

Dr. MORRELL: Coming back to the question of a truss, there is nothing in the section to prevent the sale of a truss to anyone who wants one. Presumably the individual who wants a truss has obtained medical evidence that he has a rupture, a condition from which he needs some relief through a device of that kind. He could go into an appliance store or a drug store, and the proprietor could sell the appliance and represent all its fine qualities, tell about the qualities of the elastic in it, and so on, but he could not represent the truss as a treatment for rupture.

The CHAIRMAN: That is, he could not make that representation to the general public?

Mr. CURRAN: To the general public.

Hon. Mr. ROEBUCK: Is there any definition of "treatment"?

Mr. CURRAN: Just the dictionary's definition.

Hon. Mr. ROEBUCK: If you use a truss to reduce a rupture, that is surely using it as a treatment according to the dictionary?

Mr. CURRAN: But, Senator Roebuck, it is only the representation to the general public that the truss is a treatment for a rupture, which would come within the section.

Hon. Mr. FARRIS: When you advertise a truss for sale you are impliedly stating that you are selling something for treatment of rupture, because everybody knows that a truss is used for the treatment of rupture.

Mr. CURRAN: Yes.

Hon. Mr. FRASER: So you are just quibbling when you make that distinction. If you advertise the sale of trusses, that conveys to everybody's mind the same thing as if you said that the trusses were for the treatment of rupture.

Hon. Mr. ROEBUCK: Except to some few people who are not at all informed—and there are a few like that—and should be informed. There are people who get a bulge, do not know what it is, and go on in that condition for considerable time, when they should have a truss.

Dr. MORRELL: Are you sure it would be a truss, Senator Roebuck?

Hon. Mr. ROEBUCK: Pretty sure, doctor. It is either a case for an operation and the usual sewing-up that they do, or a case for the use of a truss. It is a matter for the patient himself to judge whether he prefers the inconvenience of a truss to the risks and expenses of an operation.

Hon. Mr. HAYDEN: People in general know the purpose of certain appliances or products that are sold. We have been talking about trusses. I agree with Senator Roebuck that the purpose of a truss is fairly general knowledge. Well, why should a person who desires to advertise a truss be precluded from saying, for instance, that it is for reducing and controlling a rupture? Yet, if anyone says that he would be violating the law, according to Mr. Curran. On the other hand, if someone simply advertises that he sells trusses, there is no violation, although the public know the purpose for which the truss is intended. I think if you start out on that basis you could prosecute a person for simply advertising a truss, although he did not refer to it as a treatment at all, because everyone who reads the advertisement will know the only thing that a truss can be used for.

Hon. Mr. ROEBUCK: And if you advertised "Anyone who has a bulge in the groin should see a doctor or get a truss," you could be prosecuted.

Dr. MORRELL: Mr. Chairman, the whole purpose of the section is really to prevent the public from being exploited. These diseases listed in Schedule A are serious ones, which are generally regarded as requiring medical advice, diagnosis and treatment. The two parts of section 3 are merely intended to