Mr. MONTEITH: Yes, we believe it does; by putting the drug under schedule H we prohibit the distribution, the sale, and so on of a drug. We can do this by order in council.

Mr. ORLIKOW: I think this is pretty satisfactory.

I would like to ask Mr. Monteith another question. On December 28, 1960, Dr. Morrell issued a trade information letter No. 191 which went out to a large number of people. I will read the memorandum.

> In the interests of public health it is now considered necessary to stengthen the regulations under the Food and Drugs Act in respect to the conditions under which drugs are manufactured for sale in Canada. For this purpose I propose to submit the attached regulations.
>
> The Honourable, the Minister of National Health and Welfare.
>
> I will be pleased to have your comments and suggestions on or before March 31, 1961.

One of the points which was included, and I quote, is (i):

> A system of control that will permit a complete and rapid recall of any lot or batch of a drug from the market when such is found to be unsatisfactory or dangerous.

I understand that those recommendations were never implemented. I wonder why they were not because it seems to me that that one in particular would have given the department all the authority necessary to handle the thalidomide problem. According to the information I have it was never implemented.

Mr. MONTEITH: I may stand corrected on this but my understanding is that these regulations, and any set of regulations which we bring out as indicated by that letter, are taken up with various groups in an effort to have the most satisfactory and worth while set of regulations possible.

Dr. Morrell, am I right in saying that some of these regulations are still being considered?

Dr. C. A. MORRELL (*Chief of Food and Drug Directorate*): Yes, Mr. Monteith, they are. I might say that if Mr. Orlikow reads the rest of it he will see that those records must be kept by the manufacturer, and certainly such was the case at that time; I think it was in 1960.

Mr. ORLIKOW: Yes, December 1960.

Dr. MORRELL: We certainly had the idea the manufacturer himself would do the recalling but he must keep records so that he would know how to do this in a most efficient and expeditious manner. It was our hope to have it required by law to keep such records so that the manufacturer himself could recall a remedy if necessary.

Mr. ORLIKOW: But in any case it was not done, Mr. Chairman. This is the point I am making. After Dr. Morrell has spoken I would like to ask him some questions about the whole matter, but it does seem to me, and it was brought to my attention by people in the field who expressed their opinion in a letter to me, that these regulations being put into effect would have given the department the authority needed to move much faster in the thalidomide problem. I am just curious about why there was objection from the manufacturers and difficulties which were not foreseen when Dr. Morrell sent out these proposals.

Mr. MONTEITH: Mr. Orlikow, I think we can answer your question better by questioning Dr. Morrell, and subsequently I would be pleased to speak on it.

Mr. ORLIKOW: The only reason I raise this, Mr. Monteith, is that I would like to know whether Dr. Morrell recommended it and you countermanded it.