

tional or constitutes interference. Many other aspects of this bill could in fact fall into the same category.

One of the minister's colleagues said in committee that he would like to argue with the minister about the constitutionality of the bill. Under the provisions of the BNA Act the minister can accept this amendment. At his discretion, with the Governor in Council he could select products that were able to be unit priced in order to give the consumer the right to know the value per ounce or pound that he is getting for his money. Whether it be canned peas, ketchup or anything else, once containers are standardized, proliferation is prevented and there is uniformity of the number of ounces or other form of measurement for a container, prices can still be used to deceive. Commodities can be priced at two for 79 cents, four for 86 cents or any other screwball amount that a retailer or advertiser may choose in order to persuade people to buy a product, not because of value per ounce but because they give the impression that they represent greater value per ounce or pound.

There was a great deal of discussion in the committee and since about the validity of attempting this in this bill. I believe the minister would like to have this provision in this bill and use it on occasion. The minister seems to profess that what his department is doing leads all countries of the world. If he really means that, he will accept this amendment; he will try it with one or more products that he, his officials, the manufacturers—and processors have discussed and agreed upon as test cases.

• (9:10 p.m.)

If the minister continues to suggest that if he accepts the amendment and the courts throw it out, this would throw out all his legislation, he should have thought twice about bringing in this legislation in the first place. I do not believe this is the case. The minister should want to find out. If he does not want to find out, it is time he changed his mind, because I cannot follow the logic of his argument.

If this amendment is accepted by the government, and the courts after the test case throw it out, it seems to me the minister has lost no ground; he has the rest of the legislation to use for the benefit of consumers. If the courts throw out the whole bill on constitutional grounds, the minister cannot expect anyone in the House to believe that this one, little amendment would make the bill unconstitutional. Even an ignorant Prairie boy like me, who has spent most of his life jumping through the stubble is not going to believe that.

Mr. Deputy Speaker: Order. I apologize for interrupting the hon. member, but I must do so to advise him that his time has expired.

Mr. Knowles (Winnipeg North Centre): He is just a poor, ignorant Prairie boy! Let him go on.

An hon. Member: Jumping over the stubble.

Some hon. Members: No.

Consumer Packaging and Labelling Act

Mr. Deputy Speaker: Is the House ready for the question? All those in favor will please say yea.

Some hon. Members: Yea.

Mr. Deputy Speaker: All those against will please say nay.

Some hon. Members: Nay.

Mr. Deputy Speaker: In my opinion the nays have it.

And more than five members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 75(11), the recorded division on the motion No. 2 stands deferred.

The next motion for the House to consider is motion No. 3 in the name of the hon. member for Vancouver-Kingsway (Mrs. MacInnis) as follows:

That Bill C-180, an act respecting the packaging, labelling, sale and importation and advertising of prepackaged and certain other products, be amended by adding immediately after clause (9) the following:

"10. No dealer shall sell, import or advertise any product that has not been stored or maintained in accordance with the labels required pursuant to subparagraph (iv) of section 11."

Mrs. MacInnis: On a point of order, Mr. Speaker, may I draw to your attention the fact that I believe you read the wrong amendment? We have two amendments, the first one and then the second one which you read. I do not know whether the House would wish to take the two together or not.

Mr. McGrath: On the point of order, it seems to me that amendment No. 3 is automatically ruled out by the fact that amendment No. 2 was negated upon division. It is a consequential amendment.

Mr. Knowles (Winnipeg North Centre): But amendment No. 2 has not yet been voted upon.

Mr. McGrath: I apologize. We have not voted upon amendment No. 2.

Mr. Deputy Speaker: The division on amendment No. 2 was deferred under the appropriate Standing Order. I apologize to the hon. member for Vancouver-Kingsway; I did not follow her point of order.

Mrs. MacInnis: I wanted to draw attention to the fact that Your Honour read the wrong amendment. The amendment which should now be discussed is as follows:

That Bill C-180, an act respecting the packaging, labelling, sale and advertising of prepackaged and certain other products, be amended by adding immediately after subparagraph (ii) of subclause (b) of clause 10 the following—

That is amendment No. 4.

Mr. Deputy Speaker: Is the hon. member suggesting that the amendment now before the House should be deferred for consideration later? My understanding is that the amendment the House now has under consideration would logically follow the amendment the vote on