give him the impression that we want to split hairs but, on the other hand, we want him to make serious recommendations and to put into practice, as soon as possible, those made by experts and by responsible organizations across the country, a few months ago.

They are still waiting for the minister—and I congratulate him on his appointment—to establish a charter of consumer rights in order to protect the manufacturers who want to put quality products on the market and to take the necessary steps to eliminate "scrap" manufacturers and the dangerous products they make.

• (12:40 p.m.)

[*English*]

**Mr. Basford:** Mr. Speaker, again I concur with the hon. member in his concern about safety; it is also our concern. I have tried on a number of occasions to explain that in dealing with this bill I think it is vitally important for the safety of the Canadian public that the functions of the Commissioner of Patents and the Director General of the Food and Drug Directorate not be confused and that there be no overlapping of their functions. The Commissioner of Patents will grant a compulsory licence under the existing law or under this amending bill unless he sees good reason for not granting it. But if, in fact, a product produced pursuant to an interim or compulsory licence or patent process generally is not of the same quality or with satisfactory safety levels, this does not mean that the determination in respect of quality or safety will be made by the Commissioner of Patents. It will be made by the Food and Drug Directorate and the product, pursuant to the regulations we now have, will be taken off the market.

While such a finding by the Food and Drug Directorate would undoubtedly, I think, be taken into account by the Commissioner of Patents in deciding if he has good reason for not granting an application or interim licence, he cannot and should not be expected to make that finding himself. If he did he would be usurping the judgment of the Food and Drug Directorate and confusing the functions of the Commissioner of Patents and the Food and Drug Directorate.

I agree completely, and it is the position of the government, that drugs of improper quality or ones which do not measure up to safety standards should not be on the market. It is our position, however, that that decision must be made by the Food and Drug Directorate. Under the existing law they have the power to control all drugs which are on the market. If a drug is unsafe or not of proper quality it can be taken off the market. Just to ensure that the Food and Drug Directorate has this authority we have clause 5 in this bill which removes any shadow of doubt that they have the power to deal with drugs of improper quality or which do not meet safety regulations.

I think it would be quite improper for me to attempt to draw a law that would confuse the functions of the Commissioner of Patents and the Food and Drug Directorate. I think this amendment would create such confusion and that it is a confusion which should not be allowed.

[*Translation*]

**Mr. Rondeau:** Mr. Speaker, I would like the minister to explain how it is that drugs are found on the market which, in fact, are nothing but coloured dust? How can the minister argue that the regulations can automatically revoke the licences of manufacturers who, for years, have been cheating the public and pouring trash on the market? On the other hand how is it that, in spite of allegedly specific regulations, certain products are now polluting our water to the extent that the federal government will have to spend, within a few years, millions of dollars to fight it, and that the Minister of Consumer Affairs has failed to enforce any regulations whatsoever to forbid the manufacture of products likely to directly pollute the waters.

**The Acting Speaker (Mr. Béchard):** Order. I guess the honourable member was rising to ask a question but since it appears to be somewhat lengthy, I should remind him that he is only allowed to speak once under the rules.

**Mr. Rondeau:** Thank you, Mr. Speaker, for reminding me of the rules. My question, was a little lengthy maybe, but it is nevertheless important.

How is it that trash should be sold as pills and that products likely to directly pollute the waters are being manufactured under licences which allow manufacturers to operate?

[*English*]

**Mr. Basford:** Mr. Speaker, the Food and Drug Directorate is not within the Department of Consumer and Corporate Affairs, as the hon. member will appreciate. It falls