

bill, but Mr. Jefferson wants to give an answer to that.

Mr. Jefferson: This bill would not provide for compensation in the circumstances you describe, if the residue arises from carelessness on the part of the farmer who puts it on or as a result of malformulation by the chemical company that prepared the pest control product or the pesticide. This bill would not provide for compensation in those circumstances.

In the first case the producer is responsible; he has misused the product and he is accountable.

In the second place, if it is the manufacturer who has made the mistake in formulating the product and does not have the right percentage, or if he has given improper directions, it would be he who would be responsible. This covers cases where the federal Government may be responsible and may have changed the rules.

Senator Welch: Is it the idea of this bill to compensate the farmer, or is it to protect the people, the consumer?

Mr. Jefferson: Basically, it is to protect the producer. This bill will not protect the consumer. The Food and Drugs Act will protect the consumer with respect to adulterated food.

Senator Welch: Why protect the consumer from his own carelessness?

Mr. Jefferson: It is not for his own carelessness, as I tried to indicate. It is where he is caught out, because he did in fact follow the recommendations for use and either the official recommendations for use were in error or, because of new information, the Department of National Health and Welfare felt that the old parameters of tolerance levels were too broad and that they needed to be restricted—and that the farmers could not adjust, if you like, because there was not an opportunity to adjust to the new rules of the game.

I might say, too, that one of the reasons—and I should have said this earlier—for this bill, is to remove to the extent possible the apprehension that agricultural producers in Canada might have about using pesticides, for fear of losses arising from a change in the rules—either as far as using them are concerned or the directions for use.

Senator Walker: Is it not a good thing that the farmer would fear and would do their bet to get rid of these pests?

The Chairman: You are right here, Senator Walker, but the concept here starts with the Food and Drugs section. They make the determination on food and drugs as to what is an adulterated product. They might have made a regulation some time ago that seven parts of DDT to a million would be something that the human system could stand. So then the farmers go ahead and use this material prepared in that fashion on their produce and everything goes along fine. Then the Department of National Health and Welfare have a second look and they have more studies and more information is turned up around the world in research, and they say, "Oh, the seven parts was too high; it should be four or it should be five parts."

Now, the farmer has gone out and used this product; the manufacturer has made it on that basis and sold it. Suddenly the Department of National Health and Welfare change the rules. The farmer immediately has a product that is not in accordance with the rules and therefore he cannot sell it. Under those circumstances, since that change has been brought about by action of some Government department, in the best interests of the people, if the farmer's crop is not saleable, then he should be compensated. That is the thinking behind the bill.

Mr. Jefferson: If I might speak to that point, Mr. Chairman, the use of pesticides is widespread. Modern food production not just in Canada but around the world is dependent upon the use of pesticides. It would be impossible for most segments of Canadian agriculture to be even as competitive as they are in the world market without the use of pesticides. We can say we will not use them in Canada and we can close out our agricultural industry, but we are still going to need food and, if we were to apply the rules to imported foods, we would have to rule out citrus fruits, our winter fruits and our winter vegetables, no matter where they come from.

The use of pesticides is an integral part of production. There is a risk associated with the use of pesticides, just as there is a risk associated with our transportation system. One way of getting away from car accidents or highway accidents would be to have no cars.

The Pest Control Products Act, which I understand you will be dealing with later,