



June 15, 2006

Federal Trade Commission/Office of the Secretary, Room H-135 (Annex W)  
600 Pennsylvania Avenue, NW  
Washington DC 10580

RE: Business Opportunity Rule R511993

Dear Sir or Madam:

This letter is written on behalf of our Board of Directors, Executives and over 800 independent sales consultants expressing our serious concerns about the proposed Business Opportunity Rule R511993 in its present form. We strongly feel this could be very detrimental to our overall business and that of independent consultants. We certainly understand that the FTC has responsibilities to protect the public from "unfair and deceptive acts or practices," but some of the sections in the proposed rule will make it very difficult if not impossible for Viviane Woodard to continue its business.

Viviane Woodard was founded in 1958 and we have been a direct selling company selling skincare and cosmetic products since that time. We have more than 800 independent sales consultants with approximately \$850,000 in annual sales. Many of our consultants have been selling our products for 15 to 25 or more years and have long-time established clients.

The proposed seven day waiting period to enroll new consultants appears laborious and confusing. Viviane Woodard's sales kit costs only \$95.00 and we already have a 90% buyback policy for all products including sales kits purchased by a salesperson within the last twelve months. Consumers make many purchases - TV's, automobiles and other items that cost much more than our sales kit and they do not have to wait seven days. This waiting period creates the impression that there might be something wrong about the plan or the program. Additionally, the administrative costs of creating and keeping the very detailed records would be expensive and highly distracting from the basics of building the business.

It's our understanding that this proposed rule would eliminate the protections provided to businesses which require very low entrance fees (even \$.01!) and therefore, Viviane Woodard's plan would fall under FTC regulatory authority under the proposed rule. Viviane Woodard would then have to produce numerous documented materials to comply with the proposed rule.

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The proposed rule regarding the disclosure of prior legal actions regardless if the company was found innocent or not seems to put Viviane Woodard, a company which has done nothing wrong, at an unfair advantage to other retail companies. In today's environment, anyone or any company can be sued and it seems as though misrepresentation claims are included in every complaint. It seems more appropriate to include only litigation that is related to the earning opportunity offered to the prospective consultant.

The Earnings Claims disclosures and corresponding documentation discussed in the proposed rule presents great if not impossible challenges for a company like Viviane Woodard. Gathering information about Consultants' demographic/geographic data and earnings poses what we feel is an ineffective approach in preventing targeted business opportunity fraud. While direct sellers like Viviane Woodard would try to comply with this, others who don't follow the rules will not provide accurate data. And again, we face greater expenses in dollars and time in administrative tasks.

The other point we would like to make concerns privacy and identity theft both of which raise great concern for our customers, consultants and our company. People are very reluctant to share private information with people they don't know. The sentence required in the proposed rule "if you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers" will prevent many people from wanting to sign up as a salesperson. Viviane Woodard's business is comprised mostly of women and women are especially concerned about protecting their identify from strangers and safety issues. As a company, we are uncomfortable giving out any personal information of individuals without their approval to strangers. To be required to disclose the names of a minimum of 10 prior purchasers near a prospect would again mean additional administrative resources. It might also result in unfair competition and possible privacy lawsuits.

While Viviane Woodard appreciates the FTC's efforts to protect consumers, we believe this proposed rule has many unintended consequences which would negatively affect our business. Surely there are alternatives to achieving consumer protection goals without the burden of the provisions of this proposed rule.

Thank you for your time in considering our comments.

Sincerely,

Bryan Brown  
President/CEO

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Director Sales & Marketing  
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