

To Whom It May Concern:

I am writing this letter because I am concerned about the proposed Business Opportunity Rule R511993. I believe that in its present form, it could prevent me from continuing as a ENIVA Distributor. Some of the sections in the proposed rule will make it impossible for me to sell ENIVA products. I have been selling Eniva products for over 4 years, and this will impose an unnecessary hardship upon my business.

One of the most confusing and burdensome sections of the proposed rule is the seven-day waiting period to enroll new Eniva distributors, which would impose a Drastic Negative Impact upon my business growth. Eniva has No Enrollment startup fee. Signup and order your desired products. People buy TVs, cars, and other items that cost much more and they do not have to wait seven-days. I recently bought a new car and drove it home the same day. The FTC appears to be singling out the Network Marketing Industry with these proposed changes. This waiting period gives the impression that there might be something wrong with our business. I also think this seven-day waiting period is unnecessary, because ENIVA already has a 90% buyback policy for all products purchased by a salesperson within the last twelve months. Under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about ENIVA and will then have to send in many reports to ENIVA headquarters. These proposed FTC Rule Changes are themselves in violation of the restraint-of-trade rules established by the FTC in relation to Fair Competition, Network Marketing Versus Retail/Wholesale.

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 any such lawsuits unless ENIVA is found guilty. Otherwise, ENIVA and I are put at an unfair advantage even though **nothing** wrong has been done.

Finally, the proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. In these days of identity theft, and Privacy Laws, 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 who 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 ENIVA 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, and the end result will be a **NO SALE**.

I have been a ENIVA Distributor for more than 4 years. Originally, I became an Eniva Distributor because I like the Eniva products and wanted to earn some additional money. Now I am a Full-Time Eniva Distributor and my Family is totally dependent upon our Eniva income. If these changes are passed and put into force resulting in my Total Loss of Income, I will have no Alternative that to join a Class Action lawsuit against the FTC, along with hundreds of thousands of my fellow networkers in the industry. Of course, this would not do the image of the FTC any good, in regards to protecting Citizens and Consumer Rights, because of all the National Media Coverage it would receive. I have no doubt it will end up in the Supreme Court of the United States with needless expenses to the Tax Payers of America.

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

One suggestion I might make is to change the rules, due to inflation, from \$500 investment/startup costs currently, To a figure of \$1,000 startup costs. A brick and mortar type business (Retail/Service/Manufacturing) cannot be Started up for less than \$200,000 in today's market. Try purchasing a McDonald's and you will need to outlay Over 2 Million dollars for the Franchise Fee alone. Maybe this an area for you to direct FTC attention?

Thank you for your time in considering my comments.

Sincerely,

Carl Erickson