

BRENDA J. JOHNSON

July 17, 2006

Dear Sir or Madam:

This is in regard to proposed Business Opportunity Rule R511993. In its present form, it could prevent me from continuing as an Independent Consultant with Arbonne International. I understand that part of the FTC's responsibilities is to protect the public from "unfair and deceptive acts or practices," yet some of the sections in the proposed rule will make it very difficult or impossible for me to sell Arbonne's products.

It has been my goal since I was young to be the one to raise my child, not a daycare provider. Originally, I became an Independent Consultant in Arbonne because I felt the products were exceptional and I wanted to earn extra income to enable me to be at home with my daughter. I have since incurred an injury that has kept me from working in my full-time job as a Registered Nurse. The income I receive from my business has been much-needed. Under my current physical condition, as well as the current economic status of our country, the future of my family is dependent on the stability of the direct selling industry.

One of the most ambiguous sections of the proposed rule is the seven-day waiting period to enroll new Independent Consultants, especially in Arbonne (anyone that receives the benefits of the wholesale discount program gains the respectful title of Independent Consultant). Our sales kit only costs \$29.00. People buy TVs, cars, and other items that cost much more and they do not have to wait seven days. This waiting period gives an impression that there might be something wrong with the business or the compensation plan. (Arbonne's compensation plan, as well as an Independent Consultant Compensation Summary is available to the public online.) It also prohibits the new Independent Consultant from starting their business for a whole week! If someone starts a new job, one of the first things a person needs to know is "When will I get paid?" and "When do I start?" I also think this seven-day waiting period is unnecessary because all companies that are part of the Direct Sales Association must have a 90% buyback policy for all products, including sales kits, purchased by a consultant within the last 12 months. Under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about Arbonne, which is often just in casual conversation. This defeats one of the huge benefits of network marketing (which *is* different from direct sales, but in this case, falls into this category), which is to be able to talk to people about your business *when you want to* and not have it be a formal company meeting. Under this rule, I would never be able to discuss my business with anyone without documenting it. I *know* that other business people do not have to do that.

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. It does not make sense to me that I would have to disclose these lawsuits unless my company is found guilty. Otherwise, my company and I are put at an unfair advantage even though we have done **nothing** wrong. Do other business people have these same constraints?

Finally, the proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. When a person applies for a job, they are asked for *three* references, and that is the interviewee, not the interviewer!. Also, this has the potential to place previous purchasers at risk by providing private information about them to strangers. The following sentence is prohibitive to business as well: "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. Anyone will be reluctant to share their personal information with individuals they may have never met. Personally, I would *never* commit to this. My family will lose the benefits of the incredible products offered by this company as well as the financial gain because I will not allow my information to be given out like that. 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,

Brenda J. Johnson