

*Dairy Industry Act*

Mr. NEILL: There has been a change by inserting a new section, which states that no one shall have in his possession any dairy product except under certain conditions. That is where the trouble comes in.

Mr. CASGRAIN: The minister says there has been no interference in the past, that the farmers have not been brought under this act. I think in the city of Montreal farmers coming to the markets have had some difficulty with the officials of the Department of Agriculture. I remember some cases coming before the magistrates' courts in regard to men who were offering butter for sale.

Mr. WEIR (Melfort): The farmer whom we consider the dairy farmer never has been interfered with at all as far as federal officials are concerned. There never has been a prosecution against a farmer, according to my information, unless he became a dealer in other butter.

Mr. CASGRAIN: He would not be responsible if he did not sell the finished product.

Mr. GARLAND (Bow River): If the minister will look at the original interpretation section he will find that the term "dairy product" is interpreted to mean any milk, cream, condensed milk, milk powder, butter or cheese, or any other article manufactured from milk, and all imitations thereof. Now we come down to subsection 4 of section 4, which simply refers to dairy products, which include anything made from milk, cream, condensed milk and so on. Surely the farmers' butter is made from cream.

Mr. WEIR (Melfort): No person disputes that.

Mr. GARLAND (Bow River): And the mere fact that the minister says that so far the regulations have avoided the law rather than lived up to it does not justify the position he is taking.

Mr. WEIR (Melfort): Not at all.

Mr. GARLAND (Bow River): I am not finished. A moment ago the minister suggested that the regulations made clear that the individual farmer with less than fifty cows was not to be affected by this legislation and so far had not been affected by any regulations, but as the hon. member for Comox-Alberni pointed out the fact is that he can be affected under the law. The regulations can be changed by order in council.

Mr. WEIR (Melfort): It has always been that way.

[Mr. R. Weir.]

Mr. GARLAND (Bow River): It does not matter whether or not it has always been that way. There are new principles introduced in this new legislation which are of an extremely drastic character. If the minister would turn to clause 22 he will find the following:

The governor in council may make regulations not inconsistent with this act as to,

- (a) the grading of dairy produce;
- (b) the establishment or designation of grading stores.

And so on. I am in disagreement with any legislation which will give the power to this or to any future minister to affect the individual farmer in his transactions with retail stores, or in the sale of butter to his neighbours. It should not come within the ambit of this type of legislation. I strongly recommend that the word "creamery" should be inserted before the word "butter". If the minister would simply add the word "creamery" in the interpretation clause, then all the subsequent clauses would refer to creamery butter. That is what the minister states he wants to refer to, and nothing else. He does not want the legislation to affect any other kind of butter, and in particular farmers' butter.

Mr. WEIR (Melfort): I believe that the spirit of the act will be better taken care of in this way, in view of the action which has been taken in the past and in view of declared intentions because the administration of any act, no matter how it may be worded, depends to a greater extent on the spirit in which the administration is carried out than on any other factor. Let us suppose that we followed the hon. member's suggestion and inserted the word "creamery", would that not be a challenge to some persons to evade the regulations? As it is there is power to deal with such person.

Mr. DUPUIS: You mean the farmers?

Mr. WEIR (Melfort): Yes, with the farmers. But that power has never been exercised, and there is no invitation to any person, under the cloak of a farmer, to avoid the regulations. I do not think any better assurance of the farmers' protection and the present intentions of those officials could be given than the action which in the past those officials have taken. I feel that in order to provide a protection against the temptation or invitation I have mentioned it would do well to leave the section as it is. In this way dairy butter in the hands of farmers may be treated as I have stated, but against people who would make a practice of purchasing