Facebook is waging an illegal war on hemp!

Thursday 9 June, 2016

Facebook's weird and inexplicable history of attacking CBD (hemp oil) pages is well documented. It doesn't make any sense, but we all know it happens: Facebook routinely shuts down pages for any number of reason, and evidently CBD falls foul of one of its labyrinthine policies.

So it was perhaps no surprise that one of the most popular UK CBD pages, Canabidol who produce the CBD Gel-Tab, the UK's best selling CBD supplement , was last week shut down by Facebook admins.

Facebook is a vital tool for pretty much any business today. If you want to sell anything- especially if you're selling a niche product- a social media presence is vital. Many businesses, like Canabidol, spend thousands on Facebook advertising. It's an investment into building an audience of potential customers, so when businesses lost their Facebook pages their profitability takes a hit, especially if they have client information, order details and other vital data stored in the page's inbox.

So, Facebook has the power to make or break businesses. It is also the largest and most popular social network and so falls well within the parameters of a 'dominant' company, as defined by UK and EU law. This position of dominance comes with responsibility- the UK is placing a huge amount of trust in Facebook to operate fairly and adjudicate problems openly and in the spirit of justice.

When Facebook shuts down a legal page with no justification and in doing so threatens the livelihood of a business owner, it may not be simply acting unfairly. There are grounds to believe that they are breaking the law.

Article 82 of the EC Treaty and the Competition Act 1998 both enshrine the need for any dominant company to not interfere with the competitiveness of other business. The unpredictable and seemingly random way Facebook lets some CBD pages operate and others not is in clear violation of the requirement that they not apply "dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage". Facebook takes thousands of pounds in advertising from CBD companies, lets them exist for a month or so and then shuts them down, forcing them to start the process again.

Why does Facebook want to see CBD off the market? Is it because they think it's an illicit drug? It isn't. Even the Home Office has explicitly endorsed the legality of Canabidol's products.

CBD is produced from Cannabis Sativa L. (Industrial Hemp). While related to Marijuana it is distinctly different in many key areas, most notably in its complete lack of psychoactive function.

Classified as a food product, CBD is completely legal, harmless and a provably beneficial dietary supplement. It has a myriad of uses and has been proven in countless studies to have many applications in supplementary treatment for conditions such as cancer, epilepsy, Parkinson's and psychosis, to name but a few.

Facebook has no clear reason for demonizing CBD, shutting down pages and denying users of CBD oil. Their position makes no sense in legal terms and we haven't heard of instance in which they give a clear reason for doing what they do. Appeals seem to fall on deaf ears, and the people making the decisions don't seem to have any idea of the law they think they are following.

Facebook's Kafkaesque adjudication process is a crude, inefficient impersonal system that is completely unfit for purpose as a de facto industrial tribunal. Businesses in all sectors frequently find their operations severely hurt by the closure of pages. The reasons for the closures are rarely spelled out; the appeal process is opaque and unilateral. The consequences for businesses that have their pages shutdown are often onerous.

Canabidol have had to shift focus to alternative forms of marketing in light of their expulsion from Facebook. A spokesman told us;

"Overnight, facebook have destroyed our main customer engagement channel leaving over 5,000 of our fans, developing trade partners and potential customers completely in the dark and unable to contact us. Additionally, we also have no means of contacting them. This has led to considerable financial losses and irremediable damage to our brand's reputation.

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“As a result, we will soon be launching the Canabidol Brand Ambassador program - offering long term discounts and commission to anyone who refers new customers to our business. Until our struggle with Facebook is resolved we will be reliant on such alternative forms of promotion to operate profitably, and continue to provide a much-needed service to our customers.

“We decided this made sense based on the daily telephone calls and email we get thanking us for our product, how effective it is and how “it has changed people’s lives” – It’s amazing how often people say that. So, who else is there better to promote our products than the many customers that absolutely love them and now couldn't live without them?”

If Facebook did indeed violate EU anti-trust law, they could face a fine of up to 10% of their overall worldwide annual turnover. At current rates that would amount to $1.79 billion. There is even the risk of 5 years in prison.

Will Mark Zuckerberg end up in jail for this? Not likely, but something needs to happen. Facebook has been proven time and time again to be incapable of handling its obligations to facilitate fair competition within the confines of the Law. We propose that the Office of Fair Trade investigates this abuse of power, with a view to setting up an independent adjudication body.

We hope that this situation can resolved as quickly and amicably as possible, so the people who need CBD can continue to purchase it without unnecessary obstacles.

In the meantime, anyone has been trying in touch with Canibidol can contact them via their website https://canabidol.com

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