

## ***Ben Eison***

July 12, 2006

Dear Sir or Madam:

I am taking the time to write this letter because I am deeply concerned about the proposed Business Opportunity Rule R511993. In its present form, I believe that this ruling will have a devastating impact on my ability to continue building my home-based business as a Founding Team/Distributor with Agel International.

Although I understand that part of the FTC's responsibilities is to protect the public from "unfair and deceptive acts or practices," some of the sections in the proposed rule will make it extremely difficult, if not impossible, for me to sell Agel International's unique gelnutritional products and build my business.

For the past 10 years I have been an active participant in the Direct Selling & Network Marketing industry. Originally, I became a founding team member in my company 2 years ago because I felt the products were exceptional and I wanted to earn some additional income. I have seen our company grow from a dream in our founder's mind, to over 100 million in sales in the past 20 months. In addition, our unique (patent pending) product line has made available part & full-time home-based income opportunities for over 60,000 people here in the U.S. Many of our distributors are single moms, laid off workers, individuals with physical disabilities who could not qualify for traditional employment, etc. Personally, I was downsized out of my job 6 years ago, without adequate retirement savings, so I am now left to provide for my own retirement as a 50+ yr old father of a family of 4 with 2 kids in college. The financial future of my family is dependent on the stability of the direct selling industry.

One of the most confusing and burdensome sections of the proposed rule is the seven-day waiting period to enroll new distributors. Agel International's sales kit only costs \$290. Yet, when I just recently signed a new lease for a 2006 Toyota Avalon, which will cost me over \$16,000 over the next 3 years, there was NO requirement for the salesperson (or the dealership) to prevent me from finalizing the deal for 7 days. Why should distributors/business people in our industry be subject to such an onerous requirement?

As you know, people buy other items that cost much more than \$290 and they do not have to wait seven days. This waiting period gives the impression that there might be something wrong with the company or the compensation plan. I also think this seven-day waiting period is unnecessary, because Agel International already has a 80% buyback policy for all products including sales kits purchased

by a salesperson within the 30 days. Under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about Agel and will then need to send in many reports to my company headquarters.

The proposed rule also calls for the release of **any** information regarding lawsuits involving misrepresentation, or unfair or deceptive practices. It does not matter if the company was found innocent. Today, anyone or any company can be sued for almost anything. It does not make sense to me that I would have to disclose these lawsuits unless Agel is found guilty. Otherwise, Agel International and I are put at an unfair advantage even though Agel has done **nothing** wrong.

Finally, the proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. I am glad to provide references, but in this day of identity theft, I am very uncomfortable giving out the personal information of individuals (without their approval) to strangers. Also, giving away this information could damage the business relationship of the references that may be involved in other companies or businesses including those of competitors. In order to get the list of the 10 prior purchasers, I will need to send the address of the prospective purchaser to Agel International's headquarters and then wait for the list. I also think the following sentence required by the proposed rule will prevent many people from wanting to sign up as a salesperson - "If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers."

People are very concerned about their privacy and identity theft. They will be reluctant to share their personal information with individuals they may have never met. If banks and other business are not required to share this type of personal information about their customers or business partners, why should we in the direct sales industry?

I appreciate the work that the FTC does to protect consumers, yet I believe this proposed new rule has many unintended consequences and there are less burdensome alternatives available to achieving your goals.

Thank you for your time in considering my comments.

Respectfully,

Ben Eison