



20th December 2017

Dr Sean Turner
Acting Committee Secretary
Senate Community Affairs Legislation Committee

By email:
committee.sen@aph.gov.au

Dear Dr Turner

RE: Inquiry into the Therapeutic Goods Amendment (2017 Measures No.1) Bill 2017 and the Therapeutic Goods (charges) Amendment Bill 2017

Thank you for your letter today of 18th December 2017 in respect to the submission by medical student Michael Dong.

Unfortunately for student Dong and his like-minded cohort the major issue is that there is extremely scant evidence of Homoeopathic preparations causing any harm what-so-ever.

In respect to student Dongs specific complaint, I would like to submit the following considerations:

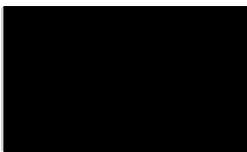
1. As stated in the complaint, we strictly only sell products to health care professionals. The label of the product highlighted by student Dong is clearly labelled "practitioner dispensing only". Our customers are classically trained Doctors and Naturopaths who are well trained in dispensing oral medicines and in assessing patient responses.
2. The Therapeutic Goods Administration (TGA) regulates therapeutic products, not health practitioners. The *Therapeutic Goods Regulations 1990* (Schedule 5, Item 6) provides specific exemption from inclusion on the Australian Register of Therapeutic Goods (ARTG) for medicines that are dispensed or extemporaneously compounded by practitioners, such as our products.
3. It is unclear from student Dongs complaint as to how we are "breaching the regulations governing homeopathic products," particularly as he later states that "homeopathic preparations are currently exempt from regulation" if they are appropriately dilute, which ours are. In a nutshell student Dong is accusing us of breaking the rules that don't exist or apply.
4. We make no claim on the product. Subsequently it is difficult to understand what "misinformation, deception and exploitation" student Dong refers to.
5. As stated by student Dong, homoeopathic preparations do not require TGA listing if they do not make claims. I am aware that the TGA is considering the exemption of all homoeopathic medicines from the register mainly due to the gentle nature of the preparations; their excellent safety profile and the difficulty in testing for active ingredients.

6. Student Dong refers to the 2015 NHMRC Homeopathy Review that concluded there was “no reliable evidence” that homeopathy is effective. As you may be aware, the NHMRC Review has been subject to a formal investigation, resulting in allegations of administrative and scientific misconduct, bias, undisclosed conflicts and inaccurate reporting. A Submission of Complaint has been referred to the Commonwealth Ombudsman detailing these issues (summarised at www.nhmrchomeopathy.com, which includes a copy of the Executive Summary to the Ombudsman Complaint). It may be wise for all concerned parties to await the outcome.
7. A petition is currently also being generated bringing public awareness to this issue of research integrity and also seeking a Senate inquiry into the NHMRC’s conduct of the Review (www.yourhealthychoice.com.au).
8. Michael Dong is one of Dr Ken Harvey’s Monash University students. Dr Harvey was instrumental in instigating the current Senate inquiry process and also *pre-published* Mr Dong’s submission on his Medreach webpage (<http://www.medreach.com.au/?p=2353>, accessed 18 December 2017) without the Senate’s approval. It appears Dr Harvey was influential in guiding student Dong’s submission as part of Dr Harvey’s School of Public Health and Preventive Medicine (SPHPM) Summer Vacation Scholarship Program – which historically has involved generating and submitting complaints about the promotion of complementary medicines to the regulators (<http://www.medreach.com.au/?p=1969>). It appears this year’s project involved guiding students how to generate submissions to the current Senate inquiry, in support of Dr Harvey’s ongoing anti-complementary medicine campaign.

After 221 years of continual use across many countries with high levels of consumer satisfaction and very low risk of adverse reaction; I am troubled to understand student Dongs heightened sense of implied urgency in the immediate regulation of Homoeopathy.

I thank you for the opportunity to respond and would be delighted to assist with any further enquiry.

Yours Sincerely



Daniel Baden ND JP
Executive Director

