

A comparison of the two titles shows that the scope of the present bill has been enlarged to apply to hazardous products, instead of hazardous substances to which the former Bill S-22 applied, and also to prohibit the importation, advertising and sale of those products. Because Part II of Bill S-22 of the last session is not included in the bill now before us, which is a separate act dealing solely with the control of hazardous products, there have been some consequential changes in wording. For example, the words "Part I" in former Bill S-22 have been replaced by the words "this Act" in the present bill. Although it is a separate bill, it will be easier to understand. I think, if we regard it as an expanded version of Part I of Bill S-22 of the last session.

Honourable senators will recall that the old bill was given prolonged, detailed and careful consideration by the former Standing Committee on Banking and Commerce at three separate sittings. As a result of all that consideration the bill was greatly improved, and was reported back to the Senate on January 24, 1968, with a number of amendments which were subsequently approved and passed by the Senate. Most but not all of those amendments have been included in the bill now before us. In some cases there have been slight changes in phraseology, but the intent and meaning of the amendments remains unaltered.

With those preliminary remarks, honourable senators, I would now like to deal with the individual clauses. I think these can best be explained by a clause-by-clause comparison with the former bill.

In clause 1 of the present bill, the phrase "hazardous products" has replaced the words "hazardous substances" in the old bill. In addition to chemicals, glues, household cleansers, bleaches and polishes, which are generally classified as substances, the word "products" extends the scope of this bill to include such articles as matches, flammable textiles, mechanical toys, electrical appliances, lawnmowers etc.

It will be appreciated that before regulations can be made with respect to these kinds of articles, satisfactory minimum standards will have to be established. This will require the accumulation of a great deal of technical data and advice, as well as consultation with industry and scientific experts.

When clause 2 of the old bill was being considered in committee, Mr. A. L. Copeland, President of the Canadian Manufacturers of Chemical Specialties Association, presented a brief in which he pointed out that the phrase "or other disposition" in paragraph (a) would prohibit disposition of hazardous substances such as garbage by waste. To overcome this difficulty the committee amended paragraph (a) of that clause by inserting after the word "disposition" the words "to the general public". This amendment was accepted and passed by the Senate. However, this amendment is not included in the bill before us. I made inquiries and was informed that the amendment had been omitted because there was some difficulty in formulating a precise definition of "general public". For example, if a person advertised by certain literature through the mail to a special group such as doctors, there would be some question whether he would in fact be promoting directly or indirectly to the general public.

This problem of disposal is very important. For example, it could very well be that a shopkeeper or salesman could be left with thousands of dollars worth of fabrics which had been purchased for the manufacture of clothing, but because of its flammable characteristics it could no longer be used for that purpose and under Part I of the Schedule would be banned outright, even though it might be useful for another purpose. It may also be possible to solve this problem by means of a special regulation under clause 7. These are points that can be developed further when this bill is being considered with the Senate Committee on Banking, Trade and Commerce, as I propose to make such a motion when this debate concludes.

Paragraph (e) of clause 2 is consequent upon the transfer of administrative responsibility to which I have already referred, and the other paragraphs of clause 2 of the present bill are substantially the same as approved and passed in Bill S-22.

Clause 3: When the former bill was before the Committee on Banking and Commerce the committee amended this clause by adding, subclause 4, imposing a time limit. This amendment has been retained. Clause 3 is identical with that of the old bill which was approved.

Clause 4: When the former bill S-22 was being debated in this chamber Senator Hollett and some other senators raised the question that the wording of the clause did not ensure