

NOTICE OF FILING

Details of Filing

Document Lodged: Concise Statement
Court of Filing FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment: 1/12/2023 11:30:56 AM AEST
Date Accepted for Filing: 1/12/2023 12:56:52 PM AEST
File Number: QUD533/2023
File Title: SECRETARY OF THE DEPARTMENT OF HEALTH AND AGED CARE v
CDA CLINICS QLD PTY LTD T/A CDA EXPRESS & ANOR
Registry: QUEENSLAND REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads "Sia Lagoa".

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



NCF1

CONCISE STATEMENT

FEDERAL COURT OF AUSTRALIA
DISTRICT REGISTRY: QUEENSLAND
DIVISION: GENERAL

NO QUD OF 2023

SECRETARY OF THE DEPARTMENT OF HEALTH AND
AGED CARE

Applicant

CDA CLINICS QLD PTY LTD T/A CDA EXPRESS (ACN
636 677 471)

and another named in the Schedule
Respondents

A. IMPORTANT FACTS GIVING RISE TO THE CLAIM

1. The Applicant, the Secretary of the Department of Health and Aged Care, may apply for a civil penalty by reason of s 42Y(1) of the *Therapeutic Goods Act 1989* (Cth) (**Therapeutic Goods Act**).
2. CDA Clinics Qld Pty Ltd trading as CDA Express (**First Respondent**) is a corporation with its registered office in Queensland, Australia. Since at least 27 April 2021, and at all relevant times thereafter, the First Respondent has operated:
 - 2.1. a website located at Universal Resource Locator (**URL**) www.cdaexpress.com.au (**Website**). The Website contained blog posts, including those blog posts set out at rows 16 to 21 of **Schedule 1 (Blog Posts)**; and
 - 2.2. a Facebook page located at URL www.facebook.com/cdaexpressau/ (**Facebook Page**) which contained posts, including those set out at row 22 of Schedule 1 (**Facebook Posts**).
3. Dr Benjamin Jansen (**Second Respondent**):
 - 3.1. is a natural person who resides in Australia, and who was from 21 July 2020 until 15 March 2022 the sole director of the First Respondent; and
 - 3.2. at all relevant times, had oversight over the Website, including approving content and directing changes to be made.

The First Respondent advertised therapeutic goods containing cannabidiol

4. Cannabidiol (**CBD**) is an active ingredient that can be extracted from cannabis or manufactured synthetically. It is part of a group of substances known as cannabinoids that can be found in cannabis.

Filed on behalf of the Applicant, Secretary of the Department of Health and Aged Care

File ref: 22002942

Prepared by: Jody Marshall
AGS lawyer within the meaning of s 551 of the *Judiciary Act 1903*

Lawyer's Telephone: 07 3360 5751
Lawyer's Email: Jody.Marshall@ags.gov.au
Facsimile: 02 6169 3054

Address for Service:
The Australian Government Solicitor,
Level 33, 300 George St, Brisbane, QLD 4000
Jody.Marshall@ags.gov.au

5. From 27 April 2021 to 30 July 2021, on the dates particularised in Columns B and C of **Schedule 1** to this Concise Statement, the First Respondent advertised, or caused to be advertised (within the meaning of s 3(1) of the Therapeutic Goods Act) CBD in the advertisements particularised in Schedule 1 (the **Advertisements**). Those Advertisements included:
 - 5.1. Advertisements for the sale of the products listed in rows 1 to 15 of Schedule 1 (**Products**), which were products that each contained CBD. The Products were available for online purchase and delivery to any address in Australia;
 - 5.2. Advertisements for CBD products contained in the Blog Posts listed in rows 16 to 21 of Schedule 1; and
 - 5.3. Advertisements promoting the use of CBD and containing hyperlinks to the Website in the Facebook Posts particularised in row 22 of Schedule 1.
6. The Products, and CBD products generally as referred to in the Blog Posts and Facebook Posts, are 'therapeutic goods' within the meaning of s 3(1) of the Therapeutic Goods Act because they were represented to be, or were otherwise likely to be taken to be, for therapeutic use (as defined in s 3(1) of the Therapeutic Goods Act) including for preventing, curing or alleviating a disease, ailment or defect, or influencing, inhibiting or modifying a physiological process in persons. The representations about therapeutic use in each Advertisement are identified in Column C of Schedule 1.

Advertisements containing prohibited representations

7. During the periods identified in Columns B and C of rows 1 to 14, 16, 17 and 21 of Schedule 1 to this Concise Statement, the Advertisements particularised in those rows contained prohibited representations within the meaning of s 42DJ(1) of the Therapeutic Goods Act (as further defined by reg 6B(1)(b) of the *Therapeutic Goods Regulations 1990* (Cth) (**TG Regulations**) and s 30 of the *Therapeutic Goods Advertising Code (No. 2) 2018* (Cth) (**Advertising Code**)) by reason of:
 - 7.1. in the Advertisements particularised in rows 1 to 14 of Schedule 1, making representations regarding the treatment, cure or prevention of anxiety, depression, post-traumatic stress disorder and/or autism, as particularised in Column D of those rows of Schedule 1;
 - 7.2. in the Advertisements (comprising Blog Posts) particularised in rows 16, 17 and 21 of Schedule 1, making representations regarding the treatment, cure or prevention of cancer, gonorrhoea, anxiety and/or depression, as particularised in Column D of Schedule 1.
8. At no time has the Applicant granted permission under s 42DK(3) of the Therapeutic Goods Act to make the prohibited representations described in paragraph 7 above.
9. The Second Respondent knew of each of the matters alleged in paragraphs 5 to 6 and 7 to 8 above and caused or permitted the conduct of the First Respondent alleged in paragraphs 5 and 7 above.

Advertisements containing restricted representations

10. During the periods identified in Columns B and C of rows 1 to 14, 16 to 17 and 19 of Schedule 1 to this Concise Statement, the Advertisements particularised in those rows

contained restricted representations within the meaning of s 42DD of the Therapeutic Goods Act by reason of referring to fibromyalgia, epilepsy, autoimmune conditions, chronic pain, seizures, meningitis, and/or autism, as particularised in Column E of those rows, which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code. This allegation as it relates to the references in the Advertisements to autism is made in the alternative to the matters set out in paragraph 7.1 above.

11. At no time has the Applicant granted approval to the First Respondent under s 42DF(1) of the Therapeutic Goods Act or permission under s 42DK(1) of the Therapeutic Goods Act to make the restricted representations described in paragraph 10 above.
12. The Second Respondent knew each of the matters pleaded at paragraphs 5 to 6 and 10 to 11 above, and caused or permitted the conduct of the First Respondent described in paragraphs 5 and 10 above.

Advertisements referring to substances included in Schedules 3, 4 or 8 to the Poisons Standard

13. During the periods identified in Columns B and C of rows 1 to 22 of Schedule 1 to this Concise Statement, the Advertisements particularised in those rows referred to CBD substances, or goods containing CBD substances, that were included in Schedule 3, 4 or 8 of the *Poisons Standard February 2021* and *Poisons Standard June 2021* (as applicable and, together, the **Poisons Standard**), but not in Appendix H of the Poisons Standard. At no relevant time were the references in those Advertisements to CBD substances, or goods containing CBD substances, authorised or required by a government or government authority.
14. The Second Respondent knew each of the matters pleaded at paragraphs 5 to 6 and 13 above, excluding the conduct in relation to Advertisements particularised in row 22 of Schedule 1 to this Concise Statement (the **Facebook Posts Conduct**), and caused or permitted the conduct of the First Respondent pleaded at paragraphs 5 and 13 above, other than the Facebook Posts Conduct.

Advertisements referring to goods not entered on the Australian Register of Therapeutic Goods

15. During the periods identified in Columns B and C of rows 1 to 15 of Schedule 1 to this Concise Statement:
 - 15.1. none of the Products identified in Column A of those rows were entered in the Australian Register of Therapeutic Goods maintained by the Applicant pursuant to s 9A(1) of the Therapeutic Goods Act (**Register**); and
 - 15.2. none of the references to those Products in the Advertisements identified in Column A of those rows of Schedule 1 were authorised or required by a government or government authority.
16. Further, during the periods identified in Columns B and C of rows 1 to 15 of Schedule 1 to this Concise Statement, as particularised in Column G of those rows, each Product identified in Column A of those rows:
 - 16.1. was the subject of an approval of authority under s 19 of the Therapeutic Goods Act and therefore was prescribed by reg 7(a) of the TG Regulations; or

- 16.2. alternatively, was not the subject of an exemption, approval or authority under the Therapeutic Goods Act or an exemption, approval or authority under the TG Regulations, and therefore was prescribed by reg 7(i) of the TG Regulations.
17. The Second Respondent knew each of the matters pleaded at paragraphs 5 to 6 and 15 to 16 above, and caused or permitted the conduct of the First Respondent pleaded at paragraphs 5, 15 and 16 above.

B. SUMMARY OF RELIEF SOUGHT FROM THE COURT

18. The Applicant seeks the relief set out in the Originating Application, comprising declarations under s 21 of the *Federal Court of Australia Act 1976* (Cth), orders for pecuniary penalties under s 42Y of the Therapeutic Goods Act and costs.

C. PRIMARY LEGAL GROUNDS FOR RELIEF SOUGHT

19. The conduct described at paragraphs 1 to 17 above was done by natural persons or a corporation in the course of, or in preparation for, trade or commerce between Australia and a place outside Australia, among the States or between a State and a Territory.
20. By the conduct by the First Respondent described at:
 - 20.1. paragraphs 5 to 7 above, which was carried out by the First Respondent in the circumstances described in paragraph 8 above, the First Respondent contravened s 42DLB(1) of the Therapeutic Goods Act because s 42DLB(2) applies.
 - 20.2. paragraphs 5 to 6 and 10 above, which was carried out by the First Respondent in the circumstances described in paragraph 11 above, the First Respondent contravened s 42DLB(1) of the Therapeutic Goods Act because s 42DLB(4) applies.
 - 20.3. paragraphs 5 to 6 and 13 above, the First Respondent contravened s 42DLB(1) of the Therapeutic Goods Act because s 42DLB(7) applies.
 - 20.4. paragraphs 5 to 6 and 15 to 16 above, the First Respondent contravened s 42DLB(1) of the Therapeutic Goods Act because s 42DLB(9) applies.
21. A separate contravention occurred with respect to each Advertisement on each day that the Advertisement was published or available to be accessed by consumers.
22. Further, by reason of the matters alleged in paragraphs 3, 9, 12, 14 and 17, the Second Respondent aided, abetted, counselled or procured the First Respondent's contraventions of s 42DLB(1) alleged in paragraph 20 and 21 above, excluding the Facebook Posts Conduct, and was therefore involved in those contraventions within the meaning of s 42YC of the Therapeutic Goods Act.

D. ALLEGED HARM

23. The advertising of products containing CBD carries a significant risk to health and safety when those products are advertised as a treatment for a range of serious illnesses, in circumstances where the quality, safety and efficacy of those products have not undergone full pre-market evaluation for the purposes for which they are to be used. There is a risk that persons using them may cease, delay or avoid conventional treatments and thereby suffer adverse clinical outcomes. Medicinal cannabis products can also cause adverse effects on the metabolism and action of other medicines.

24. The Therapeutic Goods Act restricts the advertising of prescription-only medicines, and the making of restricted and prohibited representations in advertisements for therapeutic goods, because the selection of prescription medicines and the treatment of serious medical conditions should be undertaken in consultation with a medical practitioner. Patient self-selection of prescription-only medicines exposes them to a range of risks, including that their condition will not be treated appropriately or they will be exposed to adverse events that might have been avoided by a different treatment strategy.
25. The advertising of prescription-only medicines to the public can lead to inappropriate demand for such medicines, including pressure from patients on medical practitioners to prescribe such medicines where their use is not clinically indicated.
26. The conduct alleged at paragraphs 4 to 22 undermines the integrity of the therapeutic goods regulatory framework which seeks to protect the community from misinformation and ensures that access to healthcare is safe and based on clinically informed decision making by individual patients.
27. To the extent that customers have purchased the Products for therapeutic purposes and not experienced any health benefit, they are likely to have suffered financial loss connected to the purchase of the Products.

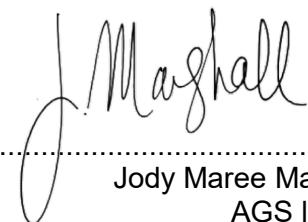
Date: 1 December 2023

This concise statement was prepared by Simon White SC and Claire Schneider of counsel.

CERTIFICATE OF LAWYER

I, Jody Maree Marshall, certify to the Court that, in relation to the concise statement filed on behalf of the Applicant, the factual and legal material available to me at present provides a proper basis for each allegation in the pleading.

Date: 1 December 2023



Jody Maree Marshall
AGS lawyer

for and on behalf of the Australian Government Solicitor
Solicitor for the Applicant

Schedule of Parties

**FEDERAL COURT OF AUSTRALIA
DISTRICT REGISTRY: QUEENSLAND
Division: General**

No QUD of 2023

Respondents

Second Respondent Benjamin David Ngahuia Jansen

Schedule 1 – Advertisements on the Website and Facebook Page

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
1.	Tilray Purified CBD 100 – 25 ml www.cdaexpress.com.au/product/tilray-purified-cbd-100-25ml/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <ul style="list-style-type: none"> (a) Included under the product name, and further or alternatively under the heading “Effects”: <ul style="list-style-type: none"> i. “Anxiolytic”; ii. “Anti-Epileptic”. (b) Included under the heading “Conditions”: <ul style="list-style-type: none"> i. “Anxiety”; ii. “Epilepsy”; iii. “Fibromyalgia”; iv. “Autoimmune conditions”; v. “Autism”. (c) Stated: <i>“This oil may potentially help patients that are seeking anti-convulsive, anti-depressive, anti-inflammatory, and anti-anxiety effects.”</i> 	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <ul style="list-style-type: none"> (a) Anxiety (a mental illness); (b) Depression (a mental illness); (c) Autism (a mental illness). 	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments, which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions. <p>Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (d) Autism. 	Yes	Yes. Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).
2.	Tilray Purified CBD 25 – 40ml www.cdaexpress.com.au/product/tilray-purified-cbd-25-40ml/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <ul style="list-style-type: none"> (a) Included under the product name, and further or alternatively under the heading “Effects”: <ul style="list-style-type: none"> i. “Anxiolytic”; 	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p>	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those</p>	Yes	Yes Reg 7(i) of the TG Regulations, or in the alternative Reg

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			<ul style="list-style-type: none"> ii. "Anti-Epileptic". (b) Included under the heading "Conditions": <ul style="list-style-type: none"> i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". (d) Stated: "<i>This oil may potentially help patients that are seeking anti-convulsive, anti-depressive, anti-inflammatory and anti-anxiety effects.</i>" 	<ul style="list-style-type: none"> (a) Anxiety (a mental illness); (b) Depression (a mental illness); (c) Autism (a mental illness). 	<p>diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions. <p>Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (d) Autism. 		7(a).
3.	MGC Pharma MP100 – 30 ml www.cdaexpress.com.au/product/mgc-pharma-mp100-30ml/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <ul style="list-style-type: none"> (a) Included under the product name, and further or alternatively under the heading "Effects": <ul style="list-style-type: none"> i. "Anxiolytic"; ii. "Anti-Epileptic". (b) Included under the heading "Conditions": <ul style="list-style-type: none"> i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". (c) Stated: "<i>This CBD oil may potentially help patients that are seeking anti-convulsive, anti-depressive, anti-inflammatory and anti-anxiety effects.</i>" 	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <ul style="list-style-type: none"> (a) Anxiety (a mental illness); (b) Depression (a mental illness); (c) Autism (a mental illness). 	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions. <p>Further, in the alternative to the matters</p>	Yes	Yes Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			effects."		particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code: (d) Autism.		
4.	Medicabilis 100CBD Isolate – 50ml www.cdaexpress.com.au/product/medicabilis-100-cbd-isolate-50ml/	27 April 2021 to 30 July 2021	From 27 April 2021 to 30 July 2021, under the product name heading on the Website: (a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic". (b) Included under the heading "Conditions": i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". (c) Stated: i. " <i>Medicabilis 100 CBD 50ml can be helpful to help patients manage seizures, inflammation, chronic pain and mental health.</i> " ii. <i>Alternatively, "Medicabilis 100 CBD 50ml may be helpful to help patients manage seizures, inflammation, chronic pain and mental health".</i>	Yes Representation regarding the treatment, cure, or prevention of: (a) Anxiety (a mental illness); (b) Autism (a mental illness).	Yes Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code: (a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions; (d) Chronic pain. Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the	Yes	Yes Reg 7(a) of the TG Regulations, or in the alternative Reg 7(i).

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
					following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code: (e) Autism.		
5.	Medicabilis 100CBD Isolate – 25 ml www.cdaexpress.com.au/product/medicabilis-100-cbd-isolate-25ml/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <p>(a) Included under the product name, and further or alternatively under the heading “Effects”: iii. “Anxiolytic”; iv. “Anti-Epileptic”.</p> <p>(b) Included under the heading “Conditions”: i. “Anxiety”; ii. “Epilepsy”; iii. “Fibromyalgia”; iv. “Autoimmune conditions”; v. “Autism”.</p> <p>(c) Stated: “<i>Medicabilis 100 CBD 25ml may be helpful to help patients manage seizures, inflammation, chronic pain, and mental health.</i>”</p>	<p>Yes Representation regarding the treatment, cure, or prevention of:</p> <p>(a) Anxiety (a mental illness); (b) Autism (a mental illness).</p>	<p>Yes Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <p>(a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions; (d) Chronic pain.</p> <p>Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code: (e) Autism.</p>	Yes	Yes Reg 7(a) of the TG Regulations, or in the alternative Reg 7(i).

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
6.	LittleGreenPharma (LGP) CBD50 Oil or LGP CLASSIC CBD 50 – 50ml www.cdaexpress.com.au/product/lgp-cbd-50-50ml/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <p>(a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic".</p> <p>(b) Included under the heading "Conditions": i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism".</p> <p>(d) Stated: i. <i>"This CBD dominant oil has the potential to help patients seeking anti-inflammatory, anti-anxiety, anti-convulsive and anti-depressive effects. Evidence has supported the use of high CBD formulations in conditions such as chronic pain, refractory epilepsy, anxiety, autism and IBS."</i> ii. <i>Alternatively, "As a schedule 4 medication and containing less than <1mg per ml of other cannabinoids, this CBD dominant oil has been suggested to potentially help patients seeking anti-inflammatory, anti-convulsive [sic], anti-anxiety and anti-depressive effects. Evidence has supported the use of high CBD formulations to be useful in conditions such as IBS, chronic pain, refractory epilepsy, anxiety, and autism."</i></p>	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <p>(a) Anxiety (a mental illness); (b) Depression (a mental illness); (c) Autism (a mental illness).</p>	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <p>(a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions; (d) Chronic pain.</p> <p>Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:</p> <p>(e) Autism.</p>	Yes	Yes Reg 7(a) of the TG Regulations, or in the alternative Reg 7(i).
7.	Isospec RX 3000 (Peppermint) – 30ml www.cdaexpress.com.au/product/isospec-rx-3000-peppermint/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <p>(a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic".</p> <p>(b) Included under the heading "Conditions": i. "Anxiety";</p>	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <p>(a) Anxiety (a mental illness);</p>	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the</p>	Yes	Yes Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			<ul style="list-style-type: none"> ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". <p>(c) Stated: <i>"This CBD oil is for patients looking for a potential treatment option to help manage symptoms including anxiety (including PTSD), chronic pain, Insomnia [sic], inflammation, stress, and seizures."</i></p>	<ul style="list-style-type: none"> (b) Post-Traumatic Stress Disorder (PTSD) (a mental illness); (c) Autism (a mental illness). 	<p>Advertising Code:</p> <ul style="list-style-type: none"> (a) Epilepsy; (b) Seizures; (c) Fibromyalgia; (d) Autoimmune conditions; (e) Chronic pain. <p>Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (f) Autism. 		
8.	Isospec RX 3000 (Natural) – 30ml www.cdaexpress.com.au/product/isospec-rx-3000-natural/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <ul style="list-style-type: none"> (a) Included under the product name, and further or alternatively under the heading "Effects": <ul style="list-style-type: none"> i. "Anxiolytic"; ii. "Anti-Epileptic". (b) Included under the heading "Conditions": <ul style="list-style-type: none"> i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". (c) Stated: <i>"This CBD oil is for patients looking for a potential treatment option to help manage symptoms including chronic pain, anxiety (including PTSD), Insomnia [sic], inflammation, stress, and</i> 	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <ul style="list-style-type: none"> (a) Anxiety (a mental illness); (b) Post-Traumatic Stress Disorder (PTSD) (a mental illness); (c) Autism (a 	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (a) Epilepsy; (b) Seizures; (c) Fibromyalgia; (d) Autoimmune conditions; (e) Chronic pain. 	<p>Yes</p>	<p>Yes</p> <p>Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).</p>

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			seizures."	mental illness).	Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code: (f) Autism.		
9.	CDA CBD 240-Oil – 10ml www.cdaexpress.com.au/product/cda-cbd-240-oil-10ml/	27 April 2021 to 30 July 2021	From 27 April 2021 to 30 July 2021, under the product name heading on the Website: (a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic". (b) Included under the heading "Conditions": i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". (c) Stated: " <i>This concentrated CBD oil has the potential to benefit those patients suffering from anxiety, stress, seizures, inflammation and pain.</i> "	Yes Representation regarding the treatment, cure, or prevention of: (a) Anxiety (a mental illness); (b) Autism (a mental illness).	Yes Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code: (a) Epilepsy; (b) Seizures; (c) Fibromyalgia; (d) Autoimmune conditions. Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4)	Yes	Yes Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).

Row No	A	B	C	D	E	F	G
	Advertisement and URL	Period of advertisement	Representation	Prohibited representation? [Section 42DLB(2)]	Restricted representation? [Section 42DLB(4)]	Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
					of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code: (e) Autism.		
10.	CDA CBD 33-Capsules – 30 capsules www.cdaexpress.com.au/product/cda-cbd-33-capsules-30-caps/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <p>(a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic".</p> <p>(b) Included under the heading "Conditions": i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism".</p> <p>(c) Stated: "... these capsules can potentially ease inflammation, manage seizures, reduce anxiety and improve sleep."</p>	Yes Representation regarding the treatment, cure, or prevention of: (a) Anxiety (a mental illness); (b) Autism (a mental illness).	Yes Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code: (a) Epilepsy; (b) Seizures; (c) Fibromyalgia; (d) Autoimmune conditions. Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:	Yes	Yes Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
					(e) Autism.		
11.	CDA CBD 30-Oil – 10ml www.cdaexpress.com.au/product/cda-cbd-30-oil-10ml/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <p>(a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic".</p> <p>(b) Included under the heading "Conditions": i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism".</p> <p>(c) Stated: "<i>This medicine is ideal for a patient new to medicinal cannabis or a pediatric [sic] patient as there is no THC. This low dose CBD oil has the potential to be effective in treating symptoms ranging from anxiety, pain to insomnia.</i>"</p>	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <p>(a) Anxiety (a mental illness); (b) Autism (a mental illness).</p>	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <p>(a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions.</p> <p>Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:</p> <p>(d) Autism.</p>	Yes	<p>Yes</p> <p>Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).</p>
12.	Isospec RX 1000 (Peppermint) – 30ml www.cdaexpress.com.au/product/isospec-rx-1000-peppermint/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <p>(a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic".</p> <p>(b) Included under the heading "Conditions":</p>	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <p>(a) Anxiety (a mental</p>	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the</p>	Yes	<p>Yes</p> <p>Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).</p>

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			<ul style="list-style-type: none"> i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". <p>(c) Stated: "<i>Isospec RX is the first broad spectrum CBD product of its kind available in Australia...This CBD oil is for patients looking for a potential treatment option to help manage symptoms including chronic pain, anxiety (including PTSD), Insomnia [sic], inflammation, stress, and seizures.</i>"</p>	<ul style="list-style-type: none"> (b) illness); Post-Traumatic Stress Disorder (PTSD) (a mental illness); (c) Autism (a mental illness). 	<p>meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (a) Epilepsy; (b) Seizures; (c) Fibromyalgia; (d) Autoimmune conditions; (e) Chronic pain. <p>Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (f) Autism. 		
13.	Isospec RX 1000 (Natural) – 30ml www.cdaexpress.com.au/product/isospec-rx-1000-natural/	27 April 2021 to 30 July 2021	<p>From 27 April 2021 to 30 July 2021, under the product name heading on the Website:</p> <ul style="list-style-type: none"> (a) Included under the product name, and further or alternatively under the heading "Effects": <ul style="list-style-type: none"> i. "Anxiolytic"; ii. "Anti-Epileptic". (b) Included under the heading "Conditions": <ul style="list-style-type: none"> i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". <p>(c) Stated: "<i>Isospec RX is the first broad spectrum CBD product of its kind available in Australia...This CBD oil is for patients looking for a</i></p>	<p>Yes</p> <p>Representation regarding the treatment, cure, or prevention of:</p> <ul style="list-style-type: none"> (a) Anxiety (a mental illness); (b) Post-Traumatic Stress Disorder (PTSD) (a mental illness); 	<p>Yes</p> <p>Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code:</p> <ul style="list-style-type: none"> (a) Epilepsy; (b) Seizures; (c) Fibromyalgia; (d) Autoimmune conditions; (e) Chronic pain. 	<p>Yes</p>	<p>Yes</p> <p>Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a)</p>

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			<i>potential treatment option to help manage symptoms including chronic pain, anxiety (including PTSD), Insomnia [sic], inflammation, stress, and seizures."</i>	(c) Autism (a mental illness).	Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code: (f) Autism.		
14.	Tilray Purified CBD 100 – 40ml www.cdaexpress.com.au/product/tilray-purified-cbd-100-40ml/	27 April 2021 to 31 May 2021	From 27 April 2021 to 31 May 2021, under the product name heading on the Website: (a) Included under the product name, and further or alternatively under the heading "Effects": i. "Anxiolytic"; ii. "Anti-Epileptic". (b) Included under the heading "Conditions": i. "Anxiety"; ii. "Epilepsy"; iii. "Fibromyalgia"; iv. "Autoimmune conditions"; v. "Autism". (c) Stated: " <i>This oil may potentially help patients that are seeking anti-convulsive, anti-depressive, anti-inflammatory and anti-anxiety effects.</i> "	Yes Representation regarding the treatment, cure, or prevention of: (a) Anxiety (a mental illness); (b) Depression (a mental illness); (c) Autism (a mental illness).	Yes Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code: (a) Epilepsy; (b) Fibromyalgia; (c) Autoimmune conditions. Further, in the alternative to the matters particularised in Column D, if autism is not a mental illness within the meaning of s 30 of the Advertising Code, this Advertisement also contravenes s 42DLB(4) of the Therapeutic Goods	Yes	Yes Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
					Act by referring to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code: (d) Autism.		
15.	CDA CBD 990-Crystal – 1g www.cdaexpress.com.au/cda-cbd-990-crystal-1g/	Exact period unknown	On dates unknown, under the product name heading on the Website, stated: "CDA's CBD Crystal is 99% isolated cannabidiol and is the purest form of CBD. Crystal CBD has a range of applications ranging in vapourisation, oral administration and topical administration"	No	No	Yes	Yes Reg 7(i) of the TG Regulations, or in the alternative Reg 7(a).
16.	Blog Post titled 'The Top 5 Plants Used in Medicine' https://www.cdaexpress.com.au/the-top-5-plants-used-in-medicine/	27 April 2021 to 6 July 2021	From 27 April 2021 to 6 July 2021, the Website stated: (a) "Cannabinoids can provide relief for many issues related to bodily imbalance, including nausea, seizures in epilepsy, sleep and mood disorders, chronic pain, anxiety and depression, and better management of motor functions" and (b) further or alternatively, "medical cannabis has been found to decrease sensitivity to neuropathic pain, as well as pain in fibromyalgia and rheumatoid arthritis. This ability to reduce pain is one of the major reasons why consumers turn to CBD products. Other studies have also confirmed cannabis' benefits in improving the body's self-regulatory processes through its interactions with the endocannabinoid system... Some of these benefits include a decrease in chemotherapy-induced nausea, reduced seizures in epilepsy, sleep and mood disorders, anxiety and depression, and better management of motor functions"	Yes Representation regarding the treatment, cure, or prevention of: (a) Anxiety (a mental illness); (b) Depression (a mental illness).	Yes Refers to the following diseases, conditions or ailments which were each serious forms of those diseases, conditions or ailments within the meaning of s 28 of the Advertising Code: (a) Epilepsy; (b) Fibromyalgia; (c) Chronic pain.	Yes	No
17.	Blog Post titled 'Is CBD Legal in Australia?' https://www.cdaexpress.com.au/is-cbd-legal-in-australia/	27 April 2021 to 6 July 2021	From 27 April 2021 to 6 July 2021, the Website stated: (a) "One study observed CBD's ability to relieve "difficult to treat" pain often caused by cancer. Meanwhile, another study discovered the capability of CBD, including other cannabinoids, to regulate nausea and vomiting. And, as recently in January 2021, CBD was found by doctors to have antibiotic effects. CBD samples and analogues were shown to kill a wide range of difficult-to-treat bacteria. These are Gram-positive and Gram-negative bacteria - some of which are responsible for gonorrhoea and meningitis...One effect that many	Yes Representation regarding the treatment, cure, or prevention of: (a) Cancer (a neoplastic disease);	Yes Refers to the following disease, condition or ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:	Yes	No

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			<p>use CBD for is pain relief. Be it post-workout pain, headaches, or general inflammation, studies have shown CBD has the potential to reduce or relieve pain altogether. CBD was also discovered to be potentially able to curb vomiting and assist in nausea"</p> <p>(b) Alternatively (with underlining added to show the differences), "One study observed the ability of <u>cannabis-based medicines</u> to relieve "difficult to treat" pain often caused by cancer. Meanwhile, another study discovered the capability of CBD, including other cannabinoids, to regulate nausea and vomiting. And, as recently in January 2021, CBD was found by doctors to have antibiotic effects. CBD samples and analogues were shown to kill a wide range of difficult-to-treat bacteria. These are Gram-positive and Gram-negative bacteria. Some of which are responsible for gonorrhoea and meningitis... One effect that many use CBD for is pain relief. Whether it's for post-workout pain, headaches, or general inflammation, studies have shown CBD has the potential to reduce or relieve pain altogether. CBD was also discovered to be potentially able to curb vomiting and assist in nausea"</p>	(b) Gonorrhoea (a sexually transmitted disease).	(a) Meningitis.		
18.	Blog Post titled 'Natural Tips to Help You Sleep' https://www.cdaexpress.com.au/natural-tips-to-help-you-sleep/	14 June 2021 to 6 July 2021	From 14 June 2021 to 6 July 2021, the Website stated: <i>"Tip #4: Medical cannabis therapies. For some people who have tried all the natural solutions and prescription medicines under the sun but cannot find relief, medicinal cannabis might be a second-line treatment option to consider. The cannabis sativa plant contains two different cannabinoids which are commonly used either individually or in combination as an alternative or adjunct therapies for sleep disorders and other chronic health conditions. These two cannabinoids include Cannabidiol...According to a world-first study conducted by experts at The University of Western Australia, where cannabinoid extract was used to treat twenty-three patients with chronic insomnia symptoms, the results showed medicinal cannabis as an effective treatment for adults with sleep disorders...this plant-powered therapy is becoming more widely accepted around the world for its potential to help with the symptoms of insomnia and sleep disorders. If you suffer from a chronic sleep disorder, and you are seeking alternative therapies with your GP, you may be eligible for medical cannabis therapies. To find out if you're eligible for low-dose CBD medicine from CDA Express, take the Virtual Consult."</i>	No	No	Yes	No
19.	Blog Post titled 'How to Reduce Inflammation Using Natural Alternatives' https://www.cdaexpress.com.au/how-to-	27 April 2021 to 6 July 2021	Between 27 April 2021 and 6 July 2021, the Website stated: (a) "CBD [Cannabidiol] is a compound that is naturally found in cannabis. The compound has been making waves in the medicinal	No	Yes Refers to the following disease, condition or	Yes	No

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
	reduce-inflammation-using-natural-alternatives/		<p><i>world since the discovery of its potential health benefits. A study from the National Library of Medicine discusses how CBD can potentially treat acute and chronic pain in humans. The study illustrates CBD being able to interact with the endocannabinoid system (ECS) of the human body. For context, the ECS is responsible for regulating responses which includes appetite, mood, and the reduction of inflammation responsible for acute and chronic pain”</i></p> <p>(b) Alternatively (with underlining added to show the differences), <i>“CBD [Cannabidiol] is a compound that is naturally found in cannabis. The compound has been making waves in the medicinal world since the discovery of its potential health benefits. A study from the National Library of Medicine discusses how CBD can potentially treat acute and chronic pain in humans. The study illustrates CBD’s ability to interact with the endocannabinoid system (ECS) of the human body. For context, the ECS is responsible for regulating responses which includes appetite, mood, and the reduction of inflammation responsible for acute and chronic pain”</i></p>		<p>ailment which was a serious form of that disease, condition or ailment within the meaning of s 28 of the Advertising Code:</p> <p>(a) Chronic Pain.</p>		
20.	Blog Post titled 'Morning Routine to Enhance Your Wellness' https://www.cdaexpress.com.au/morning-routine-to-enhance-your-wellness/	27 April 2021 to 6 July 2021	<p>Between 27 April 2021 and 6 July 2021, the Website stated:</p> <p>(a) <i>“Another good addition to your morning routine is the inclusion of natural plant-based products such as CBD oil. CBD or cannabidiol is a compound extracted from the cannabis plant. Holistic plant-based treatments such as medical cannabis have been making waves in different parts of the globe now, providing people with a range of alternative options for health and wellness”</i></p> <p>(b) In the alternative to (a) (with underlining added to show the differences), <i>“Another great addition to your morning routine is the inclusion of natural plant-based products such as CBD oil. CBD or cannabidiol is a compound extracted from the cannabis plant. Holistic plant-based treatments such as medical cannabis have been making waves in different parts of the globe now, providing people with a range of alternative options for health and wellness”</i></p> <p>(c) <i>“CBD has convenient options to apply to your morning routine. CBD oil capsules or CBD oil may be your best bet as they’re a quick and consistent serving of CBD.”</i></p> <p>(d) Further to (a) and (b), and in the alternative to (c) above, from 17 June 2021, the Website stated: <i>“As CBD can be used daily to potentially alleviate the symptoms of stress, taking CBD (via capsules or oil) every morning can be an ideal way to improve your</i></p>	No	No	Yes	No

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			<i>morning routine and overall wellness."</i>				
21.	Blog Post titled 'Rebalancing Your Endocannabinoid System' https://www.cdaexpress.com.au/rebalancing-your-endocannabinoid-system/	27 April 2021 to 6 July 2021	<p>Between 27 April 2021 and 6 July 2021, the Website stated:</p> <p>(a) Under the heading "The biological system":</p> <ul style="list-style-type: none"> i. "<i>The endocannabinoid system or ECS ... is responsible for regulating multiple functions in the human body ...</i>"; and ii. "<i>... receptors are chemical receivers of an organ that accept the neurotransmitter's data. The ECS has two such receptors known as CB1 and CB2.</i>" <p>(b) Under the heading: "The importance of the endocannabinoid system": "<i>One study indicates that factors affecting CB1 receptors from functioning correctly can cause anxiety and depression...another study describes the importance of CB2 receptors and their role in managing inflammation. The researchers concluded that a problematic state of CB2 receptors is associated with people who have increased instances of inflammation...The third study illustrated how the ECS is responsible for maintaining bone health. Via the CB1 and CB2 receptors, the ECS links the brain to the bones to elicit bone formation and resorbing old and damaged bone cells</i>".</p> <p>(c) In the alternative to (b) (with underlining added to show the differences), "<i>One study indicates that factors affecting CB1 receptors from functioning correctly can cause anxiety and depression...another study describes the importance of CB2 receptors and their role in managing inflammation. The researchers concluded that a problematic state of CB2 receptors is associated with people who have increased instances of inflammation...The third study illustrated how the ECS is responsible for maintaining bone health. Via the CB1 and CB2 receptors, the ECS links the brain to the bones to generate bone formation and resorbs old and damaged bone cells</i>".</p> <p>(d) Under the heading "The natural approaches of rebalancing the ECS", and the sub-heading "Cannabidiol": "<i>CBD or cannabidiol, a cannabinoid has become legal for use thanks to the medical cannabis Australia legalisation of 2016. Although acquiring CBD may have hoops to go through in Australia, CBD has the potential to rebalance the ECS. After all, endocannabinoids are molecules similar to cannabis's cannabinoids, but they're produced by your body. CBD elicits its effects on the body by working closely with the ECS – as CBD mimics the ECS neurotransmitters to interact with CB receptors. One example of CBD as a natural alternative is described by a study published in the National Center for</i></p>	<p>Yes Representation regarding the treatment, cure, or prevention of:</p> <p>(a) Anxiety (a mental illness); (b) Depression (a mental illness).</p>	No	Yes	No

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			<p><i>Biotechnology Information. In the study, CBD is described to help regulate pain control and inflammation by inhibiting pro-inflammatory molecules. The study also mentions that cannabinoids such as CBD display synergistic effects with other body systems that influence pain relief.”;</i></p> <p>(e) Further to (a), (b) and (c) and in the alternative to (d) (with underlining added to show differences), between 28 April 2021 and 17 June 2021, Under the heading “3 natural approaches to rebalancing your ECS” and sub-heading “Cannabidiol”: <u>“With cannabis legalised for medicinal use in Australia back in 2016, cannabidiol (CBD) has become increasingly popular as an alternative therapy used for rebalancing the endocannabinoid system naturally. As endocannabinoids are molecules similar to cannabinoids, they are produced by your body. CBD elicits its effects on the body by working closely with the ECS – as CBD mimics the ECS neurotransmitters to interact with CB receptors. One example of CBD being used as a natural alternative is described by a study published in the National Center for Biotechnology Information. In the study, CBD is described as the chemical that helps regulate pain control and inflammation by inhibiting pro-inflammatory molecules. The study also mentions that cannabinoids such as CBD display synergistic effects with other body systems that influence pain relief.”</u></p>				
22.	CDA Express Facebook Page www.facebook.com/cdaexpressau/	20 April 2021 to at least 18 June 2021	<p>(a) From 20 April 2021 to at least 18 June 2021, the Facebook Page included the following post:</p> <div style="border: 1px solid black; padding: 10px;">  <p>CDA Express 20 April · </p> <p>What is plant-based medicine? Since the start of time, humans have used plants medicinally to treat a range of conditions. Here at CDA Express, we specialise in making plant-based medicine and medical CBD available to patients Australia-wide. From the plant, to the patient, we offer a range of herbal products that can be express posted directly to your doorstep.</p> <p> Click here to learn more at www.cdaexpress.com.au #CDAexpress #plantpowered #medicine #CBD</p> </div> <p>(b) From 20 April 2021 to at least 18 June 2021, the Facebook Page included the following post:</p>	No	No	Yes	No

Row No	A Advertisement and URL	B Period of advertisement	C Representation	D Prohibited representation? [Section 42DLB(2)]	E Restricted representation? [Section 42DLB(4)]	F Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	G Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]		
			<p> CDA Express 20 April · </p> <p>CDA Express is a digital wellness hub that gives patients across Australia access to plant-powered medicine, including Medical CBD. </p> <p>If you're looking at alternative treatments for a chronic condition, you may be eligible. Take our No-Cost Virtual Consult today to see if you qualify.</p> <p>www.cdaexpress.com.au</p> <p>...</p> <p>(c) From 20 April 2021 to at least 18 June 2021, the Facebook Page included the following post:</p> <p> CDA Express 20 April at 12:16 · </p> <p>Here at CDA Express, we believe health and wellness are the keys to a happy life. </p> <p>Our mission is to empower Australians to take charge of their health with personalised medicine that puts the power back in the patient's hands.</p> <p>To do this, we've launched a new platform for Australian patients to purchase plant-based medicine and medical CBD online.</p> <p>Learn more on our website - www.cdaexpress.com.au #CDAexpress</p> <p>...</p> <p>(d) From 20 April 2021 to at least 18 June 2021, the Facebook Page included the following post:</p> <p> CDA Express 20 April at 12:15 · </p> <p>Are your current prescription medicines not working as well as you'd hoped? We're here to help.</p> <p> CDA Express offer No-Cost Virtual Consults for all Australians.</p> <p> This means you can see if you qualify for CBD oil easily by answering a few questions online.</p> <p> If you qualify, you'll get exclusive access to our range of plant-powered medicine.</p> <p>www.cdaexpress.com.au #CDAexpress</p> <p>...</p> <p>(e) From 20 April 2021 to at least 18 June 2021, the Facebook Page included the following post:</p>						

Row No	A	B	C	D	E	F	G
	Advertisement and URL	Period of advertisement	Representation	Prohibited representation? [Section 42DLB(2)]	Restricted representation? [Section 42DLB(4)]	Refers to substances in Sch 3, 4 or 8 of the Poison Standards, but not Appendix H? [Section 42DLB(7)]	Refers to therapeutic goods that are not entered in the Register and are prescribed by the TG Regulations? [Section 42DLB(9)]
			 CDA Express 20 April ·  It's 2021 and we're ready to shake things up in the Australian #medicalcannabis market... Introducing CDA Express - a new pathway for Australians to order Medical CBD and plant-powered medicine online and have it delivered to their doorstep.  Our No-Cost Virtual Consults are available Australia-wide. See if you qualify for plant-based medicine! Visit our website here #CDAexpress	***			