

persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 20, 2009.

A. Federal Reserve Bank of Kansas City (Todd Offerbacker, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *CrossFirst Holdings, LLC*; to become a bank holding company by acquiring 100 percent of the voting shares of CrossPoint Bank, both in Overland Park, Kansas.

In connection with this application, Applicant also has applied to acquire CrossFirst Advisors, LLC Overland Park, Kansas, and thereby engage in financial and investment advisory activities, management consulting, and counseling activities, pursuant to sections 225.25(b)(6) and (b)(9) of Regulation Y.

Board of Governors of the Federal Reserve System, February 20, 2009.

Robert deV. Frierson,

Deputy Secretary of the Board.

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FEDERAL RESERVE SYSTEM

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages

either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 10, 2009.

A. Federal Reserve Bank of Cleveland (Nadine Wallman, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101-2566:

1. *Farmers National Banc Corp., Canfield, Ohio*; to acquire 100 percent of the voting shares of Butler Wick Trust Company, Youngstown, Ohio, and thereby engage in general trust activities pursuant to section 225.28(b)(5) of Regulation Y.

Board of Governors of the Federal Reserve System, February 20, 2009.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. E9-3984 Filed 2-24-09; 8:45 am]

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FEDERAL TRADE COMMISSION

Advertising of Books: Enforcement Policy

AGENCY: Federal Trade Commission (FTC).

ACTION: Statement of policy.

SUMMARY: The Federal Trade Commission rescinds its stated policy that it will not ordinarily challenge claims in advertising that promote the sale of books and other publications when the advertising purports only to express the opinion of the author or to quote—*i.e.*, mirror—the contents of the book or publication.

FOR FURTHER INFORMATION CONTACT:

Keith R. Fentonmiller, (202) 326-2775, kfentonmiller@ftc.gov, or Edward Glennon, (202) 326-3126, eglennon@ftc.gov, Attorneys, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Ave., N.W., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: On July 21, 1971, the Commission published its “Advertising in Books” enforcement policy, also known as the Mirror Image Doctrine (hereafter “MID”). The MID enforcement policy provides:

The Commission, as a matter of policy, ordinarily will not proceed against advertising claims which promote the sale of books and other publications: *Provided*, The advertising only purports to express the opinion of the author or to quote the contents of the publication; the advertising discloses the source of statements quoted or derived from the contents of the publication; and the advertising discloses the author to be the source of opinions expressed about the publication. Whether the advice being offered by the publication will achieve, in fact, the results claimed for it in the advertising will not be controlling if appropriate disclosures have been made. This policy does not apply, however, if the publication, or its advertising, is used to promote the sale of some other product as part of a commercial scheme.

Advertising in Books: Enforcement Policy, 36 FR 13,414 (July 21, 1971). By its terms, the MID does not circumscribe the Commission’s inherent authority to proceed against deceptive advertising for books and other publications. Rather, it is a guide for how Commission staff “ordinarily” should approach such advertising.

Five years after the FTC promulgated the MID, the Supreme Court decided that the First Amendment to the U.S. Constitution protects commercial advertising from undue government regulation, albeit not to the same degree as non-commercial speech. In *Virginia State Bd. of Pharmacy v. Virginia Citizens Consumer Council, Inc.*, 425 U.S. 748 (1976), the Court held that “speech which does ‘no more than propose a commercial transaction’” is commercial speech entitled to some form of First Amendment