

MINUTES OF EVIDENCE

THE SENATE

OTTAWA, Thursday, December 4, 1952

The Standing Committee on Public Health and Welfare, to whom was referred Bill J, an Act respecting food, drugs, cosmetics and therapeutic devices, met this day at 10.30 a.m.

Hon. Mr. GERSHAW in the Chair.

The CHAIRMAN: Honourable senators, at our last meeting we got as far as section 8 on page 3 of Bill J, an Act respecting food, drugs, cosmetics and therapeutic devices. There are some gentlemen here today who wish to make presentations, and if it is agreeable to the committee I should like to call upon Dr. E. V. Shute of London, Ontario.

Dr. E. V. SHUTE, London, Ontario: Mr. Chairman and honourable senators, if I may have twenty uninterrupted minutes of your time to make a presentation with respect to the proposed amendment to the Food and Drugs Act, I will be glad at the end of that time to answer any questions and I will be at your disposal for as long as you require me.

Hon. Mr. HAIG: Whom do you represent?

Dr. SHUTE: I am appearing as a private citizen, but that private citizen in Canada who is perhaps best acquainted with the field of vitamin E, which comes under the terms of this amendment.

Hon. Mr. GRANT: Are you a medical doctor?

Dr. SHUTE: Yes.

The first point I would like to make is that the position of those interested in the field of vitamin E is no different in respect to this amendment than the position of the people interested in the Canadian Arthritis and Rheumatism Society; or the Canadian Cancer Society; or the Ontario Diabetic Association; or the Health League of Canada. To make that clear, if certain constructions are made on the word "advertise" in section 3(1), it would be impossible for the Canadian Arthritis and Rheumatism Society to advertise to the public the use of such "devices" as splints for tuberculous joints. It would be impossible for the Cancer Society to mention to the public the use of the cobalt bomb for cancer. It would be impossible for the Ontario Diabetic Association at its public meetings to mention that insulin is a useful treatment for diabetes. Or that obese people should reduce. And certainly it would be inadvisable for them to put on the book shelves of ordinary book stores for public sale a diabetic manual for patients. In the same way it would be impossible for Dr. Shute to address the Health League of Canada, an address to be reprinted and widely distributed, particularly to members, in which he suggests that the aims of the Diabetic Association are to "provide better education facilities for diabetics in the form of public meetings, pamphlets and a journal." Indeed, perhaps no physician (a "person") could mention any treatment for the 36 diseases listed.

Suggested Change:

A change that I am sure all these Societies and we ourselves would like to see made is the definition of "advertisement" in 2(a). Could it be altered to "includes any representation made for gain or made for commercial purposes"? And could 3(1) be altered to read "no person who is not a physician. . .?"