



Division of  
Advertising Practices

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

**VIA FED EX**

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

Dear Dr. \_\_\_\_\_:

The staff of the Division of Advertising Practices of the Federal Trade Commission recently received a complaint claiming that your office failed to provide a consumer with a contact lens prescription upon completion of a contact lens fitting. We are writing to inform you that such practices would be in violation of 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, which require prescribers to provide a copy of the contact lens prescription to the patient at the end of the contact lens fitting, even if the patient does not request it.

You should also know that prescribers cannot require patients to buy contact lenses, pay additional fees,<sup>1</sup> or sign a waiver or release, as a condition of releasing or verifying a contact lens prescription. 16 C.F.R. § 315.3. Both the Act and the Rule impose requirements on contact lens prescribers and sellers that are intended to protect consumers’ health while allowing them to comparison shop for contact lenses.

This letter places you on notice that violations of the Rule may result in legal action, including civil penalties of up to \$16,000 per violation.

You should review the Rule and, if necessary, revise your practices to comply with the Rule’s requirements. For your reference, enclosed is a copy of the Rule and 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*, which contain information about how to comply with the Rule. These publications are also available on our web site at [www.ftc.gov](http://www.ftc.gov).

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<sup>1</sup> A prescriber may require a patient to pay for the eye exam, fitting, and evaluation before giving the patient a copy of the prescription, but only if the prescriber also requires immediate payment from patients whose exams reveal no need for glasses, contact lenses, or other corrective eye care products. 16 C.F.R. § 315.4.

If you have any questions regarding this letter or the Contact Lens Rule generally, you may contact staff attorney Beth Delaney at (202) 326-2903. Thank you for your prompt attention to this matter.

Very truly yours,

Mary K. Engle  
Associate Director