

July 11, 2006

Dear Sir/Madam:

**RE: Business Opportunity Rule R511993 and  
it's effect on my business with Arbonne international.**  
**Federal Trade Commission Notice of Proposed  
Rulemaking regarding business opportunities.**

I am writing to express my **deep concern and strong opposition** to the above rulings that you are proposing regarding Direct Selling and Network Marketing. I believe that in its present form, it could prevent me from continuing as an Arbonne Independent Consultant. I understand that part of the FTC's responsibility is to protect the public from "unfair and deceptive acts or practices," but some areas of the proposed rule will make it very difficult, if not impossible, for me to sell Arbonne products and sponsor people into the business.

**About the Proposed Rule**

If adopted, this rule could have a serious impact on our industry, requiring direct selling companies to drastically alter their sales methods and placing additional burdens on direct sellers like myself and thousands of others, in order to comply with federal law.

Direct Selling and Network Marketing is the only chance we have to dig out of the messes that have been created for us by rules, bureaucracy, and fraud that your agency has facilitated with the regulations and restrictions you place on honest Americans!

**1) Seven-day waiting period:** One of the most confusing and restrictive sections of the proposed rule is the 7-day waiting period to sign up new Consultants. Not only do Arbonne Starter Kits cost a nominal amount of money, the proposed waiting period gives the impression that there might be something wrong the Arbonne opportunity. Under this waiting period requirement, I will need to keep very detailed records 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; the waiting period would potentially limit my ability to grow my business.

**2) Litigation Information:** 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. I fear being penalized by the impression a lawsuit would leave, even if I have done nothing wrong.

**3) References:** 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. Also, sharing this information could 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 have been an Arbonne Independent Consultant for over 1 year. I became a Consultant because I love the products and our family was in need of a second source of potential income. Since starting my Arbonne business, I have developed a team of approximately 185 Independent Consultants across the country and together we are helping our families enjoy better lives.

We, the ordinary American, are trying to stabilize our finances and improve our futures by establishing small businesses from our homes to help ease the burdens that: 1) The Economy, 2) Big Government, and 3) The IRS, have place on our shoulders in this country! You, the FTC seem to be determined to make it more difficult for us, and continue to escalate the burdens and hardships of direct selling!

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.

You would be better served to simply direct your efforts and funding toward pin-pointing the “scam artists” & those who DO NOT abide by the rules and protections already in place for our industry.

Thank you for your time and consideration of this one voice, but the opinions of thousands.

Sherri Shull