

cost to record each verification call at five cents apiece.¹³

Based on survey data, approximately 39% of contact lens purchases are from a source other than the prescriber. Assuming that each of the 45 million contact lens wearers in the U.S. makes on purchase per year, this would mean that approximately 17,550,000 contact lens purchases are made annually from sellers other than the prescribers. And since approximately 73% of sales by non-prescriber sellers require verification, this means that approximately 12,811,500 contact lens purchases would require verification calls, faxes, or emails. The Commission does not possess information as to the percentage of verifications completed by telephone versus fax or email, and thus for purposes of this analysis will assume that all verifications are performed via phone and deliver automated messages that are subject to the call-recording requirement. Based on the aforementioned assumptions, the Commission estimates that the requirement to record automated telephone verification messages will cost sellers, in aggregate, \$640,575 (12,811,500 × \$0.05).

Combining the annual labor cost burden with the non-labor cost burden, the total cost burden of the Rule is estimated at \$133,975,567 (\$133,334,992 + \$640,575 = \$133,975,567). This is higher than the \$118,197,898 cost submitted to OMB in 2023 due to rising wage rates and an increase in the estimated percentage of sales to non-prescriber sellers.

To put the total cost in perspective, a recent survey estimated that the U.S. contact lens market revenue is approximately \$4.4 billion as of 2025, and growing at a healthy pace.¹⁴ Therefore, the total cost burden estimate

of \$133,975,567, imposed by the Rule, while not insubstantial, represents just approximately 3% of the overall retail revenue generated.

Request for Comment

Pursuant to Section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) whether the disclosure and recordkeeping requirements are necessary, including whether the information will be practically useful; (2) the accuracy of our burden estimates, including whether the methodology and assumptions used are valid; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information.

For the FTC to consider a comment, we must receive it on or before December 14, 2026. Your comment, including your name and your state, will be placed on the public record of this proceeding, including the <https://www.regulations.gov> website.

You can file a comment online or on paper. Due to heightened security screening, postal mail addressed to the Commission will be subject to delay. We encourage you to submit your comments online through the <https://www.regulations.gov> website.

If you file your comment on paper, write “Contact Lens Rule, PRA Comment, P145403” on your comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H-144 (Annex E), Washington, DC 20580.

Because your comment will become publicly available at <https://www.regulations.gov>, you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else’s Social Security number; date of birth; driver’s license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any “trade secret or any commercial or financial information which . . . is privileged or confidential”—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—

including, in particular, competitively sensitive information, such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must (1) be filed in paper form, (2) be clearly labeled “Confidential,” and (3) comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at www.regulations.gov, we cannot redact or remove your comment unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before December 14, 2026. For information on the Commission’s privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/site-information/privacy-policy>.

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2026–20970 Filed 10–13–26; 8:45 am]

BILLING CODE 6750–01–P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Federal Trade Commission (FTC or Commission) is seeking public comment on its proposal to reinstate and extend for three additional years the information collections contained in the FTC’s rule entitled “Use of Prenotification Negative Option Plans” (“Negative Option Rule” or “Rule”) as that rule was written before courts vacated the final rule promulgated on

¹³ 85 FR 50711. It is possible this would be a one-time expense for sellers to invest in recording equipment, as opposed to an annual outlay. But in the absence of information as to how sellers manage such recordings, the Commission will assume, for the purpose of this PRA analysis, that recording expense is a recurring annual cost burden. It is also possible that this cost has declined with advances in recording technology, but the Commission does not have updated information on this expense and so will continue to estimate five cents per call.

¹⁴ *See* USA Contact Lens Market, <https://www.kenresearch.com/industry-reports/usa-contact-lenses-market>. Total market estimates vary by a wide margin. Some estimates put the U.S. contact lens market much higher. *See also* Contact Lenses Market Report 2026–2035, <https://www.researchnester.com/reports/contact-lens-market/223>, estimating the market as \$15.6 billion. However, in an effort to provide the most conservative numbers, we use the lower market estimate, resulting in a higher total cost burden percentage. If we were to use the \$15.6 billion estimate, the percent of cost burden would be 0.9% of overall retail revenue.

November 15, 2024. The current clearance expires on November 30, 2027.

DATES: Comments must be filed by December 14, 2026.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "Paperwork Reduction Act Comment: FTC File No. P044403" on your comment, and file your comment online at <https://www.regulations.gov> by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H-144 (Annex E), Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Hong Park, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580, (202) 326-2158; hpark@ftc.gov.

SUPPLEMENTARY INFORMATION:

Title: Use of Prenotification Negative Option Plans, 16 CFR part 425.

OMB Control Number: 3084-0104.

Type of Review: Reinstatement of and extension of a previously approved collection.

Background

On February 13, 2024, the Office of Management and Budget (OMB) approved an extension of the information collections associated with the version of the Negative Option Rule effective at the time.¹ On November 15, 2024, the Commission published a final rule ("2024 Rule") amending the Negative Option Rule.² On November 18, 2024, the OMB approved the additional information collections associated with the final rule amendments through November 30, 2027.³

On July 8, 2025, the U.S. Court of Appeals for the Eighth Circuit vacated the 2024 Rule.⁴ On February 12, 2026,

the Commission issued a final rule revising the Negative Option Rule to restore it in the form it existed before the 2024 Rule became effective.⁵ Thus, only the information collections associated with the OMB's February 13, 2024 approval of an extension for information collections are now in effect and need to be extended for three additional years.

The Negative Option Rule, as now restored, governs the operation of prenotification subscription plans. Under these types of plans—which can include things such as a book-of-the-month club, food-of-the-month club, or clothing-items-of-the-month club—a seller provides a consumer with automatic shipments of merchandise unless the consumer affirmatively notifies the seller they do not want the shipment. The Rule requires that a seller notify a member that they will automatically ship merchandise to the member and bill the member for the merchandise if the subscriber fails to expressly reject the merchandise beforehand within a prescribed time. The Rule protects consumers by: (1) requiring that promotional materials disclose the terms of membership clearly and conspicuously; and (2) establishing procedures for the administration of such "negative option" plans.

Affected Public: Sellers of prenotification subscription plans.

Estimated Annual Burden Hours: 2,500 hours.

Estimated Annual Labor Costs: \$160,755 (solely related to labor costs).

Estimated Annual Non-Labor Costs: \$0 or de minimis.

As required by section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), the FTC is providing this opportunity for public comment before requesting that OMB reinstate and extend the clearance for the information collection requirements contained in the Negative Option Rule.

Burden Statement

Estimated Annual Burden Hours: 2,500.

Based on industry input, FTC staff estimates that no more than 25 sellers are subject to the disclosure requirements contained in the Rule.⁶

⁵ 91 FR 6507 (Feb. 12, 2026).

⁶ In 2023, FTC staff estimated 25 sellers were subject to the Rule's disclosure requirements based on industry input. 88 FR 59922 (Aug. 30, 2023). That estimate reflected a severe decline from 75 sellers estimated in 2020. 85 FR 46628 (Aug. 3, 2020). FTC staff anticipates that the number of sellers subject to the Rule's requirements continues to decline as firms offering prenotification negative option plans exit the market and other firms increasingly adopt a subscription-based approach

FTC staff further estimates that each seller will require annually about 100 hours to comply with the Rule's disclosure requirements. This yields a total annual burden of 2,500 hours (25 sellers × 100 hours).

Estimated Annual Cost Burden: \$160,755 (solely related to labor costs).

Based on recent data from the Bureau of Labor Statistics, the mean hourly wage for advertising and promotion managers is approximately \$74.18 per hour;⁷ compensation for office and administrative support personnel is approximately \$24.79 per hour.⁸ Assuming that managers perform the bulk of the work, and clerical personnel perform associated tasks (e.g., placing advertisements and responding to inquiries about offerings or prices), the total cost to the industry for the Rule's information collection requirements would be approximately \$160,755 [(80 hours managerial time × 25 sellers × \$74.18 per hour) + (20 hours clerical time × 25 sellers × \$24.79 per hour)].

Because the Rule has been in effect since 1974, the vast majority of the negative option sellers have no current start-up costs. For new sellers entering the market, the costs associated with the Rule's disclosure requirements, beyond the additional labor costs discussed above, are *de minimis*. Negative option sellers already have access to the ordinary office equipment necessary to comply with the Rule. Similarly, the Rule imposes few, if any, printing and distribution costs. The required disclosures generally constitute only a small addition to the advertising for negative option plans. Because printing and distribution expenditures are incurred to market the product regardless of the Rule, adding the required disclosures results in marginal incremental expense.

without a prenotification feature. See, e.g., Sam Spratford, *Subscription Addiction*, Publishers Weekly (May 8, 2026), <https://www.publishersweekly.com/pw/by-topic/industry-news/publisher-news/article/100363-subscription-addiction.html> (last visited Sept. 15, 2026) (noting book-of-the-month sellers offering monthly subscription without prenotification negative option feature); Jordan Valinsky, *Columbia House—yes, it still exists—is going out of business*, CNN (Aug. 19, 2026), <https://www.cnn.com/2026/08/19/media/columbia-house-shut-down> (last visited Sept. 9, 2026) (reporting that Columbia House, a pioneer of product-of-the-month plans with prenotification negative option feature, is ceasing operations).

⁷ See Occupational Employment and Wages—May 2025, Table 1, at <https://www.bls.gov/news.release/ocwage.t01.htm> (mean hourly wage rate for advertising and promotion managers).

⁸ See *id.* (mean hourly wage rate for office and administrative support occupations).

¹ Extension without change of a currently approved collection, ICR Ref. No. 202307-3084-005, OMB Control Number 3084-0104, 02/13/2024, available at https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202307-3084-005.

² FTC, Final Rule: Negative Option Rule, 89 FR 90476 (Nov. 15, 2024).

³ Revision of a currently approved collection, ICR Ref. No. 202411-3084-002, OMB Control Number 3084-0104, 11/18/2024, available at https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202411-3084-002.

⁴ *Custom Commc'ns, Inc. v. FTC*, 142 F.4th 1060, 1074 (8th Cir. 2025).

Request for Comment

Pursuant to section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will be practically useful; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including whether the methodology and assumptions used are valid; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information.

For the FTC to consider a comment, we must receive it on or before December 14, 2026. Your comment, including your name and your state, will be placed on the public record of this proceeding, including the <https://www.regulations.gov> website.

You can file a comment online or on paper. Due to heightened security screening, postal mail addressed to the Commission will be subject to delay. We encourage you to submit your comments online through the <https://www.regulations.gov> website.

If you file your comment on paper, write "Paperwork Reduction Act Comment: FTC File No. P044403" on your comment and on the envelope, and mail it to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Mail Stop H-144 (Annex E), Washington, DC 20580.

Because your comment will become publicly available at <https://www.regulations.gov>, you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any "trade secret or any commercial or financial information which . . . is privileged or confidential"—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including, in particular, competitively

sensitive information, such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must (1) be filed in paper form, (2) be clearly labeled "Confidential," and (3) comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at www.regulations.gov, we cannot redact or remove your comment unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before December 14, 2026. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/site-information/privacy-policy>.

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2026-20971 Filed 10-13-26; 8:45 am]

BILLING CODE 6750-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30Day-27-1198]

Agency Forms Undergoing Paperwork Reduction Act Review

In accordance with the Paperwork Reduction Act of 1995, the Centers for Disease Control and Prevention (CDC) has submitted the information collection request titled "Use of the Cyclosporiasis National Hypothesis Generating Questionnaire (CNHGG) During Investigations of Foodborne Disease Clusters and Outbreaks" to the Office of Management and Budget (OMB) for review and approval. CDC

previously published a "Proposed Data Collection Submitted for Public Comment and Recommendations" notice on June 2, 2026, to obtain comments from the public and affected agencies. CDC received four public comments. This notice serves to allow an additional 30 days for public and affected agency comments.

CDC will accept all comments for this proposed information collection project. The Office of Management and Budget is particularly interested in comments that:

(a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(b) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(c) Enhance the quality, utility, and clarity of the information to be collected;

(d) Minimize the burden of the collection of information on those who are to respond, including, through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses; and

(e) Assess information collection costs.

To request additional information on the proposed project or to obtain a copy of the information collection plan and instruments, call (404) 639-7570. Comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function. Direct written comments and/or suggestions regarding the items contained in this notice to the Attention: CDC Desk Officer, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503 or by fax to (202) 395-5806. Provide written comments within 30 days of notice publication.

Proposed Project

Use of the Cyclosporiasis National Hypothesis Generating Questionnaire (CNHGG) During Investigations of Foodborne Disease Clusters and Outbreaks (OMB Control No. 0920-1198, Exp. 10/31/2026)—Revision—The National Center for Emerging and