

Pest Control Products Act

departments or agencies of the federal government or any provincial government.

One would have thought that legislation like this, passed some years ago, would automatically apply to federal agencies and departments. Therefore, the obvious intent of this legislation is very specific; that is, to make it applicable to areas of provincial jurisdiction. One must then ask whether or not ministers of the government, such as the Minister of Agriculture, the Minister of the Environment (Mr. Roberts), or some other minister, had undertaken extensive negotiations with the provinces to come to some agreement with respect to the extension of this legislation to areas of provincial jurisdiction.

During the first half of the decade of the seventies, I was rather extensively involved in an attempt to reach an accord between the federal and provincial jurisdictions with regard to the applicability of various sections of the Constitution to environmental matters. It was obvious, early in the seventies, that there was some degree of confusion as to just where the concern and responsibility for subsequent legislation lay in Canada with respect to environmental control. Of course, on several occasions we had reached federal-provincial accords for the protection and enhancement of environmental quality in Canada as a result of some major conferences, particularly the Stockholm Conference on the Human Environment in 1972, and a series of conferences in connection with the Canadian Council of Resource and Environment Ministers. One fundamental understanding we had between the provinces and the federal government was that the federal government would be primarily responsible for the establishment of ambient standards across the nation which would subsequently be followed by the provinces. However, it was understood that the provinces would be primarily responsible for establishing source standards and, indeed, the regulation and enforcement of those source standards. Therefore, the amount of effluent from a plant or the distribution of some particular type of pesticide was supposedly a matter for provincial regulation and control, rather than federal control.

I would therefore ask whether or not this action and this change to the legislation is being undertaken unilaterally by the federal government or whether, in fact, it is being done after considerable consultation and agreement with the provinces. I think that in light of the new constitutional accord with the provinces, there will be areas of doubt in the future concerning jurisdiction. We will wonder whether the jurisdiction lies with the provinces or the federal government or whether it comes under property and civil rights or some other area. There will surely be a continuing and increasing need for discussion, co-operation and agreement in areas like this.

Therefore, without holding up the bill any longer, I would again simply ask the federal government, in the hope that it can answer, whether or not it has had substantive discussion and agreement with the provinces; if so, which provinces have been consulted with regard to the addition of Clause 1 of this bill which will make it binding upon them?

● (1430)

Mr. Simon de Jong (Regina East): Mr. Speaker, unlike the two previous speakers, I think this is an important amendment. Perhaps the importance is not what is in the amendment itself but what is missing. This act has not been reviewed or changed for some time. I believe a minor amendment took place in the mid-1960s. Many important developments have occurred since that time, particularly in the area of chemical control of weeds and pests.

This is an important issue because it places before us the issue of technological innovations and how our society adapts and deals with them. Over the last two decades we have seen a growing number of ways in which insects, pests and weeds are controlled by chemicals, but we have never taken a look at the side effects which these new chemicals have on the environment and on the health both of the consumer and the producer. It is a case whereby one section of society has gone forward and innovated new technologies without really taking an over-all look at the effects of other sectors upon society.

Indeed, this is an important issue. Every year hundreds and thousands of gallons of toxic substances are distributed throughout our environment, possibly causing great havoc to our environment and to human health. The system that has existed so far has been an honour system. When a new chemical is produced by a manufacturer, that manufacturer may have spent several years working on the product and might have invested \$20 million in research. That manufacturer will be very anxious to see his particular product get registered, allowing him to market it to farmers and to other consumers. However, before marketing can take place, the government insists on the company coming up with studies which demonstrate the product is not hazardous to the environment and to the health of both the consumer and the producer.

The government has relied on the data of private labs to verify that the substance in question is not carcinogenic or harmful to the environment before allowing its registration. But very often in the last several years these private labs have deliberately falsified their tests. The major scandal, of course, centred around the Industrial Biotest Laboratories of Illinois in the mid-1970s. This lab removed dead mice and replaced them with live mice. They deliberately altered the results of their tests. A chemical called captan was developed by Chevron. Chevron requested that IBT alter its findings and study documents.

We have had cases in which corporations that were developing chemicals have asked testing companies to deliberately falsify the test results. As a result of these tests, governments determine whether or not to allow registration of chemicals.

The IBT scandal is one of tremendous magnitude. Most of the major pesticides and herbicides on the market in Canada today were tested by that lab. It was on the basis of those tests that the Canadian and the American governments allowed these products on the market. IBT is not the only case, of course. There are other cases. For example, criminal convic-