

Patent Act—Trade Marks Act

the subject of clinical equivalency in support of this amendment. First of all, the minister has ignored entirely the Hilliard and Boyd committee reports and also the report by the Harley committee. Notwithstanding that, this is a very important point. When the federal department of consumer affairs proposed this legislation there was well documented evidence that this sort of thing could have a serious impact on the practise of medicine. A physician's primary concern is always with the quality of the product he is using and its clinical efficiency, or its clinical equivalency which is the same thing. This is especially true of new drug discoveries.

It seems to me that in this bill the minister has ignored entirely or has strangely discounted therapeutic equivalency. He has ignored the publications of the Food and Drug Directorate scientific staff, as well as the recommendations of the Hilliard and Boyd committees.

Even though a drug may have quality and safety, it may not have clinical equivalency. That point was brought out in the committee. In this regard one drug that was referred to was chloromycetin, but there are many others. Dr. Goddard, of whom mention was made tonight by the hon. member for Winnipeg North (Mr. Orlikow), put on the record the fact that there are something like 24 drugs which are quite similar in quality and safety. But the Food and Drug Directorate has informed us it does not propose to make any additional tests over and above a chemical analysis. Many of these 24 drugs are antibiotics. I put some of them on the record this afternoon and I am not going to repeat them, but it does appear to me that the minister has brushed off the importance of this matter.

The minister indicated that lack of therapeutic equivalency among certain types of drugs was grossly exaggerated, but when somebody's life is at stake gross exaggeration can get you into a lot of trouble. Some of these drugs are used in cases where time is of the essence and you have to be sure the drug you are using will maintain proper blood levels and possesses the therapeutic equivalency that you expect of it. Physicians are being encouraged by Bill C-102 to use cheaper drugs, and without this assurance I fail to see where we are making progress. The public will be asking for cheaper drugs and how in the world are physicians to be sure those drugs are safe? That is the crux of my point. Any bulletin that shows merely the results of the chemical analysis of a drug will not show whether that drug is clinically effective and

fulfils all necessary requirements. Therefore, I submit that the amendment before the house is a good amendment and ought to be accepted.

● (9:20 p.m.)

[*Translation*]

Mr. Léonel Beaudoin (Richmond): Mr. Speaker, the amendment before us is more important than some may believe. It does not deserve to be passed in a hurry, for a very important reason: we must realize that an imported product is not necessarily one of quality even if it bears the same number or the same name as the similar product made in Canada.

The amendment of the hon. member for Lotbinière (Mr. Fortin) simply asks for a serious investigation on drugs to determine whether a product made under a patent has the same therapeutic and pharmaceutical properties as the standard product approved in Canada.

In my opinion, we must insist—and that is why I support the amendment—without reservation—before approving the import of a product, that it is carefully analysed to ascertain that in every respect it is the equivalent of the similar Canadian product.

Mr. Bernard Dumont (Frontenac): Mr. Speaker, the amendment that I moved for the member for Bellechasse (Mr. Lambert) who will, we hope, be given good brand name drugs in order to return Monday in good health, has been defeated. I believe the minister should give careful consideration to the amendment moved by the member for Lotbinière (Mr. Fortin) who was a member of the committee and who stated that all amendments moved in the committee had been defeated by most of the members of an intransigent government. I cannot believe that in this house tonight the Creditiste members and the Conservative member who just spoke are the only ones in favour of this amendment.

Here is the wording of the amendment, and I quote:

"and subject to a report from the Food and Drugs Directorate of the Department of National Health and Welfare that the applicant has complied with all the provisions of the Food and Drugs Act and that the medicine manufactured under such patent has the therapeutic and pharmaceutical equivalence of the standard product accepted in Canada;"

Mr. Speaker, it seems to me that such an amendment deserves the full attention of the minister and an expression of his opinion.