

# KIMBERLY CARPENTER

July 7, 2006

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

RE: Business Opportunity Rule, R511993

To Whom It May Concern:

I am writing this letter with great concern about the proposed Business Opportunity Rule R511993. I believe strongly that in its present form, it could prevent me from continuing as an Arbonne Independent Consultant.

I am appreciative of the Federal Trade Commission and your enormous task of protecting the public from "unfair and deceptive acts or practices," however several areas of the proposed rule will make it difficult, if not impossible to continue successfully selling the Arbonne products and sponsoring people into the business.

My greatest concern regards the seven day waiting period. With Arbonne, not only are there no purchase requirements, there are no minimum requirements. Any products a person elects to buy are priced to meet consumer demand and are extremely competitive. I believe Arbonne's products carry a great savings for consumers. The proposed waiting period gives the unfair impression that there is something wrong with the products and the direct sales industry. This is absolutely not the case. In addition, this rule penalizes our consumers which are so excited to receive the products they love as quickly as possible. There is no need for a waiting period, as Arbonne has a 45 day satisfaction guarantee on all of their products and orders. The company stands behind everything they distribute.

This waiting period requirement will also make it necessary to keep very detailed records of when I first speak to someone about Arbonne and keep track of when to follow up. One of the key elements to my success in this business has been capturing the enthusiasm and immediate results prospects experience with Arbonne products; prospects do not want to wait to get their products. The waiting period would potentially limit my ability to grow my business.

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. A lawsuit may incorrectly imply wrongdoing and it seems unfair to disclose lawsuit information unless Arbonne has been found guilty of something. In this litigious society, I fear being penalized by the impression a lawsuit would leave, even if I or the company have done nothing wrong.

Finally, the proposed rule requires the disclosure of a minimum of 10 prior Independent Consultants nearest to the prospective Consultant. I am glad to provide references, but identity theft is a reality we live with in today's world and I am very uncomfortable with giving out personal information about individuals, without their permission or knowledge, to strangers. Individuals are also extremely busy and simply may not wish to be involved in a barrage of calls from prospects; I know that I would not want this.

Sharing this information could also damage the business relationship of references with those involved in other companies or businesses, or provide an unfair advantage to competitors. In order to get the proposed list of 10 prior Independent Consultants, I would need to send the address of a prospect to the Arbonne corporate office in California and then wait for the list. The proposed rule also includes the language, "If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers" and prospects will be understandably concerned about their privacy. I would find it an invasion of privacy to disclose personal data, for my business purposes. I also strongly disagree with the wording "buy a business opportunity." Prospects are making a decision to work with a business to generate additional income. There is no business to "buy," making this sound like a franchise opportunity.

I have been an Arbonne Independent Consultant for almost two years. I became a Consultant because I love the products and was looking for a second source of income. I have had the ability to build a business with Arbonne at my own personal pace. I have developed a team of hundreds of Independent Consultants across the country and together we are helping our families enjoy better lives. This has been one of the most rewarding business experiences I have ever been involved with. This industry is strong and the people working with the various companies in direct sales are happily receiving products they love and supporting their families with much needed income.

I truly appreciate the work of the FTC in protecting consumers, but I believe this proposed new rule would have many detrimental (and unintentional) consequences and I hope there are alternative means to resolving the outstanding issues at hand, without harming the livelihood of millions of successful network marketers, like me. Thank you for your time and understanding.

Sincerely,

Kimberly Carpenter