

the certain prescribed grades and standards, section 6 deals with the control of such items as the Governor in Council may declare to be dairy-product substitutes. The substitutes with which the dairy industry is most concerned at the present time include substitutes for vegetable oils, in such items as whipped cream, ice cream, condensed milk, cheese, and fluid milk. In reply to a question in the other house, the Minister of Agriculture said that under this bill there would also be power to affect a commodity such as oleomargarine, particularly in provinces which prohibit the manufacture and sale of this commodity. There is precedent for establishing grades and standards in connection with interprovincial and export trade, it seems to me that there is no question about the government's authority in that respect. The precedent has been established in other statutes.

With regard to the latter part of the bill the substitution of various products for products of the dairy industry. The government feels it desirable to have power to control interprovincial trade in such goods as may be declared to be substitutes for dairy products.

Hon. Mr. Lambert: Would the honourable senator qualify that statement by saying "restrictive control"?

Hon. Mr. Robertson: Well, whether it is restrictive or not might be a matter of opinion, I suppose, but the government certainly is asking for power to control interprovincial trade in all kinds of substitutes for dairy products.

There may be some other points on which I could give explanations if honourable senators wish to ask questions of me, although I am very humble in dealing with these matters. Should the bill be given second reading I shall move that it be referred to committee, and I have arranged for departmental officials and members of the government who are more conversant with the details of the measure than I am to be present to answer any questions.

Hon. Mr. Hardy: I understood the honourable senator to say that this measure is along the lines of other statutes for the control of interprovincial trade in fruits and other goods. I am not aware of any such legislation, and I should like to know if his statement is correct.

Hon. Mr. Robertson: I can only say that I am advised that power of control is given in the Fruit, Vegetables and Honey Act and in the Live Stock and Live Stock Products Act with respect to the establishment of certain grades which are used in connection with interprovincial trade.

Hon. Mr. Hardy: With respect to grades, not substitutes?

Hon. Mr. Robertson: I was careful, I think, to point out that I was talking about grades, not substitutes.

Hon. W. D. Euler: Honourable senators, this innocent looking bill, brought in on what is almost literally the last day of the session, is described as an Act to establish national standards for dairy products and to regulate interprovincial and international trade in dairy products. I have no objection to granting the Governor in Council power to make legitimate regulations to achieve proper purposes, but having examined the bill—and I hope all senators have examined it—I am amazed that any government, especially a Liberal government, should sponsor legislation giving itself power to prohibit trade between the provinces, freedom in which may be described as one of the corner-stones of confederation. I am further surprised that the House of Commons should, almost without any comment, surrender to the cabinet a power which, in my opinion, parliament itself should never exercise, and which certainly should not be given to the cabinet.

Most of what I have to say will be about clause 6 of the bill. If members will read that clause they will discover there implications to which the Senate should never give consent. If I bring margarine into the discussion, it will be principally for two reasons. The first is that the government's past record in its opposition to margarine leads me to suspect that this bill is another method to handicap the sale and use of that product. I may say, incidentally, that for some more or less subtle or obscure reason, margarine has now been promoted by this measure into the family of dairy products; but it is still the step-sister of them all, in that it is subject to the 10 per cent sales tax, to which butter and other foods are not subject. My second reason for bringing margarine into the discussion is that it provides a striking illustration of the application of the vicious principle—I say that advisedly and deliberately—of prohibiting trade between provinces, and of doing so by order in council.

Let us examine clause 6, which in my opinion is the essence of the bill. Clause 5 is similar, and to me seems somewhat redundant, although I feel that both clauses should be eliminated from the bill. Clause 6 says:

The Governor in Council may by regulation prohibit

- (a) importation into Canada or into one or more designated provinces,
- (b) exportation out of Canada or out of one or more designated provinces, or