



Office of Commissioner
Rebecca Kelly Slaughter

UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

Statement of Commissioner Rebecca Kelly Slaughter
Regarding the Eyeglass Rule
Commission File No. R511996

June 27, 2024

I am tremendously grateful to the FTC’s staff in the Division of Advertising Practices for their diligence in completing the Federal Register document updating the Eyeglass Rule—all in under 18 months from the notice of proposed rulemaking.¹ Staff worked through extensive comments from many sellers, prescribers, consumers, and other interested parties in response to the NPRM; held a workshop featuring three balanced panels on prescription release, the confirmation requirement, and other rule subjects such as digital copies of prescriptions, and assessed additional comments submitted in connection with the workshop; and fashioned a comprehensive notice that ably grapples with the robust record and persuasively explains the rationale for updating the Eyeglass Rule to match the requirement of the Contact Lens Rule, 16

³ “Being able to have a prescription in your hands as soon as your examination is done would be very beneficial to a lot of people for many reasons,”

¹ It would be unfortunate if this successful and efficient rulemaking added to the myth that section 18 rulemaking takes upward of a decade to complete. Although it is true that this final rule grows out of a routine review of the Eyeglass Rule, which commenced with an advance notice of proposed rulemaking in 2015, *see* 80 Fed. Reg. 53274 (Sept. 3, 2015), the Commission’s notice of proposed rulemaking in January 2023 is a better starting line from which to evaluate the duration. A casual observer could draw an incorrect inference by looking at the date of the ANPR, but the Commission spent the interregnum between it and the NPRM on updating the corollary rule for contact lenses

wrote one anonymous consumer, describing an encounter in which a prescriber charging “outrageous” prices made it difficult for the commenter to obtain their prescription.⁴ “It shouldn’t be a hassle for someone to get their prescription, after all it is your prescription, and you shouldn’t have to pay extra for it.”⁵ The updated Rule will help ensure that consumers actually get their prescriptions and can shop around for what works best for them.

I write separately to highlight that this consumer-

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