

Suzanne W. Seely

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June 2, 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

Dear Sir or Madame:

I am writing to express my opposition to the above-referenced Business Opportunity Rule, R511993. I have been involved in independent business opportunities of one sort or another for many years and thoroughly enjoyed the experience of the networking and having my own business while working my regular job. I know that this industry is a profitable industry and I not only participate in it as an independent representative myself, I purchase things from others doing the same thing. I have found this type of business which costs very little to do is a most effective way to employ a very large marketing force and great for our economy.

The direct marketing concept has been an American way for likely 100 years! The first recollection I have of this industry was attending Amway meetings and purchasing their very wonderful products. Another one that is legendary is Avon and Mary Kay Cosmetics. I have thoroughly enjoyed these type of businesses and find the burden is very easy for those who actually do the direct marketing but the corporations offering this marketing opportunity do all the bookkeeping, advertising, education and provide the machine from which the direct marketers can work.

It is my firm belief that if you impose the additional restrictions listed in this rule you will damage our economy and take off the market many 1000's of products that the American public has grown to love and depend on.

Specifically, here are my objections:

1. Disclosure required 7 days prior to making a sale –  
Response: This is just ludicrous! No person in marketing of any kind can sell products on this basis. This is a complete bias against those who sell products as a home based business because much of the home based businesses are designed as part of network marketing, i.e. direct marketing. Anyone knows that a sale is dead or alive at the time of the presentation. If you are forced to delay the closing of a sale your customer is very likely to lose interest and because of the inconvenience of the delay will not re-appear at your door for the purchase. We live in a fast paced life. Everyone has limited time even to shop for groceries, much less have to delay a decision of purchase for 7 days and then re-appear and go through some other strings before being allowed to purchase. This is also a violation of the purchaser's right as well as the seller. It is not only unnecessary, I would go further to say this is likely an unconstitutional approach.
2. Litigation reporting – This is not imposed on any other company in the United States or the world in our free trade. Absolutely this is a violation of our rights to have free enterprise. If a company is lawfully doing business and making their reports according to law and the products they sell are not in any violation of the law, this is just an attempt by some special interest groups to stop the

direct marketing companies from existence. If every company had to "report" any litigation that it has had to contend with in order to make a sale, we would be busy all day long explaining to prospective customers why businesses get into lawsuits. It is a litigious society and there are problems from trademark infringement to customer disputes, all of which have to be handled on individual basis and all of which ARE PUBLIC KNOWLEDGE and AVAILABLE FOR ANYONE TO VIEW IF THEY SO DESIRE. Have we become such a "big brother" that we have to control the purchaser of goods and the seller of goods in any type of entity in the United States of America by instituting a rule that benefits no one and impedes our constitutional rights to free enterprise by needlessly creating "red tape" that will ultimately bar the smooth operation of any given company and eat up their bottom line?

3. Providing 10 references --

Response: Does "big brother" have to think for a purchaser? If the purchaser is making a consideration of a product and/or a company, that purchaser can certainly do due diligence and request themselves if they so desire for the company to provide references and that exchange can be had but is done according to the free will of the customer and free will of the company and is not a mandate. If the company will not or cannot provide these references, the company will suffer as a result of losing business with that customer. Its in the best interest of the company to try and please the customer and that is done with the free will of both sides.

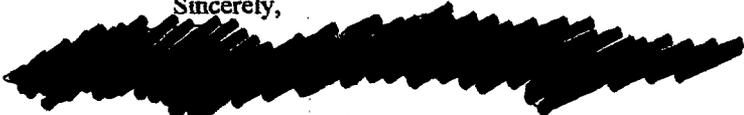
What about the privacy of the other distributors and what about the fact that each one of the independent business people (distributors) do not know the business practices intimately of the others? An independent sales representative is responsible for their own record keeping and their own profit or loss scenerio.

To impose these type of restrictions as a law would impede the natural flow of business and violate the privacy of the other independent representatives and certainly would discourage anyone from having this type of business because there would be too much hassle and would require each person violate the privacy of the other independent reps.

After reading the other restrictions and changes in the law proposed according to this Rule, I am vehemently against it! Suffice it to say I take this as an assault on direct marketing and the small business person.

I understand there may be fraudulent groups out there, but the FTC's proposal would unfairly target the majority which are legitimate businesses. If these type of restrictions are constitutional (which I believe they are not) to be imposed on a direct marketer, then they would also apply to any company in the United States that participates in the sale of goods of any kind. I believe this rule that is proposed if enacted would be of great harm to our economy and our general free enterprise system. This type of "big brother" rule is a mark of a government that does not respect free enterprise and is a mark of a government that does not treat all people and all legitimate businesses equally. Obviously, this is not in the best interests of any company or our rights as Americans.

Sincerely,

  
Suzanne "Susie" Seely

*Natures' Sunshine I. R.*