

food commodities in other countries. Over the years close liaison has been developed with regulatory agencies of other countries, particularly those of the United States, the United Kingdom, Switzerland and Sweden. There are frequent consultations on matters relating to food safety, food recalls and so on, with officials of other countries.

The enforcement philosophy must be flexible and able to respond quickly if we are to deal effectively with the immense variety of complex situations we face in the area of food safety. An overly-rigid bureaucracy is no answer to the extremely difficult issues to be faced each day. There must be co-operation with responsible food manufacturers and the encouragement of voluntary compliance by industry. Unnecessary confrontation and adversary proceedings so far as possible should be avoided.

The Health Protection Branch is firmly committed to the notion of full discussion with industry prior to regulatory changes. In doing so its officials try hard to avoid excessive formalism and legalism. They recognize that government does not have a monopoly on talent or integrity and that the regulatory process must of necessity and economy involve extensive discussion among the various groups involved, including the regulators, the regulated, and representatives of consumers. Indeed the assistance of the regulated is required to make certain that proposed regulatory changes are both theoretically sound and capable of practical application.

In order to encourage and foster voluntary compliance and to avoid costly court proceedings, officers of the branch frequently meet with industry representatives, to discuss alleged violations. The field operations directorate runs the gamut of compliance-type action from private sessions with an offending company to instituting and completing court actions. For example, an informal technique called, for want of a better name, a formal hearing, is utilized in cases where the field staff is of the opinion that compliance may be gained without the institution of prosecution proceedings. Thus, where appropriate, administrative decisions are reached in discussions between industry representatives and officials which result in a greater assurance of the safety of foods for the public without resorting to court action.

This does not mean that court sanctions are not useful. In any industry, including the food industry, there are those who are too irresponsible, too venal or too obstinate to abide voluntarily by appropriate regulatory standards. In the Canadian context the resort in such cases to court action is necessary to make regulations work. Thus, there is no hesitation to go to the "mat" with people who, for whatever reason, repeatedly fail to comply with the law. Whether the compliance action is voluntary or imposed by a court, it is the duty of the health protection branch to make sure that regulations provide appropriate guidelines, to ensure that industry accepts and lives up to its responsibilities and obligations to the public.

Perhaps the most important underlying principle influencing the Health Protection Branch is its insistence on providing advice to the Minister of National Health and Welfare (Mr. Lalonde) which is based on good science. Accordingly branch

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members consciously attempt to foster the attitudes and values of a scientific agency. They are not policemen; rather, they constitute a scientific regulatory agency which must be anchored on the rock of science if it is to ensure that the advice it gives the minister is of the necessary high calibre. Ministers may not have the necessary scientific expertise and would be vulnerable, personally and politically, if they attempted to second-guess their scientific advisers on scientific grounds. Therefore they must be careful in how they deal with the advice of their officials. Of course officials must set the highest possible standards of scientific excellence for their organization, and never depart from them.

Officials must recognize that many situations deal with other issues which must be considered in addition to the purely scientific factors involved. These issues, in an area of such vital importance as public health, must not be those of partisan politics, but they do legitimately include social and economic factors about which biomedical scientists are often less than fully knowledgeable. More important, they often include a perception of a value judgment of Canadian society about a given situation.

One of the most frustrating problems faced by scientific regulatory agencies such as the Health Protection Branch is the need to make judgments constantly and provide advice on the basis of inadequate evidence. It would, of course, be nice to wait until all of the data necessary for absolutely, unquestionably valid decisions could be collected. Because we live in an interdependent world, and because food can be transported quickly, the Health Protection Branch is sometimes asked to make its decisions rapidly. This is not an easy task, but it is the very essence of the work of a regulatory agency. In making such difficult benefit/risk decisions official agencies will not please everyone. The branch has evolved a system for making benefit/risk decisions. This includes a deliberate attempt to quantify as many variables as possible, in order for decisions to be made on a rational basis. The variables comprise several fundamental components which are opposed, compared, and weighed against each other.

Mr. Ellis: Brilliant!

Mr. Breaux: There is risk, cost, loss, benefit and acceptability to the industry and the public. All these factors are recognized. When the risk is balanced against benefit, the risk will be considered as being acceptable in some situations, but not necessarily in others. All sorts of considerations are important—cultural, legal and philosophical. Such considerations sometimes modify the decisions which are made.

Before leaving this brief discussion on the factors involved in the assessment of food safety—

The Acting Speaker (Mr. Ethier): Order, please. I interrupt the hon. member to inform him that his time has expired. I see the hon. member for Athabasca (Mr. Yewchuk) rising. Does he wish to raise a point of order?

Mr. Yewchuk: No, Mr. Speaker, I should like to speak.