



Linda and John Eicher

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, NW Room H-135 (Annex W)
Washington, DC 20580

July 13, 2006

RE: Business Opportunity Rule – R511993

To Whom It May Concern:

This letter is written in opposition to the Notice of Rule Making – Business Opportunity Rule R511993.

I have been made aware of your proposals designed to protect consumers from fraudulent business opportunity companies. Re: Business Opportunity Rule R511993. Please understand, I support your efforts. Unfortunately, the attempt to enforce these proposals is going to hurt legitimate companies much more than inhibit the illegitimate ones. I fully believe in honest ethical business and that is the ONLY way I will conduct business with my clients.

I am writing this letter due to my concern that our business will be drastically reduced and possibly ruined if these proposals become reality. I became an independent business owner with my company because of the benefits we experienced as retail customers of the products. For TEN years my husband and I have owned and operated this business as the SOLE SOURCE OF OUR INCOME. The future of our family is completely dependent on the stability of my business and of the direct selling industry.

The first proposal of a seven-day waiting period for enrollment of new business owners is not necessary. This seven-day waiting period is unnecessary for companies that offer money-back guarantees. The Direct Selling Association companies already have a 90% buy-back policy for all products, sales aids and starter kits for twelve full months. We take our candidates through a very thorough information process before they make their decision to become a registered business owner. The fee to register is only \$49. How does this compare to mass marketing and emotionally-charged advertising that urge people to make big purchase decisions on cars, appliances, computers etc with no waiting period required? The waiting period would send a red flag to the candidate that would make them think there may be something wrong with my company or opportunity.

The proposed rule also requires the release of ANY information regarding lawsuits involving misrepresentation, or unfair or deceptive practices, even if the company was found innocent. In today's litigious society, anyone can make such charges whether founded or not. My opinion is that we should only be required to disclose these lawsuits if our company was found guilty, otherwise we would be put at a very unfair competitive disadvantage.

The proposed rule requires disclosure of contact information of a minimum of 10 prior purchasers nearest the prospective consumer. I do provide references upon request already, but in this day of identity theft, and predators, it could put someone needlessly in danger. It could also open the door to my prospective customer being sold on some other product or opportunity that I have inadvertently exposed them to. This proposal could make a new prospective client back away if they were given the proposed statement of, "If you buy a product or service from the seller, your contact information can be disclosed in the future to other buyers." That is preposterous! No one wants their privacy infringed upon like that. They wouldn't be asked to release private information if they were buying from a retail store or internet company.

Finally, the income disclosure requirement can be handled by asking the company to publish a yearly report containing the average income of the business owners collectively. Individual claim support should be kept by the business owners but only disclosed if required by an agency or state investigation.

Although I appreciate the work of the FTC and the general mission of protecting consumers, I believe this proposed new rule has many detrimental consequences that could result from its enforcement. I am positive you can achieve your goal and not penalize legitimate companies and distributors in the process.

Sincerely,
Linda Eicher
Independent Business Owner