

Dairy Industry Act

dealing directly with the bill itself, I think if my hon. friend wants these heavy fines with regard to adulteration he should differentiate between different offences. Finally, he should leave some discretion to whoever is to pass judgment in such cases, because rather than impose a fine of \$500 upon a merchant or a farmer, many judges will say, "Since I have no discretion I will impose no fine at all," so that my hon. friend will be defeating his own purpose.

Mr. RHEAUME (Translation): Mr. Speaker, I think, if the present bill provided that this minimum penalty of \$500 should apply only to wholesale butter dealers, I would support the measure, but how numerous are the farmers who make butter and are unable to say whether it contains 16, 18 or 20 per cent of water.

I believe we should allow as much discretion as possible to the magistrate as regards the fines to be inflicted. Again, I say, if this bill were so amended as to include only the butter dealers, I should support it, otherwise if this fine is made generally applicable, I am bound to oppose it.

Mr. MYERS: I should like to say just a word or two in connection with this bill. I am very sorry to see a matter of such great importance to the farmers of Canada, and to dairying in particular, which is after all a most important branch of agriculture, made the subject of political controversy. I am afraid that is what is being done, however. I wish I could see more farmers among the gentlemen opposite, but I feel sure there must be some hon. gentlemen on the other side who have the interests of the dairy industry sufficiently at heart to allow this measure to go through the house.

In the first place we must take into consideration the health of the people of Canada. I have had a good deal of experience with both creamery and dairy butter, and I think I can safely say there is nothing so dangerous for a man to put before his children as butter which has been adulterated, or butter which is anything else than of standard grade. From the standpoint of health alone this bill should be passed without any controversy or trouble. You must remember, moreover, that, so far as the dairy industry in Canada is concerned, we might as well make up our minds to the fact that its future depends upon the export of butter from Canada to foreign markets. And when you go into foreign markets. And when we go into foreign markets, especially

[Mr. Rinfret.]

the British market, with anything but the very best, you are only doing the industry in Canada a grave injury.

As regards the penalties, they are not too high. One hon. gentleman expressed the fear that some farmers might be found adulterating butter. Nothing is further from the case than that. It is true that farmers as a rule make some butter for their own use, and at some seasons of the year they do sell a little butter to the stores. But that is not the dairy industry of Canada; the dairy industry of Canada is carried on in our creameries and butter factories. And a certain standard is fixed; for instance, you must not have more than 16 per cent water content in your butter if you are to secure the highest grade. That is provided by the dairy act itself, and no change is proposed. I think this legislation should go through without further trouble, because it is in the best interests of the dairy industry of Canada and of our farmers generally.

Mr. PARENT: It has been said that this legislation is aimed, not at the farmers of the country but at the manufacturers in some of our large cities such as Montreal. May I point out that the law is not made for any special group; it is made for everyone. It is enacted to protect as well as to punish.

An hon. MEMBER: Everyone who is guilty.

Mr. PARENT: Everyone who is guilty ought to be punished, but some laws are made to afford protection as well. So that while punishing those who may be guilty of adulterating butter, it protects certain groups, namely, farmers. It has been pointed out that a minimum fine of \$500 is excessive. A case might go before a justice of the peace, and everyone who has had any experience of cases tried before justices of the peace in country places will realize that they have not that experience that characterizes judges of the high courts, and it is therefore difficult for them to render as sound judgments. If the accused has not the means to appeal the case, and if he cannot pay the fine imposed, he must go to gaol, notwithstanding that he may have a very good case on appeal. Under the explanatory notes the statement is made that, "the words to be replaced are in italics." May I read paragraph (e) of article 5:

(e) have upon premises occupied by him where any dairy produce is treated, manipu-