



## **Assistant Attorney General rules in favour of Adlens in Arizona landmark case**

The Assistant Attorney General has ruled in favour of Adlens®, the global leader in adjustable focus eyewear, in a landmark case that will permit the sale of adjustable focus eyewear without the need of a prescription in Arizona.

The case against Adlens was initiated when the Arizona State Board of Dispensing Opticians questioned whether Adlens' adjustable focus eyewear could be sold without a prescription. They argued that it was a violation of the current state laws regarding ready-to-wear eyewear and a risk to both the user and the public.

In response, Adlens presented evidence that counteracted the board's arguments. A team led by Dr Graeme MacKenzie used clinical trial data published in the British Medical Journal and Ophthalmology to demonstrate that the product can be used safely without the need for a prescription from an eye doctor. Adlens argued that there was no reason to treat adjustable focus eyewear differently to other ready-to-wear eyewear and that over-the-counter sales of the product is in the consumer's best interests.

The Board countered by arguing that over-the-counter glasses could only be used for near vision correction, unlike Adlens' product, which can correct both distance and near vision. Adlens commissioned a consumer trial in Phoenix to demonstrate that many hyperopic individuals use conventional over-the-counter reading glasses to correct their distance vision, even while driving. The outcomes of the study were used to demonstrate that a precedent for the sale of over-the-counter eyewear for the correction of both distance and near vision already exists, and that Adlens' adjustable focus eyewear should be treated no differently to conventional over-the-counter reading glasses.

After taking advice from the Assistant Secretary General in an executive session, the board voted unanimously to abandon the action against the non-prescription sale of adjustable focus eyewear.

Dr MacKenzie, Director of Industry & Regulatory Affairs at Adlens, said: "The Assistant Attorney General's ruling removes any ambiguity surrounding adjustable focus eyewear and makes a clear statement that selling it without a prescription is not only safe, but in the best interest of the public.

"Adlens is committed to breaking down the barriers that restrict access to affordable eye wear. For example, in the United Kingdom Adlens is currently in discussion with the General Optical Council about including an amendment to the portion of the Opticians Act 1989 that deals with ready-to-wear eyeglasses that will permit the sale of adjustable focus eyewear from within our borders."

Prior to 1989, the sale of all non-prescription eyewear in the United Kingdom, including reading glasses, was a criminal offence. Following consumer complaints, The Office of Fair Trading investigated and, in a report that ultimately supported a change to the law, concluded that ready-to-wear eyeglasses posed no risk to the consumer and that their sale without the need for a prescription would benefit the economy and the public.

While ready-to-wear glasses are now accessible without a prescription in the United Kingdom, there are still regulations similar to those in Arizona that only permit the over-the-counter sale of reading glasses to correct near vision.

Dr MacKenzie added: "This ruling in Arizona should send a message to people advocating restricted access to adjustable focus eyewear that it is safe and beneficial – and we have the evidence to prove it."

**ends**

### **For further information:**

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A wide selection of photography is available on request

### **About Adlens**

Co-founded in 2005 in Oxford, England by investor and philanthropist James Chen, Adlens is the global leader in adjustable focus eyewear. Its highly skilled team of engineers, eye care professionals and designers has developed a completely new category of vision correction. Adlens is a commercial business with a social soul. Vision for a Nation<sup>®</sup> is the innovative foundation partnered with Adlens that runs a charitable programme, aiming to provide universal access to eyewear one nation at a time, starting in Rwanda.

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