

years on this matter. Part of that 1966 report reads as follows:

Your committee feels that the dissemination of family planning knowledge should be completely available and free from any fear of illegality, as a matter of personal choice.

On the following page of the report we find these words:

Medical knowledge and technique are at a level today where intelligent family planning can be carried out relatively easily. The present laws of Canada have made this impossible in its fullest sense. It is the feeling of your committee that family planning is a personal decision of a married couple and the state should not interfere with action or laws in any way to influence such a personal decision.

That is a little longer-winded way of saying what the Prime Minister (Mr. Trudeau) has put in very pungent language, that the state has no business in the bedrooms of the nation. I am glad to see that the result is this legislation.

In the bill now before us the government has embodied all the recommendations of our committee report. As the minister pointed out, these are three in number. One was that section 150 of the Criminal Code be amended by taking out those three little words which are pregnant with misery, "preventing conception or". By taking those three words out of the Criminal Code we are taking birth control out of the category of crime. The second was that the Food and Drugs Act be amended so that the word "device" is broadened to include contraceptives, which now come under the aegis of the Food and Drug Directorate. The third was that the Food and Drugs Act be amended to control the advertising of contraceptives.

• (4:10 p.m.)

I notice that the minister stated that the advertising of contraceptives was, in his opinion, if I understood him correctly, to be limited only to those organizations concerned with family planning and information in connection with it. I am a little worried for fear this may be interpreted too narrowly in the regulations. For this reason I should like to quote the position which was put on paper on September 27, 1968, by the Family Planning Federation when they wrote to all of us concerning what they would like to see in the regulations governing advertising. The Family Planning Federation, which has its French language counterpart in La Fédération Pour la Planification Familiale, said the following

Food and Drugs Act—Narcotic Control Act regarding the advertising of family planning devices:

Our position is that the innate good taste of the general public will dictate what they will accept in the way of advertisement of any product.

Then they quote the following:

The medical committee of the F.P.F.C. feels strongly that no distinction needs to be drawn between regulations concerning contraceptive products and regulations already applicable to controlled drugs, to patent medicines, cosmetics, beauty aids, tampons, toilet paper, suppositories for feminine hygiene, deodorants, and the like.

Mr. Munro: Mr. Speaker, since the hon. member is coughing, perhaps I might answer the question she asked me. She wondered what advertising would be permitted. Our understanding is that in the committee, of which the hon. member was a member some concern was indicated with regard to widespread advertising and a desire was expressed for some type of control. We propose to do it by regulation and not to restrict it in respect of the various responsible agencies that are concerned with birth control and family planning. What we are really talking about here is the prevention of direct advertising by the manufacturers themselves.

Mrs. MacInnis: The quotation continues:

We therefore recommend that contraceptive products should be considered on precisely the same terms as other products for which regulation of controlled drugs or hazardous substances is necessary.

Mr. Munro: From her coughing, I think the hon. member is smoking too much.

Mrs. MacInnis: That is one temptation I have not had. It is the only minor vice I do not have.

I just wanted to put that opinion on the record. This legislation will do a number of very desirable things, and I want to summarize them briefly. First, it will bring our law into line with the way we live. Birth control is being widely practised across Canada. The figures of birth in Canada show this to be the case, not without exception in the Canadian provinces but certainly it is so in those provinces where one might expect not to find declines in the birth rate.

Second, it will provide rules that can be respected and will create respect for the law as a whole. Several witnesses appearing before our committee impressed on us the fact that birth control legislation under the Criminal Code was not good legislation because it could not be enforced. They said it would bring