

*Agricultural Products Act*

to export them from those provinces to the places where there is a shortage of supply.

I come back to this point. Before we can do the things that are necessary in order to fulfil the contracts we have made for the delivery of these products outside of Canada, we must have the right to interfere with the ordinary constitutional rights of the provinces across Canada. Under the War Measures Act we had that right. Under the transitional powers measure passed at the end of the war we had that right. Under the orders in council that are covered by this legislation we have that right, so long as this house gives us the authority to utilize the powers that are contained in those orders in council throughout the period of continuing emergency. What this bill is seeking is the authority to use that right for another year.

I submit again to this house that without that authority it is impossible for the government of Canada to enter into an agreement with anyone outside the Dominion of Canada and enforce upon the people of this country the delivery of the product to a board or to anyone else in order to see to it that that product is supplied at the place where the market exists. Again, that constitutes an emergency. Under the conditions under which we are working today, it is an emergency which requires the application of this legislation for a period of time beyond this date. I do not know that I need to say much more about the necessity for the legislation.

I have been listening to the opinions expressed, particularly by the members of the official opposition, to the effect that we are going to have some peculiar powers under this legislation. Some of the members who take that position follow it up with the suggestion that we ought to have a national marketing act in Canada. We did have a marketing act under the government of the late Right Hon. R. B. Bennett. The suggestion is then made that when this present government came into office that legislation was sent to the courts and it was declared ultra vires. Again, that is correct. There is one thing, however, they have never said, but nevertheless it is true. Every authority which we have in this legislation was in the marketing legislation of the late Right Hon. R. B. Bennett. We are not asking for any authority under this act that was not in that act.

The member for Lake Centre (Mr. Diefenbaker) says we ought to consult the provinces to ascertain what they wanted to do about it. There is no necessity for doing that, Mr. Speaker, since I have with me all the acts passed by the provinces. Right on the top of them, this blue one—it is the right colour coming from Ontario—is an act passed under the government of the present leader of the

[Mr. Gardiner.]

opposition. Every single power we ask for in this legislation is contained in each of those bills passed by the different provinces. In addition to that, the farm federation has drafted a bill containing every authority and every power that is in this bill which is before this house now. It contains every power referred to by my friend from New Brunswick. He was raising a question as to whether the shorter bill gave all the authority the federal government required in order to give to those provincial boards the authorities which have been given to similar boards by the different provincial governments across this country. I repeat that if we are giving great authorities to the minister, or if we are giving great authorities to the government, we are not breaking new ground. Wherever you have had a piece of legislation of this kind, it has been necessary to have those authorities. Someone said this afternoon: What did you ever take by compulsion under this piece of legislation? I said: Cheese. I presume that if we had sat a little bit longer someone would have said: Is that the only product? And probably I would have had to say: So far as I can remember, yes. Then someone probably would have said: You are not going to requisition cheese this year, so why do you want this bill? That would have been quite a logical series of questions.

But nevertheless there are reasons why these powers are in every one of these provincial acts. There are reasons why these powers were in the act that was brought before this house by the late Right Hon. R. B. Bennett. There are reasons why we have had these authorities in connection with every one of the orders in council that were passed during wartime and that have been passed since. There are reasons also why it has never been necessary to use them, except in connection with a limited number of products; and when we used them in connection with cheese, it was at the request of everybody in the business. Those in the business suggested that it was much easier for us to requisition the cheese and take it than it was for them to try to deliver it all to us. So in the middle of the war we took all the cheese that was made between May 1 and October 1, year after year, because that is the best cheese and was the kind of cheese that the British wanted delivered under their contract. So we just took it. The only reason why compulsion was exercised in connection with only one product was that fact.

But when we come to bacon, to pork products and to beef products, we are dealing with somewhere between forty and fifty packing houses scattered across this country from Vancouver to Moncton. I think prob-