

*Consumer Packaging and Labelling Act*

Surely there is no other reason for these screwball sizes, weights and measures of products in containers and packages than to deceive the consumer. When the minister indicates that he does not want authority in the legislation to prevent this happening, he negates some of the fine purposes and objectives he outlined in the committee and again today. This type of thing undoubtedly results in manufacturers smuggling price increases through by reducing the quantity by imperceptible amounts. In this way they make it impossible for the consumer to determine the value that he is getting for his money. Surely the minister, before anyone in this House, would want to put a stop to this practice. The committee dealt with this matter and we tried as hard as we could to persuade the minister. He sounded encouraging for a while.

For a few minutes let me review some of the things stated at the committee hearings. We made the point in our efforts to persuade the minister that provision should be made for unit pricing. We all recognized that even if we had unit pricing it could not be applied to all products. No one suggests that this could be done. Many products, packages and containers are not suitable for this kind of action. In order to take care of products and packages not suitable for unit pricing, we submitted then, as we submit now, that the minister should be given authority in the bill to regulate the amounts which go into containers and packages. I have in mind amounts that are comprehensible and easily divided into or by the price. The minister requires this kind of amendment in conjunction with unit pricing. There is nothing mandatory in the amendment; it leaves the minister with discretion to make such regulations.

I fully expect that the minister will meet with consumer and manufacturing associations as well as the producers and packagers of various products. In the majority of cases I suspect that they would agree upon the products which the minister should proclaim as being subject to regulation through the Governor in Council. With this kind of authority the minister does not need to use a big stick; he would receive that co-operation and help which is long overdue.

The president of the Canadian Manufacturers' Association, when testifying before the committee had the unmitigated gall to tell the minister to his face that his association had infinitely more knowledge of what the consumer wants than the minister, his government or Parliament. That suggestion, if nothing else, should have obtained some reaction from the minister. I was going to suggest it should have raised the hair on the back of his neck, but I will forget about that suggestion and forget about it as it applies to me. This is the kind of arrogant attitude taken by the manufacturers who place their products in packages and tubes in cornball amounts. For this reason it seems to me that the minister should almost be on his knees begging his colleagues to accept this amendment.

I have tried to be lighthearted in the way I have presented my argument, but I am not lighthearted in the seriousness with which I approach it. We

[Mr. Benjamin.]

cannot see anything in the present legislation which would allow the minister to prevent the kind of things that happen in respect of tubes of toothpaste, breakfast cereals, detergents and other goods. It seems peculiar to us that when one is buying Kellogg's Rice Crispies the three sizes contain 9 ounces, 13 ounces or 17 ounces. It is very strange that each size is one ounce more than half a pound, three-quarters of a pound and one pound. Can this be for any other reason than to deceive the consumer? Is it for no other reason than to make it almost impossible for Mrs. Jane Consumer to divide the number of ounces into the price and arrive at the value per ounce? There can be no reason for these quantities being put into packages other than to deceive and mislead.

● (9:40 p.m.)

Surely the minister most of all, if he wants to put his action where his mouth is, will want to accept this amendment. I know he has reiterated the constitutional argument put up in the committee. Surely that argument has been shot down in flames long before this. I ask the minister to reconsider this question and accept the amendment, if for no other reason than to jar some of the bureaucrats, particularly in the Department of Justice or a better reason to try to co-operate and consult with the consumers and manufacturers in respect of putting on the shelves of stores packages containing quantities which are comprehensible to Mrs. Jane Consumer.

**Mr. Basford:** Mr. Speaker, this really is the same discussion we had a little while ago on motion No. 2 in respect to adding a new clause 4. The same considerations and arguments apply to motion No. 5 as apply to motion No. 2. In so far as the last part of this amendment deals with the quantity in a package, it would seem to me the question of functional and non-functional slack fill, as it is called in the trade, is completely dealt with in clause 9 of the bill which provides:

No dealer shall sell, import into Canada or advertise any prepackaged product that is packaged in a container that has been manufactured, constructed or filled, or that is displayed in such a manner that a consumer might reasonably be misled with respect to the quality or quantity of the product.

So in so far as it is a question of a huge package only partially filled with a product, and therefore deceptive because people would think that from its size they were getting a larger quantity than they are, surely that is dealt with by clause 9. In so far as the amendment deals with the unit price, it would seem to me we discussed that matter earlier tonight, and so far as it can be dealt with under this legislation it is dealt with in clause 11 which was in the bill to begin with, and in clause 12 which was introduced during the committee hearings. Therefore, it seems to me this amendment should be defeated.

**Mr. James A. McGrath (St. John's East):** Mr. Speaker, there is a case to be made for the amendment moved by my hon. friend the member for Regina-Lake Centre (Mr. Benjamin). I should add, however, that in our view, as