

Audio Attention-Getting Devices
Public Notice, see Notice

73,4275

Public Notice issued to clarify the circumstances in which the use and testing of techniques concerning transmission of audio tones to attract the attention of listeners and viewers in interruption of regularly scheduled programming may be used.

F.C.C. 76-610

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

Use of "Tone Clusters" and other Audio
Attention-Getting Devices at AM, FM and
TV Broadcast Stations

July 2, 1976

THE COMMISSION BY COMMISSIONERS WILEY (CHAIRMAN), LEE,
REID, HOOKS, QUELLO, WASHBURN AND ROBINSON ISSUED THE
FOLLOWING PUBLIC NOTICE:

Numerous inquiries have been received by the Commission from broadcast licensees and equipment manufacturers concerning the propriety of transmitting audio tones to attract the attention of listeners and viewers to important news bulletins, local weather announcements, and other situations which may warrant interruption of regularly scheduled programming but which do *not* warrant activation of the State or Local Operational Area Emergency Broadcast System (EBS). The purpose of this Public Notice is to clarify the circumstances in which the use and testing of such techniques and devices are permissible.

There is no objection to the transmission of audio tones and tone clusters by broadcast stations as an attention-getting method. However, the tones employed must be well removed from the audio tones used for EBS inter-station signalling (853 and 960 Hertz), and must *not* be presented, tested, announced, or promoted in a way that confusion with the EBS would be created in the minds of the public.

In keeping with the Commission's policy against the use of broadcast frequencies for strictly point-to-point communications, any use of such tones for receiver control purposes must be *secondary* to the basic purpose of informing the general public using conventional receivers. This means that the use of audio tones as an attention-getting device must be of primary benefit to the general public, and of only incidental benefit to persons with special circuitry receivers designed to demute upon transmission of the particular audio tones employed.

Licensees are also cautioned that the transmission of such tones is *not* a substitute for activation of the EBS under a State or Local Operational Area plan, where the public interest requires the participation of other stations by means of the authorized two-tone EBS Attention Signal. Moreover, licensees and users of such devices are

cautioned that the Commission can assume no responsibility for the technical integrity of non-EBS receiver control systems, for which no technical standards have been prescribed.

Systems of this type may be field-tested during the nighttime experimental period reserved for transmitter maintenance and, in addition, no more than once each week during daytime hours. Daytime testing, however, may not exceed 60 seconds nor be announced in a way that could be confused with the weekly random off-the-air monitor test of the EBS required of all AM, FM, and TV broadcast licensees. Finally, should abuses in the use and testing of such equipment be brought to the attention of the Commission, it may become necessary to initiate rulemaking to prohibit the transmission of non-EBS main channel control tones altogether.

Any use of such systems must, of course, be immediately suspended upon activation of the EBS at the National, State, or Local Operational Area levels.

Action by the Commission June 29, 1976. Commissioners Wiley (Chairman), Lee, Reid, Hooks, Quello, Washburn and Robinson.