

October 8, 2015

The Honorable Edith Ramirez
Chairwoman
U.S. Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Donald S. Clark
Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, NW
Suite CC-5610 (Annex C)
Washington, DC 20580

Dear Ms. Ramirez and Mr. Clark,

It has recently come to my attention that many online contact lens retailers are using unscrupulous tactics to increase their sales and are openly violating the Fairness to Contact Lens Consumers Act (FCLCA). These sales practices are endangering the safety and eye health of many patients every year and, as Congress designated the Federal Trade Commission (FTC) as the enforcement authority for the FCLCA, I request your assistance in cracking down on these vendors.

There is common public misunderstanding about the status of contact lenses as regulated medical devices and the need for a prescription when buying contact lenses. The public is misled by online vendors who will sell these devices without requiring a prescription or without appropriately verifying a prescription with the patient's doctor. Despite the FDA and the CDC's effort to inform the public of the need for physician oversight for patients who wear contact lenses, it seems that FTC's lack of enforcement of the Fairness to Contact Lens Consumers Act has added to these misconceptions. A lack of enforcement allows dishonest information regarding the legal requirements related to the sale of contact lenses to go unchecked.

Additionally, I understand that the Contact Lens Rule is under review at this time and I would like to recommend that the FTC require contact lens prescriptions to include a maximum amount of lenses that can be purchased prior to the prescription's expiration date. Currently, many on-line contact lens vendors violate the law by filling expired prescriptions and/or do not properly validate prescriptions.

Thank you for your attention to this matter. I firmly believe that retailers should not be allowed to sell contact lenses without a prescription and the FTC must penalize these retailers when complaints are filed with the Commission. I look forward to working with you on this and other issues that affect the lives of Georgians.

Sincerely,



David Perdue
U.S. Senator