



ILLEGAL SALES OF COSMETIC CONTACT LENSES

On November 9, 2005 Congress amended federal law to state that all contact lenses, including cosmetic or colored contacts, are restricted medical devices which “present significant risks of blindness and other eye injury if they are distributed without a prescription or without proper fitting by a qualified eye care professional.” The mandate included all contact lenses, even those that are cosmetic only and without power. The main issue is that the Federal Drug Administration declared that contact lenses are medical devices and can only be dispensed or to have a prescription filled by a licensed eye care professional, such as an ophthalmologist, an optometrist, or a licensed contact lens dispensing optician.

Illegal distribution of cosmetic contact lenses has occurred in Ohio. The Ohio Vision Professionals Board is the only state agency that has the authority to investigate and issue **Cease and Desist Orders** to individuals or companies who are dispensing these products without a valid prescription, and, are being dispensed by an unlicensed individual. The Board has issued Cease and Desist orders to a variety of business entities.

Generally speaking, the Cease and Desist will put a stop to the illegal dispensing, but if the entity/persons continue to dispense, information will be sent to the County Prosecutor’s office and/or the Ohio Attorney General’s office. The Board’s authority to order Cease and Desists orders was challenged in 2007 in the Ohio 6th District Court by an attorney for a large distributor of colored contact lenses who was providing cosmetic contact lenses to non-eye care retailers in Ohio. The Board’s authority to issue Cease and Desist orders was upheld by the judge.

REPORTING

Persons who have knowledge of illegal contact lens sales should file a complaint through the link below or call the investigator:

VPB Investigator
(614) 466-5116
eLicense.Ohio.gov

Anonymous reports accepted.

Investigator: rev. 9/2019