

Roberto Mazzarella

Dear Sir or Madam:

I am writing to express my concern about the proposed Business Opportunity Rule R511993. It appears that the way it is formulated could prevent me from continuing as an Executive Associate. I understand 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 directly sell products.

One of the most burdensome sections of the proposed rule is the seven day waiting period to enroll new Associates. Just think for a moment what would happen if the seven day waiting rule were to be applied to everyday commerce: the newsstand, grocery store, appliance store, or car dealership...The ensuing chaos would stop all transactions dead in their tracks. You wouldn't be able to buy a newspaper until the following week – seven day old news! On one hand, it might help solve the problem of obesity, because waiting for seven days before you could check out your food would shrink your stomach and you'd lose your appetite. Or, by the time the 7 days were over, all the food in your old refrigerator would have spoiled... Or consider this: your kids are screaming and your wife/husband is tearing her/his hair because your TV went on the blink and now you have to wait 7 days to buy a TV... Or, your car was wrecked in an accident and you are spending a fortune on taxis to and from work, dropping off the kids at school, shopping...

If all buyers were thrown into a state of procrastination about purchasing their choices, how this would impact our already struggling economy? Correct me if I'm wrong, but it has always been my understanding, that God granted us all free will choice. Your proposed ruling appears to supercede that God given right.

A waiting period throws a subtle doubt on the plan itself. I find this seven-day waiting period unnecessary, because Oasis already has a 90% buyback policy for all products, including sales kits purchased by a salesperson within the last twelve months. A waiting period would require that I keep extremely detailed records when I first speak to someone about my company and then send in copious reports to my head office. It's a well known fact that when people are overwhelmed by paper work, they do not produce anything. That may be okay for the government, but it certainly does not work for business.

The proposed rule also calls for the release of any information regarding lawsuits involving misrepresentation, or unfair or deceptive practices, even if one was found innocent, or the case was dismissed. In these days of frivolous and mean spirited law suits, people and companies can use suits to discredit another by innuendo. It does not make sense to disclose these lawsuits unless my company were to be found guilty. Otherwise, my company and I are put at an unfair disadvantage even though we have done nothing wrong.

The proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. Imagine yourself at a gas station. You want to buy gas, but the attendant lost the names and addresses of the last 10 people who bought gas. With identity theft so rampant, I certainly wouldn't want the attendant giving out my personal information to the next stranger in the gas line. As an individual, would you?

Additionally, disclosing personal information could damage the business relationship of the references who may be involved in other companies or businesses buying gas from a competitor across the street. In order to get the list of the 10 prior purchasers, I would have to send the address of the prospective purchaser to my company 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 extremely concerned about their privacy and identity theft. They are reluctant to share their personal information with individuals they have never met, e.g., a retired school teacher in her seventies whom I know fairly well for several years did not sign up as a business associate with my company because she did not want to risk revealing her social security number. She continues as a customer because she values the products. And I value her integrity.

I was with another direct marketing company for more than 3 years. I became an Executive Associate with Oasis five months ago because I liked the products AND the company itself, and wanted to earn some additional money. Now, at age 70, I depend on this extra income to supplement my budget. I have found the leadership of Oasis quite impeccable in their efforts to serve the associates, executives and clients, as well as the community.

I appreciate the work of the FTC to protect consumers, but I believe this proposed new rule has consequences that would ultimately destroy the livelihoods of countless individuals, including myself, who are honorably contributing to the prosperity of the nation. Additionally, if you treat everyone as a potential criminal before the fact, which your proposed ruling appears to do, you penalize the honest business people and create criminals.

The American public is well aware of the fact that most legislation and rulings put out by the government and their various agencies are originated by outside entities, i.e., vested interests, who wish to gain unfair advantages against their competitors.

People who are in business for themselves take the burden off the government to support them and also create other opportunities that bring in tax revenue.

Because proposed rulings of this sort are certain to produce long range consequences that will inevitably impact their own lives and the lives of their children, perhaps the members of the FTC should apply their own proposed rule and wait seven days before making a decision to evaluate how the ruling would negatively impact an already shaky economy without effectively handling the problem of fraudulent practices.

Thank you for your time in considering my comments.

Sincerely,

Roberto Mazarella