

Hon. A. W. Roebuck: Honourable senators, when I moved the adjournment of the debate yesterday afternoon it was not because I had any objection to this bill, or any comments to make on it; I was totally uninformed with regard to it. I moved the adjournment because at that time the bill had not been distributed, and I thought it was exceedingly bad form for this house to proceed to pass a bill which had not been presented to us at our desks for study and attention—in effect to give approval to the principle of a bill when we had no knowledge of what it contained. In this instance—and this is the reason why it was suggested that we should approve it yesterday—a bill bearing the same title was before us at the last session. But the present bill is not that bill; alterations have been made. So there is no doubt that we should never pass a measure of this kind, or any bill at all, until we have had it before us long enough to read it and know what is in it. Otherwise, one can easily imagine unscrupulous persons taking advantage of the house. Of course, when I raised the objection there was no opposition to the adjournment of the second reading until today.

In the meantime I have read the bill. One can scarcely read any measure which is laid before parliament without as a consequence having some thoughts to express about it; and my first observation with regard to this bill is that it is a restrictive measure, and as such should have the most meticulous attention in a house of this kind.

Not only is this a restrictive measure, but the restrictions have been intensified since the passage of the original Act some years ago; and every restriction of this type should be carefully scrutinized by this house. In matters of this kind one recalls these words of a famous philosopher: "Eternal vigilance is the price of liberty".

This bill refers to the health of Canada's citizens, and whenever measures come before us affecting the freedom of the individual in matters of health I take the stand that I am "from Missouri". There are always people interested financially in the health of the individual, and different schools of health-treatment are always competing with one another. In addition there are jealousies within the schools themselves, and somebody is always finding some method of making money out of legislation which on its face appears to be only in the interest of the dear sweet public. I remember an incident involving Mark Twain when a committee of the United States Senate was inquiring into a similar restrictive health measure many years ago. Appearing before the committee, Mark Twain commented "Who shall interfere

between my grandmother and myself as to her inalienable right to rub camphor on my leg?" Camphor in those days was the great specific. Well, who shall interfere today in these personal matters of health?

Let me deal with the bill in more detail. The word "advertisement" is defined in section 2 of the bill as follows:

(a) "Advertisement" includes any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device;

Now, I would stress the words "by any means whatever", for most representations are made orally by word of mouth. Surely freedom of speech with regard to drugs and health and so on is not to be prohibited by this measure.

Then in the very opening sentence of the bill we find a rather sloppy piece of draftsmanship. I would point out the small detail that it uses the words "by any means whatever", whereas on the very next page we find in exactly the same context the words "for any purpose whatsoever". It is a small matter, but the use in the same context of two words having largely the same meaning but a different form indicates careless draftsmanship.

Section 3(1) of the bill reads:

No person shall advertise—

—and do not forget that in this bill the word "advertise" includes advertising by word of mouth—

—any food, drug, cosmetic or device to the general public as a treatment, preventative or cure for any of the diseases, disorders or abnormal physical states mentioned in Schedule "A".

Before I deal with Schedule "A" let me point out that "drug" includes a great many items. For instance, it includes any substance or mixture of substances that may be used for the purpose of restoring, correcting or modifying organic functions in man or animal. That is pretty wide. Within the bill the meaning of "drug" also includes any substance or mixture of substances that may be used for disinfection in premises in which food is manufactured, prepared or kept, or for the control of vermin. The definition of "drug" is a long one, and for my present purposes it is not necessary to read it. But I would point out how wide this definition is.

The bill proposes to prevent the advertising of any drug for the treatment of the items mentioned in Schedule "A". I shall not attempt to read the whole schedule, but I notice it includes heart disease. As I have already said, I consider myself as "from Missouri" in matters affecting health, so I rather suspect that heart disease and its treatment will not entirely overlook the use