licensee not complying with the terms of the compulsory licence would be subject to an infringement of patent action by the patent owner. What the hon. member is concerned about in moving this amendment is already provided for in the general law of the land. For this reason I cannot accept the amendment.

[*Translation*]

Mr. Rondeau: Mr. Speaker, may I put another question?

As the number of licences revoked as a result of the enaction of regulations which have not being complied with, is insignificant, would it not have been possible for the minister to amend the present legislation so that the Commissioner could revoke licences at his discretion, when regulations are not complied with?

Nobody keeps a watch on the companies which are not complying with the regulations, and no licence has been revoked.

The minister says that licences have been revoked because the regulations have not been complied with but, according to the statistics, no licence has been revoked. This act seems to be applicable but it has never been enforced. The minister should apply it in the case of companies who have not complied with the regulations and still have their licence. I know several companies like that.

[*English*]

Mr. Basford: Mr. Speaker, if the holder of the compulsory licence does not comply with its terms he is open to an infringement action by the owner of the patent. It is a self-policing action and in our view is sufficient for the purpose.

The Acting Speaker (Mr. Béchard): Is the house ready for the question?

Some hon. Members: Agreed.

The Acting Speaker (Mr. Béchard): Is it the pleasure of the house to adopt the said motion?

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mr. Béchard): All those in favour of the amendment will please say yea.

Some hon. Members: Yea.

The Acting Speaker (Mr. Béchard): All those opposed to the amendment will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mr. Béchard): In my opinion the nays have it. I declare the amendment lost, on division.

Amendment (Mr. Rondeau) negatived.

• (12:30 p.m.)

[*Translation*]

Mr. René Matte (Champlain): Mr. Speaker, I move:

That Bill C-102, to amend the Patent Act, the Trade Marks Act and the Food and Drugs Act, be amended by inserting in clause 1 (10) (b) after the word "effect" on line 6, page 4, the following words:

"or immediately where the quality or safety of the product has been the cause of the rejection, and all persons who have acquired such product under a patent shall have their licences revoked."

Mr. Speaker, even the slightest error cannot be tolerated, and that must be brought home to drug manufacturers.

It is not after a number of deaths will have been caused by poor quality products or a few people's health will have been affected by a product of dubious quality, that it will be time to act. We cannot allow such manufacturers to retain their licence, be it only for a short period of time.

If the manufacturer were aware that his licence can be revoked if he sells a product of poor quality, it would help to further protect the consumer. That is the object of the amendment I am moving.

We would also have to make sure that the dosage directions are properly indicated so that the buyer will not run any kind of risk.

There is a peculiar situation in this country, because it is a bilingual country, and many products are labelled in both languages. But, as the minister knows, it sometimes happens that on a bottle, the instructions for use in English will specify two tablets a day, and the instructions in French will indicate only one every four hours. There is certainly something wrong here.

It may be a quality product, but the instructions are ambiguous, and I would call this a case of criminal negligence.

In such cases, the manufacturer should have his license revoked, and knowing that this can be done, he will be most careful.

It also happens sometimes that sales promotion of some products is pushed too far by advertising, when their excessive use could have adverse effects on people's health.

For instance, when I see advertisements for products claiming to improve the scalp, I