



FACT SHEET: Claims About Health Dangers from Alternative Retailers Have Been Thoroughly Debunked

Proponents of the misleadingly-named Contact Lens Consumer Health Protection Act (S. 2777 and H.R. 6157), including the American Optometric Association (AOA) and the Coalition for Patient Vision Care Safety, have made inaccurate claims about the supposed health dangers from purchasing contact lenses from alternative retailers. These claims have been thoroughly and repeatedly debunked. Here are the facts:

FTC Found No Evidence to Support Health Claims

In its November 2016 proposal to update the Contact Lens Rule, the Federal Trade Commission (FTC) concluded that they saw no increased risk from buying contact lenses from alternative retailers, stating: *"the Commission has not seen reliable empirical evidence to support a finding that such sales are contributing to an increased incidence, or increased risk, of contact lens-related eye problems."*¹

AOA's Own Research Found No Link Between Health Risks and Location of Purchase

In 2016, the American Academy of Optometry (AAO) published a study in the medical journal *Contact Lens & Anterior Eye* titled: "Is Purchasing Lenses from the Prescriber Associated with Better Soft Lens Wearer Habits?"² According to the study abstract, the study concludes that: *"the purchase location of soft contact lens wearers had limited impact on known risk factors for soft contact lens-related complications... Closer access to the eye care provider through in-office soft contact lens purchase did not improve soft contact lens habits or reduce the prevalence of risk behaviors."*

Notably, this study, using Centers for Disease Control and Prevention (CDC) data, was conducted by the CLAY Group, an optometric research organization formed by the AAO and the AOA, and funded by a grant from Alcon, a leading contact lens manufacturer. It is therefore clear that the AOA and manufacturers continue to make unsubstantiated health claims that are not backed up by their own research.

Numerous Other Medical Studies Have Similarly Found No Basis for Health Claims

A CDC report from 2015 included a long list of risk behaviors for contact lens-related eye infections including overnight wear, but made no mention of where the lenses were purchased.³

A study published in 2012 in the medical journal *Eye* found no difference in the incidence of keratitis, a leading indicator of bad eye health, between countries that require a prescription to purchase contact lenses and those that do not.⁴

A study published in 2007 in the medical journal *Eye Contact Lens* also found no increase in the incidence of keratitis since the advent of online sales or since the adoption of the passive verification system under the Fairness to Contact Lens Consumers Act of 2003. The study further found no significant difference in the incidence of keratitis from one country to another, regardless of the varying extent of online sales in those countries.⁵

Attorneys General Called on AOA to Stop Making Unsubstantiated Health Claims

In support of the landmark Fairness to Contact Lens Consumers Act of 2003 (FCLCA), the Chair of the Contact Lens Working Group of the National Association of Attorneys General Antitrust Task Force testified that the AOA's health claims had no evidentiary basis and did not justify restraining consumer choice.⁶

As part of the settlement to the Attorneys General lawsuit, the AOA had to agree to stop making health claims based on where consumers purchased their lenses.⁷

Online Consumers Have About the Same Levels of Compliance with Wear Guidelines

Online contact lens consumers and those purchasing lenses through their eye care provider report about the same levels of compliance with manufacturer and CDC suggested guidelines for healthy contact lens wear.

Studies also show that patients who purchase their contact lenses online see their eye care provider at about the same rate as those who purchase their lenses through their eye care provider.⁸

Consumers are more likely to wear clean, fresh lenses when they are conveniently purchased and affordable.

Countries Allowing Purchase of Lenses Without a Prescription See No Health Effect

In almost all of the European Union, consumers may purchase contact lenses without a prescription. As noted above, medical research finds no difference in the incidence of keratitis between countries that require a prescription to purchase contact lenses and those that do not.

Purchase of Lenses with Expired Prescriptions is Rare

The purchase of contact lenses by consumers with expired prescriptions is uncommon and does not vary based on the place of purchase. In fact, consumers who purchase lenses through their optometrist report using an expired prescription at a slightly higher rate (10%) than those who purchase online (9%).⁹

Importantly, when verifying a prescription for a retailer, it is the optometrist's responsibility to confirm that a prescription has not expired. In its proposed update to the Contact Lens Rule, the FTC noted that "*prescribers are already in possession of the expiration date, and it is in their economic and professional interest to check the prescriptions and respond to verification requests by informing the seller whenever a prescription has expired.*"¹⁰

About the Coalition for Contact Lens Consumer Choice

The Coalition for Contact Lens Consumer Choice serves as a voice for 41 million American contact lens consumers by advocating for continued consumer choice in the contact lens market. The Coalition opposes legislative and regulatory proposals at the federal and state levels that would limit the ability of consumers to purchase contact lenses from the retailer of their choice, whether online, in stores or over-the-phone.

More information about the coalition can be found at KeepContactLensChoice.org.

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- ¹ [FTC Notice of Proposed Rulemaking, Request for Public Comment: Contact Lens Rule, November 10, 2016.](#)
 - ² [Chalmers, Robin et al., "Is Purchasing Lenses from the Prescriber Associated with Better Habits Among Soft Contact Lens Wearers?" Contact Lens & Anterior Eye, August 2016.](#)
 - ³ [Centers for Disease Control and Prevention, Morbidity and Mortality Weekly Report, "Contact Lens Wearer Demographics and Risk Behaviors for Contact Lens-Related Eye Infections," August 21, 2015.](#)
 - ⁴ [Stapleton, Carnt, "Contact Lens Related Keratitis: How Have Epidemiology and Genetics Helped us With Pathogenesis and Prophylaxis," Eye, December 2011.](#)
 - ⁵ [Keay, Stapleton, Schein, "Epidemiology of Contact Lens-Related Inflammation and Microbial Keratitis: a 20-Year Perspective" Eye Contact Lens, November 2007.](#)
 - ⁶ [Testimony of Robert L. Hubbard, H.R. 2221, Fairness to Contact Lens Consumers Act, U.S. House Energy and Commerce Subcommittee on Commerce, Trade, and Consumer Protection, September 9, 2003.](#)
 - ⁷ [U.S. District Court, Middle District of Florida, Jacksonville Division; In Re: Disposable Contact Lens Antitrust Litigation, MDL Docket No. 1030; Settlement Agreement, American Optometric Association, May 22, 2001.](#)
 - ⁸ [Survey Sampling International \(SSI\) Survey, May 2015, on behalf of 1-800 Contacts.](#)
 - ⁹ [Survey Sampling International \(SSI\) Survey, July 12-15, 2016, on behalf of 1-800 Contacts.](#)
 - ¹⁰ [FTC Notice of Proposed Rulemaking, Request for Public Comment: Contact Lens Rule, November 10, 2016.](#)