

*Combines Investigation Act*

forage day after day in the marketplace. Our amendments seek to beef up the bill, as it were, to strengthen it and to put flesh on areas that we think are vague. One of those areas concerns false advertising.

Some of us have watched the warm relationship developing between the Minister of Consumer and Corporate Affairs (Mr. Ouellet) and corporations which are to be governed under Bill C-2. It seems to some of us that the minister has been acting more like a minister of corporate affairs than a minister of consumer affairs. But let me not deal in generalities; let me deal with a specific incident which involved a company operating in Sudbury. The corporation is not exactly poor and the particular incident I shall tell you about was brought to the minister's attention by the provincial member for Sudbury, Mr. Bud Germa, who has alluded to the incident as the Sudbury fine ham-sausage caper.

Apparently, a Woolworth's store in Sudbury advertised for sale at \$1.44 per pound a product which it called fine ham. On analysis, it turned out that the product was not fine ham; it was sausage and did not contain any ham at all. But this was not discovered until a great many letters had been written by various people. Under the Food and Drugs Act, Woolworth's could have been fined \$500, or the person responsible subjected to a penalty of three months in jail. After Bill C-2 is passed, section 36 of the Combines Investigation Act will provide for firmer, stiffer penalties. The proposed amendment, I suggest, will make the intent of the law clear and result in action in cases of this kind.

What bothers me is the relationship between the minister and those who engage in false advertising. I want to know if the Minister of Consumer and Corporate Affairs is going to provide consumers with protection. After the provincial member of parliament brought the incident to the minister's attention, and after it was found that the ham advertised was not ham but sausage, the minister wrote Mr. Germa a letter which I think important enough to read into the record. He wrote:

Officials of my department have now completed their investigation of the advertisement which you brought to my attention, concerning a product described as "Fine Ham" which appeared in the *Sudbury Star*, Monday, August 19, 1974.

It has been confirmed that the product in question was actually pork sausage and not ham as described. Both manufacturer and retailer have been advised that the label and advertisement were in violation of section 5(1) of the Food and Drugs Act. Both have received official warnings.

This incident did not involve some small corner store; it involved Woolworth's, a powerful corporation. It had participated in false advertising. The false advertisement had run for many weeks and many customers had bought the so-called fine ham. But there was no talk of reimbursing them; nothing was said about compensating consumers who had bought under false pretences what they thought was fine ham but which turned to be nothing more than pork sausage. I use that example to illustrate the warm relationship between our minister of corporate affairs and the corporations this bill is supposed to regulate.

Other instances of false advertising could be alluded to. For example, how can we permit deodorant makers to run ads like the one run by Dial soap? It suggests that Dial anti-perspirant soap does two things for friendship. How does that help consumers who try to forage in the market-

place? How does that help them select the proper soap? I don't know. How can you claim that Dial soap does two things for friendship? Can you say that five-day deodorant pads are better than any spray? How can a company advertise that a particular product is better than any spray? My amendment would require them to justify their claims. The consumer would be fully aware of the proof verifying the claims made in the advertising. Does Right Guard, for example, have the best wetness fighter of any anti-perspirant spray? What is a wetness fighter? How can Right Guard justify that claim? When a company places an advertisement, it should provide the supporting evidence to prove their claim.

● (1700)

All sorts of products are being pushed. There is a toothpaste that will get you girlfriends, and hair creams that will make you more socially acceptable. Those claims are being made, yet there is not one piece of legislation to regulate the whole jungle of advertising. People are being pushed to purchase junk. They are led to expect certain things of the products they buy with their hard-earned money, but lo and behold, these products do not produce.

There is another prime example of false advertising which is in no way covered in this bill. For example, the Ford Motor Company made all sorts of representations to the public that implicitly or explicitly aroused unwarranted expectations with regard to product effectiveness. They claim that with a certain Ford car you can get 26 miles to the gallon. Obviously, those results were obtained in highway tests under conditions which no ordinary driver would encounter. However, people are led to believe that they will get 26 miles to the gallon only from that Ford product and not from any GM product. It is not made clear to the consumer that the tests were made in a controlled situation. The consumer spends his money with that expectation of performance, but it falls far short of that. As a matter of fact, the Ford Motor Company was taken to court in the United States under that country's false advertising legislation. They were found guilty of false advertising because they did not clearly point out that the 26 miles per gallon could only be obtained under controlled conditions.

Another area which falls far short with respect to consumer protection in relation to false advertising is the cosmetics industry. This party's amendment would demand that qualities not be claimed unless they can be proven. All sorts of claims are now being made for cosmetics. For example, certain companies advertise that their face creams will fight acne and make your skin smoother. There has been much investigation in this area. In fact, it has been proven that there is no difference between putting face creams or cooking oil on your face. Indeed, and this is very important, many face creams irritate acne or cause skin blemishes.

There are even cases where blindness has resulted from the use of cosmetics. A study made in Canada shows that 29 per cent of women over 18 years of age reported adverse or allergic reaction to cosmetics. If a certain side-effect may occur, that should be clearly indicated on the label and in any advertising. Any hazards should be clearly pointed out. For example, aspirin is a blood thinner. For people with certain kinds of heart ailments, that could be very harmful.