

Patent Act—Trade Marks Act

In effect, we are assured that if the Food and Drug Directorate is unable to elicit the necessary co-operation from foreign manufacturers, then their product will be excluded from the Canadian market. In this regard let it be noted that the Food and Drug Directorate already has the responsibility to ensure that drugs on the Canadian market including those from abroad meet all the requirements of the Food and Drug Act and Regulations.

The Hoffmann-LaRoche company of the Pharmaceutical Manufacturers' Association of Canada acknowledges the practice of generic manufacturers of maintaining adequate quality control as outlined in their statement again before the Harley committee. Let me quote from page 730:

—the copier has to have quality control all the time; he has to, to comply with the Food and Drug Directorate and in order to stay on the market... If he is caught with bad drugs he will not be there—

The Horner company expressed a similar opinion when a representative said:

If the Canadian importer of raw materials is able to show that his compounded dosage form meets food and drug requirements for stability, disintegration and dissolution, there is no reason to think that the public will be exposed to any new or different risks.

The same principle shall apply, of course, to the importation of finished dosage forms.

In conclusion, I should like to say that the amendment to the Trade Marks Act should not in any way affect present levels of safety assured by the Food and Drug Directorate. Hon. members know that before drugs which are imported can be offered for sale, an arrangement is in effect whereby customs officers at the larger ports of entry hold drug shipments until the invoices have been checked and, where considered necessary, lots sampled.

There are other safety controls. Hon. members should be aware of the fact that the Food and Drug Directorate has the responsibility to ensure that drugs which have different formulae, but bear the same trademark, which are imported into Canada are as safe and as efficacious as those drugs which bear the same trademark and are manufactured in this country. In addition, all imported drugs must meet all requirements of the Food and Drug Act and regulations. These include the requirement that both the inner and outer labels shall carry adequate direction for use, a quantitative list of the medicinal ingredients contained therein, and a correct statement

of net contents. By this regulation, the composition of imported drugs would be known to the pharmacists and, if the drug is not sold on prescription, to the purchaser as well.

Variations in the formulae of drugs imported into Canada which bear the same trademark as Canadian drugs will probably be minimal, but if they are sufficiently different to constitute a danger to Canadians hon. members know that under this legislation the minister can and will probably take appropriate action.

Safety and efficacy should not be maintained by conferring and perpetuating a monopolistic control over the drug market by large drug firms through patent and trade mark legislation. The obvious and sound technique, the technique contemplated in this measure, is to ensure safety by providing that drugs on the Canadian market, be they imported or domestically produced, meet all the provisions of the food and drug regulations.

I apologize to the house for racing through a speech which was scheduled to be longer than 25 minutes. Many aspects of this measure have been discussed heretofore in the house and I think it has been established that the case for action is unassailable. It is to be hoped that this measure will enjoy substantial support on the part of hon. members concerned about the welfare of Canadians, no matter where those hon. members may sit in this house.

The Acting Speaker (Mr. Richard): Order, please. It being four o'clock the house will now proceed to the consideration of private members' business as listed on today's order paper, namely private bills, public bills and notices of motion.

BUSINESS OF THE HOUSE

Mr. MacLean (Malpeque): Mr. Speaker, before we proceed to private members' business perhaps the government house leader would place on the record the order of business for Monday and one or two other days of next week.

Mr. Macdonald (Rosedale): Mr. Speaker, I thank the hon. member for his question and for this opportunity to outline the business for next week. There is a change in the order of business announced yesterday in view of the fact the item we have been discussing today has not been passed. As the first order of business on Monday we will call item 37,