

The CHAIRMAN: Very well, if that is the wish of the committee. I will ask Dr. Morrell to come here and go over the bill with us.

Dr. C. A. MORRELL, Director, Food and Drug Division, Department of National Health and Welfare: Mr. Chairman and honourable senators, the first objection was, I think, taken to the definition of "advertisement" in section 2, paragraph (a). This paragraph begins as follows: "'advertisement' includes any representation by any means whatever . . ." It has been suggested, I think by the Canadian Manufacturers Association, that the word "public" should be inserted before "representation". I wonder, though, if those words "any public representation" would cover all the field of advertising that it is desirable to cover. Are there not some companies which do only a door-to-door business and advertise in no other way?

Hon. Mr. MCGUIRE: I think we would get into a lot of difficulty by inserting the word "public", because then it would be necessary to decide what is public and what is private advertising. That would increase the difficulty of administering the Act.

Dr. MORRELL: That is just what we felt, senator. We ourselves have difficulty in deciding sometimes what is a public advertisement, and perhaps some magistrates would have difficulty too. Personally I do not feel that the Canadian Manufacturers Association have any real cause for worry from the proposed wording of the definition.

Hon. Mr. BURCHILL: The words "any representation" are very broad, however, as Senator Roebuck pointed out in the Senate recently. They might include representation by speech or conversation, I should think.

Hon. Mr. MCGUIRE: Yes. That is intended to be included.

Dr. MORRELL: We had in mind, senator, the kind of advertising that is done by a barker outside a tent at an exhibition. He talks to the public and recommends the goods that he has for sale. That is advertising.

Hon. Mr. BURCHILL: I agree with that.

The paragraph was agreed to.

The CHAIRMAN: The Clerk of the Committee points out to me that the next paragraph is wrongly numbered (d). That should be paragraph (b).

The paragraph was agreed to.

On paragraph (c), "cosmetic":

Dr. MORRELL: Mr. Chairman, one of the speakers here this morning said that there is no definition of "cosmetic" in the present Act, but there is, and it is practically the same as this proposed new one. In discussion with the Canadian Manufacturers Association a week or two ago they made some suggestions as to a definition, and we felt that this paragraph might be changed to read as follows:

'cosmetic' includes any substance or mixture of substances manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair or teeth, and includes deodorants and perfumes.

The only change there is the substitution of the words "manufactured, sold or represented" for the words "that may be used in or is represented". We felt that probably these words went too far, in that a product which was not represented for use as a cosmetic or not manufactured or sold for that purpose might be included within the present definition, and that was not our wish.

Hon. Mr. HAIG: You suggest this change, then?

Dr. MORRELL: Yes.