

July 13, 2006

Federal Trade Commission Office of the Secretary Room H-135 (Annex W) 600  
Pennsylvania Avenue, NW Washington, DC 20580

Dear People,

I am writing to voice my opposition to **Business Opportunity Rule, R511993**.

I am an independent distributor of several high quality products through direct sales. As a healthcare professional, it is essential that I be able to offer products of this type to my clients as they serve to support health and well-being.

I use the income from direct sales to augment my own income and, like millions of others in this field, are glad for the opportunities represented by this industry. I've been enrolled in these direct sales opportunities for about five years. As an acupuncturist, I have been in practice for 17 years.

I appreciate the intent of this rule to protect the public from fraudulent schemes, but I believe that it would significantly alter the way I support others in the sale and use of these products, reducing my effectiveness as a practitioner. I am a trusted provider and several of the rules proposed would indicate to clients and participants in direct sales that there was something questionable, negative, or sleazy about my efforts. Specifically, the rule requiring references and the rule requiring a seven-day waiting period specifically fall into this category.

Additionally, the elimination of the \$500 threshold fails to distinguish between those direct sales opportunities that require substantial personal outlay to join and those that don't. Neither of the ones I participate in require any significant initial outlay of money, making it easy for potential salespeople to try on a company for personal fit and interest.

Furthermore, earnings claims require a difficult collection of data and will be fraudulently represented by unscrupulous people while those of us with good reputations will put forward valid data. References from the ten nearest existing salespeople is an impractical as potential salespeople could be at some distance from my office. Using references' contact information could also result in potential privacy and identity issues.

Again I want to say that this rule will not serve to protect the public as it is intended. It will, however, make my business more difficult, cumbersome and probably impractical. This would mean that I could no longer offer my friends and clients opportunities that currently benefit them in myriad ways.

I urge you not to adopt this rule.

Sincerely,

Howard M. Evans, L.Ac., M.Ac. Traditional Acupuncture