Consumer Packaging and Labelling Act

Let me say why I cannot accept this amendment. As I say, it would destroy the very purpose of this bill which is intended to provide and assure some uniformity of packaging and labelling requirements by replacing a very great range and variety of regulations and provisions now scattered throughout some 12 or 15 different federal labelling acts, let alone all we may have in the provincial field. In addition, it would restrict the impact of this bill to certain importations to Canada and goods of inter-provincial trade.

The bill, as now designed, proposes to bring about an improvement in the field of packaging and labelling of all kinds of consumer goods, regardless of whether they are imports or enter interprovincial trade. We are suggesting here that the consumer is entitled to full information in respect of the packaging and labelling of all goods he buys. It does not matter whether they are imported or of domestic manufacturer, and it does not matter whether they enter interprovincial trade. Surely, the Canadian consumer is entitled to basic consumer rights under this kind of legislation. This measure is designed under the authority of criminal law and the federal power to prevent deception, confusion and manipulation. Surely, the consumer is entitled to protection against deception, manipulation and trickery, whether it be at the level of a domestic product, an imported product, or a product that enters the field of inter-provincial trade.

Surely, that is something basic to which the Canadian consumer is entitled, regardless of where he lives or what he is buying. Surely, he is entitled to protection against deceptive and misleading statements, trickery and manipulation. This is why we cannot accept this amendment. This is why I do not understand my friends opposite who get up and make great speeches to the effect that the consumer must be protected, then move amendments such as the amendment moved by the hon. member which would completely destroy this legislation. As I have said time after time, this legislation is designed as an omnibus packaging bill to encompass the various products and goods under federal departments of government. This can be done by the adoption of sovereign legislation over-riding other laws, and legislation. To do otherwise might have the effect of destroying the usefulness of this measure.

Mr. McGrath: Would the hon. minister permit a question?

Mr. Basford: Later, Mr. Speaker. There was some scuffling among witnesses who appeared before the committee, some of whom suggested we should not have clause 3 of the bill and that it should be amended as suggested by the hon. member. In this regard, I should like to quote from a brief presented to the committee by Dr. Ziegel. Hon. members know that Dr. Ziegel is one of the leading consumer lawyers in Canada. I should like to quote this sentence from the brief he submitted to the committee:

Where several Acts apply to a given subject matter, it is standard drafting technique to provide that, in the case of conflict, the later Act, which is the Act before the Committee, shall prevail over the earlier ones. That being so it is equally logical to provide that the later regulations passed under this packaging,

[Mr. Basford.]

labelling Act shall have precedence over the earlier ones. The alternative would be to require a time-consuming amendment of all the previous regulations.

Dr. Ziegel went on to state:

I foresee none of the dreadful consequences which the critics allege or any threat to the principle of Parliamentary sovereignty in Section 3.

The allegation was that clause 3 made this consumer packaging and labelling bill the primary measure overriding all other provisions and regulations. It was suggested that this was a terrible thing to do. I have quoted Dr. Ziegel who said that this is a very proper thing to do.

Let me quote what I suggested to the committee which, I might add, supported me in this:

One Act and one set of regulations has to have priority and precedence over the other, and what is before the Committee is, shall this Act, the later Act, the more modern Act, the most recent Act, have the precedence or shall some old Act have the precedence and the priority?

Mr. McGrath: Would the minister permit a question now?

Mr. Basford: We determined that this measure should have priority in order that we might establish Canadian uniformity in co-ordinating standards of packaging and labelling in respect of all products of a consumer nature. I attempted to make this clear to the committee. This is going to require extensive co-ordination with other government departments and with provinces as well as those in the private sector.

I want to reiterate the assurance I gave the committee regarding the understanding that this co-ordination will be forthcoming. We will be consulting with those in the private sector to ensure that various packaging regulations are as consistent as possible. The hon. member for St. John's East wanted to ask a question, Mr. Speaker.

Mr. Deputy Speaker: The hon. member for St. John's East has indicated he wants to ask a question. He can do so if there is unanimous consent of the House. Is there consent?

Some hon. Members: Agreed.

Mr. McGrath: If we accept the submission of Dr. Ziegel, why not bring in an omnibus bill, for which this government is becoming famous? This would have the effect of repealing the 15 statutes which already relate to these various things covered by the bill, thereby disposing of what is becoming a proliferation of legislation with the effect of confusing the consumer and the manufacturer?

Mr. Basford: I thought I had got that point across to the member at the committee hearings when dealing with precisely what he suggests. This bill is designed to establish a common uniform standard with respect to a number of things which are important to the consumer in terms of packaging and labelling practice, such as the declaration of net quantity. There is no reason why you should have 10 different regulations as to how net quantity is determined, whether it be in respect of a can of