

Fact Sheet: Cosmetic Contact Lenses in Canada

- Cosmetic contact lenses are non-corrective contact lenses that are used to change the colour, shape our appearance of the eye. These lenses are popular at Halloween and are often used by teenagers to change their appearance at this time of year.
- Corrective contact lenses are classified and regulated as medical devices under the Food and Drugs Act and are regulated as class 11 medical devices by Health Canada. Despite the fact that the health risks are identical to corrective contacts, cosmetic or non-corrective contact lenses are not classified as Medical Devices and are not regulated by Health Canada.
- Contact lenses are inserted directly on to the cornea of the eye and if improperly fitted, cleaned or handled can cause serious damage to the eye. Every year, eye care and medical professionals treat hundreds of patients with eye problems due to improper contact wear and fitting. There are documented cases of teenagers sharing contact lenses and in doing so passing harmful bacteria between users.
- Professional fitting and dispensing of contact lenses ensures that consumers are properly fitted and instructed on the proper care and handling of contact lenses. Professional oversight reduces the risk of eye injuries and damage from improperly handled and fitted contact lenses.
- Currently, under Canadian and provincial law, it is permissible to sell cosmetic contact lenses in any retail establishment
- For nearly 5 years, The Canadian Association of Optometrists (CAO), the Canadian Ophthalmologic Society (COS) and the Opticians of Canada have been asking Health Canada to regulate Cosmetic contact lenses under the Food and Drugs Act and regulations.
- Health Canada commissioned a third party risk assessment of cosmetic contact lenses that concluded that the risks were sufficient to justify regulation by Health Canada.
- If cosmetic contact lenses are regulated by Health Canada, at a minimum, manufacturers and the devices must be licensed by Health Canada. At a minimum, manufacturers must assume some stewardship responsibility for the distribution and sale of these devices.
- Until 2003, the U.S. also exempted cosmetic contact lenses from regulation under their Food and Drugs Act. At the urging of the eye care professions in the U.S., two U.S. Senators tabled a bill that proposed that cosmetic contact lenses be classified as medical devices and as such fall under FDA regulation. The Bill was passed and today in the U.S. all contact lenses are regulated as medical devices. This was a simple Bill simply stating that cosmetic contact lenses are medical devices and that this amendment set no precedent for other products.
- Although Health Canada appears to support the regulation of cosmetic contact lenses to reduce risk through professional oversight, they have been reluctant to act. In light of this, the CAO approached Pat Davidson, M.P. to ask if she might introduce a Private Members Bill, modeled on the U.S. Senate Bill- a Bill, that if passed, would ensure that cosmetic contact lenses are regulated as medical

devices under the Food and Drugs Act. Ms. Davidson enthusiastically embraced this request and the professions are grateful for her commitment to the project.

- On Friday, March 7, Ms. Davidson presented to the House of Commons Motion 409- a motion proposing that cosmetic contact lenses be regulated as medical devices under the Food and Drugs Act or the Hazardous Products Act. The Motion was passed unanimously.
- CAO and the other eye care professions are looking for a firm timetable and government action plan to achieve effective regulation of all contact lenses sold in Canada.