

Trade Marks Act

One other aspect, that I have already touched on, is this new attitude on the part of consumers in general. They are no longer satisfied, generally speaking, because of their greater awareness today of what is going on around them, to be given information that is not provable. They are no longer satisfied to be provided with a product with a claim attached to it which is not provable. So far as this aspect is concerned, the bill is useful.

I should like to conclude on this note. The minister indicated that a certificate of registration was to be given the manufacturers of certain patent medicines so that in some way the Food and Drug Directorate can monitor the effectiveness of their preparations in order to see whether they achieve what they claim to achieve. He did not provide any information whatsoever as to whether the Food and Drug Directorate would be involved in testing the effectiveness of these medicines before they are marketed, while they are being marketed or after marketing. He did say there will be some monitoring. I should like to know what testing procedure the department will follow to make sure the public is adequately protected, not only from adverse reactions which may occur but also from false claims that may be made.

● (1420)

It seems to me we should be provided with this kind of information in order that we can be reassured, particularly in view of the fact we do not have the regulations: we should have some assurance that the department will be carrying out thorough testing of these various medicines to ensure that the public is not abused.

Miss Campbell: Mr. Chairman, perhaps at this time I might answer some of the questions raised by hon. members this morning. The hon. member for Lambton-Kent and the hon. member for Athabasca made reference to the secrecy of regulations. As hon. members will appreciate, it would be somewhat strange if the regulations were published before the bill was passed. It would be almost contempt of parliament to have the regulations before there was an act. I am sure that hon. members will have the opportunity to examine these regulations in detail at a future time in the committee studying the estimates.

The hon. member for Lambton-Kent also asked who would be responsible for making these regulations. Regulations are made by the governor in council, and I can assure the hon. member that they will go through all the usual and proper channels before that point. The hon. member also asked whether there had been any discussions with the provinces in this regard. Last February, during the federal-provincial health ministers' conference, the question of the intention to repeal the Proprietary or Patent Medicine Act was discussed. There have been discussions with the provincial registrars in respect of the new regulations, and I think the minister clarified this in his opening statement to the House. The government's intention is to create a new division under the Food and Drugs Act regulations dealing specifically and only with proprietary medicines, but the general regulations under that act will also continue to apply to that new division. There will also be a schedule that will include a list of chemicals or drug entities not allowed in proprietary medicines.

[Mr. Yewchuk.]

The hon. member for Athabasca asked who would be conducting the monitoring. I can tell him that this will be done by the health protection branch. The regulations will also provide for an initial review by the health protection branch of the department and an additional review of the products' safety and efficacy should the need arise within the current term of the registration. There will also be a review of the data submitted for a product should the manufacturer change the formula of the medicine, as well as a schedule of drugs not permitted in proprietary medicines. I think that gives hon. members a clear picture of what will be provided for under the regulations.

Hon. members also asked questions in respect of advertising. It has been brought to the attention of the House that this matter was again raised for discussion at the last federal-provincial meeting of the health ministers concerned. There was general reference to advertising in respect of drugs. I should point out that the health protection branch already reviews all Canadian TV advertisements regarding proprietary medicine. Any new claim in respect of a proprietary medicine would not be allowed unless the manufacturer submitted data to the department to substantiate that claim. The medicine would then be considered a new drug and would consequently be subject to the new regulations.

The hon. member for Lambton-Kent also referred to the drug identification number. Under the new regulations, these medicines will be required to have an identification number. Perhaps this will be a different type of number, but it will allow the pharmacists and physicians to identify a proprietary medicine with that number. One must remember that the whole purpose of repealing this act is to allow full disclosure to the public. In other words, they will have knowledge in respect of over the counter drugs; people will be able to recognize the components of the proprietary medicines they are taking and will be able to know if they have had previous allergy reactions in the past. They will know exactly what are the contents.

There was also reference this morning by the hon. member for Lambton-Kent to the quality assurance program. During the first three years of this program, of the drugs examined the failure rate was reduced from 7 per cent, initially, to 4.9 per cent in the following year, and to 3 per cent last year.

Mr. Baker (Grenville-Carleton): Mr. Chairman, I should like to thank the parliamentary secretary for her complete answer in respect of some of the questions raised. We will be examining them in great detail to check their accuracy, but I am satisfied that she has done everything she can in this regard. I should like to compliment her. I understand this is her first opportunity to pilot a bill through committee of the whole. Let me say, on behalf of my colleagues, on this Friday afternoon that she has done a commendable job.

Let me now make a suggestion about something she said regarding the practice of this House. The hon. lady said she felt it would be almost contempt of parliament if the regulations were produced before the bill had received the sanction of parliament—and in that sense I refer to both Houses. I cannot believe that some consideration has not been given to the regulations that will be promulgated under this statute. While I understand why the regula-