



Broadcasters, admen: Police thyselfes

This era of tv and radio deregulation will require faithful vigilance and enlightened self-restraint on the part of advertisers and broadcasters.

That message comes not from me but from a veteran Washington regulator. James Quello, who has been appointed for another seven-year term on the Federal Communications Commission, is pleased that the FCC has tossed out its commercial-time guidelines. He believes the move should enable broadcasters and sponsors to experiment with innovative ad formats. But he warned the industry not to become self-indulgent now that commercial barriers have been demolished.

"With the deregulation efforts at the FCC come increased responsibilities for broadcasters and advertisers," Mr. Quello told the western conference of the American Advertising Federation. He continued, "As the marketplace orientation to public policy progresses, broadcasters and other licensees will be affected more directly by consumer expectation and demands."

If sponsors and broadcasters ignore or neglect their responsibilities, they had better brace themselves for a flood of public complaints to the FCC and, if false and deceptive advertising is involved, to the Federal Trade Commission, Mr. Quello suggested.

To reinforce the warning, the broadcaster-turned-bureaucrat pointedly noted that while he and his fellow commissioners have bowed out of the commercial oversight area voluntarily to test the marketplace approach, they still maintain that the FCC has the right to establish and enforce hourly limits on the amount of commercial time carried on tv and

He reminds the buyers and sellers of broadcasting that the Mark Fowler-headed commission is mortal. "So, while the present commission is not inclined to regulate such things as good taste, it seems clear that future commissions will have such options should they desire to exercise them," he asserted. "Conceivably, the commission could make a public interest finding that advertising should be limited or prohibited from interrupting programming continuity—or even that advertising should be permitted at only certain times of day."

As for keeping an eye on radio-tv content, Mr. Quello feels the commission is fenced off from this by the First Amendment and by the Communications Act of 1934. He sees the prohibition as being complete for programming, and virtually so for advertising.

However, in Mr. Quello's view the broadcast licensee cannot stand aside and disclaim all responsibility for truth in advertising on his air. "To do that would be to violate a first principle of broadcast regulation: The licensee is ultimately responsible for what he allows to be broadcast," he cautioned.

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