

In short, farmers have always been able to trust and rely upon our public agricultural research institutions to do the right things and come up with the right answers.

So if one were asked to pick a single concern, and in some cases the deep anxiety about this bill, that commitment, both in terms of funding and of continuing basic and varietal research by the federal Department of Agriculture, was absolutely fundamental to senators on both sides of the committee.

In my own speech on second reading of the bill I asked for, and I quote:

... a clear and strong commitment that the government will not use the excuse of greater private sector research and development in this field to cut back its own funding to essential public sector plant breeding research in Canada.

When the Minister of Agriculture, the Deputy Prime Minister, Mr. Mazankowski, appeared as our first witness, he responded by saying, and I quote:

It is not intended to reduce public plant breeding at all. In fact, quite the contrary. It—

meaning the bill—

will support Agriculture Canada's program by returning royalties to the program itself. This will be on an incremental basis ...

Later, under questioning by my colleague Senator Olson, Mr. Mazankowski gave another assurance, and I quote:

I have no intention of reducing the level of appropriations for plant breeding in this country.

As the committee hearings continued, the concern on this point continued to grow as well, in spite of these initial assurances by the minister. Mr. Mazankowski again responded in the form of a letter to the chairman of the committee, Senator Barootes, which you will find in the commentary of our report that was tabled in the chamber on Tuesday, because of the importance of this point—an importance that was underlined and re-emphasized by the minister's own repeated efforts to allay our concerns. The letter, dated June 11, 1990, reads as follows:

Dear Senator Barootes:

I am aware that during the proceedings of the Senate Standing Committee on Agriculture and Forestry on Bill C-15 concerns have arisen as to the role of our public breeding program.

I wish to assure the Committee, in my capacity as Minister of Agriculture, that I support strongly the plans of my department to continue varietal development. We do not intend to have Agriculture Canada undertake basic research exclusively.

I would also like to take this opportunity to reiterate my earlier comments to the Committee. We do not intend to use plant breeders' rights as a means to reduce the Agriculture Canada plant breeding budget. As well, we will return the royalties earned by our varieties directly to the breeding budget on an incremental basis.

It is my hope that this will allay the concerns of the honourable senators.

Yours sincerely,

Don Mazankowski.

With the changing nature of politics and government, honourable senators will appreciate that there can be no such thing as an absolutely ironclad guarantee on anything, but from this minister it is explicit, and I trust that a copy of that letter will also be filed with his colleague, the Minister of Finance, for future reference. Also, it will serve as a bottom line for future ministers of agriculture as the effects of this legislation take hold.

Another important companion concern to the issue of public plant breeding research was the question of royalties and the level to which they would be returned to the Department of Agriculture for their plant breeding effort. Under an agreement between the Treasury Board and the Department of Agriculture, the plan is to return 60 per cent of the royalties, which, in turn, would be directed back into the breeding program. The remaining 40 per cent will be used for overhead administrative costs generated by the legislation itself.

Several witnesses and senators, myself included, felt that the percentage returned to research should be increased even to the maximum of 100 per cent. The Agriculture-Treasury Board agreement is currently under a review to be completed next year, and the minister undertook to have another look at it. However, a critical point is our clear understanding from him that the royalties will be additional to the current funding for plant breeding research and will not be used as a cover for cutbacks. Again, these are critical points for the agriculture industry in view of the cutbacks in research generally that have occurred in recent years.

Another concern of the committee and some of its witnesses was the strength of influence that the advisory committee will have on the commissioner and on the minister in carrying out the intentions of the bill. With this particular kind of legislation, regulations are tremendously important. Already the bill was amended in the other place to ensure representation from all sectors directly involved with the advisory committee, such as farmers, seed growers, plant breeders, and seed merchants.

In our report the committee suggested to the minister that there is another point of view that should be heard in developing the guidelines for directing and administering plant breeders' rights from the environmental sector. Although this bill narrowly focuses on variety protection for plant breeders, it has attracted considerable attention from groups and individuals who see it as the thin edge of the wedge in a much larger context—the manipulation and ownership of genetic material, the environmental implications, and the implications for the Third World and our future food supplies. We have had excellent witnesses and briefs outlining these concerns. In particular, we had a comment from the Canadian Seed Growers Association, which noted that it had a particular concern—and it recognized this was not related to the bill—that: