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distributor decides within 30 days not to continue, he or she can receive a full refund of the cost of the sales kit by returning the distributor manual in good condition. If the distributor tries a little longer than 30 days and then decides to quit, he or she can still receive a partial refund of \$39.95 up to 90 days after signing the Independent Distributor Application and Agreement.

Market America also has a product buyback policy which gives distributors who are quitting the business the right to receive a 90% refund on all products purchased during the previous twelve months. This buyback policy applies whenever a distributor decides not to do the business anymore. It could be a week, a month, a year, or even ten years after he or she started. The only restriction is that the products must be returned in resalable condition.

The Market America business opportunity is presented to prospective distributors thousands of times each year, and the company has an admirable record on consumer protection issues. Consumers don't complain about Market America because our business has a low cost-of-entry, and our refund and buyback policies work. The FTC is proposing to regulate Market America under Rule 511993 the same way it regulates franchises. However, consumers typically pay tens or hundreds of thousands of dollars to buy a franchise business. Putting Market America's direct selling opportunity in the same category as a franchise is simply not justified by the risk to consumers.

Disclosure of Ten Prior Purchasers

Rule 511993 would require Market America's distributors to disclose the name, address, and telephone number of a minimum of the ten prior purchasers nearest to the prospective purchaser. With identity theft becoming more common, many people are wary of giving out their personal data. The following statement, required by Rule 511993, would be especially chilling to prospects considering our business:

"If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers."

If this vague, open-ended term appeared in the privacy policy of an internet shopping site, who would feel comfortable entering their personal data? Why would anyone be more willing to provide the information in relation to a business opportunity?

In addition to the chilling effect on people considering our business, the disclosure requirement of Rule 511993 would be an administrative burden. In order to generate the list of ten prior purchasers, Market America would need to obtain the address of the prospective purchaser and search our database of existing distributors for close matches. If the prospect lives in a densely populated area, a simple zip code search could return tens or even hundreds of current distributors. The company would have to use Google Maps or an alternative software program to confirm which are the closest.