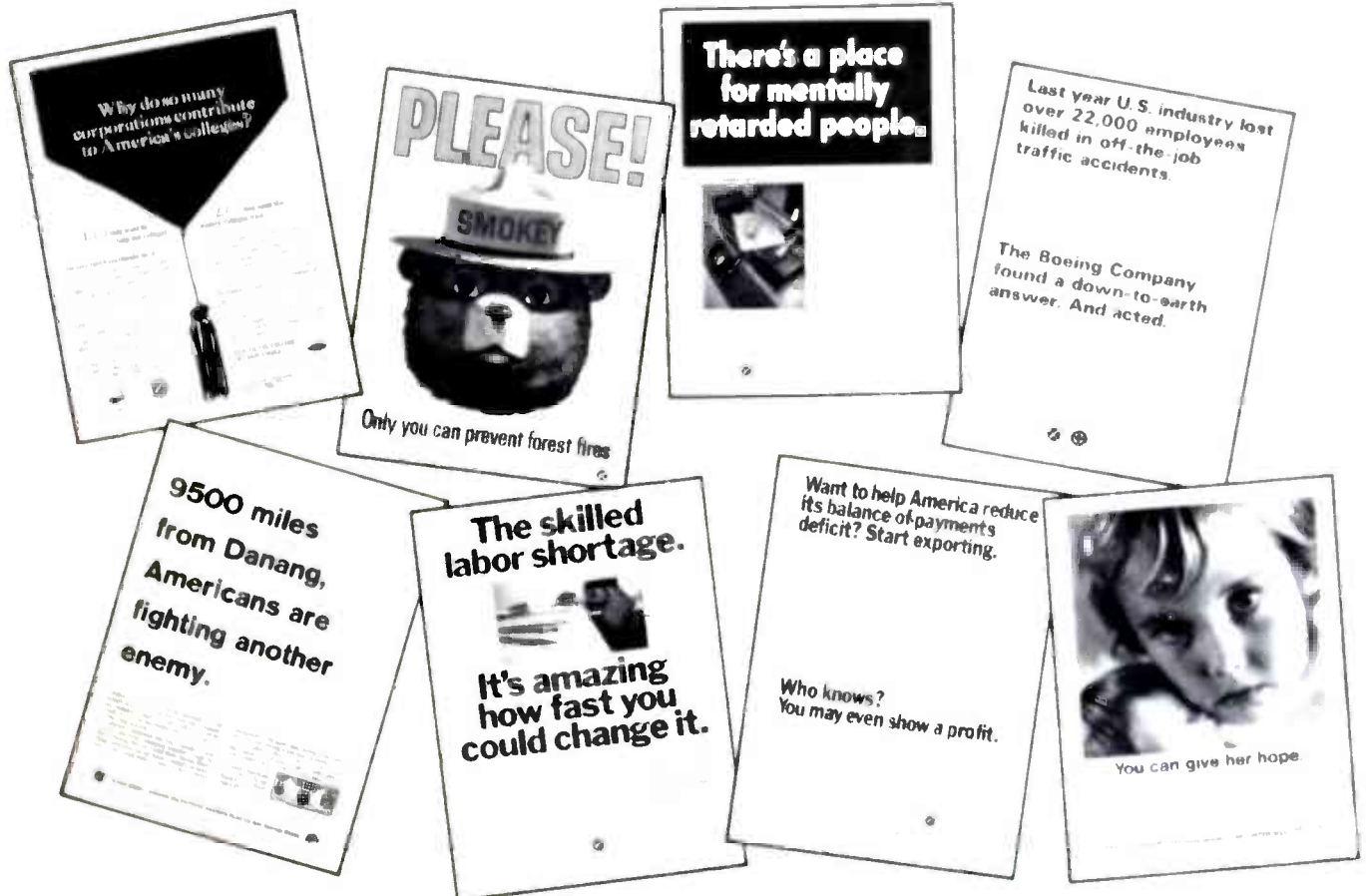
In the next few years, new talent organizations came into existence. They filled a definite need. If there

*Continued on page 70*



# "What good does advertising do?"

## Advertising Sells Good Works (as well as goods and services)



Have you noticed how often, when an important public cause is at stake, people turn to a good salesman for leadership? Successful businessmen have given uncountable man-hours to America's schools, churches and charities, and have led in solving major national problems. For its part, advertising—good salesman that it is—has provided the means to communicate such causes to the American people.

For 25 years ads like these have been prepared by advertising agencies who volunteer their services. Radio and television give time on the air; space is donated by newspapers and magazines. Last year alone, for example, business publications like this one gave more than a million dollars' worth of space in the public interest through The Advertising Council of which the American business press is a part.



25 years of advertising contributed for the public good

## NEW AGENCIES

from page 32

neered with a whole new creative point of view—specifically, that you should treat people as adults and talk to them as adults. Also, that the artistic is the most important element in persuasion."

Bernbach thinks that "as products equate, that is as manufacturers turn out essentially similar products, and as management skills even out, the only difference that will matter will be in the look of things." Advertising's job then is to make the consumer believe in a product much like others and this can only be done by what Bernbach calls "artistry."

The writer-executive is somewhat modest about DDB's success and its influence on the business. He thinks that a combination of talent and sound thinking is irresistible and if that combination is put "in the proper soil in which to grow" tremendous work will result. "I respect very much the egos and the dignity of the creative people around here."

### *A few little things*

DDB began its life with Ohrbach's department store and "one or two little things." It is Bernbach's boast that "we have never solicited business in our entire history." In the beginning, he gave up "a lot of money" but thought "I could always get another job."

The feeling at the then-new agency was: "If we run good ads we can attract good advertisers. That's better than fighting like hell for an account. After all, what could be sounder than getting clients on the basis of the work you do?"

DDB got the calls, at one point resigned two accounts that represented approximately 20% of its billings. ("We thought they'd destroy the spirit of this place.") The fashionable phrase at that time was: "Yeah, but will it sell?"

"Well," recalls Bernbach, "we began to sell an awful lot of merchandise, and as we grew, respect for the creative end grew too." Historically speaking, it is worth noting that David Ogilvy had begun what was then a small creative shop but it was to grow in a different direction.

It must have been a blow to Bernbach when George Lois, DDB

art director, and Julian Koenig, copy writer, walked into his office at the beginning of 1960 to announce that they were leaving to set up their own agency, one that would stress creativity.

It was Bernbach's claim (and it's largely true) that he had a group of loyal and dedicated people. ("It's a comfort to them to know the president of the agency is one of them.") But Koenig and Lois had an itch to see if they could make it on their own. In February 1960 they joined with Frederic Papert, who had been with Young & Rubicam, to form a swinging new agency whose work was immediately recognized as superior. They were to receive the ultimate accolade when media-hip, marketing-oriented Procter & Gamble, the toughest of them all, awarded them Salvo, then Cinch, then Dash.

The partners of PKL had started a snowball rolling. Today there are a half-dozen agencies, most with at least one account of substance, whose principals left PKL and started their own shops. And just two months ago, one of PKL's founders and its executive committee vice chairman and first vice president, George Lois, joined with a PKL vice president-management supervisor and a PKL vice president and creative supervisor (copy) to launch still another agency. ("But don't" they plead, "lump us with the others.")

### *Free thinkers*

Is there something wrong at PKL? People who claim to know say there's something right. Says one: "It's the attitude there that encourages independent thinking. The attitude is not: 'Let's not rock the boat.' The attitude is: 'Let's tip it over and see what happens.'"

Papert, board chairman of the publicly owned company, traces things all the way back to the early days of N. W. Ayer when Raymond Rubicam worked there as a copywriter, on to Young & Rubicam itself in the sense that it showed the power of the creative element and to DDB and PKL. "So we played a part, as the earlier agencies did, in encouraging people who have something to say to take a position."

Papert thinks that it's useful to have someone with a business head when starting a new agency. "How do you start?" he asks. "It's easy.

You figure out how much money you've got, what your rent is going to be, how much you've got to have to take home. Then you figure out how long you can last. If you have an account, you multiply its spending by 15% to see what you'll really get.

"When we started, not one of us could add more than three figures. We started out thinking we had a \$300,000 account and found out it was really \$30,000. The first account always promises more than it can deliver."

### *On his own*

In mid-1962, PKL considered, but did not take, the Volvo account. It was on the loose, and PKL account man Carl Ally thought: "Why not me?" Ally opened up shop in July of that year with Volvo and gives PKL credit for his decision. "There's where I got the notion I could do it on my own," Ally says. Within six months he had *Woman's Day*, Bushmill's Irish whisky and by the end of the year a few more.

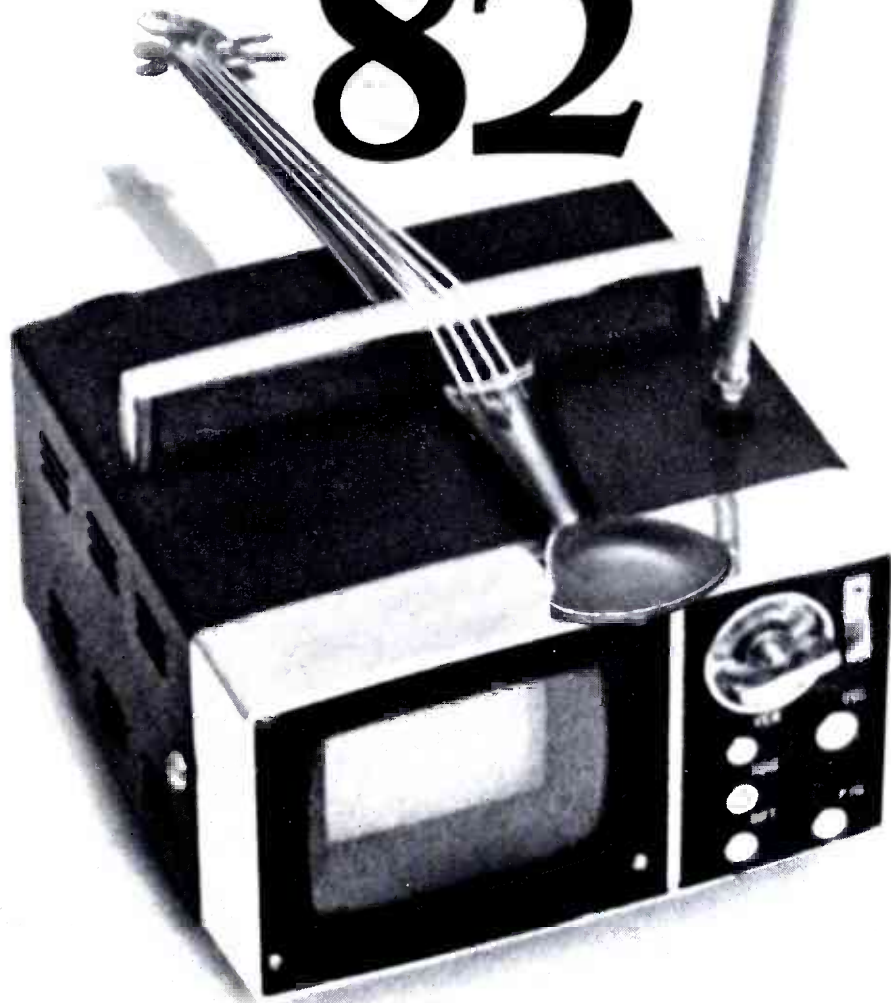
Ally went on to acquire Hertz, Northeast Airlines, several products of the Whitehall Laboratories Division of American Home Products, and others.

Earlier this year, Volvo, which had grown from a \$300,000-a-year account to \$4 million, and whose advertising had been noticed, walked off to a new agency that had been in business a month. ("I just wouldn't be comfortable with that account," says another agency man, "leaving Ally after the job he'd done for them.")


Ally, as a man who started up an agency, developed it, watched it spin off another (Ed McCabe of Scali, McCabe & Sloves, agency for Volvo, is a former Ally vice president and copy group head) was asked if he could explain the phenomenon. He thinks that two things—the increasing sophistication of clients, and the vulnerability of the highly structured large agency—account for it. "Also," he adds, "we were all struggling against the excesses of hack advertising. Credibility had been pushed to the limit."

Ally thinks that client tastes and insights "are so much better that, for a lot of them, the opportunity to do something has reached the point where the product is no longer the thing. They've got to

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## Most original music created for television is licensed through BMI.

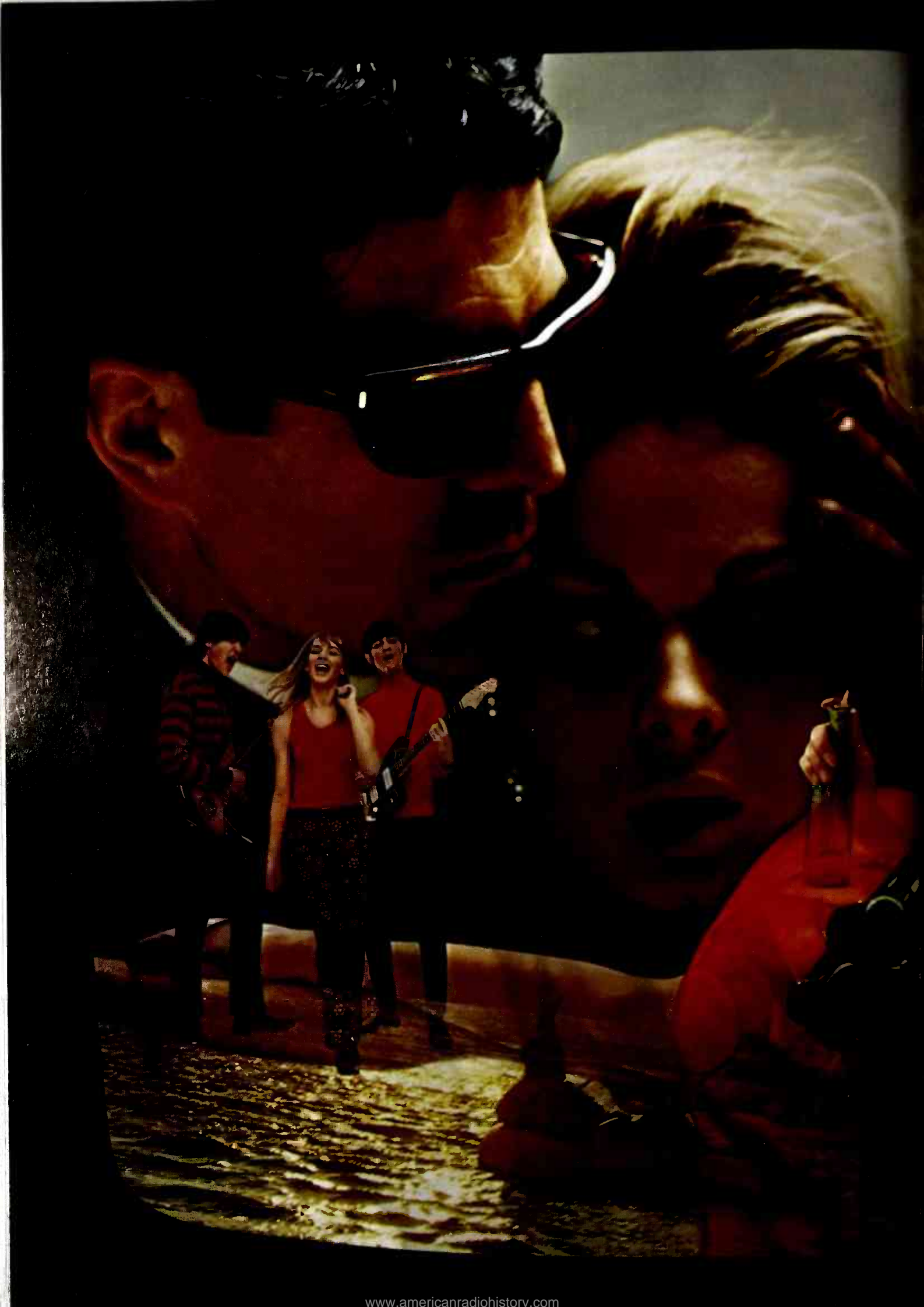
Over half of the 82 prime-time network TV programs of the current season include themes or original music written by BMI affiliated composers. Some of them have both. Further proof of the importance of the BMI repertoire is its increasing use on the 17 additional prime-time variety and feature film programs.  The art of matching music to a

storyline takes highly creative and original talent. BMI is proud that the composers affiliated with it create music that reaches millions of television viewers daily.

*All the worlds of music  
for all of today's audience.*

**BMI**

BROADCAST MUSIC, INC.



A woman with blonde hair is looking through a large telescope. The scene is set against a bright, hazy background, possibly a sunset or sunrise. The woman is wearing a colorful, patterned top. The telescope is mounted on a tripod and is pointed towards the upper right of the frame.

# Are you enjoying Color TV's added attraction?

Color TV is pulling a tremendous audience of well-off, well-educated people back into the living room. And making them pay closer attention to your product. All else equal, their interest pales whenever they see a message in black-and-white. Are you filming your commercials in color? Can you afford not to?

Your producer and laboratory rely on the quality and dependability of Eastman color film systems. And Eastman engineering service is continually working behind the scenes to make sure your commercials are delivered color-perfect.

## **EASTMAN KODAK COMPANY**

Atlanta: 404/GL-7-5211

Chicago: 312/654-0200

Dallas: 214/FL-1-3221

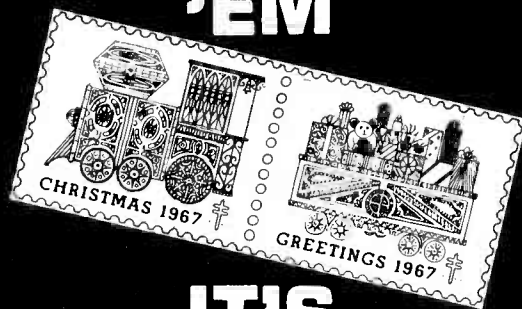
Hollywood: 213/464-6131

New York: 212/MU-7-7080

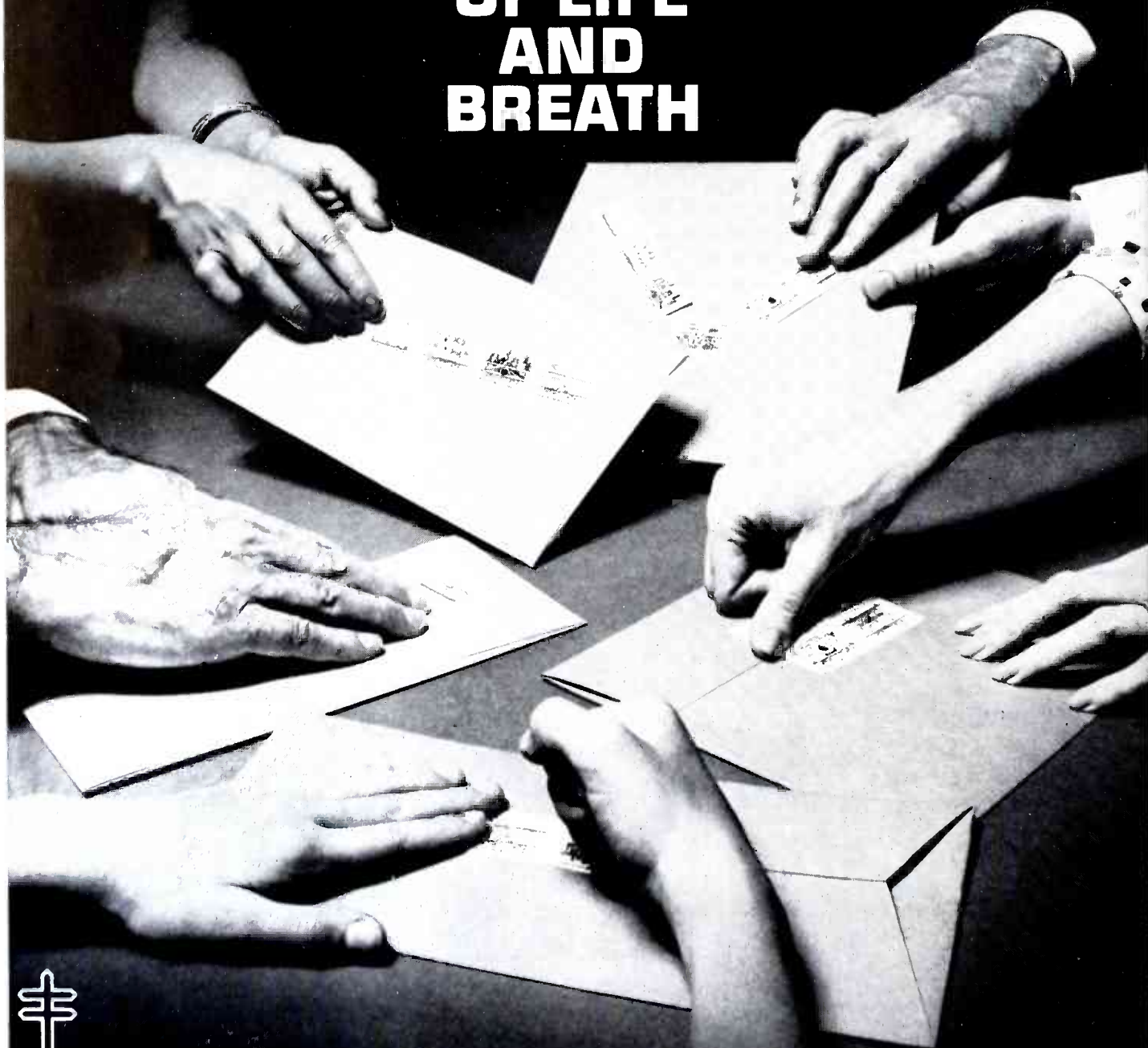
San Francisco: 415/776-6055

**Kodak**  
TRADEMARK

**USE  
'EM**



**IT'S  
A MATTER  
OF LIFE  
AND  
BREATH**



**CHRISTMAS SEALS FIGHT TUBERCULOSIS • EMPHYSEMA • AIR POLLUTION**

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## NEW AGENCIES

from page 50

find the advertisable product. It's not what he's made that counts, but what people *think* he's made. Analgesics, Bufferin, aspirin—the average Hottentot can see they're the same, but that's not evidenced by market shares. It's what people think of the product."

Ally is convinced that "the credibility rap, the indifference rap" can be laid at the doors of advertising agencies, for with a more sophisticated consumer and client, only the agency is to blame. "If people are delighted when they see good advertising, and if the client wants it, why don't they get it? The answer is, there aren't enough good agencies around."

Television is both a problem and a solution for the small agency, Ally says. "If you're new and small you need a budget to do television and if you get a budget it's usually not on a scale with most campaigns. So it's a problem, but if you get a budget, you can go a lot faster."

### Purchase route

Around the time Ally got started, James McCaffrey and David McCall, top executives in what was then known as Ogilvy, Benson & Mather, picked up their chips and bought into the then C. J. LaRoche. McCall had earned a reputation as a copy man at Ogilvy, and McCaffrey had come out of media to a prominent executive position. The agency officially became known as LaRoche, McCaffrey & McCall in January 1966. Although it is not precisely in the tradition of the other new agencies (since its principals bought their way in) the younger creative elements in the business nod respectfully toward it. It is in the tradition of intelligent, tasteful advertising and this year, one of its own went off to help start a new agency.

Meanwhile, Marion Harper, chairman of the Interpublic complex, a man who had come out of research and who had developed a marketing image for McCann-Erickson, established Jack Tinker & Partners as a sort of creative think factory. By July 1964, the Tinker people were in business as an advertising agency—a small one with one big television account: Alka-Seltzer.

In March 1966, Mary Wells, a partner in the Jack Tinker oper-

ation and formerly of DDB, joined with Dick Rich, a creative man at PKL, and Stewart Greene, from Tinker and also formerly of DDB, to form Wells, Rich, Greene. The new agency started with Braniff International, got noticed (Miss Welles and Harding L. Lawrence, president of Braniff has just announced their engagement), acquired the new Benson & Hedges long cigarette and with that famous series of commercials really took off. ("Five years ago, who would *dare* go into the client and say: 'Let's sell the disadvantages of the product?'" asks one still shaken large-agency man.) With some Bristol-Myers business and the recent acquisition of American Motors, Wells, Rich, Green has annual billings of approximately \$70 million.

Probably no other recent event dramatized the possibilities for the truly creative, but astute, advertising man. In 1967, many new agencies were formed:

In March, Chappell, Fiore, Endelman, got underway with the \$4.5 million Clark Oil Co. account. All three principals, representing, copy, art and account work, came out of PKL, as did the account.

In May, Scali, (art man from PKL), McCabe (copy man from Ally) and Sloves (account man from PKL), was launched. Within a month it had Ally's Volvo account.

### \$2-million start

In August, David (management supervisor at PKL) Oksner (copy chief at LaRoche, McCaffrey & McCall) and Mitchneck (creative director at Marschalk), began their operation. Helping to make opening day a happy event was Consolidated Cigar, a \$2-million client that left PKL along with Robert David, president of DO&M.

Then in September, George Lois, founder-partner, top art man of PKL, went off on his own with two other employes, Ron Holland (copy) and Jim Callaway, (account management). They started without a client, picked up Edwards & Hanly, stock broker and nonadvertiser, and using the entire budget this month break with their first television campaign (for the New York area only).

Most of the newer agencies are stressing that they're offering a full advertising service at the very time they're emphasizing their unique creative talents. Bob David of Da-

vid, Oksner & Mitchneck thinks that creative thinking can be applied to media selection. Marvin Sloves of Scali, McCabe & Sloves thinks that the worry that creative people might not have the right business sense is justified. But he says by starting a business you tend to get practical, down to earth and attract that sort of person.

Most of these newer mini-agencies tend to downgrade the "extras" offered by the larger agencies. They point out that most of the larger clients have perfectly competent marketing and research departments, that what they can't very well do are the two things advertising is supposed to do: create the message for whatever medium is appropriate, and place it.

### Client extras

Jim Callaway of Lois Holland Callaway thinks that some day clients will do media as well and find out that all those extra services they were getting from their big agency were "to hide the fact they couldn't do advertising.

"The others are acquired skills." Callaway says. "But what the advertising business is all about is doing advertising. It's the only thing an agency can do for a client the client can't do for himself."

At 35, George Lois is starting from scratch. Because he has made it once, and because he is such a name in the business, partner Callaway wants the agency disassociated from the run of newer small agencies. But Lois knows he's got to earn his reputation all over again and he's eager to do it.

Why start all over again? "Because I wanted to do advertising again." Lois replies. "We got so big we lost the joy of work. I was managing this, Ron was worrying about that, Jim was directing that. We looked at each other one day and said: 'Let's have fun again.'"

It would seem that other people in other agencies will be saying something like that to one another in the near future. That great new-product introduction machine, television, probably guarantees it. More product conflicts are around the corner to make the existence of the small agency happy. And who knows? The mini-agency may stimulate the development of the mini-client. At that point, the vast services of the large agency will be very much needed. **END**



## Out of the Case and On the Air in Six hours



To put a TV color camera chain on the air the day you get it is quite a feat, but KLFY, Lafayette, La., did it. Of course, it was a Norelco 3-Plumbicon\* PC-70 Camera. That made the original setup and checkout easier because the Norelco is inherently simpler than any 4-tube camera.

KLFY has since discovered that everyday setup is likewise fast and simple. Maintenance is low,

reliability is high. And why not? There's one less of everything electronic in the Norelco, and what there is has been designed to give you the sharpest, and the most faithful color picture the state of the art permits.

Check into the PC-70, and very likely you'll soon be checking one out in your studio. Write us or our sales representative, Visual Electronics.

\*Registered trademark for television camera tubes.





*KLFY-TV News Director Don Lastrapes interviewing Mr. Herbert Brown, Chairman of the Board of local advertiser Brown's Thrift City Pharmacies*

**Thomas G. Pears, Gen. Mgr., KLFY, Lafayette, La.:**

**"Although we had done some prewiring, we were amazed at the speed with which we got our new PC-70 chain in operation. It was delivered right on schedule and a factory representative was on hand to help with the installation. The picture is great!"**



<i>Norelco</i>	<b>PHILIPS BROADCAST EQUIPMENT CORP.</b>
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299 Route 17, Paramus, New Jersey 07652

FOCUS ON

# COMMERCIALS

## How Alitalia uses TV to make off-season its in-season

- 1) Voiceover: "Now during Italy's In-Season, fall through spring, is the time to see the real Italy." The opening shot is of a "real" Italian in her warm-weather gear.
- 2) For contrast, the Italian Alps. VO: "Come find out why the world looks to Italy for style."
- 3) Fast cuts and documentary techniques add authenticity.
- 4) Italian style . . .
- 5) includes pretty girls, being watched.
- 6) The commercial sells present day Italy. The plane and service are of secondary importance.
- 7) More "real" Italians.
- 8) VO: "Style. Be a part of it yourself . . ."
- 9) "now during Italy's In-Season, fall through spring."
- 10) The only shot of an aircraft in the whole commercial, pigeon-eye view. VO: "Let Alitalia take you there."
- 11) "See your travel agent and let yourself go."
- 12) The legendary Roman traffic jam with the close: "After all, who knows more about Italy than Alitalia."

Frank Sinatra's Anti-Defamation League and an all-Italian revue at Madison Square Garden could not do for Italy what Gardner Advertising has done in this 60-second commercial for Alitalia. By dispelling some clichés about the country and reinforcing others, the commercial constructs a most appetizing Italy for the prospective tourist.

It's one of four commercials designed to encourage travellers to visit Italy during the "in-season"—or, rather, Alitalia's off season—fall through spring. The selling feature is style, one of Italy's major exports. The commercial makes no mention of historical Italy, but deals exclusively with a modern, sophisticated Italy—the country that makes Ferraris and movies for adult audiences only.

Stan Raiff, advertising director of Alitalia, describes the image—well defined and firmly planted in the American mind—of Italians as fun-loving, pasta-eating folk. "We want to remind people of the sophisticated, chic, smart Italy whose products they are buying by the millions."

The European Travel Commission in conjunction with Gallup and Robinson ran a motivational study on Americans travelling abroad. They concluded that the most important incentive to travel is the wish to meet the authentic European, to see the real Europe. The producers of this commercial at Gardner couched their sales pitch in a documentary technique and made abundant use of closeups, giving the viewer a sense of intimacy with Italy and the Italians. The tag line: "Who knows more about Italy than Alitalia?", assures the self-conscious American tourist that he can avoid the pitfalls of tourism if he hires a native guide like Alitalia.

The days of the grand tour are over. People vacation abroad two and three times in a lifetime, and the foreign airlines stand to benefit. While an American may have harbored suspicions about a foreign airline in the past, the second time around, he is more adventurous. It is this sense of adventure, which is part of travel itself, that Alitalia stresses.

Raiff explains: "We are in a funny industry. It's only recently



that we have defined what we are selling. We are not selling seats on an airplane."

The commercial itself is a departure from the standard airline-commercial format. The closing shot is not of a plane; it is of an Italian. A brief shot of the plane can be caught in mid-commercial, but there is very little Alitalia identification altogether.

Included within the same 60 seconds are views of both sunny beaches and snowy peaks. Not only do the producers plan to please all of the people all of the time, but they hope to point out that Alitalia's "in-season" incorporates a broad weather spectrum.

It's too soon to get a measured reaction on this commercial, but the "in-season" campaign, now in its second year, has registered on the travelling public. Last year Alitalia's traffic during the slow months increased 27%.

This year, this commercial first ran Aug. 21. It will continue into November and, after a four-month hiatus, will reappear in April to run through May.

The production company was Elliot, Unger & Elliot-Screen Gems, and the music was created by Mark Brown Associates. The production costs for the television campaign totalled \$100,000. The supervisor of the Alitalia account at Gardner is Tom Pelligrino; the producer of this commercial, Dave Parlour. George Wright is the copywriter.

All the commercials in the campaign deal with subjects Alitalia feels are indigenous to Italy. Apart from "Style", there are commercials on "Music" and "Love." A fourth, the "Gateway" spot, emphasizes Rome as a jumping-off point for the Mediterranean countries.

In addition to corresponding radio and print campaigns, an elaborate promotional project that includes tours and special discounts is in the works.

The Alitalia tourist can visit a yacht club in Sardinia or a film studio in Rome. Italian wineries and craft shops have agreed to special hospitality programs. More than 500 shops and boutiques offer discounts of from 5% to 20%, and hotels and restaurants also plan special services. In a tie-in with her next film, Sophia Loren has been named official hostess for Alitalia's "in-season." Raiff comments: "Sophia embodies for us the most beautiful Italy. We couldn't have a lovelier hostess. And I mean literally embodies." END

### Third of a series: A funny thing happened on the way to answer print

By Granger Tripp

There came a pause in the copy, a punch line, a musical button, and the commercial ended. The lights in the screening room came on. An uneasy silence lasted until the account executive turned in his chair to look inquiringly at the client.

"Okay, let's run it."

The group relaxed. Murmurs of agreement and congratulation surrounded the inevitable: "Of course, it's only an answer print. When you see corrected color . . ."

The writer filed out with the rest of the group, wondering why he was unhappy. The commercial was good; nobody complained.

Still, he was unhappy. The commercial was good; it could have been great. It had been approved; it could have been cheered. What had gone wrong?

The writer tried to remember that other commercial: the one he had seen in his mind, back when it all began. Whatever happened to that one? To be sure, there were elements of his original idea in the film he had just seen. No one had rejected his script; in fact, it had been enthusiastically received. But somehow, somewhere, a little had been added, subtracted, altered. The result?

"Who knows? Maybe this is better," he thought. "Just the same, it would have been great to see it on the screen the way I saw it in my head. A funny thing," he sighed. "A funny thing happened on my way to the answer print!"

Chances are every writer, producer, or art director who regularly creates TV commercials has suffered the nagging pains of the lost idea, the modified concept, the "improved" commercial.

Sometimes, to be sure, the result really is an improvement, and the commercial-maker can only be quietly grateful. Sometimes the result is disaster, and then it's hard to be quietly anything.

What can you do to give your idea a fighting chance to survive all the way from typewriter to tube? It's a long and rocky road under the best of circumstances. How can you send your brain child into the world with the breaks it deserves?

It has been said that the best way to achieve old age is to choose

*Tripp is VP-creative supervisor at J. Walter Thompson, New York.*

one's parents very carefully. So, too, in the world of TV commercials: The first step is to be lucky in your choice of account team and client.

I remember one of the first client screenings I ever attended. I sat in the back of the room as some Aluminium Limited commercials for the *Omnibus* program were screened for a group of executives that included Edwin J. Mejia, a director of that corporation and the most highly placed executive I had ever seen. "I would like to suggest a change," he said, politely, "but only on condition that it will not interfere with the rhythm of the writer's prose." I was ready to be his slave for life!

But even with the ablest of account men and the most considerate of clients, the main responsibility for the survival of your idea is your own.

A good way to begin is to make sure everyone understands exactly what it is you hope to achieve. Before people get involved in the details of video and audio, tell them in a paragraph or two just what the goal is, and how you intend to get there. Obvious? Of course. But it's amazing how often a script is misunderstood from the start for lack of a simple statement of purpose.

Of course the writer assumes he will be present at all important discussions of his commercial. But in spite of the best procedures and intentions, it doesn't always happen that way. Your script should speak for itself, so even if you're suddenly transferred to the Moscow office, it can stand on its own while you're gone.

Often, the writer will be present while the commercial is shot. But if he is not, his statement of purpose and a clear understanding by all concerned can mean the difference between success and disaster.

I remember a commercial, several years ago, in which the principal actress was required to dive into a swimming pool. On location, some miles from Hollywood, this scene was photographed first. She dove too deep, scraped her face on the pool, and ruined her appearance for the rest of the day. No substitute was available, and there stood the agency producer, production crew, director and equipment with a script and storyboard that had suddenly become useless.

Fortunately, because the producer and director understood the objectives clearly, they were able to improvise a new situation, using

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## A TELEVISION ENCOUNTER

### IS THERE A NEED FOR A FEDERATION OF TV TRADE ASSOCIATIONS?



WILLARD SCHROEDER  
*vice president and general manager, WOOD-AM-FM-TV  
Grand Rapids, Mich., and former board chairman of  
the National Association of Broadcasters*

If it were possible to plan the broadcasting industry from scratch, it's almost certain one of the features would be fewer trade associations; or, an alternative, a federation of trade associations.

But it isn't possible. Any consideration of the merits of our trade associations, or how to improve their value to broadcasters, must begin with the whole schmier as it now exists.

No reasonably informed person will deny that the total thrust of trade associations involves a lot of wheel spinning and duplication of effort. But, before getting too critical of these failings, it might be constructive to itemize the major reasons associations exist—both declared and actual.

First, of course, is the lobbying role: complex, multilevelled, crucial to our health and existence as a government-regulated industry.

Second: promotion of our value to advertisers.

Third: public relations—promotion of our value to our audience.

Fourth: product improvement and development—technically, in programing and administration (station operation).

These are the reasons that are formalized in association charters or constitutions; that are given to our directors and/or stockholders as the basis for our financial support.

But there are, I think, some other, more human, unexpressed reasons why broadcasting associations are created, thrive and proliferate. Broadcasting executives are predominantly joiners—not loners. They work better as part of a team; they are happier when they're with others and they feel most comfortable about a decision reflecting a consensus. If this observation seems to be derogatory, it isn't meant to be. These same guys are obviously involved in the communities where they live and the industry in which they work. And they have opinions, which they're seldom shy about voicing.

Being the breed of cats we are, it's natural for us to form an association whenever we have a problem that seems to be common to more than one station.

Once the association is formed, it may or may not fulfill its original purpose. Regardless, many of us learn that involvement in the affairs of the association feeds our ego. We like being on committees, being president or chairman, making speeches that are quoted in the trade press. Ultimately, perhaps unconsciously, we become champions of the association—good or bad. Consequently, once born, associations seldom die.

When an association becomes a going concern it usually has, of course, a paid, professional staff. The staff is responsible to elected officers and directors who are constantly changing. The turnover inevitably generates a variety of views on what jobs the association should do and how it should do them. This kind of environment can generate projects that are quite different from the original purpose of the association.

Meanwhile, another problem or two comes along and becomes

*Continued on page 65*

Remember when the pastime of painting pictures using kits with little numbers on them was popular? I've heard about the man who saw this popularity, noted that football was also gaining in popularity and so had the bright idea of combining the two to create a masterpiece: pictures (by the numbers, of course) of football players. Result: a bomb. Artists didn't like football; football fans didn't want to paint.

Putting together two popular or successful enterprises to create a federation would be the same thing; people supporting one to do what it was created to do might very well not be interested in supporting the functions of the other, no matter how successful the other was among its supporters. Combine them, and no one is happy with the results.

The all-purpose working tool is a great idea. But if you've ever used one of those Swiss jackknives with its blades, screw driver, hammer, saw, etc., you know it just doesn't work, and you probably got a cut finger to prove it.

When you create something to do something, it can do it better than when it's got a dozen jobs to do and tries to do them all. The age of the specialist is with us—in engineering, medicine and in television. When too many specialists get together you don't create a superspecialist, you get a Swiss jackknife. And you can't paint pictures of football players with it either.

The Television Bureau of Advertising was created 13 years ago to answer one of the new industry's needs for greater strength as a competitive medium of advertising.

In fulfilling this function as a link between its members and the nation's advertisers, the bureau also works with many other industry groups for the good of advertising in general and television specifically.

Station management, especially, must look at the number of individual associations its staff participates in and question the need for all or any. Not only are dollars involved, but manpower is needed to attend to the dissemination of the information from the association, or physical participation in committee work within the group.

The involvement of people in an industry as large as TV today will grow. The TV owner must realize that he is as conspicuous as all of advertising in the public's mind. Who takes the time to answer pressure groups, alert local associations such as wholesalers and buyers to the ever-changing manner of doing business within TV, etc., etc.? Most important, who can put full time against the competitive nature of the market place from other media better than the TV sales organization of TVB?

If there ever was the day when billings came in through the transom, it has long since disappeared. As other media have refashioned their selling practices and prices, mostly aimed at TV, TV itself needs more effort to protect not only the advertiser's dollars now invested, but to attract new adver-

*Continued on page 65*

NORMAN E. (PETE) CASH  
president, Television Bureau of Advertising,  
New York



A  
**TELEVISION**  
SPECIAL

❖  
WHAT FAMOUS PEOPLE MAY HAVE SAID  
ABOUT THE NEW SEASON  
❖

DIALOGUE BY GERALD GARDNER



## ST. JOAN

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technology has come to a point now that makes it a true and practical compromise between preservation of live theater and motion-pictures. As educators talk more and more of future classroom use of such things as CBS Laboratories' EVR video playback device, taped theatrical presentations for them probably can be expected to take a form similar to that of the present highly developed videotape drama represented by "St. Joan."

The "St. Joan" adaptation is the first two-hour television special done by *Hallmark Hall of Fame*, and its producer-director, George Schaefer, since the 1960 Judith Anderson-Maurice Evans "Macbeth" that won five Emmy awards. "St. Joan" is most similar. At the same time, it illustrates the important differences that have taken place in this sort of production in only seven years.

"Macbeth" was shot on film in England for television at a cost reported to be close to \$500,000. It was seen for the first time by slightly under 13 million people from 6 to 8 p.m. on Nov. 30, 1960, on

NBC-TV. As a film project, "Macbeth" was in production seven weeks. On tape, "St. Joan" took less than four weeks. Postproduction—editing, mixing, adding the soundtrack—took another four weeks on "Macbeth." "St. Joan" took four days.

While Schaefer's Compass Productions is firmly close-mouthed about cost figures, the producer-director estimates that production expenses of "St. Joan" run only "somewhere between one-third and one-half of 'Macbeth.'"

Schaefer says: "Except for some Scottish scenery in 'Macbeth,' I don't think the audience will ever notice the difference [in production values] between them. And I don't think anyone ever will suspect 'Joan' was shot in two very modest studios."

A Videotape Center executive estimates that as a film, "a production such as this would run into the millions." Robert Hartung, co-producer of "St. Joan" and the adaptor of its television version, says: "It couldn't conceivably have been done as a film because of the prohibitive cost."

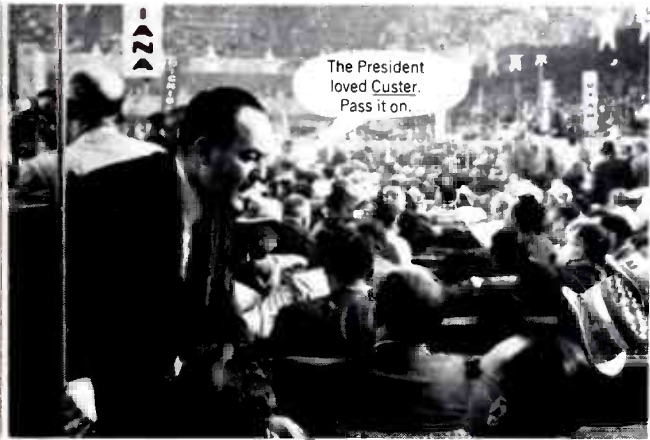
On the difference between filming a "Macbeth" and taping a

"St. Joan," Schaefer says: "I was ready to give up tape two-and-a-half-years ago. You were in a very difficult position then. With all the movies on television, audiences had got to expect production values you just couldn't get with live television—long shots, tricky intercutting."

Tape provided some answers. "But you got very disgusted with it in postproduction," Schaefer says. "You couldn't work with it, couldn't cut, couldn't get the sound matched properly. It jumped and was jumbled. Now with high-band editing, that's solved. And you have advantages you don't get in film. The actors are able to play whole scenes uninterrupted, so you get the tempo and music of a whole performance as though you're in the theater," which is nearly impossible to do on film. At the same time, Schaefer adds:

"You can take the whole scene—wide shots, long shots—without interrupting anyone and then mix them almost as film, so you can get an effective flow of the visual things.

"And you can do it at a much more accelerated pace. I can see



what I'm putting together immediately. We play back the splices as fast as they're made before transferring them to the master. On film, you cut it and then say: 'We'll come back tomorrow and see how it turned out'."

On the dramatic level, not only is there the fact that a performance such as this, if done as a stage piece, would leave behind no preservable copy of the performance once the final curtain came down. But it probably could never have been assembled at all. There were some 120 people involved in the production of "St. Joan," including wardrobers, cameramen and stage hands. Of this number 52 were performers: 22, principals, and 30, extras.

Among the leads are Theodore Bikel, William Hickey, Miss Bujold, Leo Genn, Roddy McDowall, James Daly, George Rose, Maurice Evans and Raymond Massey. Rarely were more than two or three of the principals on the set at the same time.

This sort of television is one of the few artistic mediums, perhaps the only one, capable of lending itself to the complex logistics of assembling a schedule compatible

with the scattered and expensive jet-age wanderings of popular performers.

"St. Joan" was taped over a period of one week at the Videotape Center, less than a block from New York's Lincoln Center performing arts complex. Some of the production company flew in from California. Agency people (Foote, Cone & Belding) were in from Chicago.

Bikel, who plays Robert de Baudricourt, had a concert schedule that had to be worked around. His scenes were shot early and he was back on the road when the main portion of the show was being taped.

Genn, playing a major part as the Archbishop of Rheims, took one week off from doing a stage performance of "Dr. Jekyll and Mr. Hyde" in Toronto.

Evans had a one-week break from the filming of the movie "Rosemarie's Baby" for the key role of Peter Cauchon, Bishop of Beauvais.

McDowall shot his sequence as the dauphin at mid-week . . . and so on through the cast.

A production assistant from Compass, says: "We started with dates. It was a little easier than

most plays because few people were in more than two scenes. So we could break them down and work around their individual schedules."

As a *Hallmark Hall of Fame* production, the show had an easier time than some might in persuading busy actors to bend their schedules for a television appearance. The reputation of the show among performers is such that it also accounts in part, for the low cost of making such a major production.

All the actors were paid a flat, and surprisingly low, fee for their performances. The stars got \$5,000 each. A cast member comments: "Theodore Bikel . . . didn't have to do much, but he got the same as Maurice Evans. For money, \$5,000 normally wouldn't even be worth considering for the work that Genevieve ('St. Joan') had to put in."

Why, then, did they do it? Answers one cast member: "When you do a *Hall of Fame*, you're a star." He pointed out that for Miss Bujold—(previously known in this country only to film buffs for a feature part in the French picture "La Guerre Est Finie,") it means that literally overnight she will have gained star status with an

## ST. JOAN

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audience of millions—a dramatic break that no actor could hope for on stage.

An aspiring young actor, who supports himself working as a Greenwich Village bartender between roles, says that as a spear-carrier, he got paid the flat secondary-player's fee of \$500 for the show. "I had to take off work six days to do it," he adds. "I figure altogether it cost me to be in the show. I was crazy to do it, but I did it to work with that kind of actors, and because it gives you exposure and prestige."

To turn the stage "St. Joan" into a television "St. Joan" the first problem is adaptation of the play, itself. Says Hartung: "There is only one big problem: editing out an hour and a half of material."

That was a task that would have enraged Shaw, who vehemently rebuffed all attempts to persuade him to allow cuts in "St. Joan" during his lifetime. It would have pleased early critics, however. A New York newspaper review covering the play's world premiere called it "interminable rag chewing that cries out for blue pencil." Frustrated producers, such as Theater Guild founder Lawrence Langer, who predicted that only after Shaw was dead could the play be whittled to a more tractable length, would have felt justified.

### No rewriting

Adaptor Hartung notes: "It is a very verbal play that lends itself so well to the camera. You don't dare tamper with Mr. Shaw's wonderful dialogue. There was no rewriting." (The Society of Authors in London, which by Shaw's will still exercises control over his work, had to pass on the adaptation.)

"I constantly kept in mind what Shaw was trying to say with his stage characters, but say it in television terms," Hartung adds.

"On the stage, when Shaw wanted to plant an idea it may have had to be said three or four times to come across. I can say it in one close-up and it registers. Pruning out this exposition is where I picked up most of my time.

"The great Shavian wit is effortlessly preserved because the whole concept is to get close to the actors, see them, and watch them as they deliver their marvelous lines. They

don't have to project to the third balcony. That's the intimacy of television. All you have to see is a character utter one line. The show is all in medium and close shots. There are very few group shots."

One of television's fortunate capacities for technical enhancement is illustrated in "Saint Joan." "The epilogue works marvelously," says Hartung, "better than in the play, in fact, because it lends itself beautifully to being done electronically. It doesn't seem to be an epilogue, but flows right from the show as a dream sequence. On the stage, the curtain came down on the last act, then it went up again on something that was supposed to be 25 years later in King Charles's bedroom. It was like you'd already had Joan and then you got her again."

### Electronic execution

Ten sets were used in "St. Joan." There are only two exteriors: the river bank at Loire and the execution scene at Rouen, plus some background as seen through a tent flap at the English battlefield encampment near Orleans. All were shot at Videotape Center, using such standard studio devices as water trays, landscaped platforms and wind machines. The execution scene was also done electronically, as a montage sequence with Joan, flames, peasants, chaplain and the soldier who offers her a cross, all overlapping in slow dissolves.

Physical production started with group rehearsals in the ballroom of an upper West Side hotel on Sunday, Sept. 17. The script was broken into scenes that averaged takes of about 18 pages each, usually somewhere between 10 minutes and 15 minutes of playing time.

After three days of individual run-throughs, there was a first technical conference on Wednesday the 20th. The first nonstop run-throughs were held Thursday, the 21st, followed by personal notes to each member of the cast on performance details. It was during this period that Schaefer worked out individual problems of setting the kind of performance he wanted from each player.

"In terms of dealing with actors for television," he says, "you've got to use a technique very different. You must make them play to each other rather than to the audience."

After another day of playing scenes, a weekend was devoted

to technical conferences, run-throughs with cameramen, make-up and wardrobing. By Sunday, when the first cast members moved into the Videotape Center for on-camera blocking, Schaefer was done with virtually all acting direction and concentrated on composition of shots as they appear on the screen. By this time, Schaefer states: "I've given everything I can to them. All they have to do is hold it. Maybe I'll occasionally have little pep talks with them, but that's all."

Action blocking and shooting alternated between studios A and C of the three-studio center, so that technicians were setting up in one area as the cast was performing in the other. "The biggest problem," a production assistant comments, "is to schedule ahead of the actors by having everything ready as we move back and forth between sets so we would be ready to tape without any waste time or motion."

Sections were shot, on an average, with one three-hour session of on-camera blocking and stop-and-go run-throughs, followed by one full-dress rehearsal, followed by 60 minutes to 90 minutes of taping. On two evenings, including the last, shooting ran until almost midnight.

### The trial scene

The show's biggest single scene, the trial at Rouen, was filmed on the final night, Friday, the 29th. Following last-minute blocking shifts and run-throughs in the morning, the play went through a final full-dress rehearsal and two uninterrupted taping sessions from which the best parts of each were to be cut and used in the finished print, along with a couple of separately set-up and taped entrance and exit shots.

Schaefer did one thing somewhat unusual: He taped the final dress rehearsal without telling any of the cast, simply because during the morning run-throughs he could tell "Genevieve (Joan) was ready to act. She wanted to get going, and she was so bottled up she gave her best performance in the final run-through. Technically it is bad because we were still having trouble with some of the camera handling of shots, but she was marvelous. I can use a great deal of it."

In all, from the players' two straight-through runnings of the



scene and the final rehearsal footage, Schaefer will compile a single composite half-hour performance made up of some 125 splices. The finished package, except for the postproduction work, was brought in a little after 11 p.m., about five hours past the tentatively scheduled wrap-up.

In such an expensive and complex medium, a craftsman's efficiency counts as much as artistic inspiration. Says a cast member: "He did it in under three weeks and for only a little over \$100,000—and that's the name of the game, baby."

While contemporary television technology makes possible such accomplishments, there are undeniable limitations, too.

The logistics of shooting would have been considerably simplified, and the comforts enhanced, if "St. Joan" had been made in NBC's huge Brooklyn studio, which offers almost a full block of open sound stage. But because the National Association of Broadcast Employees and Technicians had threatened a

strike against NBC that could have fallen just at the start of shooting, the production was of necessity wedged into the two 70-by-55-foot studios of the much smaller, privately owned (3M Co. and MGM) Videotape Center.

Most of the center's bread-and-butter work is tied up in production of television commercials (for which the third, central, studio was kept open and in use on commercials throughout the shooting of "St. Joan"). Thus, as Joan delivered her famous "light your fires" speech in studio A, less than 100 feet away in studio B other cameras were taping a commercial for "Hip-Hose, the panty hose that trims you like a girdle..."

Other drawbacks in taping such a dramatic work: for film copies, to be shown in classrooms or at clubs where tape playback equipment may not be available, 16mm film transfers can be made with reasonable fidelity. But any 35mm commercial-quality blowups still are out of range of present tape tech-

nology. (Sharp resolution of the images is lost as the picture blurs out in diffusion with the blowups and high-intensity light needed for long throws.) And there is the even more prohibitive problem of union restrictions against it, about which Schaefer is vocal.

"The film of 'Macbeth' still is playing schools and art houses," he says. "But you'll never be able to do that with tape until the unions take their heads out of the sand and change attitudes. Even if you get the rights to a piece of tape like this, you can't afford to do anything with it. Only a major network has the money to pay everyone involved residuals that are required every time you show it. So you end up with cans of tape just sitting on the shelf."

Yet, at least, "St. Joan" will be on a shelf someplace for whatever study future generations might want to make of a major mid 20th-century dramatic presentation. Without the tape it might not even exist to be shelved. END

## ENCOUNTER: SCHROEDER

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the concern of some other broadcasters who are not actively involved in the affairs of the first association. And the all-too-frequent solution is the formation of another association—and so on.

Maybe we really like it this way and shouldn't fuss with the status quo. After all, it gives us lots of conventions to go to (some of them in un-spartan surroundings), lots of chances to be on committees and make speeches, lots of chances to fraternize with a pretty nice bunch of fellows.

But if we take the whole association establishment at all seriously, it seems to me that some kind of interassociation communication and authority is highly desirable. The four basic functions of broadcasting associations listed earlier in this article is, at best, an unprecise categorizing.

Item: A Television Information Office financed Elmo Roper study on viewing habits and attitudes is not only useful in promoting good public relations. It has obvious values in our relations with advertisers and government and is an aid in local television programming decisions.

Item: The TV and radio codes

organized and administered by the National Association of Broadcasters are of value in our relations with the public, government and advertisers.

Item: The Radio Television News Directors Association's efforts to liberalize or eliminate the FCC's fairness doctrine serves us well in our relations with government, the public and our advertisers.

No one association can serve the many segments of broadcasting. And, if it could, the Big Brother implications scare me. But as many associations have proliferated, one has frequently lost contact with another in its respective effort to consolidate its position in the industry. At this juncture, I recommend some kind of council of associations—with representation from all participating—to at least check out major projects. In some instances it will be disclosed that the job has already been done or is being done by someone else.

With this kind of communication, I hope we might get more results for less money and effort. And it might slow down the population explosion of associations. And whaddayaknow, it'll give us another chance to have a meeting. How about Pebble Beach, or Maona Kea or Dorado Beach or \_\_\_\_\_?  
END

## ENCOUNTER: CASH

from page 61

tisers. To meet competition today we must have more informational data than ever before. It must be organized, promoted and used for the benefit of the advertiser's media dollars.

"Everybody's business is nobody's business", as the old saw goes, and also from the viewpoint of the selling medium. The bureau's point of view is that it finds itself out-staffed by other media five to one, out-budgeted three to one by one competitor, and five to one by all. It is obvious that protection of the income flow of dollars demands a vertical group like TVB.

The management of the bureau fully realizes that though the bureau is unlettered by involvements with other groups, its position can change. This makes us run a little faster and a little more astutely each working day. Fortunately, for the past 13 years the ever-increasing levels of advertiser investments in TV, to the envy of all other media, have apparently made our efforts successful.

A federation would only slow down the administrative and policy-making function. It's no time to confuse those at the throttle of concept, direction and action. END

## SHERIFF WHO?

from page 39

lines illustrating the basic show idea.

I was entranced by the concept because it was different, it was new, but most importantly, because it could be a very funny and freshly entertaining television show.

Larry Cohen wanted to write it, but I pointed out to him that he really wasn't a comedy writer and that he should allow me to find a writer or writers who were wild enough to write this kind of material. He agreed, and I immediately thought of Jerry Belson and Garry Marshall, who were the fellows I worked with very closely on an ill-fated series titled *Hey, Landlord*. They had written approximately 20 episodes of the *Dick Van Dyke Show*, for which they won the Writers Guild best writing award, and they were just zany enough to give the right touch.

So, we closed the deal with Larry Cohen and Curtis Sanders for the purchase of a property titled *Sheriff of Nottingham*.

We paid them \$5,000 and a royalty of \$2,000 per original episode.

As soon as the deal was consummated, I picked up the phone and made a date for lunch with Belson and Marshall. Now, I had to convince them to write the pilot script.

### *New title and locale*

We had lunch, I told them the idea and they literally "flipped," their facile minds already starting to work. They didn't like the title and added new ideas with the speed of lightning. By the time I got back to my office, and they to theirs, they called and said they wanted to change the title of the show, with my approval, to *Sheriff Who?*, which I thought was a great title, and they also wanted to change the name of the town to Blood, Tex.

Obviously, they were agreeing to write the pilot and the second stage was underway. Belson and Marshall received \$15,000 to write the pilot script (plus a bonus of \$2,500 if the series sold) plus 10% ownership, plus \$1,250 per episode as script consultants.

At this point, I picked up the phone to set up a meeting with Mort Werner, vice president in charge of programming, NBC, and Grant Tinker who was then in charge of NBC West Coast programming. I met with Werner and

Tinker, told them the idea and gave them a copy of the revised presentation that Belson and Marshall had written.

They read it, called the next day, and wanted to make a deal for the property. Let me tell you about the kind of deals the networks want to make. For shows appearing on their air, they demand an ownership position. They will provide (in this particular case) \$7,000 towards the cost of the pilot script, and, dependent upon that script, the casting and all the elements, they will decide whether to go to pilot. Therefore, their investment at the beginning is a very minor one both in time and dollars, and they tie up the property for their network.

### *Strictly business*

I should point out to you that when you make your arrangements with the networks, you are negotiating with the business affairs department, which has absolutely no communication with the programming department. They are negotiating for the amount of dollars that they will give you toward the pilot. They will negotiate for what they will pay for the series, what the mix of originals and repeats will be. Needless to say, they try to keep the prices as low as they possibly can, and they always attempt to get residual rights. By residual rights, I mean syndication, distribution and merchandising. The final deal depends on the desirability of the property and the strength of the seller's position.

By Messrs. Tinker's and Werner's tone, they were, to use a Hollywood expression, "very hot on this property." Under those circumstances, we decided to be as tough as we possibly could in our negotiations, although we really weren't in a position of strength, because we needed them more than they needed us.

At this point, let me comment about how difficult it is to get a television show to pilot (let alone on the air) and the various methods used by producers to accomplish this.

The TV production business is a series of steps. It is like an old quiz game whose title will not be mentioned here, where you go from one plateau to another, but you don't go to the higher plateau until you have won the lower level. Anywhere along the line you can

get killed. I have now gone past step one, to the script stage. Step two was the network's acceptance of the script.

Generally, the producer takes a presentation and sends it simultaneously to the three networks, hoping and praying that one of them will want to go to script.

In this instance, I did that and discovered that CBS thought it was a very funny idea, but really it was a little too different for them. At ABC they thought it was very funny, but after all, who really had the courage to send a Lee Rich presentation to New York? I guess they were still mad at me for some reason or other.

On June 1, three months after the idea was born, the pilot script was delivered by Belson and Marshall, and in turn, to Grant Tinker of NBC.

Meanwhile, our negotiations with the NBC's business affairs department were still going on, and we really didn't have a firm deal.

But back in the program department, minor script revisions were made and conversations began as to who should be the lead. The name John Astin was agreed on with network approval.

### *Not interested in TV*

We approached Astin's personal manager, Mace Neufeld, who told us that John really wasn't interested in doing another television series. He had been pretty much disenchanted with *The Addams Family* because the show only ran two years, and he just didn't know if he wanted to do any more television. I talked to Neufeld at great length and said: "Fine, but why doesn't he read the script?"

I had discovered that actors occasionally will say no to a part until they read the script and visualize themselves in that part. I sent the script to Neufeld who called to say it was the funniest script he had ever read and was sending it on to John Astin.

We waited and we waited and we waited. We called Neufeld practically every 20 minutes for John's reaction. All we wanted was an answer. He said that John had the script but hadn't got round to reading it yet. A week later, Neufeld called and said John thought the script was the funniest script he had read, but still wasn't sure that he wanted to do any television. Belson and Marshall

and I made a date for breakfast with Astin and Neufeld at the Bel-Air hotel. We pleaded, cajoled and begged.

John Astin is a very astute, bright, intelligent man, unlike many, many, performers, and he gave us many reasons, all valid, why he didn't want to do television. Primarily, the disenchantment he had was with the medium and the people at the networks. I make this point because this disenchantment exists throughout the industry. But John promised to think it over. He did, and agreed to do the pilot and the series. After prolonged negotiation, we finally made our deal with NBC for the pilot. They agreed to pay us \$125,000 toward production of the pilot, for which they received 45% ownership and agreed to give us a series price of \$75,000 per original, \$16,500 per repeat. Initial purchase would be 16 shows.

#### *Astin firm*

With this finally out of the way, back to Astin for more negotiation. We agreed to pay him \$6,000 for the pilot, \$3,500 per episode, plus residuals.

Now we needed a director. We settled on Jerry Parris who received \$7,500 to direct the pilot, plus a bonus of \$2,500 if the series sold.

We then started casting the other parts, and after several weeks of interviewing, filled them.

Now came the job of making the pilot.

It was time to take all of these elements and put them on film and attempt to sell it to a network as a series. There were many, many, things yet to be done.

First, we had to determine the availability of all of our people—the performers, the director, the grips, the camera men, the crew—and try to put a timetable together, so that we could get them all in one place and shoot the pilot in time for delivery to the network.

Next, we had to find facilities. We needed a western street that was available at the same time as all of our people. We had to find a stage that was large enough, and yet while we were looking for all of this, we had to be very flexible because one key element had not been determined. That was the guest sheriff.

The script had been written in such a fashion so as to allow us the greatest latitude in casting the guest sheriff. Our first candidate was Dick Van Dyke, who wanted to

do it, but who gave us dates that were impossible to meet.

Our next choice was Carl Reiner, but he was busy directing his first picture, "Enter Laughing," and that would tie him up for several months.

We then went over a list as long as your arm with our casting people, and many of the people were either not available or they just didn't suit the part.

While all of this was going on, the Mirisch Brothers, my partners, were shooting a picture which they would like to forget, "What Did You Do in the War, Daddy?" One of the leads in that picture was Dick Shawn. We had lunch with Dick. He listened to our description of the show, read the script while he was eating, constantly shoving food into his mouth, and not saying one word, not laughing, not saying anything, just eating! He finished, ordered coffee, then just about the time he was finished with his coffee, he finished reading the script, gulped once and said: "I love it. Every word of it. I'll do it."

Our troubles were not over, because we now had to adjust his schedule to our schedule. We paid Dick \$7,500 for eight days' work, plus round-trip transportation, first class, between New York and Los Angeles, plus \$50 a day for living expenses.

#### *Pilot lot*

With our cast complete, we now needed a western street and finally made a deal with CBS Studio Center to shoot on their lot using the old *Rifleman* street.

It was determined that we would start shooting the pilot on Monday, Oct. 10, and finish Monday, Oct. 17. Readings and rehearsals would start Oct. 5.

Let me point out that this all started on March 8. Now in October, we were just about ready to shoot some film.

Meetings were taking place with set designers, property men, costumers, camera men, directors, and they continued, and they continued, and they continued, because as soon as you got something nailed down, something became unnailed. But somehow, things fell into place. There was just one thing that was not tied down, but we were going full steam ahead. We had not decided definitely yet whether to have our "tag" scene indicate who next week's sheriff was going to be. We decided we would wait and make that decision

dependent upon who we could get.

Some coincidences occurred. Our director, Jerry Parris, was in negotiation with Columbia Pictures to direct Jerry Lewis's next movie. We decided to ask Jerry to play that tag scene.

We paid Muscular Dystrophy \$1,000 in Jerry Lewis's name to do this. He was prepared and he did a great job.

I'm going to spend very little time on the days between Oct. 5 and Oct. 17, because everything went just beautifully. The cast was happy. We were on time. Our dailies looked great and there was joy in the world.

The pilot was shot, the cost of the pilot was on budget—\$200,000. We saw the first rough cut of the pilot. Keep in mind that you prepare 24 minutes of film for a half hour of television show. You try to make a pilot as close to that as possible, and perhaps you go five or six minutes over. Our first rough cut was approximately 11 minutes over.

#### *Tedious job*

We spent literally hundreds of hours in the cutting room and in the projection room cutting the film down and editing it. It was tedious, but a very important job.

In my opinion, a television show or a motion picture must have three elements to make it successful. An apology to my wife, who is an actress, but I believe the three most important elements are writing, direction and cutting with writing and cutting the most important.

We had the final rough cut on Oct. 28. It was 29½ minutes long, but it was great.

We now needed music and for \$1,000 hired Nelson Riddle to compose and conduct the pilot music for *Sheriff Who?* (At this point, you are probably delightfully surprised that there is some element in a pilot that costs as little as \$1,000.)

Finally, on Nov. 16, the final answer print was delivered.

It was eight months since we had started. After eight months and a lot of work and a lot of headaches, I must say that whether the show got on the air or didn't, we were all very proud of what we saw.

Now we come to that part of this saga that has put many gray hairs into the few I have left.

While we were making the pilot, NBC had a change of personnel. It happened in two phases. Tinker was transferred to New York and

## SHERIFF WHO?

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Herb Schlosser, an old friend who was in charge of public affairs, was put in charge of West Coast TV programming.

Then, Tinker, after being transferred to New York, decided to resign and return to the sunny climes of California. While we were involved in the pilot, preparing and producing it, we had absolutely no interference from the network. They had the normal rights of approval of casting, which they were just fine about. The only times we heard from them was when they asked how it was going, and when would it be ready to look at.

Approximately two weeks after the pilot was completed, I received a call from Mort Werner asking if he could look at a rough cut. I dislike showing people rough cuts because it takes a very discerning eye to really appreciate and understand them. But after all, he was my partner, and after all, he was the network. So, at 8 a.m., on a very unsunny California day, I showed Werner a rough cut of *Sheriff Who?* in the Goldwyn Studios' projection room A.

He laughed and he said it was just a "great pilot" and asked when I would be delivering the answer print to New York.

### *The right time*

If I remember correctly, our date for delivery was set at about Feb. 1. One of the great problems in attempting to sell a television pilot is to determine the most propitious time to deliver the pilot to the network. You don't want to be too early because then they will delay answering until they see the rest of their product. And you don't want to be too late because by that time, they may have their schedule completely locked in.

We now finished the pilot, and on Feb. 6, 1967, NBC tested it. You probably have heard about these tests. The picture was shown under proper research conditions, in front of an audience who, in turn, indicates its preference or dislike. In our case, we had a very acceptable testing score.

On Feb. 10, I showed it to Herb Schlosser and his group of West Coast program executives. After the screening, I was walking on air! They thought that it was by far the best and funniest pilot they

had ever seen. What I didn't realize was they really couldn't get me arrested. They laughed and enjoyed it, but they weren't going to make the decision. On Sunday, Feb. 19, I took the show to New York. On Monday, Feb. 20, I showed the film to a group of NBC programming executives in New York. Werner, and Don Durgin, the president of NBC, did not see the show at this screening.

The executives to whom I showed the picture laughed in the same manner as their counterparts had on the West Coast. They even went a little further. There was no question in their minds that this show was going to be on the air. Needless to say, I was now 50 feet in the air! But again, I should have realized that either they would have no opinion or what they said would mean little, if anything.

### *Rumor mill*

I took myself off to "21," the 52d Street rumor factory, and hung around the bar and talked to other producers, who were telling one another that they heard their shows were great, and when they were out of earshot, saying: "I hear he has a dog on his hands."

Some of this may be out of context. While all this is going on, you're getting calls from program or media heads for various agencies, asking whether you'll show them your pilot. Not that they want to buy it, or can buy it, but they want to see the film so they then can pick up the phone, call their clients and say: "I just saw this film . . . nobody else has seen it." You, as a seller, are in a quandary as to whether to show them the picture or not.

On Tuesday, Feb. 21, at approximately 4 o'clock, I showed the picture to Don Durgin. His comments were very guarded. He thought it was very funny but wondered about whether it wasn't just a little bit violent in several areas. I assured him that the picture was five minutes too long, and any violence could be cut.

I would have promised him anything. I would have changed the title or anything else. You must remember that I had been working on this pilot for almost one year, and we wanted it on the air.

I left the pilot at NBC and from there on, I was in their hands. They assured me that they now

would use their discretion to show it to various clients. I told them that I was available and would do anything I possibly could to aid in the sale. They promised to enlist my help.

From there on in is when it really gets tough. Now I'm dealing with both the programming department and the sales department. One is passing me on to the other. The other is passing me back, and I am trying to drum up advertiser interest by talking to agencies and advertisers. It is an amazing thing how difficult it was to get some of my former friends on the telephone. The head of programming of one of the largest advertising agencies in the United States is a man who I always thought was a very good friend of mine. I made 11 phone calls to his office and never had the courtesy of a reply.

Now, I found myself wondering, looking for bits of information. I found myself at the bar at "21," night after night, exchanging gossip, lying and being lied to, and all the while, praying and hoping the show would get on the air.

### *Demeaning experience*

The two weeks that I spent in New York at that time were the two most demeaning weeks in my entire life. I wouldn't have minded getting an answer of: "No, I'm sorry it isn't going to make it." But not getting answers and getting statements like: "I think it's a great pilot, but it's too original." "It's never been done before, I'm afraid the public isn't ready for it." "I'm afraid the public won't get it." It's that kind of thinking that made me as unhappy as one human being could ever be.

I thought I had an ace up my sleeve because, purely by error, NBC had a series option on this pilot until March 1, 1967, which really is unheard of because they usually make sure that their option is for a much longer period of time.

On Thursday, March 2, 1967, I showed the picture to the top executives at CBS television. The comment from the head of their program department was as follows: "It was the second best pilot we have seen this year, next to our own, *He and She*, but our program schedule is locked."

That afternoon, I showed it to the head of programming at ABC

# TELEVISION

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I certify that the statements made by me above are correct and complete.

LAWRENCE B. TAISHOFF  
 Assistant Publisher

who said, it was a great pilot, but he didn't think it could make a series.

I can only say that these executives are the same people who selected the smashing new programs that are on the air today.

In addition to these network showings, I was taking the picture to various agencies who told me that they thought it was a great pilot but in typical fashion, did nothing about it. On Friday, March 3, I had had it! I felt that there was no more I could do. I took a plane, went back to California, as low as one individual could possibly be. I must say that if I had been told anywhere that it wasn't any good, or somebody didn't like it, or the show wasn't going on the air, I could have understood. But being told by everyone that they loved it and getting no answers because nobody really wanted to make a decision was about as tough a thing to take as you probably can take.

### Another option

To end this part of the saga, some months later, NBC decided to pick up another option and ordered three scripts which are being written and then came the *Life* article.

That will give you some idea of what went into the creation and development of this show. But the questions, bluntly stated, are: So what? Does it matter? Isn't this all simply the sad, but same old saga of another TV series that didn't make the grade?

Not by a long shot. At least, not in my book. There's a helluva lot more that's salvageable from this whole experience than a *Life* magazine review for my scrapbook, as much as that review may serve to vindicate the effort that went into the creation of *Sheriff Who*?

So get ready for the *moral* that I'm going to inject at this point.

The entire project contained some pretty important lessons; and I can best elaborate on that by relating a true incident, something that happened to a friend of mine not long ago.

This particular individual came back from a Mediterranean holiday determined to take some swimming lessons. He knew how to swim, but he'd had a couple of uncomfortable experiences in some of the rough water over there. After the first lesson with a pro back in the States, that pro said to him: "Look, your only problem is a latent fear of the water. You're

working so hard to stay afloat, you don't have time to swim."

I maintain that an attitude prevails in network television today that makes everybody so concerned with staying afloat, they don't have time to swim. So much effort goes into trying to stay in the middle of the stream, with avoiding anything that's really unique, with making certain that a decision cannot be attributed to them, they don't have a chance to swim away from the pack and open up some new creative areas. They're afraid of getting in over their heads with shows that have the audacity to be different. They're afraid to get their feet wet in anything that might be polluted with originality. They're afraid somebody—an advertiser, a client, an executive—will throw cold water on their innovations. Afraid, afraid, afraid.

### Playing it safe

All of us, in our managerial activities, have probably been guilty at some time or other, of weighting down our subordinates with all sorts of burdens on their creativity perhaps to the point where they were much more concerned with playing it safe than venturing a single fresh, new idea. Rather than get doused with cold water, they stuck to the tried-and-proved, the safe and secure; and *that*, I don't have to tell you, is often just another way of saying, "the dull, the mediocre, the meaningless."

Still, this is a hard-nosed, dollars and cents commercial world we live in; so what good is a TV show that doesn't get on the air, the advertising campaign that doesn't get run, the product that never gets off the drawing board and into production? That's a tough, realistic question—one I wouldn't attempt to answer on my own authority. So I've called on Theodore Roosevelt for a response: "Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much nor suffer much because they live in the gray twilight that knows not victory nor defeat."

That's a lofty statement, and perhaps I'm not justified in using it in a context of television westerns, especially satirical westerns. But if it doesn't express appropriate sentiments for all of us, that's *our* fault, not Teddy Roosevelt's. We shouldn't be satisfied to be any part of a business where we can take refuge in a gray twilight zone.

END

## ABOVE-LINE LABOR

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are those who complain today that talent unions are blackjacking management, there are many more who can document that in the 30's management was being carried high, wide and handsome on the backs of talent. In 1933, admittedly a deep depression year, 59% of all screen actors earned less than \$3,000 for the year. About half of this total earned less than \$1,000. But unregulated hours of labor and working conditions, actors felt, were even worse abuses. As hopeful remedies the Screen Actors Guild was formed in 1933 and the American Federation of Radio Artists (AFRA) in 1937.

The first collective-bargaining agreement on a national scale in broadcasting was negotiated in 1938 by AFRA with CBS and NBC. It was a time when programs and commercials were broadcast live. There was no thought of future use of commercials. The networks did not even permit use of transcriptions.

*The Jack Benny Program*, for example, was broadcast at 4 p.m. on Sunday afternoons from Hollywood, which was 7 p.m. New York Time. This first feed was to the East and the Midwest. Three hours later, the cast reassembled, and the show was again performed live and fed only to the Pacific Coast. It was indeed the era of the truly live program.

### *First ET code*

It wasn't until 1941 that companies with transcription facilities reached an agreement with AFRA on the first transcription code. Yet it was to be another four years before Bing Crosby, substituting electronic tape for acetate, became the first to record a network radio show. It was only then that negotiation of the transcription code became a part of network negotiations.

Television, meanwhile, was in common usage as a word, but only in experimental usage as a medium. By 1939 it became apparent that some disposition of jurisdiction in this coming field would have to be made, with the Four A's the likeliest judge of the matter. Actors' Equity, by that time in the shadow of other talent unions, made a game try for the pot of gold. Sure it had turned over

screen actors to SAG and radio actors to AFRA, but it had grandfather rights to television and still owned them.

SAG's counter was simple. Its charter covers acting on film, wherever made and for whatever purpose. If film is made for or shown on television, it comes within SAG's jurisdiction.

AFRA contended that television is essentially an extension of radio. It already had collective bargaining contracts with the advertising agencies and the broadcasting networks, the argument continued, so there is no doubt that AFRA is best equipped to organize and administer the television field.

### *Low point*

World War II and a labor scandal in Hollywood that sent George Browne and William Bioff of the International Alliance of Theatrical Stage Employes to jail for extortion caused all entertainment unions to lay low.

Then a television committee, set up by the Four A's, decided that if AFRA and SAG merged the question of TV jurisdiction would be settled. But SAG did not then, nor has it ever, nor does it now agree that merger is the best thing that could happen for its members.

The polemic of merger between the two performers unions has flamed for nearly 30 years. At times intermingling seemed inevitable. At other times the indecision of should they or shouldn't they broke out into open jurisdictional warfare.

(Television brought on a plague of jurisdictional disputes. In the early days, when the networks did some live pickups of stage shows in New York movie theaters, even the American Guild of Variety Artists got in on the act, negotiating payments for members that were involved.)

The demand for merger grew more irrepensible and persistent as the years passed. At one point, in the early 50's, SAG opposed AFTRA in 13 NLRB elections and came out on top all but once. It gained an upper hand not yet relinquished. More recently an impartial arbiter, David L. Cole, was hired to make a study of the controversy. Pointing out that many members of each union are required to hold multiple memberships, he, in 1960 in a 94-page doc-

ument, came out strongly in favor of merger. Some months later a merger committee of SAG turned thumbs down on the recommendation. The merger plan, it concluded, "is too complicated, involved and cumbersome to operate efficiently. Authority and power to make policy decisions, conduct collective bargaining and administer the affairs of the various categories of members of the merged organization, are so divided . . . as to make the plan . . . wholly impracticable and unworkable."

The case, for all intents and purposes, was resolved. It kicks up from time to time, but it seems unmistakable that SAG, profiting far more than AFTRA from television, is going it alone.

Meanwhile, in 1949—at the heat of the AFRA-SAG tug-of-war—the Television Authority was established. An amalgamation of AFRA, Actors' Equity, American Guild of Variety Artists and the American Guild of Musical Artists, it amounted to the first exclusively television union of performers. The organization was shortlived, however, merging with AFRA in 1951 and becoming AFTRA.

### *Residual bounty*

It was just about this time that SAG forced the crucial breakthrough, the one from which much bounty now flows. It offered a code for television commercials that contained the residual principle. The principle, of course, was completely unacceptable to advertisers. They took a strike.

But advertisers couldn't maintain a solid front. They cracked under the pressure of having to put new products on the market. They gave in and accepted residuals.

Riding high for several years, SAG was given somewhat of a trimming by AFTRA when magnetic video tape was introduced in 1957. The federation declared its jurisdiction over this basically live medium and negotiated a video-tape code with the advertising industry. SAG was stunned to find that the new rate for video-tape performers was about 22% higher than the one it had negotiated for film commercials. In addition, AFTRA, for the first time, was able to establish a pension and welfare fund of 5% of talent fees.

SAG has since corrected these

differences. In 1960 the two unions negotiated the commercial codes together as a unit. These negotiations resulted in SAG and AFTRA codes that were the same in most areas.

Thus 30 years of collective bargaining in broadcasting has unfolded. There's no way to accurately measure the effect the development of the talent-union movement has had on the television industry. It hits in too many different directions over too wide a front.

Some general conclusions appear evident. Despite talent unionism's

most aggressive tactics, television is a healthy industry. It continues to pile up remarkable profits. Its basic structure has been changed drastically by contract demands.

Still the talent unions have gouged their mark. Increased costs of residuals have cut deep into rerun profits. They have contributed considerably to the soaring cost of commercial production.

Television producers cite the heyday of domestic syndication in the mid-'50's. They point out that all of the major companies were in the business of producing product

for syndication and that some 30 or so new program series were turned out each season for this market. But production costs, they contend, were spiked by talent-union demands to a point where local stations could not afford the producers' necessarily increased prices for product. With local and regional advertisers also unwilling to bear the increased costs, the argument concludes, it became impossible to recoup expenditures, and syndication, for a time, all but died.

With the television networks

## Key job for SAG: collecting and paying residuals

Jurisdiction, negotiation, arbitration, codified basic agreement, incorporation, ratification, referendum—they're all a bunch of half-understood, barely tolerated collective bargaining gibberish to some members of talent unions. But residuals—now there's a term beloved by all. It's the magic in any contract, the golden time of payment for reruns, the happiest thing to come talent's way since applause.

For film actors, at least, the tap from which a good part of residuals ultimately flows is on the second floor of the handsome Screen Actors Guild building on Sunset Boulevard in Hollywood. It's the guild's biggest department: 18 girls, a male supervisor, and files of every size and description.

Reuse payments earned by American film actors on television entertainment programs are collected and distributed through this department (reuse payments for television film commercials go direct to the performer). Here verification is made that payments are accurate and addresses and social security numbers are correct. The key, though, is keeping track of the number of runs that a television episode has played and verifying that payment is for the right num-

ber of runs. The policing and collection of residuals is unquestionably the most important function of SAG's residual system.

The biggest problem is probably in foreign markets. Want to know when *Peyton Place* played Nairobi, Kenya? SAG knows. The girls in the residual department, under the guidance of supervisor Richard E. Mentzer, subscribe to and read some 20 foreign publications. Residual tracers, they constantly research television trade publications from around the world, noting what American series is running in what market or country.

Even in this country, SAG hasn't found it wise to sit back and wait for residuals to come rolling in from prompt and proper producers. Instead, a great deal of staff time is spent in reading television guides and entertainment sections of newspapers from 16 different areas of the country. Also inquiries—based on information from many sources including from performers responding to a tip from fans—often are made to stations. These are sometimes backed up with personal visits to inspect station logs. It isn't an infallible system, but like the ratings, it's the only game in town.

SAG's residual department was started in December, 1953, when the reuse payment principle was initially established. The entire staff was one secretary working part time. During the first 12 months, \$170,299.04 in residuals were collected and distributed to members.

Now, some 14 collective bargaining years later, the department comprises more than one-fourth of the guild's entire Los Angeles operation. During June 1967, alone, \$1,556,138 was distributed by the guild to members. Currently the residual department is handling and distributing from 7,000 to 8,000 checks a month. Its card files contain the names and addresses of some 20,000 actors and actresses, living or dead, adult or child.

It used to be that the checks went out in plain white envelopes, unpretentious, even dull looking. It was discovered that actors (the great junk-mail disregards of all time) had destroyed some 80 residual checks. Now the envelopes have the word residuals printed in neat red letters on the left side. A boon to mail-box filchers, the lettering still is a small price to pay for any further traumatic experiences.



Where the residuals come in and go out at SAG's Hollywood headquarters.

## ABOVE-LINE LABOR

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highly organized almost from the start, some of the talent unions have made a determined thrust to organize individual stations. AFTRA, certainly, has been most successful in this area, representing announcers, newsmen and free-lance talent at many local radio and television stations throughout the country. Even the Directors Guild of America, in a surprise move earlier this year that may portend more of the same to come, won an NLRB representation election for the 13-man stagecraft unit at KIJ-TV Los Angeles. Yet the local stations are still a mixed hand, with some nonunion, others apparently facing imminent unionization and still others considerably unionized and periodically negotiating new agreements, the same as their bigger brethren.

### *Local difficulty*

Actually, the unions seem to have encountered some difficulty in their organizational efforts at local stations. William L. Walker, director of broadcast management of the National Association of Broadcasters, shed some light on the subject: Due to today's affluent society he points out, unions "do not have the appeal . . . they had in the 30's, when they could stress low wages and poor working conditions." What is more, he indicates that it "is a fact that many broadcast employes have an esprit de corps and a close relationship with the station's management. These persons feel they would lose stature and identity by joining a union."

Television managers are constantly cautioning that the talent unions can improve their members out of the business. They have urged consistently for a more realistic approach to talent payments, especially in the still developing area of foreign distribution.

The talent unions, as to be expected, regard all of this as collective-bargaining propaganda. Such factions as the composers, musicians, screen cartoonists, and even the producers haven't climbed on the residual gravy train as yet. They're sure to try. The haves are just as sure to try to expand existing residual benefits. The area of social security-type fringe benefits (pension and welfare) is likely to be besieged by all.

Most of all, it would appear that the talent unions have a lot of fence mending to do among themselves. There's a desperate need for more cooperation among these un-

questionably related unions. Yet this year's AFTRA and NABET strikes showed unity among broadcast unions to be as tenuous and as unreliable as an actor's fame.

A look at the strange goings-on within the Writers Guild of America, West, would indicate that a writer's once-upon-a-time dream of one for all and all for one was more romantic than realistic. For there, among ostensible comrades in arms, dissension bubbles like gossip in a beauty salon.

About 150 so-called hyphenates (producer-writers, etc.) at any one time are members of the WGAW. The hyphenates are born strictly of television where many of the series on the air have producers who are also writer members of the union. Some WGAW members look upon hyphenates as part of management. They would like to see them form their own bargaining organization. It has created an enormous problem that is still unsolved.

The total lack of coordination during the recent strikes, the continuing internecine slashing, has revived talk of a superunion. It would cover all broadcast union workers, who presumably all would have contracts that expire at the same time. Says AFTRA's Conaway: "We're looking forward to making a more meaningful contribution towards the erection of a broadcast union council that will present to the industry a solid labor front in periods of negotiations and labor disputes."

### *Cooperation*

Several such organizations already exist. The AFL Hollywood Film Council, composed of AFL-CIO studio unions and guilds, is one. Its reputation as a go-getter apparently leaves something to be desired. According to one former member: "All we did was sit around, talk in generalities, draft some ineffectual resolutions and eat lousy lunches."

A more recent organization is the Committee of Broadcast Unions of Hollywood. It was started last August to seek that elusive common-front action in labor relations with the networks.

With mutual support among broadcast unions—and particularly talent unions—likely to remain more an ideal than an achievement, such possible future industry bombshells as pay TV, CATV and satellite TV will have to be handled individually. Actually, the talent unions are on the record in regards to these questions and mostly they are in agreement. Any-

thing that creates additional employment opportunities for members is good (pay TV). Anything that makes use of work performances without pay is bad (uncontrolled CATV). Anything that tends to encourage a closer harmony among working folk of the world is promising (satellite TV).

There's a mutuality, too, about the adversaries the talent unions must contend with—the networks, Charles Boren (he's executive vice president and chief negotiator of the organization) and the Association of Motion Picture and Television Producers, the New York Film Producers, the Advertising Agency Joint Policy Committee. But it's not all that grim. Sure AFTRA surprised everyone with its militancy. Sure there's a recalcitrant spirit at large.

### *Under control*

But the networks and producers, as far as the talent unions are concerned, basically have the situation in hand. The really creative talent—name actors, writers, directors—are an elite. They're at a premium, not easily duplicated. They know it and sometimes the knowledge makes them difficult to handle. Yet the major issues—residuals, foreign rights, health and welfare—mostly have been already hammered out with them. They're not as hungry anymore.

The other unions, today's have-nots—musicians, screen extras—have a lean and anxious look. Television's bounty is pulling away. It's headed for the new vistas of communication by satellite, by wire and by home video cartridge. They have to get aboard, establish the claims that others already have realized, before it's too late. It's questionable whether they have the individual strength, the tenacity of purpose, not to be left behind.

Is talent unionism—haves and have-nots together—largely responsible for today's high cost of television production? Talent surely contributes greatly to TV's inflated budget. But so does management inefficiency, poor planning, the rising price of raw materials and utilities and inconsistent weather.

There's really no need for anyone to weep. Television has been a good provider for all concerned. What big talent labor-management battles are still to develop are not likely to burst aflame until the medium moves into a new technology with its resulting bag of benefits and temptations. END



## FTC'S UNUSED POWER

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have anything to hide." But, in fact, the networks have every reason to sweat until the diagnosis is over and any prescriptions for reform, written under the Robinson-Patman Act or other authority, have been presented. The Robinson-Patman Act, which prevents suppliers of goods from giving unfair preferential treatment to favored customers, and which is a frequently used FTC tool, could conceivably be applied to the sale of broadcasters' time, Mueller says.

It is just such an area as network program sales, a relatively new territory for trade commission activity, that has most to fear in the FTC's considerable latent power. Some network sales practices might almost be considered discriminatory on their face: for example the packaging of 60 seconds worth of time in two 30-second units, to be offered to one company as the vehicle to carry two of its products, piggybacking as it's called in the trade.

### *Equal opportunity?*

Why, the commission may ask, shouldn't a one-product company have the right to buy single 30-second announcements? And carrying equal sponsor opportunity to the extreme, why shouldn't all of them have equal opportunity to buy equivalent units of time at comparable unit costs, final calculation of those costs to come after the audience for a given commercial has been estimated? Somewhere lurking in the laws of fair trade might even be a clause or two to enforce random placement of sponsor announcements to guard against possible favoritism in program franchises for preferred buyers.

For the commission to find legal fault with the networks' way of doing business it would probably have to prove that pricing differentials were not cost justified in addition to showing that the differences were having an adverse effect on competition. In addition to the defense of cost justification the networks could use the argument that their methods were necessary to meet competition.

Arthur Anderson, chief of the economics bureau's division of industry analysis, which is directly responsible for the network proceeding, says no judgments on the

information being gathered would be possible for six months to a year. Mueller notes the investigation has been budgeted throughout the current FTC fiscal year. That doesn't end until June 30, 1968.

Looking at the network proceeding from a political point of view, which is one valid way to forecast the course of sensitive commission investigations, the networks might appear on safe ground.

### *Dixon reappointed*

Chairman Paul Rand Dixon has been fairly shouting a business-appeasing philosophy and has engineered a restyled operating procedure for the commission that is considered a spoken or tacit mandate from the Johnson administration. Dixon, when asked if any network sales methods seemed questionable, begged off a direct answer but uttered an industry-oriented comment: "They've got a problem. A minute's only there once, then it's gone."

Any who doubt the FTC is a politically motivated organization should consider this comment from one of the five commissioners: "You can be sure of one thing. This commission will never do anything to embarrass President Johnson."

Dixon, who just sailed through reappointment proceedings for a new seven-year term as chairman, is clearly in solid not only with the President, but with the Congress that approved him. His reappointment hearing in late September, before the Senate Commerce Committee, was a perfunctory exercise and acknowledged as such by Chairman Warren Magnuson (D-Wash.), who could find little more to say about Dixon than that he had picked up a few gray hairs since his last appointment hearing. He found no opposition at the session. A few questions about enforcement of truth-in-packaging legislation, merger activity and trading stamps and it was all over.

Ostensibly the FTC maintains a political balance at the top with a provision that no more than three of its five commissioners be from one party. How little that means is demonstrated by the current complement. Dixon, MacIntyre and John Reilly are Democrats, but their liberal tendencies are equalled or outdistanced by Philip Elman, who wears an independent

label, and Mary Gardiner Jones, the only Republican of the bunch, but whom one commissioner describes as "the biggest trust buster of us all." With the reappointment of Dixon it is a Johnson commission. Elman and MacIntyre are the only leftover appointees of President Kennedy.

To the five FTC commissioners television represents a wide assortment of social or economic phenomena. Mary Gardiner Jones, the lady commissioner, less given to platitudes than some of her colleagues, but more to theorizing, recently found herself defending Marshall McLuhan at her great books club. She can't explain him phrase by phrase, she says, but overall his message comes through: he writes impressionistically. Miss Jones doesn't like television very much and doesn't have a TV set. "Perhaps it's because I don't like the involvement it demands, the kind McLuhan is talking about," she suggests.

### *The genuine article*

Miss Jones thinks that "with television we haven't yet learned how to discount some of its message the way we have with the printed word: we aren't so aware of the distortion it can engender through its omissions or its selectivity."

Perhaps some of these ideas carry over to her regulatory philosophy. She describes herself as a structuralist, meaning that she favors the establishment of firm principles to insure the good behavior of industry, rather than letting industry prove itself worthy of the trust through the demonstration of good behavior in a looser legal framework. In the case of television this may mean some things just can't be advertised. "If it's ice cream that's being portrayed, then it ought to be ice cream that is shown," she says.

When Commissioner Philip Elman thinks of television, it's with more of a lawyer's analytical approach. He says broadcasters may be making a disastrous strategic blunder by allying themselves with cigarette interests and fighting the FCC's ruling that brings cigarette advertising under the fairness doctrine. According to Elman: "It could lead to a vast broadening of the doctrine—well beyond the intent of the current FCC commissioners. They could wind up with a

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Supreme Court decision that clobbers them, one that not only says the fairness doctrine applies here, but one that says equal time must be given."

Elman feels he, and the FTC, have been misunderstood where advertising is concerned, through misinterpretation of the Clorox case as an antiadvertising offensive. He says he's got no hostility to brand-name advertising.

Chairman Dixon, similarly thinks the Clorox affair was misunderstood as an attack on advertising and his broad reply to that charge is: "In our mass producing industrial complex there had to be a mass method of sales, and advertising fits there like a glove."

Everette MacIntyre, whose regulatory notions probably run a closer parallel to the chairman's than those of the other three commissioners says: "If they don't like advertising, the people will soon turn their TV sets off. It's not the FTC's problem to decide whether there ought to be advertising."

### *Cigarette ads*

John Reilly, perhaps the most personable of the five commissioners, doubts that the FTC does an adequate job of policing television, but thinks it's a budgetary problem, not the staff's fault. Reilly, who has been critical of FTC inactivity and who plans to leave the agency for private law practice, says the commission is apt to rejoin the cigarette advertising battle in 1969 when the provision of the Cigarette Labelling Act that prevents FTC intervention expires. "We'll be doing something to change the kind of advertising that's going on now if it's still going on," says Reilly.

The FTC machinery for keeping industry in line is a filter-up system with the staff processing complaints and watching business practices. When complaints are received (about 10,000 of them are processed every year) they go into either the restraint of trade or deceptive practice bureau, where they're screened and may be put on the investigative docket at staff level for informal review. After fact gathering the bureau makes a recommendation to the commission at which point the matter is assigned through the secretary's

office to one of the five commissioners, supposedly on a firm rotation system.

A commissioner reviews the matter—each has three attorneys working for him—makes his personal recommendation and the case is placed on the commission's agenda. If the commissioners find the questioned practice illegal they may present the company or individuals involved with an order to cease, which they may consent to by signing (a binding step though not an admission of guilt) or they may fight.

### *Judge and prosecutor*

If they fight, the commission turns into a combination of judge and prosecutor with the line of review starting before one of 15 hearing examiners, passing to the five commissioners and thence to the federal court system.

Meanwhile the commission may have released industry guidelines related to the case if it has broader implications and may have drawn up a publicity release in broad strokes, without indicating any company is under investigation. The authority of the FTC to publicize its actions following formal complaints has been contested in at least two cases and denied in one instance as prejudicial to the company involved.

Some of the bitterest disputes at the FTC have flared between commissioners over how resources ought to be allocated, over which industries ought to come under the gun, which ought to be left alone, and the whole investigative policy.

By rule, a majority of three commissioners can order an investigation, but as a practical matter it may not get far without the chairman's blessing. Other commissioners explain that the staff is directly responsible to the chairman and if he chose, he could arrange for a half-hearted job to be done. Several sources at the commission, including one commissioner, say the data processing division is expected to take an increasing role in deciding who ought to be investigated and when.

Two years ago FTC lawyers began classifying every pending formal and informal commission case with a four-digit code, tabbing every product involved with a standard commodity product number, for card feeding into a Burroughs

263 computer, one of the smaller systems in the Burroughs line.

Dale Johnson, data processing chief, says 50% of the computer's time now goes to preparation of quarterly industry financial reports, 40% to the agency's administrative and fiscal problems and the remaining 10% to enforcement functions, particularly in the area of price discrimination. He expects there will be more work for the data processing section in determination of industries to be investigated, through calculation of relative economic importance and frequency of complaints.

Johnson says there has also been talk of an automated legal retrieval system for the commission, though it would require a larger computer.

Chairman Dixon, who denies any plans to increase data processing capacity, claims the present card system is perfectly adequate to the task. "We installed it anticipating our needs," he says.

### *Party line*

From top to bottom, there is a clear party line at the FTC. Not all of the five commissioners pay it equal respect, but the entrenched bureaucracy knows it by rote. John Wheelock, executive director, says it this way: "In recent years we've been emphasizing advice rather than investigation and litigation. We used to be like district attorneys on the civil side. But the attitude has changed basically since Chairman Dixon came down here. I think we're in an age of industrial statesmanship."

The attitude is best indicated by the advisory opinion section of the bureau of industry guidance, a division installed with the Dixon regime. It was organized to give industry before-the-fact opinions on activities that might otherwise fall prey later to FTC disapproval. The division processes requests for opinions, prepares its own recommendations, then presents them to the commissioners for a decision. Approval is binding on the commission, unless it finds later the applicable law or the facts have changed. Last year 225 advisory requests were received and 131 opinions were offered.

What does this mean to the television business? Apparently not much. Hugh Helm, advisory opinion chief, says he can't remember a single instance of a request for a

formal ruling on a television commercial coming through his department. An assistant recalls one: It involved a 10-second announcement describing a guarantee offer. The company sought a waiver of required disclosures, pointing to the brevity of the commercial and suggesting instead a tag line that would advise viewers to mail requests for a further description of the offer. The commercial was turned down.

Helm says he'd like to get more television business through his shop, but that seems a dim prospect. What liaison there is between Madison Avenue and the trade commission is carried on informally with staff in the deceptive practices bureau.

According to an official in that bureau: "In the great majority of cases the ad agency prefers not to call attention to a particular commercial by coming down here and asking about it. When they do come, it's usually because they're scared or they want to prove to their client that the advertising is all right."

Charles Sweeny, director in deceptive practices says: "When they come in and ask for our advice they walk out with our informal opinion, not with a piece of paper guaranteeing the legality of their advertising. A businessman with a new idea doesn't want to go on public record with it. If he goes to the bureau of advisory opinions and gets a ruling, the nature of his plan is published."

#### *Inadequate guidelines*

Advertisers chafe at what they claim is a lack of commission guidance on television commercials. Philip Schwartz, partner in a New York law firm that has several ad agencies as clients, thinks advertisers ought to be issued industry guidelines the same way other industries are. Another agency attorney suspects the agency is afraid it will get boxed in by its own rules. "Staff members," he says, "are afraid to make judgments in frontier areas and when they do they sometimes give us conflicting opinions."

Lawyers who handle these advertising problems are especially sensitive to the ad agency's vulnerability. If the commission thinks an agency has reason to believe its client's advertising is misleading the agency too is cited in consent orders. A cease and desist order applies not just to one time or one client's advertising, but to all future similar circumstances.

According to attorney Schwartz,

an agency with a consent order on its record may have difficulty getting clients who fear it will be too conservative in its approach. Orders of this kind shouldn't be entered by the FTC, he says, unless there is an obvious intent by the agency to deceive.

The active FTC machinery for catching suspect advertising is cumbersome at best. The deceptive practices bureau's function as a receiver of complaints from consumers, industry competitors and even other commission sources, probably leads to more cases of commercial review. The bureau's five media monitors operate under John Brookfield, food and drug advertising division chief, but are immediately responsible to Edward Downs, an attorney in the section, who has handled most of the commission's celebrated TV-commercial cases.

Brookfield says his monitors reviewed 50,000 ads in July alone; 30,000 radio and television scripts



*The commission's media monitoring room is used only rarely for off-the-air checks on specific television commercials. Here*

around on the floor until they get around to burning it."

Unless bureaucratic superannuation takes its toll in vigilance, there shouldn't be much that escapes the men at the top in the deceptive practices section. Director Sweeny and food and drug man Brookfield are both 32-year men at the commission. Downs has been there for 29 years.

In a candid mood, Sweeny will tell you that some of the sharpest-eyed television monitoring that goes on at the FTC is done by the top people in his bureau during their informal viewing. "We may not catch the Saturday morning toy business," he says, "but Libby-Owens-Ford made the mistake of advertising in a football game." He was referring to a glare-proof glass demonstration filmed without the encumbrance of glass.

For the advertising community to suspect the Federal Trade Commission is after its scalp would be a very sick brand of paranoia. Most

*Bettie Mitchell, one of five FTC monitors checks magazine ad copy. The television set is on but unwatched.*

and 20,000 newspaper and magazine ads. To do the job the commission asks the TV networks for one week's worth of commercial scripts every month and gets scripts from individual TV stations for four scattered days a year.

The monitors are given instructions to pull specific types of ads and to forward them to staff lawyers handling related investigations. All beer and alcoholic beverage advertising is culled and sent to the alcohol and tobacco division of the Internal Revenue Service.

A television network standards and practices official, somewhat disgruntled at the monitoring procedure says: "When the FTC does get down to a specific case, it calls us back for a commercial we may have sent them weeks earlier. I don't see how they can possibly review all this stuff. I suspect it lies

of the protestations of the present contingent of commissioners point to the contrary. Neither is the staff racing through the halls with tomahawks.

But television and the advertising world may legitimately worry that there is indeed a tomahawk in the FTC kit and that if the commission were so inclined it could mash a few heads arbitrarily. It is the nature of independent government agencies to expand their spheres of influence and the trade commission is no exception.

From the catch-as-catch-can monitors to the cigarette laboratory that uses \$15,000 worth of tobacco a year, the FTC is not so much TV's muckraking gadfly as the fly that may pollute its ointment. But a political metamorphosis could change it into that other kind of fly.

END

## NETWORKS EXPAND

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doubleheaders. While in the 1965-66 season there were only 20 games of NFL football scheduled, 34 are planned this year and four of them are doubleheaders. AFL football has jumped from 10 games in 1965 to 27 games in 1967 with eight doubleheaders. The NCAA football schedule in the 1965-66 season was three games short of this year's schedule. As the popularity of the sport has expanded, so have the networks' weekend schedules.

While stations are eager for weekend sports, Saturday morning network programming for children seems to be another matter. In 10 years, the networks' Saturday morning commitment has increased from two and a half hours to 10 hours. In 1957 Saturday morning was CBS's domain exclusively; since then the other two have jumped in. The networks have moved into what was once a local stronghold with programs that differ little from the syndicated product the stations used to program. Not only was it a painful loss of spot revenue on Saturday morning, but the kiddie business moved to the networks en masse. Jack Fritz, vice president and general manager of TV at Blair-TV, comments on the networks' Saturday morning takeover: "They took so much of the Saturday morning kid advertising that there wasn't enough to sustain kid programming in the late afternoon. I think it has hurt the toy manufacturers. They are reaching the little kids on Saturday morning and missing the older kids on late afternoon."

### *Saturday morning*

Why didn't the stations resist on Saturday mornings? "They should have," says Fritz. "The stations killed themselves." He says that the stations yielded to temptation. "You attempt to resist in this area, but then you find some one at your door about the sports or about the prime-time movie," Katz's Krueger says. "The stations would have to fight it as a unit. It's awful tough to get a hundred stations to sit down and agree."

An area where network growth is especially visible is late-night fringe. In 1957, with only one network in late-night television, seven and a half hours of NBC programming a week fell between the

hours of 11 p.m. and 1 a.m. This year, with two networks in the late night game, and with NBC's *Johnny Carson Show* extended to a six-day week, there is a total of 16½ late-night hours a week.

While Carson packs in a full house, and few affiliates would pass up his ratings, the new *Joey Bishop Show* offers a temptation to preempt. Not only would an affiliate have to face network displeasure. It might also find itself short on advertisers. To get a show like *Joey Bishop* off the ground, the network must dip—or so say the stations—into what were once spot accounts.

### *Wide-open secret*

It's no secret that CBS is contemplating a venture into late-night TV. Until now, CBS has been looking out for its own by declaring 11 p.m. to 1 a.m. local domain; CBS owned-and-operated stations have always had an abundance of films. Now, like everyone else, they are nearer the bottom of the film barrel.

The other area where expansion seems imminent is in network news. All three networks have increased their early-evening news in the last 10 years from 15 minutes to 30 minutes. Network news facilities constitute a big outlay that could better pay their own way with a bigger chunk of time. News expansion has hit a particularly sensitive nerve with the reps as it eats into a period traditionally set aside for local movies or syndicated shows.

With the new network emphasis on specials and block-buster movies, the affiliates have hit on another complaint. In a two-hour movie, the affiliate is entitled to only two station breaks, instead of one every half hour. In one-sponsor specials, the station loses all its availabilities.

Probably the one biggest factor in the flowering of network programming in the last 10 years is the feature-film phenomenon. The price tags on feature films have expanded right along with the networks' use of them. Television developed an insatiable thirst for feature films, and distributors became aware of the limit to their merchandise. Stations and networks were suddenly bidding for the same product, and prices skyrocketed. Stations found themselves without an old source of

programming—the reasonably inexpensive, reasonably good feature film. Stations complain that distributors prefer to sell to networks, as well they might, since the cost of sale goes down; it's much easier to sell a high-ticket film to a network than peddle film packages around the country.

According to Larry Israel, president of Westinghouse Broadcasting Stations, an off-network movie package Westinghouse bought this year cost 60% more than a comparable package last year. He claims that the cost of film has increased sevenfold in eight years.

And there's the matter of the network prime-time movie. Despite their grumbling, the affiliates manage to preempt a prime-time movie here and there. The chances of their clearing a second-run film are considerably slimmer than the chances for a well-promoted blockbuster, but, as Blair's Jack Fritz estimates: "In most cases I think you will find, even in three-station markets, a station one night a week will offer a prime-time movie, just to offer some prime-time availabilities." And it's not unusual to see that preempted feature pop up later in the week as a late-night or late-afternoon film.

### *Syndication's effect*

The demise of the half-hour film produced for first run syndication contributed both to cause and effect of network expansion. The *Sea Hunts*, the *Mr. District Attorneys* and the *Sheriffs of Cochise* are no more. "The cost of producing half-hour shows went right through the roof, and without being able to get the exposure in the time periods that made its profitable," Fritz claims. For the few half-hour slots left to fill, the station has found network hand-me-downs far more economical.

A new kind of syndicated product has evolved to fill the ever-lesser void—the two- and three-hour conversation, refereed by a Merv Griffin, a Mike Douglas, or a David Susskind. Talk is cheap, as they say; it requires no costumes or glittering sets, no cast of thousands, no crew of thousands. What's more, it can be taped. These talk shows not only gave the independent station ammunition against network programming, but they give the affiliate an alternative as well. *The Merv Griffin Show* goes to

nearly 140 stations, and approximately 80% of them are network affiliates. Westinghouse claims it sank \$35 million into Merv Griffin and Mike Douglas, and after five years and many cases of indigestion, the programs are starting to pay off.

Since there is no natural and God-given division of profits between station and network, it is difficult to determine what will be the appropriate allocation of revenues in the future.

Larry Israel is a firm believer in the local personality and local responsibility of the local station. If network expansion isn't curtailed, he believes the station may find itself without a *raison d'être* in coming years: "When we get into satellite television, the station is going to have to justify its existence."

The swelling rank of UHF stations may prove in the future a further advantage to the network position. There are no shrinking

markets; stations aren't folding—anywhere. As more and more stations are available for network product, the networks can take less and less guff from their affiliates, that is until a fourth network comes along. As UHF stations become stronger and turn to color, the networks can offer them the programming their VHF affiliates don't clear, and ultimately, they may be a real alternative for affiliation. K1BC-TV Austin, Tex., for example, until recently was kingpin in a one-VHF-station market. KHFI-TV, the only UHF station in Austin, had to be content with left-overs, while K1BC-TV skimmed the cream off three network schedules. Last month, NBC adjudged KHFI-TV to be strong enough to merit its primary affiliation, effective Jan. 1, 1968.

Despite what looks like an opportunity to inherit the earth, the network lament is that they really want out. CBS claims that in the years when *Captain Kangaroo*

wasn't paying its way, it wanted to take the show off and the stations sent up such a howl that it was kept on the air. Dave Blank feels a cut-back is a real possibility: "That is something that is discussed periodically at the networks. Maybe there are time periods we shouldn't be in."

ABC decided this season there is a prime-time period it shouldn't be in. Saturday evening from 10:30 to 11 p.m. has been handed back to the ABC affiliates. It has always been a bad period for the networks: it costs as much as early prime time, and it doesn't deliver the audience.

The networks and the stations are not struggling over time; they are struggling over revenues. For a station to yield time to a network does not always mean defeat, just as it does not automatically mean easy pickings for the network. How they will divide the prize in the future depends upon technology and compromise. END

# "Business deserves consumer confidence"

Fifty-four years ago, American business, in an effort to elevate the ethical tone of advertising and selling through self-regulation, created the first Better Business Bureau. Today 126 BBBs across the nation serve business in the public interest.

Responding with business to the current "consumerized" atmosphere, the BBBs have recently launched a national expansion program and activated their Research and Education Foundation.

Briefly, the aims are: to provide expanded service by individual Bureaus; to inform the public in the ways of better buymanship; to provide a network of local community councils throughout the country to act as sounding boards of changing consumer attitudes and opinion; to research the findings of the Bureaus' 3½ million annual consumer contacts, and arrive at accurate statements of consumer needs and desires; to report these analyzed results to business as a basis for self-action; and, through the newly-established BBB Washington Office of National Affairs, to provide government with authentic data in matters of consumer interest.

To learn more, call the manager of your nearest BBB. Association of Better Business Bureaus International, Chrysler Building, New York, N. Y. 10017.



# TELE STATUS

## COLOR PENETRATION

The top color markets continue to grow fastest, according to new color-ownership forecasts from Papert, Koenig, Lois.

The largest percent of color increase since fall '67 has occurred in markets in the Pacific, East Central and Northeast territories. PKL suggests that this faster growth will continue until substantial levels of color penetration are achieved.

A. C. Nielsen estimates November 1967 U.S. color ownership at 23%. On a market-by-market basis, 10 markets have color-ownership levels more than 50% above the national average—five of these are in Cali-

fornia. The markets showing a 35% or better color penetration, are:

Los Angeles	37%
Sacramento-Stockton, Calif.	40%
San Diego	35%
Fresno, Calif.	36%
Lubbock, Texas	35%
Bakersfield, Calif.	35%
Las Vegas	42%
Reno	35%
Muncie-Marion, Ind.	35%
Akron, Ohio	39%

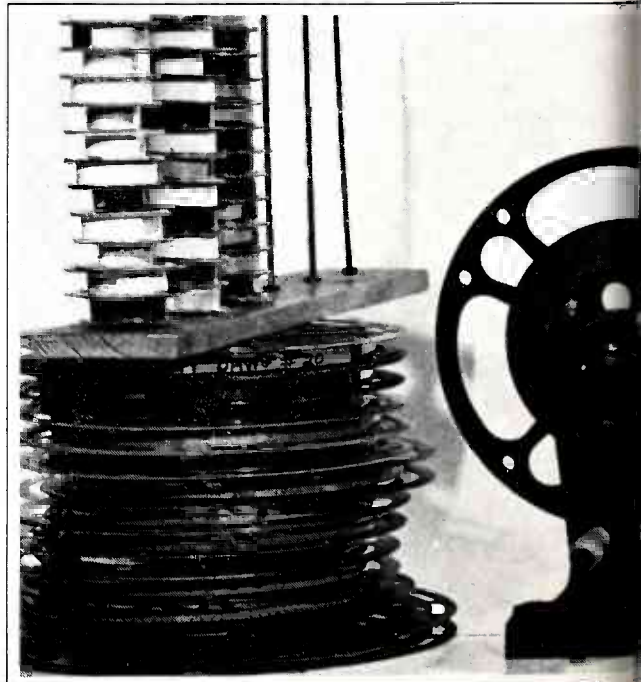
These and the following local-market figures are Papert, Koenig, Lois estimates of local-market color-TV ownership as of November 1967. They are projections from NSI February/March 1967 color ownership data. They reflect best Nielsen estimates of current color households by territory and have been adjusted (lowered) to include no-phone households.

In the following tables, markets are ranked on the basis of station total homes reached during prime time by all stations originating in the market. These were developed by PKL from NSI February/March 1967 data. NSI area households, the area containing substantially all of the homes reached by the market's stations, are as defined by Nielsen as of September 1967.

Three markets—Akron, Ohio; Anderson, S. C., and



There are washings . . . .



Then, there are washings!

Like the washing and lubrication our film department gives every frame of film before it is aired . . . kid glove treatment that assures programs, commercials, public service or promo films quality performance always. Call your Petryman for your washing day.

Worcester, Mass.—are not reportable by Nielsen on a prime-time station total homes reached basis, and therefore cannot be ranked. Data for these markets is included at the end of the listings.

Nielsen cautions that because NSI data are sample base estimates they are subject to sampling error and thus should not be regarded as exact to precise mathematical values. The PKL projections have the additional error-possibility associated with forecasting.

In the next issue TELEVISION will present Paperi, Koenig, Lois-Nielsen Station Index data on CATV.

Market	PKL Projections		
	NSI area TV households	%	Households
1 New York	5,651,530	20	1,130,300
2 Los Angeles	3,591,710	37	1,328,900
3 Chicago	2,463,540	21	517,300
4 Philadelphia	2,234,940	27	603,400
5 Boston	1,870,650	21	392,800
6 Detroit	1,604,980	25	401,200
7 Cleveland	1,368,010	30	410,400
8 San Francisco-Oakland	1,516,910	28	433,100
9 Pittsburgh	1,303,720	22	286,800
10 Washington	1,585,220	20	317,000
Average for markets 1-10		25	
11 St. Louis	841,930	20	168,400
12 Dallas-Fort Worth	878,890	21	184,600
13 Minneapolis-St. Paul	737,840	17	125,400
14 Indianapolis	776,850	30	233,100
15 Baltimore	979,390	19	186,100
16 Cincinnati	828,470	30	218,500
17 Houston	632,470	22	139,100

Market	NSI area TV households	PKL Projections	
		%	Households
18 Hartford-New Haven, Conn.	1,049,850	24	252,000
19 Milwaukee	613,580	29	177,900
20 Kansas City, Mo.	643,020	17	109,300
Average for markets 11-20		23	
Average for markets 1-20		24	
21 Buffalo, N.Y. (U.S. only)	589,110	24	141,400
22 Seattle-Tacoma	635,100	27	171,500
23 Miami-Fort Lauderdale	628,400	23	144,500
24 Atlanta	626,480	19	119,000
25 Sacramento-Stockton, Calif.	665,950	40	266,400
26 Columbus, Ohio	538,220	32	172,200
27 Memphis	532,730	15	79,900
28 Portland, Ore.	552,820	26	143,700
29 Denver	418,960	29	130,200
30 Tampa-St. Petersburg, Fla.	497,110	22	109,400
Average for markets 21-30		26	
Average for markets 1-30		25	
31 New Orleans	457,630	22	100,700
32 Nashville	513,250	14	71,900
33 Albany-Schenectady-Troy, N.Y.	612,120	22	134,700
34 Birmingham, Ala.	515,930	17	87,700
35 Providence, R.I.	1,526,660	21	320,600
36 Syracuse, N.Y.	570,040	23	131,100
37 Charleston-Huntington, W. Va.	442,160	20	88,400
38 Louisville, Ky.	432,430	17	73,500
39 Grand Rapids-Kalamazoo, Mich.	605,160	21	145,200
40 Oklahoma City	387,630	16	62,000
Average for markets 31-40		20	
Average for markets 1-40		23	

PKL market rankings based upon average quarter-hour, prime time, station total homes reached—all stations combined.  
NSI February-March 1967 survey NSI area households are as of September 1967 and are reprinted with permission of A. C. Nielsen Co.



# WFAA-TV

The Quality Station serving the Dallas-Fort Worth Market  
ABC, Channel 8, Communications Center  
Broadcast Services of The Dallas Morning News  
Represented by Edward Petry & Co., Inc.

Quality touch





Market	PKL Projections		
	NSI area TV households	%	Households
<i>November 1967 Color TV ownership</i>			
165 Cheyenne, Wyo.-Scottsbluff, Neb.- Sterling, Colo.	129,260	23	29,700
166 Marquette, Mich.	65,300	13	8,500
167 Roswell-Carlsbad, N.M.	73,100	25	18,300
168 Dothan, Ala.	121,740	16	19,500
169 St. Joseph, Mo.	188,420	15	28,300
170 Eureka, Calif.	51,400	25	12,800
171 Ottumwa, Iowa	99,590	18	17,900
172 Ensign-Garden City, Kan.	48,980	23	11,300
173 Clarksburg-Weston, W. Va.	145,840	19	27,700
174 Santa Barbara, Calif.	200,680	34	68,200
175 Eau Claire, Wis.	151,330	15	22,700
Average for markets 151-175		20	
Average for markets 1-175		22	
176 Panama City, Fla.	137,800	17	23,400
177 Columbus, Miss.	94,760	10	9,500
178 Watertown, N.Y.	75,490	20	15,100
179 Mitchell-Reliance, S.D.	57,040	13	7,400
180 Hattiesburg-Laurel, Miss.	124,150	19	23,600
181 Butte, Mont.	69,320	18	12,500
182 Minot, N.D.	41,840	9	3,800
183 North Platte-Hayes Center-McCook, Neb.	58,100	21	12,200
184 Grand Junction-Montrose, Colo.	50,350	16	8,100
185 Casper, Wyo.	46,400	21	9,700
186 Biloxi, Miss.	128,440	20	25,700
187 Tyler, Tex.	129,300	14	18,100
188 Lake Charles, La.	87,250	18	15,700
189 Greenwood, Miss.	96,540	17	16,400
190 Harrisonburg, Va.	108,500	12	13,000
191 Salisbury, Md.	56,340	16	9,000
192 Hays-Goodland, Kan.	64,170	19	12,200
193 Ardmore, Okla.-Sherman-Denison, Tex.	76,230	13	9,900
194 Lima, Ohio	95,150	28	26,600
195 Manchester, N.H.	1,132,440	21	237,800
196 Twin Falls, Idaho	33,030	25	8,300
197 Yuma, Ariz.	32,470	25	8,100
198 Williston, N.D.	31,670	11	3,500
199 Fort Myers, Fla.	45,330	22	10,000
200 Lufkin, Tex.	50,210	13	6,500
Average for markets 176-200		18	
Average for markets 1-200		21	
201 Ada, Okla.	106,600	11	11,700

Market	PKL Projections		
	NSI area TV households	%	Households
<i>November 1967 Color TV ownership</i>			
202 Presque Isle, Me.	23,990	11	2,600
203 Tupelo, Miss.	69,870	8	5,600
204 Missoula, Mont.	59,700	20	11,900
205 Jackson, Tenn.	93,560	9	8,400
206 Klamath Falls, Ore.	26,210	26	6,800
207 Florence, Ala.	35,460	14	5,000
208 Zanesville, Ohio	51,290	26	13,300
209 Jonesboro, Ark.	102,680	16	16,400
210 Bellingham, Wash.	118,040	29	34,200
211 Dickinson, N.D.	30,160	7	2,100
212 Fort Dodge, Iowa	57,190	19	10,900
213 Laredo, Tex.	15,550	8	1,200
214 Lafayette, Ind.	58,060	30	17,400
215 Parkersburg, W. Va.	43,790	19	8,300
216 Bowling Green, Ky.	180,240	16	28,800
217 Riverton, Wyo.	14,600	18	2,600
218 Muncie-Marion, Ind.	129,890	35	45,500
219 Pembina, N.D.	23,850	9	2,100
220 Glendive, Mont.	4,170	7	300
221 Selma, Ala.	15,170	16	2,400
Average for markets 201-221		17	
Average for markets 1-221		21	
Worcester, Mass.*	181,850	26	47,300
Akron, Ohio*	298,980	39	116,600
Anderson, S.C.*	27,320	19	5,200

\* Not included in PKL ranking.  
PKL market rankings based upon average quarter-hour, prime time, station total homes reached—all stations combined.  
NSI February-March 1967 survey. NSI area households are as of September 1967 and are reprinted with permission of A. C. Nielsen Co.

**NIELSEN ESTIMATES OF  
NOVEMBER, 1967 COLOR TV OWNERSHIP**

Nielsen Territory			
Northeast	14,723,910	22	3,189,100
East Central	9,034,590	25	2,285,800
West Central	10,102,510	21	2,142,800
South	13,619,820	18	2,492,000
Pacific	8,568,360	32	2,781,600
Total U.S.*	56,049,190	23	12,891,300

\* Excluding Alaska and Hawaii.

## FOCUS ON COMMERCIALS from page 59

the location and remaining members of the cast. What might have been an expensive waste turned into a good commercial.

Having made the objective clear, the commercial maker will do well to be equally lucid in his video description. Video is usually written in a telegraphic style. It's amazing how the same words can mean different things to different people, and how the fact too obvious to be included turns out to be not so obvious after all. Of course, turning the script into a storyboard will quickly clear up many areas of confusion, but a good deal of wasted time can be saved if the originator of the idea tells us just what it is he sees in his mind's eye.

What is it you imagine there on the tube? Don't run on and on in purple prose, but don't leave out

essentials either. A good check list is that familiar alliteration of "w's" that newspaper men sometimes use to teach cub reporters: who, when, where, what and why.

Whom do you see in that picture? When is it: day, night, summer, winter? Where are we? What happens? And why? (If people know *why* you include a scene, argument about whether it belongs can be a lot more intelligent.)

When your preproduction meeting rolls around, everyone present may have a clear mental picture of what the scene should be. The difficulty is that several of those mental pictures may be quite different. If your video description has covered all the essentials, disagreements will be quickly uncovered.

In addition to conventional video descriptions, there is another device some writers use to help make clear the picture they see in their minds as they create the com-

mmercial. This is the background memo. Obviously it is not applicable in every case, but there are some commercials that benefit greatly from an accompanying story. "Sunrise, Sunset," for example, is a Kodak commercial that depicts the growing-up years of a boy and girl. In addition to a script for this commercial, the writer, Ken Thoren, prepared an eight-page background study of the members of the cast: their homes, occupations, interests, ancestry and major events in their lives.

There are many other ways, of course, in which a TV-commercial-maker can help that good idea he sees in his mind become an effective message on the home screen. But surely none of them can be more important than a script that is simple, clear, concise, complete. Then watch your idea come to life on the picture tube. That's what makes it all worthwhile. END

## EDITORIAL

### The beginnings of 'public' TV

### A second season every night

□ November 1967 is expected to be a big month for advocates of noncommercial television. President Johnson will begin to implement the legislation, passed by the Congress in October, to create a Corp. for Public Broadcasting. The Public Broadcasting Laboratory, flush with a Ford Foundation grant, begins its Sunday-night network program. Suddenly the have-nots who have struggled with educational television are thinking of themselves as the haves of the larger concept of "public" TV.

This publication begs to introduce a note of harsh reality into the exhilaration of the moment. A non-commercial system of national dimensions is still a long way off, farther indeed than this naked, and perhaps jaundiced, eye can see.

Mr. Johnson's Corp. for Public Broadcasting has been given one year of life and a total budget of \$9 million to create itself and then justify a continuation and expansion of its operations. In its one-year span it can do scarcely more than prepare the case for survival that it must present to Congress.

Meanwhile the Public Broadcasting Laboratory will be doing what it can to demonstrate how non-commercial programming can compete with the commercial system. Its performance must be awaited before it can be appraised, but PBL's assignment is not to be envied. As Eric Sevareid once said of the commercial system, the sheer volume of television's programming exhausts creative resources. The wonder is, said Sevareid, that there is enough mediocrity to go around.

It's something for PBL and CPB to think about.

□ Talk about second seasons of network programming has about as much relevance these days as a politician's call for—or promise of—two cars in every garage. The term was pressed into service originally to describe a significant, if not wholesale, program shuffle at one network which found itself with some lemons on hand at midseason and was smart enough to capitalize on the misfortune. If it was dumping some sour produce, it was also adding some fresh fruit. The network was ABC and the program that made the second effort a success was *Batman*.

We have no quarrel with the ingenuity of the ABC publicists or with *Batman*—or even Robin. But second seasons are a thing of the past, albeit not too distant. And to talk of network strategy in these terms is to be

out of touch with reality. Now we're straining for a new season every night, and the strain has taken its toll on TV's old reliables, the standard half-hour and hour series program forms. It's also making the crisis in original material more acute than it has ever been before.

Now it's the one-shot program; movies, movies, movies and specials, specials, specials. While some of the specials are something less than special and some of the movies may seem too light-weight to command a two-hour vigil at the tube, between them they are clobbering the competition. Of the top eight audience-achievers in a recent week, A. C. Nielsen figures indicated six were movies. The strategy seems to be to hit the enemy with your biggest movie guns first to make sure he's floundering before you're forced to fall back on small-arms fire.

The networks, burdened with enormous investment in blockbuster programming, couldn't be expected to put that kind of money up for every pig-in-a-poke presented to them. It is empirically proven that "nature is stingy with excellence." The odds run heavily against audience approval—not to mention critical acclaim—for an original TV project, no matter who the talent or author. But the emphasis on the blockbuster has reduced attention on development of new material. If the networks aren't scorching their own creative earth they are depleting it, and nowhere in tax laws or loopholes is there likelihood of a TV creativity depletion allowance.

In a business sense networks have shown ingenious resourcefulness in replenishing program supply. They generally exact ownership and distribution rights from producers who come calling with new ideas for weekly series. And two of them are making their own movies that can do double duty in TV and theatrical release.

We have nothing but admiration for the creativity in the networks' business-affairs departments. Our point is that more of that acumen ought to be directed at closing TV's creativity gap. It is a program development problem, one that will not be entirely solved by the step-deal arrangements with known producers, performers and writers by which most new TV series are born. There has been all too little investment in talent development—authors and actors. It is not a nickle-dime problem; it's a seven-digit matter, and it falls to businessmen to invest that kind of money.