

Pesticide Residue Contamination

farming operations in order to make a go of things. Fortunately, I was engaged in the practice of law and made sufficient income to prop up my income as a farmer. I rather think that under the present government we are heading for the same situation. If it should happen that the constituents in my area I feel I could do better at home, then I will go back to farming buoyed up, in view of what the Minister of Finance is doing in respect of the estate tax, by the knowledge that I will have ample income from my law practice to keep the farm going.

Mr. Kierans: Are you asking for an opinion?

Mr. Baldwin: I do not think so. I do not believe the minister is an entirely unprejudiced witness under such conditions. In the Peace River country we raise a lot of cantaloupes and cucumbers. We even raise a lot of corn. My familiarity with hybrid corn has done me a lot of good in dealing with this government. I remember one year when we farmed at the foot of a hill in a valley in the Peace River country. In the spring, after about 18 acres of corn had been planted a heavy rainfall caused water to run down the hill. The corn was damaged. I learned later that the damage was caused by the residue from pesticide which had been used by the farmers over the hill. The crop was ruined.

When I read Rachel Carson's book "Silent Spring" later, I was interested in it for this reason. There are variations of the damage caused. A number of years ago a very large school of fish in the middle of the Pacific Ocean was found after examination to have absorbed certain pesticides which had caused the fish to die. In the world in which we are now living it is difficult to say where we are going, so I believe this could be very important legislation.

The legislation compels the farmer, in order to secure compensation, to throw himself entirely on the mercy of the government. In order for him to be eligible there must be a letter received by the Minister of Agriculture from the Minister of National Health and Welfare confirming that an inspection of an agricultural product of that farmer made under the Food and Drugs Act has disclosed the presence of pesticide residue and that the sale of that product would be contrary to that act or the regulations made thereunder. Having in mind how slowly the processes of government work and having in mind that the farmer must secure this certificate from the

[Mr. Baldwin.]

Minister of National Health and Welfare, we can see the many problems which might arise. We might wonder how promptly the Minister of National Health and Welfare would act in making his report. The minister must also be satisfied that the pesticide residue in or upon the product is not present because of any fault of the farmer. That is a unilateral decision the minister will make. I am not saying that this or any other minister may not make the decision properly but we know these will be decisions made in the field.

Mr. Olson: Technical problems.

Mr. Baldwin: I have been engaged in fighting technical problems for a great many years. I know how difficult it will be for a farmer faced with this problem when the damages may well run into thousands of dollars. This alone is reason enough why we should make sure we give the farmer all the protection we possibly can.

• (4:00 p.m.)

We then find that the next hurdle the farmer has to overcome is that he may be compelled by the minister to start proceedings in court to recover what the minister feels may be his lawful damages, or the minister may in turn request the farmer to assign his claim to the minister. I have had a lot of experience with cases of this type under the workmen's compensation act. They involve the individual in a great deal of difficulty. He comes into contact with government red tape at its worst. Yet this is another condition precedent to the farmer being eligible to receive some compensation. I do not quarrel with those clauses to the extent of saying they should not be there, but I am pointing out these things to indicate the problems with which the farmer will have to contend in trying to become eligible for compensation.

Now we come to the final stage to which reference has been made by my colleagues and by members of the New Democratic Party, namely, the question of appeals. I do not know where the government found the term "assessor". I think it goes back to the old admiralty courts. The assessors under the bill are judges of the Exchequer Court or the superior courts of the provinces. They act in a judicial capacity but they also act as *persona designata* under the terms of the legislation and are governed by its terms. Without in any way saying that these assessors will not give to the decision of each case a clear,