

109TH CONGRESS
1ST SESSION

S. 172

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2005

Referred to the Committee on Energy and Commerce

AN ACT

To amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REGULATION OF CERTAIN ARTICLES AS MED-**
2 **ICAL DEVICES.**

3 Section 520 of the Federal Food, Drug, and Cosmetic
4 Act (21 U.S.C. 360j) is amended by adding at the end
5 the following subsection:

6 “Regulation of Contact Lens as Devices

7 “(n)(1) All contact lenses shall be deemed to be de-
8 vices under section 201(h).

9 “(2) Paragraph (1) shall not be construed as bearing
10 on or being relevant to the question of whether any prod-
11 uct other than a contact lens is a device as defined by
12 section 201(h) or a drug as defined by section 201(g).”.

Passed the Senate July 29, 2005.

Attest:

EMILY J. REYNOLDS,

Secretary.