

Patent Act—Trade Marks Act

continued increase in scientific research in Canada should be considered.

Therefore, it is in the public interest, as defined in the Harley committee, that the objective should be good quality medicine, but at a price which our less fortunate people can afford.

Consequently, I move, seconded by the hon. member for Richmond (Mr. Beaudoin):

That clause 1 (4) be amended by inserting after the word "licence", on line 19, page 2, the following words:

"and, in the case of an import licence, such licence shall be declared by the Commissioner to be in the public interest and the foreign manufacturing plants shall be opened for inspection.

[*English*]

Mr. Basford: Mr. Speaker, I regret very much that the mover of this amendment is in hospital, and I am sure that all members of the house join with me in wishing him a speedy recovery. I hope that his condition is not serious. I would have hoped also that before he went to the hospital this bill could have become law so that during his stay in the hospital he could have received his drugs at a cheaper price than he gets them now.

I am in complete agreement with the hon. member who spoke in support of this amendment that the paramount consideration must be the safety of drugs that are available to the Canadian public. This has been the position of this government ever since we introduced this legislation. However, while I am in agreement on that paramount consideration, I must say that this amendment is directed toward ensuring that the manufacturing plants of the imported drugs are inspected by the Food and Drug Directorate.

I consider that this amendment is quite unnecessary because of the powers given to the Food and Drug Directorate under clause 5 of this bill, part of which reads as follows:

—the Governor in Council may make such regulations governing, regulating or prohibiting

(a) the importation into Canada of any drug or class of drugs manufactured outside Canada, or

(b) the distribution or sale in Canada or the offering, exposing or having in possession for sale in Canada, of any drug or class of drugs manufactured outside Canada,

I also refer the hon. member to the existing regulations which were passed by the Governor in Council in May of 1968, namely regulations C-01055 and C-01056 governing the importation of drugs and the inspection of manufacturing plants abroad.

[Mr. Dumont.]

So, while I am in complete agreement with the hon. member that the safety of these drugs is paramount and that the authority and power of the Food Drug Directorate to control the importation must be complete, I think the amendment is unnecessary because this power is already contained in the Food and Drugs Act as amended by this bill.

Mr. Deputy Speaker: Is it the pleasure of the house to adopt the said motion? All those in favour please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those opposed please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my view the nays have it. I declare the amendment lost, on division.

Amendment (Mr. Lambert, Bellechasse) negatived.

● (9:00 p.m.)

[*Translation*]

Mr. André Fortin (Lotbinière): Mr. Speaker, seconded by the hon. member for Shefford (Mr. Rondeau), I move:

That Bill C-102, an Act to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act be amended by inserting in clause 1 (4), after the word "licence" on line 19, page 2, the following words:

"and subject to a report from the Food and Drugs Directorate of the Department of National Health and Welfare that the applicant has complied with all the provisions of the Food and Drugs Act and that the medicine manufactured under such patent has the therapeutic and pharmaceutical equivalence of the standard product accepted in Canada".

Mr. Speaker, I moved that amendment to Bill C-102 in order to make manufacturers of pharmaceutical products, in Canada and abroad, supply quality products the safety of which could be the therapeutic and pharmaceutical equivalence of the standard products accepted in Canada.

Mr. Speaker, I would not like to waste the time of the house but I do wish to direct some very simple and important remarks to my hon. colleagues on that particular point.

Several commissions have investigated the problem of food and drugs in Canada. Those commissions were set up by the government and the industry in order to draft a food and drugs legislation the regulations of which could cope with modern society and ensure