

July 16, 2006

Email to: <https://secure.commentworks.com/ftc-bizopNPR/>

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

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Ladies and Gentlemen:

I am an independent distributor of 4Life Research USA, LLC ("4Life"). 4Life is a company that manufactures high quality dietary supplement products and markets those products through a network of independent distributors. My family depends on the extra income that I earn as an independent distributor of 4Life.

I am writing this letter because I am concerned about proposed Business Opportunity Rule R511993. I believe that in its present form, it could prevent me from continuing as an independent distributor of 4Life. I understand and appreciate that part of the FTC's responsibility 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 4Life products.

One of the most confusing and burdensome sections of the proposed rule is the seven day waiting period to enroll new distributors. 4Life's sales kits only cost \$29.95. People buy televisions, cars, and other items that cost much more than the price of a 4Life sales kit, and they do not have to wait seven days. **If passed, I would have no choice but to challenge this law in court as unconstitutional and selectively trade restrictive.** If you are going to impose a 7 day waiting period on this industry then you need to impose one on every industry.

In addition, the waiting period gives the impression that there might be something wrong with the compensation plan. I also think this seven day waiting period is unnecessary because 4Life already has a 90% buy-back policy for all products, including sales kits 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 4Life, and will then have to send in many reports to 4Life's headquarters.

The proposed rule also calls for the release of any information regarding lawsuits involving misrepresentation or unfair or deceptive practices whether these suits were unfounded or not, and whether 4Life was found guilty or not. Again, **this is selective targeting of an industry. If this is a good law then it should apply to all industries**, the auto industry, the home shopping industry, retail, everything. I am in favor of disclosing lawsuits where a judgment was entered against 4Life, and this rule should apply to all industries as well. **Forcing the disclosure of all lawsuits for this industry only, frivolous and otherwise, would simply be targeting an industry with malicious intent.**

Finally, the proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. **Again, if this is a good rule then it should apply to other industries as well.** I am glad to provide references but **if I give out the contact information on every person I sell to, sooner or later I will be contributing to Identity Theft and I run the risk of being on the receiving end of a lawsuit. When that happens, I would have no choice but to name the FTC as a co-defendant in this lawsuit because I was forced to release this information.** The sentence in your rule, "if you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers," would open up the flood gates for these lawsuits. In addition, this one sentence will adversely affect my business because people are very concerned about their privacy and identity theft and will be very reluctant to share their personal information with individuals they may have never met.

I appreciate the work of the FTC to protect consumers, but I believe this proposed new rule is restrictive to trade, selectively restrictive and unconstitutional. I further believe it will not survive a court challenge if imposed because of its selectively restrictive nature. I feel it has many unintended consequences and that there are less burdensome alternatives available in achieving its goals. I respectfully request that the proposed Business Opportunity Rule R511993 not be adopted in its present form and if adopted, it include all industries because if this is a good rule, then why doesn't it apply to all industries.

Thank you for your consideration.

Sincerely,

Dr. Rick J. Mayer
