## **Congress of the United States** House of Representatives Mashington, D.C. 20515

September 15, 2003

The Honorable Tommy G. Thompson Secretary of Health and Human Services U.S. Department of Health and Human Services 200 Independence Avenue, SW Washington, DC 20201

Dear Mr. Secretary:

We are writing to alert you to a domestic web site that sells colored noncorrective contact lenses to teenagers without a prescription. After congressional staff ordered a pair — in the design of bright green dollar signs — the lenses arrived in the mail two days later without any instructions for use. This web site and any others like it pose an immediate public health threat.

When not fit correctly and used under the supervision of medical professionals, noncorrective contact lenses can cause severe eye infections, corneal ulcerations, and even blindness. Teenagers who have purchased these products without a prescription have suffered injuries so severe as to require corneal transplantation. It is imperative that these sales be halted as quickly as possible.

The web site — www.beWild.com — sells a variety of items including body jewelry, skateboards, club toys, and colored contact lenses. The site asks, "Looking for contact lenses that are a bit more . . . unusual? Going out to a club or concert? Perhaps you just want to make an amazing first impression on people." The site's answer is "Crazy color contacts" which can last "up to 4 years." Available styles include "Spider Web," "Fireball," "Green Reptile," "Pot Leaf," and "Manson."

While one page on the site advises, "replace every 12 months or as prescribed by your eye care provider," www.beWild.com does not require a prescription for purchase. Nor does it advise customers to seek medical guidance on whether it is safe for them to wear contact lenses in the first place. Congressional staff bought lenses without ever being asked for their age or past medical problems. The lenses arrived in a plain white box without any information on care, cleaning, risks, or early signs of adverse effects.

There can be no question that consumers, including children, are at risk from this marketing scheme. We ask that you instruct FDA to investigate these sales and pursue whatever avenues are available to stop them immediately.

We also urge you support legislation to address this threat. On April 4, 2003, FDA decided to re-classify all contact lenses marketed to change the color of the eye as <u>cosmetics</u> instead of medical devices. This voluntary decision, which places the products in the same legal

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category as lipstick, significantly limits the agency's ability to protect the public. If noncorrective lenses are regulated as medical devices, the agency can require a prescription, review lenses for safety prior to marketing, set manufacturing standards, and assure reporting of adverse events. None of these protections apply to noncorrective contact lenses that are classified as cosmetics.

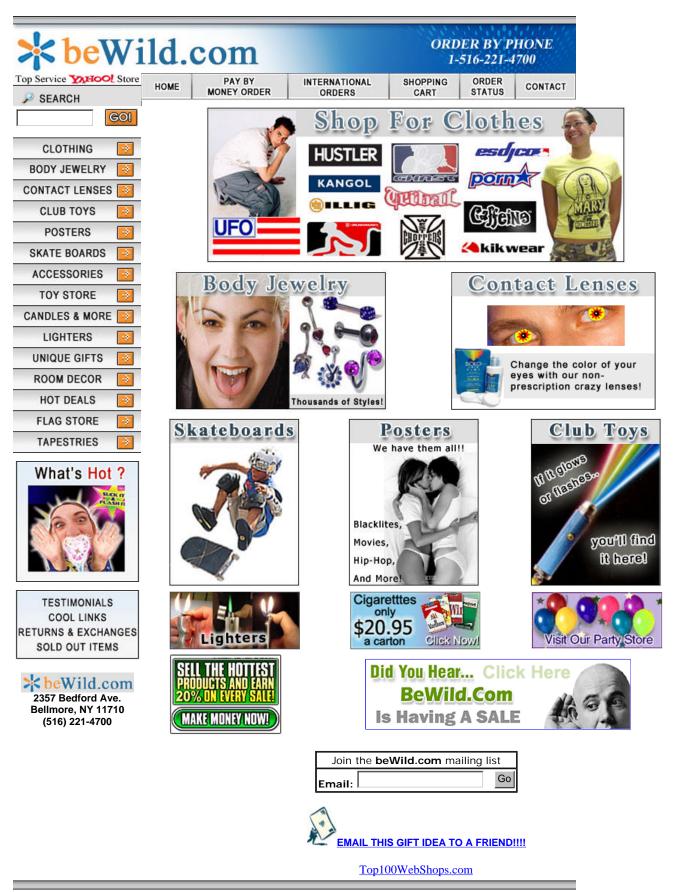
This gap in consumer protection needs to be fixed immediately. With the support of leading eye care groups, including the American Academy of Ophthalmology and the American Optometric Association, consumer groups, and the contact lens industry, we have introduced H.R. 2218. This bill would assure that all contact lenses, including colored noncorrective lenses, are regulated as medical devices. Such a step would allow FDA to act quickly to stop companies like www.beWild.com from selling contact lenses without a prescription and would provide a wide array of other protections for the public. We urge you to endorse H.R. 2218 and help us win swift passage in Congress.

We are not surprised that there are those who see dollar signs in the eyes of fashionconscious teenagers. But when overzealous marketing can actually cause blindness, the government must step in to protect the public health.

Sincerely,

ember of Congress

Member of Congress





## Colored Contact Lenses (Sold By The Pair)

Contact Lenses (Son	a By The Fall)			rage 2						
	<u>"Blue Cross" Colored</u> <u>Contacts</u> Regular price: \$69.99 Sale price: <b>\$49.99</b>	"Black Star" Colored Contacts Regular price: \$69.99 Sale price: <b>\$49.99</b>	<u>"Fireball" Colored Contacts</u> Regular price: \$69.99 Sale price: <b>\$49.99</b>	<u>"Dollar Sign" Contact</u> <u>Lenses</u> Regular price: \$69.99 Sale price: <b>\$49.99</b>						
	Target" Contact Lenses Regular price: \$69.99 Sale price: \$49.99	"Blade" Contact Lenses Regular price: \$69.99 Sale price: \$49.99	"Spade" Contact Lenses Regular price: \$69.99 Sale price: \$49.99	"Red Spiral" Crazy           Lenses           Regular price: \$89.99						
	Manson" Crazy Contact Lenses	"Green Reptile" Contact Lenses	Pot Leaf Contact Lenses Regular price: \$69.99	Sale price: <b>\$49.99</b>						
	Regular price: \$69.99 Sale price: \$49.99	Regular price: \$69.99 Sale price: \$49.99	Sale price: \$49.99	Regular price: \$69.99 Sale price: <b>\$49.99</b>						
	<u>"White Cateye" Contact</u> Lenses Regular price: \$69.99 Sale price: <b>\$49.99</b>	Yellow "Cateye" Contact Lenses Regular price: \$69.99 Sale price: <b>\$49.99</b>	Solo Care Plus Contact Cleaner Starter Kit \$4.99							
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Top100WebShops.com										

<mark>⊁be</mark> Wild.com		ORDER BY PHONE 1-516-221-4700						
Top Service YAHOOL Store		PAY BY MONEY ORDER	INTERNATIONAL	SHOPPING	ORDER STATUS	CONTACT		
SEARCH								
COL		(9)	"Dollar Sign'	Contact Le	enses			
CLOTHING	6		Looking for contac					
BODY JEWELRY			concert? Perhaps Whether you just y					
CONTACT LENSES 🔼	contactlenses are fun, affordable lenses that are available in unique designs. Be Different with Crazy color co Cosmetic Contact Lenses are sold by the pair. Each pair lasts up to 4 years. All contact lenses are available							
CLUB TOYS	curve (8.6)	and one diameter (14	4.5). Available in planc					
POSTERS		your eye care provider.						
SKATE BOARDS			re shipping. Sorry, we er and can not be retur		responsible	tor torn or da		
ACCESSORIES								
TOY STORE	Availabilit	<b>y:</b> Usually ships the n	ext husiness day					
CANDLES & MORE								
LIGHTERS	money Re	egular price: \$69.99	Sale price: <b>\$49.99</b>	ORDER 🚯				
UNIQUE GIFTS								
ROOM DECOR			tact Cleaner Starter K					
HOT DEALS	effective no rub solution for cleaning, rinsing, daily protein removal, disinfecting and store recommended by your eye care practitioner. There are no known contraindications for Multi-purpose Solution; however, if you are allergic to any ingredient in this solution do Cleaning Kit includes a free lens case. Contents: Solo care Plus Multipurpose Solution solution containing sodium chloride, bis-tris propane, pluronic F127, Aqualube (cremop							
FLAG STORE								
TAPESTRIES			odium chloride, bis-tris lydrate 0.025% and po			alube (crem		
What's Hot ?	Availability 2 fl.oz. \$4	y: Usually ships the n 4.99 ORDER →	and	S GIFT IDEA TO	D A FRIEND	<u></u>		
TESTIMONIALS						1		
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RETURNS & EXCHANGES SOLD OUT ITEMS			Email:		Go	J		
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