

# Australian Competition and Consumer Commission (ACCC), Complaints Resolution Panel (CRP) and Therapeutic Goods Administration (TGA) Complaint

Use this form to submit complaints about advertisements for therapeutic goods.

## The advertisement

You **MUST** provide a copy of the advertisement you are complaining about, and indicate clearly where it was published. If it was published in a magazine or newspaper, state in which edition it appeared, the date, and the page number. If it was published in outdoor media, state the location and the date on which the advertisement was observed, and where possible provide a photograph of the advertisement. If it was published on the internet, state the website address and the date on which the advertisement was observed. If it was broadcast, identify the television or radio station, and the date and time of the advertisement.

### **Internet advertisements promoting (and selling) Homeopathic remedies for Whooping Cough –Prevention and Treatment:**

- <http://homeopathyplus.com.au/whooping-cough-homeopathic-prevention-and-treatment-2/>
- <http://homeopathyplus.com.au/pillules-a/>
- <http://homeopathyplus.com.au/pillules-b/>
- <http://homeopathyplus.com.au/page-3-g-m-pilules/>

(Screen shots appended.)

Date/edition:  
March 22, 2012

## The product advertised

Identify the therapeutic goods that are promoted in the advertisement. If possible, identify the party responsible for publishing the advertisement.

### **Homeopathy Plus Whooping Cough Remedies for Early Treatment or Prevention**

Promoted by Homeopathy Plus! (NSW BN98137761)

4/5 Colony Close, Tuggerah, 2559, NSW

Phone (02) 4304 0822

And/or

HOMEOPATHY PLUS! AUSTRALIA PTY. LTD. (ABN 82 134 266 149)

Locality of Registered Office West Gosford NSW 2250

## Confidentiality

You may request that your details be kept confidential; however it is recommended that you still provide contact details (below).

Please keep my personal details confidential: **No**

## Details of the complaint

State clearly the nature of your complaint. It is not sufficient to highlight or quote words from the advertisement – explain what aspects of the advertisement are of concern to you, and why. If possible, identify sections of the Therapeutic Goods Advertising Code, Act, or Regulations you believe may have been breached in the advertisement. Attach a separate page if necessary.

### **The following claims are made:**

“Australia, an other parts of the world, are currently in the grip of a whooping cough epidemic. To stop its spread, health officials are calling for the vaccination of adults as well as children. But is large-scale vaccination the best solution? Not only is protection from the current vaccine short-lived and unreliable, but side-effects are common. Recent research even suggests that the bacterium has mutated to a strain that the vaccine cannot protect against.

The homeopathic approach to this problem offers a safe and sensible solution. Homeopathy has a two hundred year history of treating and preventing whooping cough without the risk of dangerous side-effects. It is so safe it can even be used as a second line of defence should a vaccine for whooping cough already have been given.

No two cases of whooping cough are exactly alike – the remedy needed by each sufferer will depend on their particular symptoms. Having said this, there are two remedies used more often than others for treatment of the early stage of whooping cough. For this reason, they are placed at the head of the list. They are Drosera and Pertussinum. These two remedies also prevent whooping cough, and can be used as part of a homeoprophylaxis program.

The remaining remedies are listed alphabetically and, though they form an incomplete list, are some of the more commonly prescribed remedies". (see appended screen shots)

#### **My assessment of the claims made:**

I do not believe that good scientific evidence exists to support the claim that homeopathic remedies can protect children or adults from whooping cough or any other infectious disease.<sup>1</sup>

In my view, it is both irresponsible and dangerous to promote homeopathic remedies for the prevention of potentially serious infectious diseases yet this is what this sponsor continues to do.

I draw the attention of the Panel, the TGA and the ACCC to a number of previous upheld complaints about the promotion of Homeoprophylaxis by Homeopathy Plus: [2011-05-004](#) [2010-04-009](#), [2010-04-008](#) and [2009-09-013](#) including recommendations to the Secretary for failure to comply with CRP determinations.

**I therefore submit to the CRP that the claims about these products breach the Therapeutic Goods Advertising Code sections:**

- 4(1)(b) because they contain incorrect and unbalanced statements incapable of verification.
- 4(2)(a) because they arouse unrealistic or unwarranted expectations of product effectiveness.
- 4(2)(c) because they mislead or are likely to mislead .
- 4(2)(d) because they exploit the lack of knowledge of consumers and abuse their trust.
- 4(2)(f) because it encourages inappropriate use of the advertised product.
- 4(2)(i) because it claims the product is safe and without dangerous side-effects.
- 4(5) because the comparison with conventional immunisation is inaccurate and unbalanced.
- 5(2) because it refer to serious forms of conditions (infectious disease).

Because of these multiple and dangerous Code breaches I believe that a retraction order is warranted.

In addition, I submit to the TGA that the promotion described above is in breach of the *Therapeutic Goods Act 1989* Section 42DL(1)(c) because it promotes a product for a restricted representation, "Infectious disease" and 42DM(1) because it does not comply with the Therapeutic Goods Advertising Code.

The continued promotion of homeopathic immunization highlights the inadequacies of current therapeutic goods regulation concerning both homeopathic products and the advertising of therapeutic goods. It shows that the CRP and the TGA are currently incapable of protecting the public health.<sup>2</sup>

I therefore ask the ACCC to use its powers under Schedule 2, Chapter 2, Part 2-1 (misleading, deceptive and unconscionable conduct) of the *Competition and Consumer Act 2010* to force Homeopathy Plus to remove the above material from their web site and replace it with a large and suitably worded retraction.

<sup>1</sup> <http://www.tga.gov.au/safety/alerts-medicine-homoeopathic-meningococcal-020909.htm>

<sup>2</sup> Australian National Audit Office. Therapeutic Goods Regulation: Complementary Medicines, 2011. <http://www.anao.gov.au/Publications/Audit-Reports/2011-2012/Therapeutic-Goods-Regulation-Complementary-Medicines/Audit-brochure>

## The complainant

Complaints may be made anonymously, but you are encouraged to provide your contact details so that you can be advised of the outcome of your complaint. You may request (above) that your personal details not be provided to the advertiser or included in the published determination.

Name: Dr Ken Harvey

Telephone: 0419181910

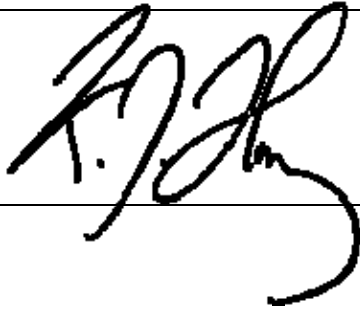
Email: [k.harvey@medreach.com.au](mailto:k.harvey@medreach.com.au)

Postal address:  
35a Mary St  
Hawthorn Vic 3122

Fax: 03 9818 1875

I am associated with the therapeutic goods industry: **No**

Signature:



Date: March 22, 2012



The screenshot shows the homepage of the website 'Homeopathy plus!'. The logo features a stylized green plant with a purple circular emblem containing a white cross and a drop. Below the logo, the text 'Homeopathy plus!' is displayed in purple and green, with 'Information • Remedies • Immunisation' in smaller text. A vertical navigation menu on the left lists various categories such as 'Main Menu', 'Home', 'Flu Watch', 'Tutorials', 'Answers', 'Treatment Room', 'Library', 'Clinic Cases', 'Immunisation Issues', 'Research', 'Political Issues', 'Videos', 'Agrohomeopathy', 'Quick Tips', and 'Podcasts'. The main content area features the article title 'Whooping Cough – Homeopathic Prevention and Treatment' in blue text, accompanied by a photograph of a woman kissing a smiling baby.

<http://homeopathyplus.com.au/whooping-cough-homeopathic-prevention-and-treatment-2/>

## Whooping Cough – Homeopathic Prevention and Treatment



Whooping cough, or pertussis, is a highly contagious disease caused by the *Bordetella pertussis* bacteria. Worldwide, it causes about 300,000 deaths a year and leaves many surviving children with brain damage. Serious complications such as bleeding into the nose, eyes or brain, pneumonia, and hernias also occur.

Australia, and other parts of the world, are currently in the grip of a whooping cough epidemic. To stop its spread, health officials are calling for the vaccination of adults as well as children. But is large-scale vaccination the best solution? Not only is protection from the current vaccine short-lived and unreliable, but side-effects are common. Recent research even suggests that the bacterium has mutated to a strain that the vaccine cannot protect against.

The homeopathic approach to this problem offers a safe and sensible solution. Homeopathy has a two hundred year history of treating and preventing whooping cough without the risk of dangerous side-effects. It is so safe it can even be used as a second line of defence should a vaccine for whooping cough already have been given.

### Introduction to the Remedies

No two cases of whooping cough are exactly alike – the remedy needed by each sufferer will depend on their particular symptoms. Having said this, there are two remedies used more often than others for treatment of the early stage of whooping cough. For this reason, they are placed at the head of the list. They are *Drosera* and *Pertussinum*. These two remedies also prevent whooping cough, and can be used as part of a homeoprophylaxis program.

The remaining remedies are listed alphabetically and, though they form an incomplete list, are some of the more commonly prescribed remedies. General information on the expected course of whooping cough and its common symptoms can be found at the end of the article.

### Remedies for Early Treatment or Prevention

#### *Drosera Rotundifolia* (Dros)

**Key Symptoms:** Long fits of coughing. Paroxysms follow each other rapidly. Persistent deep barking or choking cough. Retching and vomiting with cough. Chest pains from coughing. Must hold chest while coughing. Worse for: after midnight; lying down.

**Supporting Symptoms:** Spasmodic, dry, irritating cough. Chest bruised and sore from coughing. Sharp pains in chest. Choking respiration. Can scarcely breathe. Bleeding from nose and mouth. Anxious and easily angered. Worse for: warmth; becoming warm in bed; 2am; laughing, talking or singing.

**Other Comments:** *Dros.*, along with *Pert.*, is a major remedy for either the treatment or prevention of whooping cough. If used during the first stage of whooping cough, when indicated by the symptoms, it can either reduce the frequency of attacks or rapidly clear them.

#### *Pertussinum* (Pert)

**Key Symptoms:** Useful during the first stages of whooping cough. Paroxysms of cough. Cough caused by intense tickling in throat or trachea.

**Supporting Symptoms:** Hacking cough with reddened, watery eyes. Intense facial redness with cough. Vomiting or nausea at the end of the cough. Deep, croupy cough. Breathlessness with cough. Spasmodic choking with the cough. Strangling sensation on waking with the cough. Stinging pain in or on the chest during cough. Itching of the palate of the mouth on lying down at night.

**Other Comments:** *Pert.*, along with *Dros.*, is a major remedy for either the treatment or prevention of whooping cough. If used during the first stage of whooping cough, when indicated by the symptoms, it can either reduce the frequency of attacks or rapidly clear them.

## Frequently Used Remedies for Treatment

### **Antimonium Tartaricum (Ant-t)**

Key Symptoms: Suffocating cough. Rattling mucous that is difficult to cough up. Weakness and needing to be supported when sitting to cough. Gagging and vomiting of mucous or food with the cough. Worse for: warmth and warm room, lying down. Better for: expectoration.

Supporting Symptoms: Cough after eating or anger. The child stiffens and becomes blue. Wants to be fanned. Fear of being left alone. Not wanting to be touched or looked at. Increasingly weak, drowsy, and sweaty. Worse for: night, after midnight, damp, cold weather, sour things, milk. Better for: sitting up, cool air, being fanned.

### **Belladonna (Bell)**

Key Symptoms: Hard, barking cough. Suffocating cough with pain in the larynx, waking after midnight. Violent cough.

Supporting Symptoms: Whooping cough with the expectoration of blood. Pain in the stomach before the attack. Child cries immediately before the cough. Yawning causes cough. Eyes red and swollen. Bleeding from the nose. Fever with a red face, throbbing arteries, glassy eyes, dilated pupils. Delirium with fever. Worse for: 3pm; draft; lying down; touch, jarring. Better for: sitting semi-erect.

### **Carbo Vegetabilis (Carb-v)**

Key Symptoms: Early stage of whooping cough. Cough triggered by itching in larynx. Racking cough. Spasmodic cough with bluish face. Gagging, retching and vomiting of mucous with cough. Burning in the chest with cough. Worse for: warmth. Better for: cool air; being fanned.

Supporting Symptoms: Cold sweat with cough. Vomiting of watery fluid. Lump of phlegm after each attack. Wheezing when breathing. Hoarseness. Wants to be fanned.

### **Coccus Cacti (Coc-c)**

Key Symptoms: Whooping cough with vomiting of clear, ropy mucous, extending in thick, long strings even to the floor (Kali-bi. has yellow strings). Spasmodic cough on first waking in the morning. Prolonged cough following whooping cough.

Supporting Symptoms: Purple-red face on coughing. Short paroxysms followed by the easy expectoration of mucous. Cough that commences in autumn and continues to summer. Worse for: lying; during exercise; irritation of throat.

### **Cuprum metallicum (Cupr)**

Key Symptoms: Violent and long-lasting paroxysms of cough that exhaust the patient. Rattling, choking cough. Spasms of muscles and cramps with the cough. Convulsive expectoration of tough, gelatinous mucous during the paroxysm. Rattling of mucous in the chest between attacks. Worse for: being touched; hot weather. Better for: cold drinks.

Supporting Symptoms: Cough when any part of the body is uncovered. Cough has a gurgling sound. Becomes rigid during the attack and turns purple-black in face as if dead (cf. Corr-r). Convulsions with the cough. Clenched thumbs during the cough. Vomiting after the paroxysm. Bluish face and lips. Anxiety before the attacks. Irritable. Worse for: breathing cold air.

### **Ipecacuanha (Ip)**

Key Symptoms: Incessant, violent coughing with every breath. The child stiffens with each paroxysm of the cough. Violent gagging and vomiting from the cough, with or without nausea.

Supporting Symptoms: Suffocative cough in which the child becomes stiff and blue in the face, finally relaxes and then vomits phlegm. The cough causes gagging and vomiting of phlegm. Chest seems full of mucous which does not yield to coughing. Cough caused by tickling tightness from the larynx to the chest. Worse for: warmth; warm, moist weather; dampness.

## Simplex Remedies – Pills



Price: **\$16.00AU** a vial. Each vial contains approximately 100 pills (1 pill per dose).

Flat rate shipping of \$6.50AU to anywhere in the world – no matter how many items or how far (book purchases excluded from this offer).

Antimonium tartaricum	Ant-t.	30C	\$16.00AU	<input type="checkbox"/>
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Belladonna	Bell.	200C	\$16.00AU	<input type="checkbox"/>
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<http://homeopathyplus.com.au/pillules-a/>

Carbo vegetabilis	Carb-v.	30C	\$16.00AU	<input type="checkbox"/>
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Cuprum metallicum	Cupr.	30C	\$16.00AU	<input type="checkbox"/>
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Drosera rotundifolia	Dros.	30C	\$16.00AU	<input type="checkbox"/>
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<http://homeopathyplus.com.au/pillules-b/>

Ipecacuanha	Ip.	30C	\$16.00AU	<input type="checkbox"/>
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<http://homeopathyplus.com.au/page-3-g-m-pilules/>



Price: \$16.00AU a vial. Each vial contains approximately 100 pills (1 pill per dose).