



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Division of Advertising Practices

Prescriber  
Street Address  
Town, State Zip Code

RE: **Potential Violation of the Fairness to Contact Lens Consumers Act  
and the Contact Lens Rule**

As you may know, the Fairness to Contact Lens Consumers Act, 15 U.S.C. Section 7601-7610, took effect on February 2, 2004. The Act imposes requirements on prescribers that are intended to increase the ability of consumers to comparison shop for contact lenses. In August 2004, the Federal Trade Commission issued the Contact Lens Rule to implement the Act.

Among other things, the Act and the Rule require prescribers to give patients a copy of their contact lens prescription at the completion of a contact lens fitting – even if the patient does not ask for the prescription. In addition, prescribers are prohibited from requiring their patients to purchase contact lenses from them as a condition of providing the prescription. The Commission's Eyeglass Rule, 16 C.F.R. Part 456, similarly requires prescribers to give patients a copy of their eyeglass prescription at the end of an eye exam even if they do not request one, and prohibits prescribers from placing certain restrictions on providing the prescription.

We have received a complaint that you have either failed to provide a contact lens prescription to a patient as required, or required a patient to purchase contact lenses from you as a condition of providing the prescription. This letter places you on notice that such conduct may constitute a violation of the Rule. **Violations of the Rule may result in legal action, which may in turn lead to civil penalties of up to \$11,000 per violation. Accordingly, I urge you to review the Rule and revise your practices as necessary to ensure that they comply with its requirements.**

To assist you with your review, we have enclosed a copy of the "The Contact Lens Rule: A Guide for Prescribers and Sellers," a business guidance publication produced by the FTC which contains a copy of the Rule and information about how to comply with the Rule. This publication is also available on our web site at [www.ftc.gov](http://www.ftc.gov).

If you have any questions regarding this letter or the Contact Lens Rule generally, you may contact FTC staff at (202) 326-3528. Thank you for your prompt attention to this matter.

Very truly yours,

Mary K. Engle  
Associate Director

Enclosure