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June 6, 2006

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

RE: Business Opportunity Rule, R511993

I am writing this letter because I am concerned about the proposed Business Opportunity Rule R511993. I believe that in its present form, it could prevent me from continuing as an Independent Sunrider Distributor. I understand that part of the FTC's responsibilities 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 Sunrider® products.

A very disturbing section pertains to a seven-day waiting period to enroll new Distributors. **Sunrider's Starter Pack costs only \$140, and is not a mandatory purchase in order to become an Independent Sunrider Distributor.** People buy appliances, cars, and numerous other goods that cost much more than that and they do not have to wait seven days.

This waiting period gives the impression that there might be something wrong with the plan. Sunrider already has a generous 60-day return policy for existing Distributors that is applicable to all products, including the Sunrider® Starter Pack. Sunrider also has a 90% buyback policy for former Distributors applicable to all products purchased within the last twelve months. Another problem with the seven-day waiting period is the administrative burden of keeping very detailed records when I first speak to someone about Sunrider, and then having to send numerous reports to Sunrider headquarters. I speak to many folks, and will be significantly burdened with additional reporting responsibilities.

The proposed rule also calls for the release of any information regarding lawsuits involving misrepresentation, or unfair or deceptive practices. This section is unfair in that it seems like it does not matter if the company was found innocent. We live in the most litigious times in America. You can get sued for almost anything today. It does not make sense to me that I would have to disclose these lawsuits unless Sunrider were found guilty. *Otherwise, Sunrider and I are put at an unfair advantage even though Sunrider has done nothing wrong.*

The proposed rule requires the disclosure of a minimum of 10 prior purchasers nearest to the prospective purchaser. I understand your thoughts about references, but these days identity theft is already on a rampage. I would be very uncomfortable giving out the personal information of individuals with or without their approval to strangers, and do not feel it is appropriate to be put in this position. Their rights are certainly encumbered! In addition, giving away such information could damage the business relationship of the references that may be involved in other companies or businesses including those of competitors. In order to get the list of the 10 prior purchasers, I will need to send the address of the prospective purchaser to Sunrider 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 very concerned about their privacy and identity theft. **They will and should be reluctant to share their personal information with individuals they may have never met.** In today's climate, privacy has become a very serious issue. I really do not feel that this requirement is protecting rights in many different directions.

IT IS MY SINCERE HOPE THAT FOR WHATEVER REASONS THESE RULES AND PRACTICES ARE BEING CONSIDERED, THAT YOU GIVE THE BUYER, THE RIGHT TO BE ENABLED TO CHECK OFF ON THEIR APPLICATION, THAT THEY WISH THAT THEIR PERSONAL INFORMATION "NOT", BE SHARED WITH ANY PERSONS, OR ENTITIES FOR THEIR PRIVACY REASONS. THIS RIGHT SHOULD NOT BE DENIED THEM. MANY FINANCIAL INSTITUTIONS HAVE USED THIS PRACTICE FOR YEARS.

I became a Distributor of Sunrider's products because I like them. I left the business many years ago, and recently re-connected to earn additional money for retirement needs. My wife and I depend on this extra income to supplement our budget.

I appreciate the work of the FTC to protect consumers, but I believe this proposed new rule has many unintended consequences and that there are less burdensome alternatives available in achieving its goals.

Thank you for your time in considering my comments.

Sincerely,


Eileen Ragusa & Michael J. Ragusa
