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January 14, 2011

Mr. Donald S. Clark
Secretary
Federal Trade Commission Room H-135 (Annex S)
600 Pennsylvania Avenue, NW
Washington, DC 20580

***Re: Business Opportunity Rule, R511993; Direct Selling Association's
Comments on the Federal Trade Commission's Staff Report on the Proposed
Final Business Opportunity Rule***

Dear Mr. Clark:

On behalf of the Direct Selling Association (DSA) and its member companies, DSA applauds the deliberative and professional process the Federal Trade Commission (Commission) has carried out in crafting this proposed trade regulation as well as the thoughtful and comprehensive staff report on the proposed final Business Opportunity Rule (PFBOR). DSA and its member companies also concur with the well reasoned conclusion reached by the Commission in March 2008 that the direct selling industry would not be specifically covered by the revised proposed Business Opportunity Rule and its stated preference to utilize existing consumer protection authorities under Section 5 of the FTC Act to address any potential concerns which may arise in the direct selling industry.

Moreover, DSA wholly endorses the Commission's stated intention of narrowing the "scope of the proposed rule to avoid broadly sweeping in sellers of multi-level marketing opportunities" as well as the Commission's earlier acknowledgment that "the [April 2006 proposed rule] would have unintentionally swept in numerous commercial arrangements where there is little or no evidence that fraud is occurring [and that] the [proposed rule] would have imposed greater burdens on the MLM industry than other types of business opportunity sellers without sufficient countervailing benefits to consumers."

Accordingly, in that spirit, DSA takes this opportunity to once again express its appreciation to the Commission for its professionalism throughout the rulemaking process, and to reiterate its earlier suggestions for clarifications to the PFBOR. DSA, its member companies, and the now over 16 million individual direct sellers in the United

States have appreciated the opportunity to participate in this important rulemaking endeavor.

Sincerely,



Joseph N. Mariano
Executive Vice President
Direct Selling Association