

*Plant Breeders' Rights*

present time on those types of issues come to the forefront again. The Minister made a statement this morning. The Hon. John Wise, a previous Minister of Agriculture, when discussing this Bill in public one year ago made a statement. There needs to be some assurance that the withdrawal of research funds will not continue as a practice of the Government as it has in the last few years.

Another concern I have has already been expressed today. Under this Bill there are 18 years in which the plant breeders' rights would stand. That is too long, in my experience, with the successful life of the majority of plants and seeds. There are some horticultural plants to which it may apply, but my feeling is that after a maximum of seven to ten years, and my preference would be seven years, the collection of fees and royalties should disappear.

Many chemicals have had long royalties and protection. The purpose of that is a valid one. It encourages the long hours and the millions of dollars that sometimes goes into the research and the creation of chemicals. However, once the royalties go off certain chemicals that the agricultural community has used, the cost of that chemical to the primary producer goes down to roughly one-quarter of what it was. When the royalty was applied, one wonders if there was not a little—for the lack of a better word—gouging, or a little over-collecting.

Another concern in the Bill is the reference to a "reasonable" royalty payment. For the protection of the purchasers of those products, and I will refer to them as products, that would be protected under a plant breeders' rights Bill, there should be a definition in the regulations of the word "reasonable". We have all seen what happens when something gets into the hands of one or two people.

Farmers are not against paying for something. Quite frankly, I believe that farmers are prepared to pay for a product as long as it proves itself in the bottom right-hand corner of the balance sheet in reference to that crop or product. Farmers will not be hoodwinked more than once. If they find out that they are paying for something on which they do not get a return, they simply will not go back to the counter and pick up that product again. I feel that 18 years is excessive for royalties.

The Canadian Federation of Agriculture is in favour of the Bill. I believe that we also recognize that the Canadian Federation of Agriculture has voiced some concerns. I look forward to having discussions with representatives when the Bill goes to committee.

One of the Federation's valid concerns is the suggestion that only 60 per cent of the royalties that would be collected by institutions and/or government bodies that are doing research and creating new varieties would go back to that particular organization, institution, or government Department. I do not know why only 60 per cent would go back there, when a private company that did the same thing would receive 100 per cent. If 100 per cent goes back to the private organization that does the research, 100 per cent should go back to the public organization as well.

Another concern I have is the reference in the Bill to the establishment of an advisory committee. I agree with that, but I do not agree with the explanation of the duties of the advisory committee and the total control that the commissioner has over the duties of that advisory committee. I do not feel that the duties and the purpose of that advisory committee as outlined in the Bill have sufficient teeth for the purposes that it should serve.

In conjunction with the consideration of this Bill, perhaps we should look at the policies of Investment Canada and strengthen them in conjunction with Bill C-15 to ensure that ownership and control of seed stocks are not unduly concentrated in the hands of too few people. That may be a difficult task, but it is a concern of primary producers and purchasers of the products that would be licensed and the fact that, to a certain extent there would probably be increased costs with the putting in place of the Bill.

There should be a discussion on giving the commissioner, together with the advisory council, the opportunity for compulsory licensing if the holder of the control of one product was abusing that privilege.

The Canadian Federation of Agriculture has clearly voiced a concern about the retaining of germ plasm and clonal banks. I was pleased this morning when the Minister made the statement that a lot of this will be done at Smithfield, which is not too far from my home. I also appreciate the fact that all that needs to be kept cannot be kept in the climatic situation in Smithfield, and in the Bill there needs to be some assurance that, because Canada has the type of climate it has, it be assured that we keep those. Once they are lost it is