



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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## **FCC PROPOSES \$200,000 PENALTY AGAINST TURNER FOR MISUSE OF THE EMERGENCY ALERT SOUNDS**

### ***Enforcement Bureau Investigation of Consumer Complaints About Misuse of the EAS Sounds Leads to Second Action in Ten Weeks***

Washington, D.C. – For the second time in less than three months, the Federal Communications Commission has proposed fines against Turner Broadcasting System for transmitting advertisements that mimic the warning sounds used by the nationwide Emergency Alert System (EAS).

The EAS is a national public warning system that requires broadcasters, cable television operators, wireless cable operators, wireline video service providers, satellite digital audio radio service providers, and direct broadcast satellite providers to make it possible for the President of the United States to address the American public during a national emergency. Federal, state, and local authorities may also use the EAS to deliver important emergency information, such as Amber Alerts and weather information, like tornado warnings, targeted to specific areas.

The FCC has long prohibited the transmission of actual or simulated EAS Attention Signals or tones in circumstances other than a real alert or an authorized test of the EAS system. However, there has been a recent spike in consumer complaints.

The FCC's Enforcement Bureau initiated an investigation in response to multiple consumer complaints about a commercial on Turner's Adult Swim cable network. The complaints described a Best Buy advertisement promoting the release of an "ASAP Rocky" album. Turner provided a recording of the advertisement, review of which established that it included audio material that constitutes a simulation of the EAS tones.

In addition, during the Bureau's earlier investigation into Turner's misuse of the EAS sounds in a promotion for the Conan show, Turner represented to the Commission that it had changed its internal review practices after the first incident. Nevertheless, another Turner-owned channel, less than one year later, transmitted yet another commercial that used simulations of EAS sounds, doing so 14 times over a six-day period. A \$200,000 Notice of Apparent Liability has therefore been issued to Turner Broadcasting System, Inc.

The Notice of Apparent Liability is available at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-14-1A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-14-1A1.pdf)