

30 October 2024

Medical Cannabis Aotearoa New Zealand

Email: [mcanz@patient.nz](mailto:mcanz@patient.nz)

To whom it may concern

**Advertisement of medicines in contravention of the provisions of the Medicines Act 1981 and Misuse of Drugs Regulations Act 1977, Medsafe reference 33864**

Following information received by Medsafe, I have reviewed the Medical Cannabis Aotearoa New Zealand (the organisation) website <https://www.mcanz.org.nz/> (refer Appendix 1).

The Organisation's website advertises the availability (and an indication of price) of several controlled drugs (cannabis flower products) and medicinal cannabis products (unapproved medicines).

This letter provides you with formal notice that the organisation's activities appear to breach provisions of the Medicines Act 1981 and the Misuse of Drugs Act 1975.

**Medicines Act 1981**

Products with a therapeutic purpose are medicines as defined in section 3 of the Medicines Act 1981.

Section 20 of the Medicines Act 1981 states that no person shall sell, distribute or advertise the availability of any medicine before the consent or provisional consent of the Minister of Health, has been granted. The content of the advertising appears to breach section 20 of the Medicines Act 1981 because it is advertising the availability of medicines for which the Minister of Health has not given consent, pursuant to sections 20 or 23.

The sale, distribution or advertising of new medicines without the Minister of Health having first given consent is a breach of this section for which the penalty on successful conviction is a fine not exceeding \$100,000 for a body corporate; or for an individual, a term of imprisonment not exceeding six months or a fine not exceeding \$20,000.

**Misuse of Drugs Regulations 1977**

Regulation 50 of the Misuse of Drugs Regulations 1977 prohibits advertising of controlled drugs in New Zealand, except for exempted drugs or advertising directly to doctors, dentists and pharmacists.

**Extent of Medsafe review**

It is important to note that the breach cited in this letter is not intended as an all-inclusive list;

you remain liable for all other breaches not identified here.

### Information about compliance

If a medicinal cannabis product has been verified to meet the Minimum Quality Standard (MQS) in New Zealand, this does not make it an approved medicine. Medicinal Cannabis products that have been verified to meet the MQS are still unapproved medicines.

The full text of the Medicines Act 1981 and Misuse of Drugs Regulations 1977 can be found at [www.legislation.govt.nz](http://www.legislation.govt.nz). In particular, you should refer to the requirement for the Minister's consent (s20) under the Medicines Act 1981.

For your information and for avoidance of doubt:

- A medicine that has not been approved for supply in New Zealand cannot be advertised, in any form of advertising, to any group or individual, including to health care professionals.
- Controlled drugs cannot be advertised by any person, unless it is an exempted drug, or it is an approved controlled drug and then it can be advertised directly to doctors, dentists and pharmacists only.
- The term 'advertising' in the Medicines Act 1981 has a wide definition.

Further information can be found at our website:

<https://www.medsafe.govt.nz/compliance/Marketing.asp>

### Actions required

In order to avoid continuing offences, I advise the organisation to take the following actions:

- **Immediately** withdraw all non-compliant advertising material, including from any electronic media. In particular, this includes the pricing information that can be accessed via navigating the links under the 'Table of Contents' and the links for the named flower products listed (see Appendix 1)
- **Immediately** review the advertising for your organisation.

Please respond in writing to confirm you have ceased all advertising **by 5pm on 13 November 2024**.

Yours sincerely,



Sita To'ofuhe  
Team Leader, Product Safety  
Compliance Management  
Medsafe  
Ministry of Health

**Appendix 1: The Medical Cannabis Aotearoa New Zealand website:**  
<https://www.mcanz.org.nz/pricing> accessed 30 October 2024.

**Pricing does not indicate therapeutic effect.**

**Inclusion on this page is in no way indicative of the medicines availability, nor is it intended as an advertisement.**

## Table of Contents

Use the following links to navigate pricing information

- [Flower prices](#)
- [CBD oil \(full spectrum\) prices](#)
- [CBD oil \(isolate & synthetic\) prices](#)
- [CBD:THC oil prices](#)
- [THC oil prices](#)
- [Edibles](#)
- [Terpene Profiles](#)

### Flower - Median cost

If you list all the available prices from lowest to highest, the median price is the one that falls right in the center of this list. It's a helpful figure because it gives you a realistic sense of what you might expect to pay, not too influenced by unusually high or low prices.

All products in this list meet the [minimum quality standard](#).

Name	Type	Origin	Per Gram	Unit Size	Per Unit
<a href="#">KIKUYA Arroyo</a>	THC	Australia	<a href="#">\$13.57</a>	10g	\$135.66
<a href="#">KIKUYA Dune</a>	THC	Australia	<a href="#">\$13.40</a>	10g	\$134.00
<a href="#">KIKUYA Peak</a>	THC	New Zealand	<a href="#">\$13.58</a>	10g	\$135.83
<a href="#">ANTG Rocky</a>	THC	Australia	<a href="#">\$13.57</a>	10g	\$135.67
<a href="#">ANTG Solace</a>	THC	Australia	<a href="#">\$17.80</a>	10g	\$178.00
<a href="#">ANTG Mariposa</a>	THC	Australia	<a href="#">\$17.60</a>	10g	\$176.00
<a href="#">Tilray Whole Flower</a>	THC	Portugal	<a href="#">\$14.57</a>	15g	\$218.50
<a href="#">Medleaf Shishkaberry</a>	THC	Canada	<a href="#">\$11.31</a>	35g	\$396.00
<a href="#">Medleaf GG#4</a>	THC	Canada	<a href="#">\$14.15</a>	30g	\$424.50
<a href="#">Medleaf Zour Apple</a>	THC	Canada	<a href="#">\$14.15</a>	30g	\$424.50
<a href="#">Medleaf LL Kush</a>	THC	Canada	<a href="#">\$14.07</a>	30g	\$422.00
<a href="#">Helius DK Dawn</a>	THC	Denmark	<a href="#">\$12.33</a>	10g	\$123.33
<a href="#">Helius DK Dusk</a>	THC	Denmark	<a href="#">\$12.50</a>	10g	\$124.00
<a href="#">Cannasouth Symetis T17 B52</a>	THC	New Zealand	<a href="#">\$11.85</a>	10g	\$118.49
<a href="#">Cannasouth Cumulus</a>	THC	New Zealand	<a href="#">\$11.70</a>	10g	\$117.00
<a href="#">ANTG Eve</a>	CBD	Australia	<a href="#">\$19.78</a>	10g	\$197.75

### Oils

Cheapest per ml

<b>CBD full spectrum</b>	<a href="#">Helius CBD100</a> or <a href="#">Medleaf CBD 100</a>
<b>CDB isolate</b>	<a href="#">Green Standard CBD 200</a> or <a href="#">Eqalis CBD120 Isolate</a>
<b>CBD:THC</b>	<a href="#">evalaCann Balanced</a>
<b>THC</b>	<a href="#">Helius THC25</a> or <a href="#">Tilray THC25</a>