



June 20, 2006

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



RE: Business Opportunity Rule, R511993

Dear Sir or Madam:

It is with great concern that I write this letter addressing the proposed New Business Opportunity Rule R511993. At Accentz we firmly believe and practice ethical business standards. I understand that part of the role of the FTC is to protect the public from "unfair and deceptive acts or practices." However, sections of this proposed rule will have substantial impact on Accentz's ability to continue to do business, and I believe do harm to the ethical companies while having little impact on the unethical companies as they don't follow the rules anyway.

Let me give you a brief history of Accentz. I founded the company in August 2003, to offer women and we even have some men, an opportunity to build a home based business using beautiful and unique hand crafted jewelry not found in many parts of the country. This was a natural process sparked by the interest in the jewelry I had at my own jewelry store. As a 3 year old party plan company with 65 reps and doing annual sales of about \$400,000, we are at a crucial point in our business. We are not large enough to have an on staff attorney or enough personnel to take on the monitoring of these additional requirements.

As a party plan direct selling company, many potential new reps may not even venture to begin in this industry if one of your proposals stay. The proposal of a seven day waiting period for potential new reps/consultants before they could sign up, would create a lot of confusion in the field as wells as become an excessive burden to both the company and current reps. While I know this industry has had bad companies, this policy would make it seem that those of us who are doing it right may be hiding something. At Accentz, a new rep begins with a Starter Kit of \$159.00. They then have the option of purchasing sample kits at a discount in their first 45 days and also have opportunities to earn free samples. This is a straight forward approach that allows the new rep to begin as they see fit. Many of us make larger purchases than this everyday without having to think about it for seven days. This rule is actually unnecessary for Accentz because we already have a 90% buyback policy for all products including starter kits purchased by a rep in the last twelve months. Additionally, Accentz and our reps would need to keep very detailed records as to when contact was first made and then retain these documents for 3 years. This aspect of the rule would be difficult to administer, create additional expensive administrative costs, and would rely on the integrity of the person in the field, not the integrity of the company.

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The proposal to eliminate the \$500 threshold under franchise rules is also of great concern to me. Under this proposal, Accentz would fall under FTC regulatory authority and would have to produce numerous pieces of documented materials in order to comply. Again I stress that this would create excess financial expense and administrative oversight and may impact our ability to continue as well as prohibit other individuals like myself of pursuing the American dream of entrepreneurship.

This proposal also calls for the release of any information regarding prior litigation and civil or criminal legal actions involving misrepresentation, or unfair or deceptive practices. This proposed rule does not take into consideration the company being found innocent. Accentz has never been sued for any purpose, but in this sue happy society of today I'm sure it may happen someday even as we strive to do right by all. At Accentz our Mission Statement is to create a WIN, WIN, WIN situation. First the customer must win, the rep must win and then the company must win for us all to succeed. In pursuit of this end, I do not think it would be necessary for the reps or potential reps to be informed of legal actions we take as a company looking out for our best interests and the interests of our rep. If we have a contract dispute concerning misrepresentation with our suppliers or support companies, it would be of little interest to the reps and with disclosure may cause undo concern. I believe that only litigation concerning earning opportunities, and only if found guilty should be disclosed. This is where most unethical companies are exposed.

I have several concerns with the section of the proposal dealing with earnings claims. First, while we collect the requested data on our reps, we do not categorize it in the same manner as would be necessary under the proposed rule. To meet this requirement would require reprogramming software and additional administrative expense. Secondly, we do not encourage our reps to make earnings claims as part of the business overview process. We do this for a couple of reasons: first is to protect against such issues as raised here and secondly we do not want to limit or intimidate a new rep concerning income possibilities. As I have stated before, I believe unethically or fraudulent companies would not play by the rules and provide accurate data anyway.

Finally, I would like to address the proposed rule of the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. Accentz would and does provide references on a reverse contact basis. I have concerns in this age of identity theft of providing personal information of existing reps to potential reps I have not met. Therefore if there is an existing rep in the potential reps area we have them call the potential rep. This proposed rule also creates additional challenges for Accentz and any new company to meet this requirement. We are in only seventeen states at this time and may only have one or two reps in a state. In this computer age many of these reps have found us via the internet. Therefore the closest reps may be in a different state entirely and have no common history or market to help the potential rep evaluate the opportunity. Additionally, I am always concerned about sharing more information about us or our reps than what is available in our published material or available online, since we cannot control how the information is going to be used or who it is ultimately given to. Therefore, if the potential new rep is not a personal acquaintance of an existing rep, we do not and will not risk our existing reps information by sharing it with someone unknown. Having a proposed rule to require us to do so would create overwhelming liability exposure that I would not want to risk with Accentz.

I also believe having the proposed statement in our contracts "If you buy a business opportunity from the seller, your contact information can be disclosed in the future to other buyers," would concern many individuals and discourage them for joining our company. My question to you is would you be willing to require all employers to disclose contact information of there existing employees to potential new hires, I do not believe there is much difference here.

In closing I do want to say I truly appreciate the work that the FTC does to protect consumers, but we believe this proposed new rule would have many unintended consequences. I know if the proposed rule stands as it is Accentz would not be able to survive. I have my life and my family's future tied to Accentz and this would have a devastating effect. Accentz could not afford the expense of implementation of many of these rules and our growth would be substantially limited by the new proposals. Any new company like ours could not begin or survive under this proposal.

I thank you for taking the time to read and consider my comments.

Sincerely,

Mary Beth Guillaume
President
Accentz LLC