

Bringing Healthy Vision to Everyone, Every Day

ACCESS, QUALITY, & COMPETITION—FCLCA & REGULATORY ACTIVITY

In the fall of 2015, the **Federal Trade Commission (FTC)** solicited public comments as part of its 10 year review of the **Fairness to Contact Lens Consumers Act's (FCLCA)** implementing rule. This review offers an opportunity for manufacturers, vision care providers, sellers, and patients to provide valuable input on ways to preserve patient access to a range of retail options, while strengthening existing health and safety protections.

BACKGROUND

In December 2003, Congress enacted the FCLCA to improve consumers' ability to access quality contact lenses. This legislation authorized FTC to develop and enforce the FCLCA legislative requirements which resulted in the FTC's July 2004 Contact Lens Rule.

FCLCA AND THE CONTACT LENS RULE

Enactment of FCLCA and the Contact Lens Rule marked a key milestone for consumers in how they are able to access quality contact lenses, including:

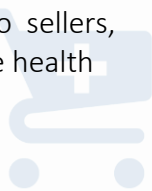
- Prescribers must **provide consumers with a copy of the contact lens prescription** following a contact lens fitting with an eye care professional.
- Sellers are required to **verify the prescription** with an eye care professional before providing lenses to consumers.

These changes encouraged competition by allowing consumers to purchase contact lenses from an eye care professional or other seller while underscoring the importance of routine vision care from eye care professionals.

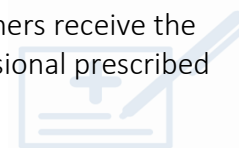
OPPORTUNITIES FOR IMPROVEMENT

Johnson & Johnson Vision Care, Inc. (JJVCI) has been preparing since early June to address a range of vision care concerns—as well as, share our continued support of certain provisions in the existing FCLCA and FTC rule—during this open comment, including:

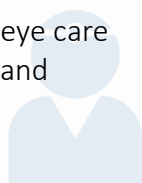
Encouraging open competition in the vision care market by **preserving consumer access** to sellers, with the option to purchase from an eye health professional or via a third party seller.



Maintaining the brand name on the contact lens prescription; ensuring consumers receive the product their eye care professional prescribed during the eye exam.



Ensuring patients continue to see their eye care professionals for their **annual check-up** and prescription renewal.



Strengthening the prescription verification process between third-party sellers and eye care professionals in order to preserve market competition, while better protecting consumer health.

