

NOTICE OF FILING

Details of Filing

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File Title:	SECRETARY OF THE DEPARTMENT OF HEALTH AND AGED CARE v BETTER LEAF PTY LTD (ACN 661 384 381) & ORS
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



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

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.



Concise Statement

No. VID

of 2026

Federal Court of Australia
District Registry: Victoria
Division: General

SECRETARY OF THE DEPARTMENT OF HEALTH AND AGED CARE

Applicant

BETTER LEAF PTY LTD (ACN 661 384 381) and others named in the Schedule

Respondents

A. IMPORTANT FACTS GIVING RISE TO THE CLAIM

1. The relevant period for the purposes of this proceeding, so far as the Applicant can discern as at the date of filing this concise statement, is 11 November 2022 to 21 May 2025 (**Relevant Period**).

The Parties

2. The First Respondent (**Better Leaf**):
 - (a) is a company within the meaning of the *Corporations Act 2001* (Cth); and
 - (b) was at all material times during the Relevant Period conducting a cannabis dispensary and pharmacy business at 145 and 149 Sydney Road, Brunswick (**Dispensary**).
3. The Second Respondent (**Better Life**) is a company within the meaning of the *Corporations Act 2001* (Cth).
4. The Third Respondent (**Mr Weisberg**):
 - (a) was throughout the Relevant Period Better Leaf's business manager;
 - (b) was from 23 August 2024 to 21 May 2025, the sole director, secretary and shareholder of Better Leaf; and
 - (c) was throughout the Relevant Period the sole director, secretary and shareholder of Better Life.

The Website

5. Since at least 11 November 2022, the Dispensary has been promoted on a website located at Universal Resource Locator (**URL**) <https://betterleaf.com.au> (**Website**).
6. During the Relevant Period:
 - (a) Better Life was the registrant of the domain name "betterleaf.com.au" which directed users to the Website; and
 - (b) Mr Weisberg was the registered contact for the Website.
7. During late 2022 and early 2023, Better Leaf and Better Life retained a public relations and marketing agency, The Big Smoke Media Group (**Big Smoke**), to redesign the Website.
8. Mr Weisberg: (a) signed the retainer with Big Smoke; (b) provided instructions to Big Smoke; and (c) approved the content created by Big Smoke for the Website.

Filed on behalf of (name & role of party)	Secretary of the Department of Health and Aged Care, Applicant		
Prepared by (name of person/lawyer)	Jacqueline Bisas		
Law firm (if applicable)	The Australian Government Solicitor		
Tel	03 9242 1487	Fax	03 9923 6034
Email	jacqueline.bisas@ags.com.au		
Address for service (include state and postcode)	Level 34, 600 Bourke St, Melbourne, VIC 3000		

9. During the Relevant Period, Mr Weisberg was also the person with ultimate responsibility for any other changes to the substantive content on the Website, including changes proposed by employees and/or contractors of Better Leaf. Mr Weisberg approved changes to the Website's content and, where he did not provide specific approval for a content change, supervised the individual responsible for approving the change.
10. At all material times, Mr Weisberg approved content for the Website on behalf of both Better Leaf and Better Life. That is, in his capacity as sole director of Better Life, as business manager for Better Leaf, and then later as sole director of Better Leaf.
11. At all material times, Better Leaf has paid all costs associated with the Website.

Social Media Accounts

12. Since at least 11 November 2022, the Dispensary has been promoted on:
 - (a) a Facebook page located at URL <https://www.facebook.com/Betterleafdispensary> (**Facebook Account**); and
 - (b) an Instagram page first located at URL <https://www.instagram.com/betterleafhealth/> (**Instagram Account**) and then <https://www.instagram.com/betterleafbrunswick/>,
(together, the **Social Media Accounts**).
13. During the Relevant Period, Mr Weisberg was the person with ultimate responsibility for the content on the Social Media Accounts. Mr Weisberg approved posts (including edits to existing posts) and, where he did not provide specific approval for a post, supervised the individual responsible for approving the post. The individuals who prepared those posts were generally employees and/or contractors of Better Leaf.
14. At all material times, Better Leaf has paid all costs associated with the Social Media Accounts.
15. Better Life and Better Leaf have each represented that the "owner" of the Social Media Accounts is Better Life: see correspondence with the Therapeutic Goods Administration (**TGA**) dated 13 December 2023.
16. By reason of the matters in paragraphs 12 to 15, at all material times, Mr Weisberg approved content for the Social Media Accounts on behalf of both Better Leaf and Better Life. That is, in his capacity as sole director of Better Life, as business manager for Better Leaf, and then later as sole director of Better Leaf.

Pamphlets

17. On at least 25 October 2024, Better Leaf made available for collection at the Dispensary two pamphlets promoting the availability of medicinal cannabis at the Dispensary (**Pamphlets**). Mr Weisberg was involved in approving the Pamphlets for publication.

The Advertisements: sections 42DLB(1)(a) and 42DMA(1)(a)

18. During the Relevant Period the Website, Facebook Account and Instagram Account, publicly displayed a number of words, statements, pictorial representations and/or designs that "advertise[d]" medicinal cannabis products within the meaning of sections 3(1), 42DLB(1)(a) and 42DMA(1)(a) of the *Therapeutic Goods Act 1989* (Cth) (**Act**) (**Online Advertisements**).¹
19. The Pamphlets also publicly displayed words, statements, pictorial representations and/or designs that "advertise[d]" medicinal cannabis products within the meaning of sections 3(1) and 42DLB(1)(a) of the Act (**Pamphlet Advertisements**).
20. The Online Advertisements and Pamphlet Advertisements are set out in Annexures 1 to 5.

¹ Unless otherwise stated, all references to legislation in this Concise Statement are to the Act.

21. The medicinal cannabis products advertised in the Online Advertisements and Pamphlet Advertisements are, and were at all relevant times, “therapeutic goods” within the meaning of section 3(1) of the Act. This is because each of the advertised medicinal cannabis products were represented to be, or were likely to be taken to be, for “therapeutic use” (within the meaning of section 3(1) of the Act) or for use as an ingredient or component in the manufacture of therapeutic goods.
22. By reason of the matters set out in paragraphs 2, 4(b)-(c), 5 to 19 and 21, Better Leaf “advertise[d]” and, further or alternatively, “caused the advertising” of therapeutic goods via the Online Advertisements and Pamphlet Advertisements, within the meaning of sections 42DLB(1)(a) and 42DMA(1)(a) of the Act.
23. By reason of the matters set out in paragraphs 3, 4(a), 5 to 10, 12, 13, 15, 16, 18 and 21, Better Life “advertise[d]” and, further or alternatively, “caused the advertising” of therapeutic goods via the Online Advertisements within the meaning of sections 42DLB(1)(a) and 42DMA(1)(a) of the Act.
24. By reason of the matters set out in paragraphs 4 to 19 and 21, Mr Weisberg “caused the advertising” of therapeutic goods via the Online Advertisements and Pamphlet Advertisements within the meaning of sections 42DLB(1)(a) and 42DMA(1)(a) of the Act.

Prohibited Representations: section 42DLB(2)

25. The *Therapeutic Goods Regulations 1990* (Cth) (the **Regulations**), in particular, Part 1 of Schedule 2, specify the “prohibited representations” for the purposes of section 42DJ(1) and in turn section 42DLB(2).
26. The Online Advertisements set out in **Annexure 1** contain representations about the treatment of mental illness and/or neoplastic disease, being representations referred to in Part 1 of Schedule 2 to the Regulations, item 10, column 2 (**Prohibited Representations**).
27. At all material times, no permission under section 42DK was in force in relation to the Prohibited Representations.
28. By reason of the matters set out in paragraphs 26 and 27, section 42DLB(2) applies (for the purposes of section 42DLB(1)(b) of the Act) to the Online Advertisements that contain the Prohibited Representations, and the making of those advertisements contravened section 42DLB(1).

Restricted Representations: section 42DLB(4)

29. The Online Advertisements set out in **Annexure 2** contained representations which constitute restricted representations for the purposes of section 42DLB(4) (**Restricted Representations**).
30. Section 28 of the Therapeutic Goods Advertising Code (**Code**) in force under section 42BAA of the Act defines what is a restricted representation for the purposes of section 42DD and in turn section 42DLB(4).
31. Each representation in Annexure 2 is a “restricted representation” because it is a representation that refers to a form of a disease, condition, ailment or defect (not including pregnancy) that is medically accepted to require diagnosis or treatment or supervision by a health practitioner who is suitably qualified, and thus is a “serious form” of that disease, condition, ailment or defect for the purposes of section 28 of the Code. The relevant representations refer to: chronic pain, chemotherapy-induced nausea and vomiting, refractory paediatric epilepsy, fibromyalgia, autism spectrum disorder, sleep conditions, neuropathic pain, insomnia and/or endometriosis.
32. At all material times, no approval under section 42DF was in force in relation to the Prohibited Representations nor any permission under section 42DK.

33. By reason of paragraphs 31 and 32, section 42DLB(4) applies (for the purposes of section 42DLB(1)(b)) to the Online Advertisements that contain the Restricted Representations, and the making of those advertisements contravened section 42DLB(1).

Advertisements referring to substances in the Poisons Standard: section 42DLB(7)

34. The Online Advertisements and Pamphlet Advertisements set out in **Annexure 3** referred either expressly or indirectly to substances, or goods containing substances included in Schedules 3, 4 or 8, but not in Appendix H, of the relevant Poisons Standard in force at the time of each advertisement (**Poisons Standard**).² In particular:
- (a) “cannabidiol”: referred to in Schedules 3 and 4;
 - (b) “cannabis”: referred to in Schedule 8; and
 - (c) “tetrahydrocannabinols”: referred to in Schedule 8.
35. Cannabidiol, cannabis and tetrahydrocannabinols were not included in Appendix H during the Relevant Period.
36. The references in the advertisements were not authorised or required by a government or government authority. Thus, section 42DLB(7) applies to the Online Advertisements and Pamphlet Advertisements (for the purposes of section 42DLB(1)(b)), and the making of those advertisements contravened section 42DLB(1).

Statements suggesting medicinal cannabis has been recommended or approved by government agencies: sections 42DLB(6)

37. The Online Advertisement set out in **Annexure 4** contained statements suggesting or implying that medicinal cannabis has been approved or recommended by or on behalf of the TGA and the Office of Drug Control, being government authorities (**Government Endorsement Statements**). The Government Endorsement Statements are not about the availability of medicinal cannabis as a pharmaceutical benefit, were not authorised or required by a government or government authority, and were not prescribed by the Regulations. Thus, section 42DLB(6) applies (for the purposes of section 42DLB(1)(b) of the Act) to the Online Advertisement that contains the Government Endorsement Statements, and the making of that advertisement contravened section 42DLB(1) of the Act.

Advertisements that did not comply with sections 24(4)(c) and 24(6)(d) of the Code

38. The Online Advertisements set out in **Annexure 5** contain endorsements about medicinal cannabis given by a current “health practitioner” within the meaning of section 3(1) of the Act or a “health professional” within the meaning of section 4 of the Code (**Health Worker Endorsements**). The Online Advertisements that contain the Health Worker Endorsements did not comply with sections 24(4)(c) and 24(6)(d) of the Code, and by reason thereof the making of those advertisements contravened section 42DMA(1)(b) of the Act.

Communications between the TGA and Mr Weisberg

39. Between 20 July 2023 and 4 September 2025, the TGA communicated in writing with Mr Weisberg on behalf of Better Life and Better Leaf, and informed Mr Weisberg that the Website, Facebook Account, Instagram Account and Pamphlets were or might be advertising medicinal cannabis as therapeutic goods in contravention of the Act.
40. During that period, the TGA issued section 45AB notices to each of Better Life and Better Leaf. The section 45AB notice issued to Better Leaf on 21 March 2025 was not complied with.
41. The TGA also issued infringement notices to Better Leaf and Mr Weisberg in respect of the advertisements on the Website and Social Media Accounts, which were not paid.

² Such as, the *Therapeutic Goods (Poisons Standard – February 2023) Instrument 2023*.

B. RELIEF SOUGHT FROM THE COURT

42. The Secretary seeks the relief set out in the accompanying originating application dated 27 July 2026.

C. PRIMARY GROUNDS FOR THE RELIEF SOUGHT

43. By reason of the matters set out in paragraphs 22 and 25 to 38 above, on each day that each Online Advertisement and Pamphlet Advertisement were publicly displayed, Better Leaf contravened sections 42DLB(1) and 42DMA(1) of the Act.
44. Further or alternatively to paragraph 43 above, by reason of the matters set out in paragraphs 23 and 25 to 38 above, on each day that each Online Advertisement was publicly displayed, Better Life contravened sections 42DLB(1) and 42DMA(1) of the Act.
45. Further or alternatively to paragraphs 43 and 44 above, by reason of the matters set out in paragraphs 24 to 38 above, on each day that each Online Advertisement and Pamphlet Advertisement was publicly displayed, Mr Weisberg contravened sections 42DLB(1) and 42DMA(1) of the Act.
46. Alternatively to paragraph 45 above, by reason of the matters set out in paragraphs 4 to 19, 21 and 24 to 38 above, Mr Weisberg aided, abetted, counselled or procured Better Leaf's and Better Life's contraventions of sections 42DLB(1) and 42DMA(1) of the Act referred to in paragraphs 43 and 44 above and, by reason of that conduct, Mr Weisberg contravened section 42YC(1) of the Act.

D. ALLEGED HARM SUFFERED

47. The contravening advertisements about medicinal cannabis products pose a risk to public health and safety in circumstances where:
- (a) the safety, quality and efficacy of such products as a treatment for serious medical conditions has not yet been the subject of extensive research or clinical trials and, therefore, users may suffer adverse medical outcomes from their use;
 - (b) there is a risk that consumers who use such products may cease, delay or avoid conventional treatments and thereby suffer adverse medical outcomes;
 - (c) such products can have acute and long-term adverse side effects, including an adverse effect on the metabolism and on the actions of other medicines, which can result in adverse medical outcomes; or
 - (d) use of such products may cause cannabis dependence, which may increase a consumer's quantity or frequency of purchase and use of cannabis, and thereby cause financial loss or the adverse outcomes referred to in sub-paragraphs (a) and (c) above.
48. Further, the public is generally exposed to the risk of harm by the publication of information that encourages a person to use or seek out medicinal cannabis products in preference to other medicines that have been prescribed by the person's medical or health practitioner, or would be prescribed by them, by making representations to the effect that such medicines have been approved or endorsed by a health practitioner or government authority.
49. If the contravening advertising is not penalised it may cause other entities and individuals who supply medicinal cannabis products to advertise medicinal cannabis in contravention of the Act, leading to the adverse outcomes referred to in paragraphs 47 and 48 above.
50. The TGA is also concerned that if the contravening advertising is not penalised, in circumstances where there has been non-compliance with the TGA's enforcement measures, this may encourage other entities to similarly disregard TGA enforcement action.

This concise statement was prepared by Albert Dinelli and Jane Lindgren of counsel.

Certificate of lawyer

I, Jacqueline Bisas, 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: 27 July 2026

A handwritten signature in cursive script, reading "JBisas", positioned above a horizontal dotted line.

Signed by Jacqueline Bisas
Lawyer for the Applicant

Schedule of Parties

Applicant:	Secretary of the Department of Health and Aged Care
First Respondent:	Better Leaf Pty Ltd (ACN 661 384 381)
Second Respondent:	Better Life Aussie Pty Ltd (ACN 655 837 684)
Third Respondent:	Jack Weisberg

ANNEXURE 1: PROHIBITED REPRESENTATIONS

#	Neoplastic disease or mental illness referred to	Source	Text	Date(s) of representation(s)
1.	Anxiety (mental illness)	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Anxiety</i> ... <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023
2.		Better Leaf Facebook page, with original publication date of 5 December 2022	<i>Did you know the history of Medicinal Cannabis goes (at least) as far back to 2700 BC when the Great Emperor Shennong began experimenting with natural substances?... Today his legacy lives on through thousands of Australians using medicinal cannabis every day in order to manage chronic pain, period pain, and much more.</i> <i>Consult one of our doctors today to find out if medicinal cannabis is right for you. Go to www.betterleaf.com.au/eligibility (or following the link in our bio)</i> <i>#chronicpain #backpain #backpainrelief #periodpain #endometriosis #anxiety #insomnia #plantbased #cbdonly #medicinalcannabis #medicalcannabis #medicalmarijuana #plantbasedhealth #alternativehealing #cbdcommunity</i>	From at least 5 December 2022 to at least 28 June 2023
3.		Better Leaf Facebook page, with original publication date of 6 December 2022	<i>The big two acronyms, with two very different effects. While the consumption of THC releases dopamine into the brain, CBD does not, THC can be used to help with insomnia, chronic pain, and anxiety relief</i> <i>However, they both have possible side effects and you should consult your doctor for further advice – or one of ours!</i>	From at least 6 December 2022 to at least 28 June 2023

#	Neoplastic disease or mental illness referred to	Source	Text	Date(s) of representation(s)
			www.betterleaf.com.au/eligibility #MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine #CBDCommunity #Health #WhatsOnMelbourne #Pharmacy #PrimaryHealthcare	
4.	Cancer pain (neoplastic disease)	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Cancer pain</i> ... <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023
5.	Post-traumatic stress disorder (mental illness)	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Post-Traumatic Stress Disorder (PTSD)</i> ... <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023

ANNEXURE 2: RESTRICTED REPRESENTATIONS

#	The disease, condition, ailment or defect referred to	Source	Text	Date(s) of representation(s)
6.	Chronic pain	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs. Some common conditions include: Chronic pain ... and many others.</i>	From at least 11 November 2022 to at least 30 June 2023
		Better Leaf Facebook page, with original publication date of 5 December 2022	<i>Did you know the history of Medicinal Cannabis goes (at least) as far back to 2700 BC when the Great Emperor Shennong began experimenting with natural substances?... Today his legacy lives on through thousands of Australians using medicinal cannabis every day in order to manage chronic pain, period pain, and much more. Consult one of our doctors today to find out if medicinal cannabis is right for you. Go to www.betterleaf.com.au/eligibility (or following the link in our bio) #chronicpain #backpain #backpainrelief #periodpain #endometriosis #anxiety #insomnia #plantbased #cbdonly #medicinalcannabis #medicalcannabis #medicalmarijuana #plantbasedhealth #alternativehealing #cbdcommunity</i>	From at least 5 December 2022 to at least 28 June 2023
7.		Better Leaf Facebook page, with original publication date of 6 December 2022	<i>The big two acronyms, with two very different effects. While the consumption of THC releases dopamine into the brain, CBD does not, THC can be used to help with insomnia, chronic pain, and anxiety relief However, they both have possible side effects and you should consult your doctor for further advice – or one of ours!</i>	From at least 6 December 2022 to at least 28 June 2023

#	The disease, condition, ailment or defect referred to	Source	Text	Date(s) of representation(s)
			www.betterleaf.com.au/eligibility #MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine #CBDCommunity #Health #WhatsOnMelbourne #Pharmacy #PrimaryHealthcare	
8.		Better Leaf Facebook page, with original publication date of 10 December 2022	The Facebook post caption states: <i>Two different strains of Cannabis, grown in two different parts of the world.</i> ... <i>Fill out our brief online eligibility form to find out if you're eligible to access medical cannabis today –</i> https://betterleaf.com.au/eligibility #indica #sativa #plantbasedhealth #medicinalcannabis #endometriosis #chronicpain #medicinalmarijuana #plantbased The Facebook post includes a series of images with the following text superimposed: <i>Sativa vs Indica</i> <i>What's the difference?</i>	From at least 10 December 2022 to at least 28 June 2023
9.	Chemotherapy-induced nausea and vomiting	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Chemotherapy-induced nausea and vomiting</i> ...	From at least 11 November 2022 to at least 30 June 2023

#	The disease, condition, ailment or defect referred to	Source	Text	Date(s) of representation(s)
			<i>and many others.</i>	
10.	Refractory paediatric epilepsy	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Refractory paediatric epilepsy</i> ... <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023
11.	Fibromyalgia	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Fibromyalgia</i> <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023
12.	Autism Spectrum Disorder	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Autism Spectrum Disorder (ASD)</i> ... <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023

#	The disease, condition, ailment or defect referred to	Source	Text	Date(s) of representation(s)
13.	Sleep Conditions	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Sleep conditions</i> ... <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023
14.	Neuropathic pain	https://betterleaf.com.au	<i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs.</i> <i>Some common conditions include:</i> ... <i>Neuropathic pain</i> ... <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023
15.	Insomnia	Better Leaf Facebook page, with original publication date of 5 December 2022	<i>Did you know the history of Medicinal Cannabis goes (at least) as far back to 2700 BC when the Great Emperor Shennong began experimenting with natural substances?... Today his legacy lives on through thousands of Australians using medicinal cannabis every day in order to manage chronic pain, period pain, and much more.</i> <i>Consult one of our doctors today to find out if medicinal cannabis is right for you. Go to www.betterleaf.com.au/eligibility (or following the link in our bio)</i> <i>#chronicpain #backpain #backpainrelief #periodpain #endometriosis #anxiety #insomnia #plantbased #cbdOil</i>	From at least 5 December 2022 to at least 28 June 2023

#	The disease, condition, ailment or defect referred to	Source	Text	Date(s) of representation(s)
			<i>#medicinalcannabis #medicalcannabis #medicalmarijuana #plantbasedhealth #alternativehealing #cbdcommunity</i>	
16.		Better Leaf Facebook page, with original publication date of 6 December 2022	<i>The big two acronyms, with two very different effects. While the consumption of THC releases dopamine into the brain, CBD does not, THC can be used to help with insomnia, chronic pain, and anxiety relief However, they both have possible side effects and you should consult your doctor for further advice – or one of ours! www.betterleaf.com.au/eligibility #MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine #CBDCommunity #Health #WhatsOnMelbourne #Pharmacy #PrimaryHealthcare</i>	From at least 6 December 2022 to at least 28 June 2023
17.	Endometriosis	Better Leaf Facebook page, with original publication date of 5 December 2022	<i>Did you know the history of Medicinal Cannabis goes (at least) as far back to 2700 BC when the Great Emperor Shennong began experimenting with natural substances?... Today his legacy lives on through thousands of Australians using medicinal cannabis every day in order to manage chronic pain, period pain, and much more. Consult one of our doctors today to find out if medicinal cannabis is right for you. Go to www.betterleaf.com.au/eligibility (or following the link in our bio) #chronicpain #backpain #backpainrelief #periodpain #endometriosis #anxiety #insomnia #plantbased #cbdoil #medicinalcannabis #medicalcannabis #medicalmarijuana #plantbasedhealth #alternativehealing #cbdcommunity</i>	From at least 5 December 2022 to at least 28 June 2023
18.		Better Leaf Facebook page, with original	The Facebook post caption states:	From at least 10 December 2022 to

#	The disease, condition, ailment or defect referred to	Source	Text	Date(s) of representation(s)
		publication date of 10 December 2022	<i>Two different strains of Cannabis, grown in two different parts of the world.</i> ... <i>Fill out our brief online eligibility form to find out if you're eligible to access medical cannabis today –</i> https://betterleaf.com.au/eligibility <i>#indica #sativa #plantbasedhealth #medicinalcannabis</i> <i>#endometriosis #chronicpain #medicinalmarijuana #plantbased</i> The Facebook post includes a series of images with the following text superimposed: <i>Sativa vs Indica</i> <i>What's the difference?</i>	at least 28 June 2023

ANNEXURE 3: REFERENCES TO CANNABIS AND CANNABIDIOL

#	Pinpoint reference	Text	Date(s) of reference(s)
Better Leaf Website			
19.	https://betterleaf.com.au	<i>Premium medicinal cannabis dispensary & pharmacy</i> ... <i>We stock a wide variety of medical cannabis which is produced to our stringent quality standard in growing, processing and preservation. So you can be assured you will receive a quality treatment that is right for your needs.</i> ... <i>Plant-based treatments are for those suffering from chronic conditions which other treatments have failed to treat, or which have caused unwanted side effects.</i> ... <i>Plant-based treatment has been approved for over 100 various medical conditions in Australia. Approvals depend on a patient's symptoms, circumstances and needs. Some common conditions include:</i> <i>Chronic pain</i> <i>Anxiety</i> <i>Chemotherapy-induced nausea and vomiting</i> <i>Refractory paediatric epilepsy</i> <i>Palliative care indications</i> <i>Cancer pain</i> <i>Sleep conditions</i> <i>Neuropathic pain</i> <i>Post-Traumatic Stress Disorder (PTSD)</i> <i>Autism Spectrum Disorder (ASD)</i> <i>Fibromyalgia</i> <i>and many others.</i>	From at least 11 November 2022 to at least 30 June 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		<i>In Australia, the Commonwealth Department of Health regulates medicinal cannabis products through the Therapeutics Goods Administration (TGA) and the Office of Drug Control (ODC). Regulations are in place to ensure high-quality, consistent, and standardized medications are available for Australian consumers.</i> ... <i>The TGA has established quality standards for plant-based treatment product, and all companies who import, manufacture and supply plant-based treatment products in Australia are required to meet them.</i>	
20.	https://betterleaf.com.au/about-us/	Welcome to Better Leaf, our visionary cannabinoid remedy speciality-pharmacy. <i>We firmly believe in the power of plant-based treatments combined with the right knowledge and the finest-grown plants.</i> ... Meet the Better Leaf team Michael Abelman Pharmacist <i>Raised in Melbourne and having worked as a pharmacist in Melbourne for over 40 years across Broadmeadows and Footscray, Michael's future is now focused on specifically making alternative medicines accessible. Having also worked in community health and the state department of health. Michael has a clear vision on streamlining access to medicinal cannabis and beyond both locally and nationally in Australia.</i> Nour Abouzeid Pharmacist <i>A trusted pharmacist of 10 years Nour has always had a keen interest in alternative therapies and patient-centre care. He is excited by the rapid changes in the medicinal cannabis arena and a return to putting patients first...</i> Ron Keren Customer Success Manager	From at least 12 November 2022 to at least 9 August 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		<i>Ron is a committed customer success manager coming from the hospitality field, with a true passion for medicinal cannabis and reducing the stigma associated with plant medicines...</i>	
21.	https://betterleaf.com.au/	How are plant-based treatments regulated? <i>In Australia, the Commonwealth Department of Health regulates medicinal cannabis products through the Therapeutic Goods Administration (TGA) and the Office of Drug Control (ODC). Regulations are in place to ensure high-quality, consistent, and standardized medications are available for Australian consumers.</i> ... What do plant-based treatments or CBD oil do? <i>In order to understand the therapeutic benefits of cannabinoids, we need to understand the body's endocannabinoid system (ECS). The endocannabinoid system is responsible for regulating our internal bodily functions and maintaining a state of balance (homeostasis). This includes sleep, appetite, reproduction, memory, inflammation, mood and many other things. The endocannabinoid system is made of three main parts: Endocannabinoids are the body's own version of cannabis compounds; Receptors aid absorption and mediate the effects of cannabinoids and endocannabinoids; and Enzymes regulate the breakdown of endocannabinoids after completing their function. Endocannabinoids occur naturally in our bodies. Phyto cannabinoids are found in plants like the cannabis plant and can mimic the action of endocannabinoids.</i> ... Are plant-based treatment products quality controlled? <i>The TGA has established strict quality standards for plant-based treatment products, and all companies who import, manufacture and supply plant-based treatment products in Australia are required to meet them.</i> ... Can I drive while being treated with plant-based treatment products? <i>Patients should not drive or operate machinery while being treated with plant-based treatments. Patients should understand the implications for safe and legal driving before taking plant-based treatment therapies. We wish to advise that patients receiving</i>	From at least 11 November 2022 to at least 16 August 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		<i>cannabinoid medication should not drive, work at heights, operate heavy machinery, or work in situations where intact reaction times are critical for safety. This is as treatment with cannabinoids can impact response times.</i>	
22.	https://betterleaf.com.au/our-brands/	The webpage lists the following “Clinic Partners”: • Tilray Medical • Gamma Biomedical • Entoura • Althea • austranna • Tasmanian Botanics • Beacon Medical • aruma labs • Suncogreen • Adaya • kind medical • Cannatrek • Cymra Life Sciences • Grandiosa • ANTG • anandahemp • Alfie. • little green pharma • Heyday • Levin Health • Humacology • Medigrowth	On at least 26 March 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		• SatiVite • SpectrumTherapeutics • MedReleaf • Pu • Medcan Australia	
23.	https://betterleaf.com.au/our-brands/	The webpage lists the following “Suppliers & Clinics”: • Althea • Cannatrek • Heyday • Entoura • kind medical • Tasmanian Botanics • Levin Health • Beacon Medical • Tilray Medical • little green phara • ANTG • Medcan Australia • MedReleaf Australia • cultiva • Alfie. • Adaya • Cymra Life Sciences • Grandiosa • anandahemp	From at least 21 August 2023 to at least 24 October 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		• Suncogreen • Gamma Biomedical • Humacology • Medigrowth • Pu • Medibis • Promethean BioPharma • MediCann Health	
24.	https://betterleaf.com.au	<i>From its legalisation in 2016 when plant-based healthcare was an aspiration, to today where it's a blossoming reality, we've been leading change. We are inspired by plant-based medicines every day.</i> ... ANONYMOUS ONLINE ORDERING AT BETTER LEAF <i>At Better Leaf, we make it easy for you to access the products you need from the comfort of your home. Our streamlined online ordering process ensures a hassle-free experience:</i> Upload your prescription: <i>Simply upload your script through our secure platform.</i> Pharmacist Review: <i>Our licensed pharmacist will promptly review your prescription to ensure everything is in order.</i> Swift Fulfillment: <i>Once approved, your order will be fulfilled with care and precision.</i> Fast Shipping: <i>Orders placed before 10AM will be shipped the same day, while those placed after 10AM will be dispatched the following day.</i> <i>We're committed to providing you with quick and reliable service, ensuring your products reach you safely and efficiently, no matter where you are in Australia. Experience the convenience of online ordering with Better Leaf today!</i>	From at least 5 November 2024 to at least 7 January 2025

#	Pinpoint reference	Text	Date(s) of reference(s)
		The advertisement contains the following picture: 	
Better Leaf Facebook Page			
25.	Post with original publication date of 17 November 2022	The Facebook post caption states: <i>A big thank you to everyone that made it to our open day at Brunswick Mess Hall! A special thanks to Fiona Patten MP for speaking about how important it is that Victorians have access to #medicalmarijuana and the need for #drivechange law reform. An extended thanks to Dr Carolyn Bosak and Rebcca Doyle for also sharing their medical knowledge and experience, and to Shea Evans – Reason Candidate for Brunswick for his much appreciated advocacy</i> <i>Drop in for a free assessment today, or take our eligibility test at https://betterleaf.com.au/eligibility/ for a fast and simple solution</i> The Facebook post contains a video which recorded the following statements: <i>Sadly with medicinal cannabis, there's still a stigma about it, there's still discriminatory legislation and I guess, a misunderstanding about what this product is, and what this medicine is. So seeing dispensaries like Better Leaf out here on Sydney Road, out on our high street, this demystifies the product. In many ways, it normalises it. We see it as just another medicine that is in our toolbox to treat the variety of illnesses</i>	From at least 17 November 2022 to at least 21 May 2025

#	Pinpoint reference	Text	Date(s) of reference(s)
		<i>Victorians are experiencing. If you are interested in medicinal cannabis and want to find out more, 145 Sydney Road. It's easy to find. Better Leaf.</i>	
26.	Post with original publication date of 19 November 2022	The Facebook post caption states: <i>Our assessment process is fast and simple</i> The Facebook post also contains a video which: - Explains the eligibility assessment process - Shows the Better Leaf logo on a t-shirt with a cannabis leaf - States: "...all the sort of options you have that are available, whether it's oil or flowers..."	From at least 19 November 2022 to at least 19 October 2023
27.	Post with original publication date of 26 November 2022	The Facebook post caption states <i>Unsure? Fill out our short online assessment form at www.betterleaf.com.au/eligibility</i> <i>#MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine #CBDCommunity #Health #WhatsOnMelbourne #Pharmacy #PrimaryHealthcare</i> The Facebook post also contains an image with the following text superimposed: <i>Unsure if you're eligible for plant based medicine treatments? Speak to our helpful and knowledgeable team</i>	From at least 26 November 2022 to at least 28 June 2023
28.	Post with original publication date of 30 November 2022	<i>Meet Josh, our in house clinician</i> <i>Josh is a registered psychiatric nurse with a post graduate diploma in mental health nursing. Catch him for a chat today at 145 Sydney rd Brunswick</i>	From at least 30 November 2022 to at least 28 June 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		#MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine	
29.	Post with original publication date of 30 November 2022	The Facebook post caption states: <i>Studies have found that linalool helps to reduce inflammation, ease pain, and promote a deep and restful sleep, and it is a prevalent component in CBD oil</i> #Plantbased #linalool #cbdoil #medicinalcannabis #medicinalmarijuana #sydneyroad The Facebook post includes an image with the following text superimposed: <i>Linalool is a naturally occurring terpene found in many plants including roses, lavender and cannabis sativa</i>	From at least 30 November 2022 to at least 28 June 2023
30.	Post with original publication date of 1 December 2022	<i>Choose from our range of GPs, or use your own</i> #MedicinalMarijuana #MedicalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine #CBDCommunity #Health #WhatsOnMelbourne #Pharmacy #PrimaryHealthcare	From at least 1 December 2022 to at least 28 June 2023
31.	Post with original publication date of 2 December 2022	<i>A great little write up on Better Leaf Dispensary today in Allied Magazine talking about the importance of accessibility and the changing landscape around #plantbased care</i> #MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine #CBDCommunity #Health #WhatsOnMelbourne #Pharmacy #PrimaryHealthcare	From at least 2 December 2022 to at least 28 June 2023
32.	Post with original publication date of 4 December 2022	<i>If you are someone that already self-medicates with cannabis, you may wonder what the benefit is of 'going legal'. As cannabis is a natural product there will always be some variation, however medical cannabis is a highly regulated industry, ensuring that THC, CBD and cannabinoid levels of each product remain consistent.</i> <i>Additionally, cannabis contains a multitude of compounds which can affect your experience, and through a universal online patient database you can find in depth</i>	From at least 4 December 2022 to at least 28 June 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		reviews for hundreds of different products, letting you make properly informed decisions about your care #plantbased #medicinalcannabis #medicalcannabis #medicalmarijuana #medicinalmarijuana #cbdOil #terpenes #dispensary #herbalmedicine #alternativemedicine #cbdcommunity #sydneyroadbrunswick #brunswick #golegal	
33.	Post with original publication date of 5 December 2022	The Facebook post caption states: <i>Did you know the history of Medicinal Cannabis goes (at least) as far back to 2700 BC when the Great Emperor Shennong began experimenting with natural substances?... Today his legacy lives on through thousands of Australians using medicinal cannabis every day in order to manage chronic pain, period pain, and much more.</i> <i>Consult one of our doctors today to find out if medicinal cannabis is right for you. Go to www.betterleaf.com.au/eligibility (or following the link in our bio)</i> #chronicpain #backpain #backpainrelief #periodpain #endometriosis #anxiety #insomnia #plantbased #cbdOil #medicinalcannabis #medicalcannabis #medicalmarijuana #plantbasedhealth #alternativehealing #cbdcommunity The Facebook post includes an image with the following text superimposed: <i>Managing Pain with Medicinal Cannabis</i>	From at least 5 December 2022 to at least 28 June 2023
34.	Post with original publication date of 6 December 2022	The Facebook post caption states: <i>The big two acronyms, with two very different effects. While the consumption of THC releases dopamine into the brain, CBD does not, THC can be used to help with insomnia, chronic pain, and anxiety relief</i> <i>However, they both have possible side effects and you should consult your doctor for further advice – or one of ours!</i> www.betterleaf.com.au/eligibility	From at least 6 December 2022 to at least 28 June 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
		#MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine #CBDCommunity #Health #WhatsOnMelbourne #Pharmacy #PrimaryHealthcare The Facebook post includes an image with the following text superimposed: <i>THC vs CBD</i>	
35.	Post with original publication date of 10 December 2022	The Facebook post caption states: <i>Two different strains of Cannabis, grown in two different parts of the world.</i> ... <i>Fill out our brief online eligibility form to find out if you're eligible to access medical cannabis today – https://betterleaf.com.au/eligibility</i> #indica #sativa #plantbasedhealth #medicinalcannabis #endometriosis #chronicpain #medicinalmarijuana #plantbased The Facebook post includes a series of images with the following text superimposed: <i>Sativa vs Indica</i> <i>What's the difference?</i>	From at least 10 December 2022 to at least 28 June 2023
36.	Post with original publication date of 17 July 2023	<i>Are you wondering if you're eligible for plant-based medicine treatment? We've got you covered! Our new eligibility quiz on our website is here to provide you with pre-screening and give you the answers you've been seeking in less than a minute. Click on the link in our bio. #EligibilityQuiz #PlantBasedMedicine #NaturalRemedies #FindYourBalance #WellnessJourney #HealthFirst #melbourne #australia #brunswick</i>	From at least 17 July 2023 to at least 19 October 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
Better Leaf Instagram Page			
37.	Post with original publication date of 15 November 2022	The Instagram post caption states: <i>A big thank you to everyone that made it to our open day at @brunswickmesshall! A special thanks to @fionapattenmp for speaking about how important it is that Victorians have access to #medicalmarijuana and the need for #drivechange law reform. An extended thanks to @drcarolinjbosak and Rebecca Doyle for also sharing their medical knowledge and experiences, and to @shea4brunswick for his much appreciated advocacy.</i> The Instagram post contains a video which recorded the following statements: <i>Sadly with medicinal cannabis, there's still a stigma about it, there's still discriminatory legislation and I guess, a misunderstanding about what this product is, and what this medicine is. So seeing dispensaries like Better Leaf out here on Sydney Road, out on our high street, this demystifies the product. In many ways, it normalises it. We see it as just another medicine that is in our toolbox to treat the variety of illnesses Victorians are experiencing.</i>	From at least 15 November 2022 to at least 19 October 2023
38.	Post with original publication date of 19 November 2022	The Instagram post caption states: <i>Wondering what better leaf's assessment process is like? Wonder no more!</i> The Instagram post also contains a video which: • Explains the eligibility assessment process • Shows the Better Leaf logo on a t-shirt with a cannabis leaf • States: "...all the sort of options you have that are available, whether it's oil or flowers..."	From at least 19 November 2022 to at least 19 October 2023

#	Pinpoint reference	Text	Date(s) of reference(s)
39.	Post with original publication date of 17 July 2023	<i>Are you wondering if you're eligible for plant-based medicine treatment? We've got you covered! Our new eligibility quiz on our website is here to provide you with pre-screening and give you the answers you've been seeking in less than a minute.</i> <i>Click on the link in our bio.</i> <i>#EligibilityQuiz #PlantBasedMedicine #NaturalRemedies #FindYourBalance #WellnessJourney #HealthFirst #melbourne #australia #brunswick</i>	From at least 17 July 2023 to at least 20 October 2023
Better Leaf Pamphlets			
40.	First pamphlet	Photos showing the statements and imagery are below 	On at least 25 October 2024

#	Pinpoint reference	Text	Date(s) of reference(s)
41.	Second pamphlet	Photos showing the statements and imagery are below 	On at least 25 October 2024

ANNEXURE 4: PURPORTED ENDORSEMENT BY GOVERNMENT OR GOVERNMENT AUTHORITY

#	Source	Endorsement wording	Date(s) of publication
42.	https://betterleaf.com.au/	<i>How are plant-based treatments regulated?</i> <i>In Australia, the Commonwealth Department of Health regulates medicinal cannabis products through the Therapeutics Goods Administration (TGA) and the Office of Drug Control (ODC). Regulations are in place to ensure high-quality, consistent, and standardized medications are available for Australian consumers.</i> ... <i>Are plant-based treatment products quality controlled?</i> <i>The TGA has established quality standards for plant-based treatment product, and all companies who import, manufacture and supply plant-based treatment products in Australia are required to meet them.</i>	From at least 11 November 2022 to at least 30 June 2023

ANNEXURE 5: HEALTH PRACTITIONER ENDORSEMENT STATEMENTS

#	Source	Endorsement wording	Date(s) of publication
42	Better Leaf Instagram page	<i>A long time advocate of plant-based medicine, Josh is a registered psychiatric nurse with a post graduate diploma in mental health nursing.</i>	From at least 30 November 2022 to at least 28 June 2023
43	Better Leaf Facebook page, with original publication date of 30 November 2022	The caption of the post states: <i>Meet Josh, our in house clinician</i> <i>Josh is a registered psychiatric nurse with a post graduate diploma in mental health nursing. Catch him for a chat today at 145 Sydney rd Brunswick</i> <i>#MedicinalMarijuana #MedicinalCannabis #CBDOil #Hemp #ComplementaryMedicine #HerbalMedicine.</i> The accompanying image includes some text which states: <i>A long time advocate of plant-based medicine, Josh is a registered psychiatric nurse with a post graduate diploma in mental health nursing.</i>	From at least 30 November 2022 to at least 28 June 2023
44	https://betterleaf.com.au/about-us/	<i>Meet the Better Leaf team</i> Michael Abelman Pharmacist <i>Raised in Melbourne and having worked as a pharmacist in Melbourne for over 40 years across Broadmeadows and Footscray, Michael's future is now focused on specifically making alternative medicines accessible. Having also worked in community health and the state department of health. Michael has a clear vision on streamlining access to medicinal cannabis and beyond both locally and nationally in Australia.</i>	From at least 12 November 2022 to at least 9 August 2023

#	Source	Endorsement wording	Date(s) of publication
		Nour Abouzeid <i>Pharmacist</i> <i>A trusted pharmacist of 10 years Nour has always had a keen interest in alternative therapies and patient-centre care. He is excited by the rapid changes in the medicinal cannabis arena and a return to putting patients first...</i>	