



Division of
Advertising Practices

United States of America
FEDERAL TRADE COMMISSION
Washington, D.C. 20580

August 7, 2020

TTD Eye, Inc.
Rm. 833, Bldg.1, Huanan Xiyuan
Pinghu Sub-dist., Longgang Dist.
Shenzhen, Guangdong, CHINA

VIA EMAIL to: ttdeye@hotmail.com and info@ttdeye.com

**Notice of the Fairness to Contact Lens
Consumers Act and the Contact Lens Rule**

To Whom It May Concern:

The mission of the United States Federal Trade Commission is to protect consumers and promote competition. The Federal Trade Commission has enforcement or administrative responsibilities under more than 70 laws. The staff of the FTC's Division of Advertising Practices recently received a complaint claiming that your website, <https://ttdeye.com>, is selling contact lenses to United States consumers without a prescription. We are writing to inform you that if these allegations are accurate, such sales violate the Fairness to Contact Lens Consumers Act ("the Act"), 15 U.S.C. § 7601 *et seq.*, and the Contact Lens Rule ("the Rule"), 16 C.F.R. Part 315.

Both cosmetic contact lenses, such as the ones sold by TTD Eye, and corrective contact lenses are restricted medical devices, 21 U.S.C. § 360j(n)(1), **the purchase of which requires a prescription from a medical professional**. Accordingly, cosmetic contact lenses are covered by the Rule.

The Rule provides that contact lenses may be sold to consumers only in accordance with a valid prescription that is either presented to the seller or verified with the prescriber by the seller. To verify a prescription, the Rule requires a seller to send the prescription information it receives from its customer to the prescriber for verification. The sale of cosmetic contact lenses without either obtaining a copy of a valid prescription or verifying his or her prescription information with the prescriber constitutes a violation of the Rule.

A valid and verified prescription helps ensure that consumers have been examined for overall eye health and proper fitting by a licensed eye care professional. Without guidance or supervision by a licensed eye care professional, consumers may develop serious injuries or complications from decorative contact lenses, including:

- Pain and discomfort of the eyes;

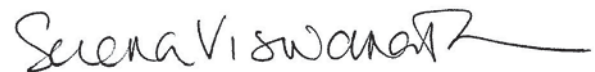
- Red or swollen eyes;
- Blurred or decreased vision;
- Corneal abrasion (cut or scratch on top layer of eye);
- Allergic reactions (itchy, watery, red eyes);
- Infection; and
- Blindness

This letter places you on notice that violations of the Rule may result in legal action, including civil penalties of up to \$42,530 per violation.

You should review the Rule and revise your practices if necessary to ensure that they comply with the Rule's requirements. For your reference, you may find copies of two business guidance publications produced by the FTC, "*The Contact Lens Rule: A Guide for Prescribers and Sellers*" and "*Complying with the Contact Lens Rule*," on our web site at <https://www.ftc.gov/tips-advice/business-center/guidance/contact-lens-rule-guide-prescribers-sellers> and <https://www.ftc.gov/tips-advice/business-center/guidance/faqs-complying-contact-lens-rule>.

Within 14 days of receipt of this letter, send a message to Alysa Bernstein via electronic mail at abernstein@ftc.gov describing the specific action you plan to take to correct your practices. If you have questions regarding Rule compliance, you may contact Alysa Bernstein via email. Thank you for your prompt attention to this matter.

Very truly yours,



Serena Viswanathan
Acting Associate Director

cc: Latasha A. Robinson, Deputy Director of the China Office, Office of Global Policy and Strategy (OGPS), Office of the Commissioner, U.S. Food and Drug Administration (via email at Latasha.robinson@fda.hhs.gov)

cc: Jianyu Tu d/b/a Hysan, LLC (via FedEx)