

right to say whether or not margarine may be manufactured and sold within its boundaries. That is a provincial right, is it not?

Hon. Mr. Roebuck: No.

Hon. Mr. Bouffard: That is the decision of the Privy Council in the case of margarine, namely, that each province has the right to decide whether the product is to be manufactured and sold within its boundaries. It is for the province of Quebec to say whether the manufacture of margarine will be allowed there.

Hon. Mr. Roebuck: Does my friend argue that the province of Quebec can abolish trade across the interprovincial border?

Hon. Mr. Bouffard: Not at all; but I say that the Province of Quebec has no right to prevent a manufacturer in Ontario from exporting his margarine into that province. This federal legislation is designed to give the power necessary to prohibit its export to that province. We should have no sympathy with such a manufacturer, and we should not protect him when he is violating the law of another province. The only way that situation can be dealt with is by federal legislation.

Hon. Mr. Hardy: Then this bill, I take it, is for the benefit of Quebec.

Hon. Mr. Bouffard: I point out to the honourable senator that we are now talking about margarine. We have also to consider other substitutes, such as dried milk and ice cream substitutes. These articles are not enumerated here. If the province of Ontario wants to permit the manufacture of these substitutes, that is its own business.

I point out that if Quebec permitted the manufacture of an ice cream substitute, Ontario could object to its sale within that province, thereby protecting its own farmers. I believe that Ontario will some day decide to protect its farmers. If, for instance, Quebec attempted to send into Ontario a product prohibited by that province, I would be the first to advocate the punishment of the man who tried to violate that prohibition. It is a protection that each province should have, and the central government should assist the provinces to accomplish that end. There is no other way of punishing a man who violates the law of a province. No province has the right to prohibit the importation of the products of another province, except through power given it by federal legislation.

If margarine were manufactured in eight of the ten provinces, I do not believe that any senator would suggest that it should not be sold freely within the boundaries of those

provinces. Does it occur to anyone's mind that the cabinet would enact an order in council setting up a trade barrier between two provinces such as Manitoba and Ontario, both of which manufacture margarine? I do not think the cabinet would be so foolish as to suggest such a thing. This bill specifies that power shall be given to the cabinet so that a manufacturer from one province can be prevented from exporting to another province a product which is prohibited in that province.

Hon. Mr. Lambert: May I ask my honourable friend a question? Does he think that the government in proposing this legislation, subject to implementation by order in council, is seeking to transfer all interprovincial trade with respect to a butter substitute from the Department of Trade and Commerce to the Department of Agriculture?

Hon. Mr. Bouffard: Not at all. I say that the government wants to prevent the importation from the United States of a large number of substitutes for dairy products. As to margarine, there is no question that it is coming into Canada; there is no legislation to prevent it and other things from coming in. Upon the passage of this bill it will be for the Governor in Council to decide, the advice he receives, whether he will prohibit the importation from the United States of such a product as ice cream substitute. Margarine is not a dairy product, but is made from oil; similarly, synthetic cream is a combination of skim-milk and oil. The importation of these products is of no benefit to Canada; and it will, as I say, be for the Governor in Council to decide whether the dairy industry should be protected in this respect. This legislation would permit the Governor in Council to define and enumerate the products that will be refused importation.

The passage of this bill will, of course, not affect those provinces which choose to manufacture and sell certain substitutes for dairy products within their own boundaries. For example, if Quebec were to decide to allow the manufacture and sale within that province of ice cream made from oil, that would be its own business. At the same time, the Province of Ontario should have a right to determine whether the product should come into that province. The only means by which such interprovincial commerce can be prohibited is by federal legislation.

Hon. Mr. Lambert: Would my honourable friend venture an opinion as to why the provinces do not enforce more strictly the regulations regarding the ingredients and quality of ice cream? He referred to the use of oil in the manufacture of ice cream. That is an extreme example; nobody thinks of