

June 9, 2006

**Federal Trade Commission/Office of the Secretary, Room H-135 (Annex W)
600 Pennsylvania Avenue, NW
Washington, DC 20580
RE: Business Opportunity Rule, R511993**

Dear Sir or Madam:

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 Mannatech Distributor. I understand that part of the FTC's responsibilities is to protect the public from "unfair and deceptive acts or practices," but some of the sections in the proposed rule will make it very difficult if not impossible for me to sell Mannatech products.

One of the most confusing and burdensome sections of the proposed rule is the seven-day waiting period to enroll new Distributors. Mannatech's product packs cost from only \$99 to only \$1,099. Typically, a person buys a Mannatech product pack because it offers the best price, not because he or she wishes to sell Mannatech's products. People buy TVs, cars, and other items that cost much more than that and they do not have to wait seven days. This waiting period gives the impression that there might be something wrong with the plan. I also think this seven-day waiting period is unnecessary, because Mannatech already has a three-day 100% money back cancellation policy for all product packs. Under this waiting period requirement, I will need to keep very detailed records when I first speak to someone about Mannatech and will then have to send in many reports to Mannatech 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 Mannatech is found guilty. Otherwise, Mannatech and I are put at an unfair advantage even though Mannatech 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 who may be involved in other companies or businesses including those of competitors. Also, depending on the prospective buyer, giving the names of prior purchasers to them could be a sneaky way for that prospective buyer to gain insight into my customer list. In order to get the list of the 10 prior purchasers, I will need to send the address of the prospective purchaser to Mannatech 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.

I have been a Mannatech Distributor for about 2 years. Originally, I became a distributor for Mannatech because being a distributor offers the best price to one whether or not one is planning on selling the products. I wanted to take Mannatech’s products because they supplied to me nutrients that are not available in the modern food supply. Eventually, I chose to share the information about the products because I became healthier when taking them. Now, my family depends on this extra income to supplement our budget. My story is similar to most Mannatech Distributors in that the vast majority of distributors start taking Mannatech products for the health benefits and, only later, decides to share the products with others.

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.

Thank you for your time in considering my comments.

**Sincerely,
Mark Kirklin**