

*Pesticide Residue Contamination*

legislation too cumbersome to implement. Some clauses are going to work to the detriment of both the agricultural and the chemical industries. However, we are fortunate that the bill is a forerunner of future bills, and that after a trial period the weaknesses will be apparent to the government of the day and it will be brought back for amendment.

The provisions of the bill relate to agricultural products that may become contaminated through no fault of the producer or, indeed, through no fault of the chemical company, which may be located some miles away. An example of such contamination is that alleged to have occurred in the Dunnville area. As we become more skilled in detecting contamination, perhaps attempts will be made to curtail the sale of products grown in areas where it is felt there may be contamination.

One major complaint about the substance of this bill is that although the government department concerned is protected to the fullest extent under the terms of the bill, the same is not true of chemical companies and primary producers. Under the terms of the bill government inspectors will be permitted to confiscate contaminated produce of a farm or farms, in return paying what the government feels to be adequate compensation. However, if a contrary opinion as to the assessed value of such products is voiced by the injured party, an appeal can be made to an assessor appointed by the government. As has been pointed out, it is true that the assessor may be a member of the Supreme Court or a superior court. It is also true that the proceedings are not to be considered court proceedings. Once an assessor has made a ruling in a given case, under the clauses of the bill there is no recourse to any other court by way of appeal or review.

I am very much concerned about this. As we are all aware, many decisions made by judges are appealed. Consequently, this is one respect in which I feel the bill is weak. Once a decision has been made by a government appointed assessor and that decision is upheld, the bill specifically provides there is no appeal or review of such decision, whether the party concerned is a farmer, a co-operative or a chemical company. I contend that this is contrary to the rights of individuals and corporations in Canada, and on this score I am uneasy about the bill.

Another point that gives me very grave concern is the kind of terminology found in such bills as this one and the series of similar

bills coming before us. Although the terminology may have been handed down through the years, we are now legislating for the future, especially in regard to matters where the advancement of science plays such a tremendous part in our progress. Therefore I do not think we should be subjected to such terminology as "subject to such regulations as may from time to time be prescribed by the Governor in Council", or "subject to such conditions as may from time to time be prescribed". Phrases of this kind are found in bills of this type. As legislators we are being asked to pass a piece of legislation and to make it the law of the land when at the same time we are not sure what regulations will be prescribed.

This is why I am uneasy about this bill. Although some bills that come before us are merely amending bills, as a result of our investigation and study of such bills in committee we have found that in many instances guidelines that were set out in former bills have been removed. More and more the scope and intent of such bills are being left entirely to the interpretation of those who draft the regulations, who in turn adopt such methods as they deem appropriate. I feel that we as legislators are often in the dark as to the true intent of bills that are put before us.

Therefore I take this opportunity, on behalf of the great industries of agriculture and chemistry which have become so closely allied, to protest to the house about two facets of this bill that are going to play an increasingly important part as time goes on. First, it seems to me there is absolutely no room in this bill for appealing or reviewing a decision that has been made by the government, which is only one party to an action. Second, it seems to me, in the main, that in passing legislation of this type we as legislators are signing what is commonly known as a blank cheque. In other words, we are leaving entirely to the department the responsibility of drafting such regulations and providing such conditions as may from time to time seem expedient. Perhaps it is necessary to pass bills in this fashion, but I have grave doubts as to the consequences of this practice. Anyone who has been engaged in these two industries knows how indefinite such regulations can be and how much is left to interpretation.

● (3:20 p.m.)

In the committee stage the Minister of Agriculture (Mr. Olson) assured us that even