

## § 73.1209

(b) Taped, filmed, or recorded announcements which are of a commercial, promotional or public service nature need not be identified as taped, filmed or recorded.

[37 FR 23726, Nov. 8, 1972]

### § 73.1209 References to time.

Unless specifically designated as “standard (non-advanced)” or “advanced,” all references to time contained in this part, and in license documents and other authorizations issued thereunder shall be understood to mean local time; *i.e.*, the time legally observed in the community.

[39 FR 26736, July 23, 1974]

### § 73.1210 TV/FM dual-language broadcasting in Puerto Rico.

(a) For the purpose of this section, dual-language broadcasting shall be understood to mean the telecasting of a program in one language with the simultaneous transmission, on the main channel of a participating FM broadcast station, of companion sound track information in a different language.

(b) Television and Class A television licensees in Puerto Rico may enter into dual-language time purchase agreements with FM broadcast licensees, subject to the following conditions:

(1) All such agreements shall be reduced to writing and retained by the licensee for possible Commission inspection, in accordance with § 73.3613 of this chapter.

(2) All such agreements shall specify that the FM licensee will monitor sound track material with a view to rejecting any material deemed to be inappropriate or objectionable for broadcast exposure.

(3) No television, Class A television, or FM broadcast station may devote more than 15 hours per week to dual-language broadcasting, nor may more than three (3) hours of such programming be presented on any given day.

(4) Noncommercial educational television broadcast stations shall take all necessary precautions to assure that the entire operation is conducted on a

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noncommercial basis and otherwise in accordance with § 73.621 of this part.

[40 FR 17259, Apr. 18, 1975, as amended at 49 FR 33663, Aug. 24, 1984; 50 FR 40016, Oct. 1, 1985; 65 FR 30003, May 10, 2000]

### § 73.1211 Broadcast of lottery information.

(a) No licensee of an AM, FM, television, or Class A television broadcast station, except as in paragraph (c) of this section, shall broadcast any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise or scheme, whether said list contains any part or all of such prizes. (18 U.S.C. 1304, 62 Stat. 763).

(b) The determination whether a particular program comes within the provisions of paragraph (a) of this section depends on the facts of each case. However, the Commission will in any event consider that a program comes within the provisions of paragraph (a) of this section if in connection with such program a prize consisting of money or other thing of value is awarded to any person whose selection is dependent in whole or in part upon lot or chance, if as a condition of winning or competing for such prize, such winner or winners are required to furnish any money or other thing of value or are required to have in their possession any product sold, manufactured, furnished or distributed by a sponsor of a program broadcast on the station in question. (See 21 FCC 2d 846).

(c) The provisions of paragraphs (a) and (b) of this section shall not apply to an advertisement, list of prizes or other information concerning:

(1) A lottery conducted by a State acting under the authority of State law which is broadcast by a radio or television station licensed to a location in that State or any other State which conducts such a lottery. (18 U.S.C. 1307(a); 102 Stat. 3205).

(2) Fishing contests exempted under 18 U.S. Code 1305 (not conducted for profit, *i.e.*, all receipts fully consumed in defraying the actual costs of operation).