

Dairy Industry Act

And so forth. I would like to have from the minister an explanation of his answer that cream would not be included, because I heard my learned friend from Kamouraska mentioning the noble name of cream, and I thought he was recalling a poetic idyll of the mythological past. I would like to know if cream is included or not.

Mr. WEIR (Melfort): Cream is included in dairy products, but it is not included in products for which we set the standards. At the present time the standards for cream are set by municipalities and provinces.

Section agreed to.

On section 4—Standards of dairy products.

Mr. GARLAND (Bow River): The section in the original act, subsection 3 of section 6 deals with the abolition of power to sell or have in possession for sale a butter not in keeping with the weight of the package that is supposed correctly to represent the weight. Paragraph (a) reads:

No person shall sell, offer or have in his possession for sale,

(a) any butter moulded or cut into prints, blocks, squares or pats, unless such prints, blocks, squares or pats are of the full net weight of one-quarter pound, one-half pound, one pound or two pounds, but nothing in this paragraph shall be held to apply to butter in rolls or lumps, of indiscriminate weight, as sold by farmers.

Paragraph (b) reads:

No person shall sell, offer or have in his possession for sale,

(b) any butter packed in tins or other packages alleged to contain any definite weight of butter unless such package contains the full net weight of butter. . . .

One can see that the original section dealt solely with the selling or offering for sale of packages on a weight basis or standard. There is now proposed to be added to that an entirely new principle, something altogether apart from the question of weight. The proposed amendment reads:

No person shall manufacture, import into Canada, or offer, sell or have in his possession for sale any dairy product which does not conform to the standards and requirements of or is contained in a package contravening the provisions of this part and regulations made hereunder.

First, I would like the minister to explain the necessity and the reasons for this clause. In his explanation I hope he will be able to remove from my mind the opinion that the clause as now drafted imposes a serious hardship and handicap on the farmer who himself is selling butter, for notice what may happen. If my wife is making butter on the

[Mr. Dupuis.]

farm, we bring it into town and we turn it over the counter to a retail store keeper who exchanges groceries for it. That store keeper has no knowledge whatever as to whether the butter is up to the standard and grade required under the bill, that is the new standards and grades to be provided. He has no way of knowing that until that butter has passed through a grader's hands, yet under this clause he may be prosecuted for having in his possession for sale butter which he has taken from a farmer in exchange for goods.

Mr. NEILL: And so may the hon. member.

Mr. GARLAND (Bow River): Yes, so may I. I suggest that a little further thought be given to this clause. In my opinion it deliberately strikes a blow at the small farmer who is selling his own butter and at the store-keeper who is taking it over the counter and offering it for sale. It is a clause which undoubtedly will advance the interests of the milk distributors' combine in Canada. That is the feeling I have in reading the clause and I hope the minister can explain it more satisfactorily.

Mr. WEIR (Melfort): The butter to which the hon. member is referring is usually called dairy butter as distinguished from creamery butter and there is no grading of dairy butter or butter that is manufactured by the farmer.

Mr. NEILL: But this says "dairy product."

Mr. WEIR (Melfort): Yes, "dairy product" as defined in the definition, but there is no grading of butter as manufactured by farmers as the hon. member understands that term.

Mr. GARLAND (Bow River): That is what I am afraid of under the powers we are giving the minister or the governor in council under this act. Will it not be possible, under this act, for the governor in council to pass such regulations as may affect the dairy farmer?

Mr. WEIR (Melfort): There is no change in the power that is granted under this section.

Mr. NEILL: But the interpretation clause states:

"dairy product," "dairy products" or "dairy produce" means any milk, cream, condensed milk, evaporated milk, milk powder, butter—

Just the word "butter"; it does not say "creamery butter." That is any kind of butter, and I certainly believe section 4 will cover dairy butter. I would suggest that the trouble might be overcome if the minister would allow the insertion of the words "more