

advertising practices which tend to mislead consumers so that appropriate legal or administrative action could be taken to eliminate abuses in advertising and selling practices.

(c) Consumer information

In its Interim Report, your Committee called attention to the need for additional efforts by government departments "to distribute as widely as possible attractive and informative material which will help the Canadian housewife to be a well informed and careful shopper." The formulation of an information program should be centralized in the Department of Consumer Affairs. Without disputing the value of informative and attractive pamphlets for distribution to schools, consumer groups and the general public, your Committee believes that increasing attention should be devoted to television programs of interest to consumers. The impact of information conveyed in this fashion is likely to be greater, provided the material is well-conceived and well-executed.

Your Committee was favourably impressed during its hearings in Ottawa and in other parts of the country by the valuable work being done in continuing consumer education by the Consumers' Association of Canada. This organization has been effective in sponsoring many changes beneficial to the health and pocketbook of the consumer. Its periodical publication "Canadian Consumer" (Le Consommateur) contains a great deal of useful information on consumer products. Your Committee believes that the program of product testing which the Consumers' Association of Canada has undertaken would be of great value to a much larger group of Canadian consumers. In addition to the Consumers' Association of Canada, your Committee wishes to acknowledge the vigour and initiative of other consumer organizations, both local and national, who drew attention so forcefully to the problem of rising food prices during 1966.

Your Committee heard expert testimony on the question of the control of domestic commerce through the criminal law and was impressed by the views expressed by Lord Atkin for the Judicial Committee of the Privy Council in the case of *Proprietary Articles Trade Association v. A.-G. for Canada*, (1931) A.C. 310.

"if Parliament genuinely determines that commercial activities which can be so described are to be suppressed in the public interest, their Lordships see no reason why Parliament should not make them crimes. 'Criminal law' means 'the criminal law in its widest sense': *A.-G. for Ontario v. Hamilton Street Railway Company*, (1903) A.C. 524. It certainly is not confined to what was criminal by the law of England or of any Province in 1867. The power must extend to legislation to make new crimes. Criminal law connotes only the quality of such acts of omissions as are prohibited under appropriate penal provisions by authority of the State. The criminal quality of an act cannot be discerned by intuition; nor can it be discovered by reference to any standard but one: Is the act prohibited with penal consequences?..."

Despite this, your Committee feels that too much reliance has been placed on criminal law in controlling or prohibiting practices which are injurious to the welfare of consumers. The fact that federal jurisdiction for consumer welfare has depended so heavily on criminal law has made it difficult to regulate some practices which are undesirable from an economic point of view but which do not