

Extra No. 1, or No. 1, shall be free from the seeds of primary noxious weeds." This is for the purpose of designating a standard quality of grass seeds. Formerly it applied to clover seeds and cereals. Now the idea is to extend it to all grass seeds and clover seeds, and also to field and garden seeds, as to the grade and quality that constituted a standard grade. When a seed merchant sells a consignment of seeds of a certain quality, and it proves not to be up to such quality, the purchaser can get redress by calling for a survey, and all the usual procedure involved in the event of seed not coming up to the standard.

Mr. STEWART (Humboldt): Regarding the term used in the section "primary noxious weeds" I do not find in the act any definition of "noxious weeds" or "primary noxious weeds." I understand—I hope the minister will correct me if I am wrong—that there is in our federal statutes no definition of "noxious weeds," but that dependence is placed on the definition given by the provincial departments of agriculture. Now, this difficulty may arise as a consequence: There may be weeds in Ontario, for example, that are "noxious weeds" or "primary noxious weeds" that in Saskatchewan are not, and vice versa. What protection is there for the purchaser of No. 1 alfalfa, or grass or clover seed if these seeds contain weeds which are classed as "primary noxious weeds" in Ontario but are not so classed in his own province?

Mr. MOTHERWELL: We could not very well take the provincial noxious weed list because it varies so much. We would have to have a government standardized list. As to the federal act it has not been before this House since I have had anything to do with legislation of this kind. I am not familiar, I may say, with the entire list of noxious weeds as defined by the federal act. But that is what it refers to here.

Mr. STEWART (Humboldt): Is it a fact that noxious weeds are defined in a federal act?

Mr. MOTHERWELL: Yes.

Mr. STEWART (Humboldt): And also "primary noxious weeds?"

Mr. MOTHERWELL: The federal list does not necessarily correspond with the list in provincial acts because there is such a variety of weeds in the various provinces that it would take a list of tremendous length to include them all.

Mr. TOLMIE: There is a list of "noxious weeds" given in the regulations on the back of the old act.

Mr. MOTHERWELL: What was the reference, Mr. Chairman, in the old act to "noxious weeds"?

The CHAIRMAN: We do not happen to have the old act here. What I have is simply the bill as it went before the committee.

Mr. MOTHERWELL: Certain features of these acts are adjustable by regulation. The hon. member for Victoria City (Mr. Tolmie) has just sent me over a copy of the Seed Control Act of 1911 and on the back of it is given a list of the noxious weeds referred to. I find the reference to it reads:

The species of farm weeds which shall for the purpose of the above mentioned act be included within the meaning of the term "noxious weeds" shall be as follows:—

It goes on to enumerate:

Wild oats; twitch or quack grass; docks; Russian thistle; purple cockle.

And so on. That appears in the regulations.

Mr. STEWART (Humboldt): It does not appear in the statute?

Mr. MOTHERWELL: It has the same effect in law. Regulations passed in pursuance of the provisions of any statute have the same effect as law. Of course the act itself grants authority for the enforcement of regulations based upon its provisions. Such regulations must not be inconsistent with the act. In order to afford facilities for a quick adjustment a great many of these provisions are left to regulations rather than embodied in the act itself. That is so that in case any new weeds spring up they can be included by regulation instead of waiting until next session for a parliamentary enactment.

Mr. STEWART (Humboldt): Is the term "primary" defined, or is it a loose term which may be subject to adjustment from time to time?

Mr. MOTHERWELL: It is not defined in the statute, so far as I can see. There is a list of about twenty-five weeds enumerated, but I do not see the word "primary" mentioned. If my hon. friend wishes we can allow that sub-section to stand until we realize what the significance of the word "primary" is. I should think myself it would be "of first importance."

Mr. STEWART (Humboldt): I think the point is very important. I think the minister will also agree that when large quantities