

Consumer Packaging and Labelling Act

regard to the amendment now before the House. The constitutional aspects were discussed at quite some length in the committee. All I can say is that this is a bill put forward with the advice of the law officers of the Crown as a constitutional bill, fully within the valid and proper authority of the federal Parliament and federal government, and I would not want to jeopardize it by an amendment changing the bill which may impugne or bring into question its constitutionality. That would be a disastrous thing to do. I have to take, as does the government, constitutional advice from the law officers of the Crown and not from the hon. member for Vancouver-Kingsway (Mrs. MacInnis). I have all the respect in the world for her, but she is not the person from whom I have to take constitutional advice and legal advice.

May I say, however, that there are in the bill two provisions which I think deal with this question. One is clause 11, which deals with standardization of packaging. Surely to the extent that packages are standardized, to the extent that one becomes comparable with another there is no need for unit pricing. The example I would submit here is that of dairy products which are already sold in standardized packages. For example, butter is sold in quarter-pound, half-pound and one-pound packages. There is no need for unit pricing in the sale of butter. No one needs to see on a package of butter what the price per ounce is, because it is sold by way of standardized packages controlled by regulation.

Clause 11 of the bill also provides that where there is undue proliferation, where there are so many packages that it is confusing to the consumer, we may take action to standardize the number of packages and the size and shape of packages relating to any particular product line. To the extent that packages are standardized pursuant to clause 11, the need for unit pricing covering those products is removed.

The second matter is an amendment made in the committee at my suggestion and my urging. It is the new clause 12 which provides, if I might read it because it was not before the House on second reading:

The minister may conduct research and studies relating or incidental to the packaging and labelling of any prepackaged product including matters relating or incidental to unit price marking, date and storage marking and the shapes and sizes of containers.

(2) The minister may, in carrying out any research or studies pursuant to subsection (1), consult with or seek the advice of any department or agency of any government, any dealers or any organization of dealers or any organization in Canada of consumers.

So pursuant to that amendment we can carry on research directed toward this question of unit pricing. For example, we can provide the initiative, the impetus and the leadership that the hon. member for Waterloo (Mr. Saltsman) spoke of and which I think is so essential. There are some problems in unit pricing, but there is no reason why leading chain stores in Canada, engaged in the sale of food products, could not themselves voluntarily undertake, both on an experimental basis and as a pilot project, the unit pricing of the products within their chain store outlets.

[Mr. Basford.]

It seems to me that there are 30 to 40 commonly used food products that compose most of the food dollar of an average Canadian family which could very easily be shown by way of unit pricing by the leading chain stores. In fact this evening, as I did in the committee the other day, I call upon them to engage in a voluntary way in this practice to see the extent to which consumers use it, to see to what extent there are problems associated with it, if any. I say, let the chains engage in this. Certainly under this new clause we will be engaging in studies of unit pricing. We will be calling on the chains, pursuant to our studies, to mark their products by way of unit pricing in order to see how the system works. I say in conclusion on this point that to the extent standardization takes place under clause 11 and to the extent action is taken pursuant to clause 12, I think the amendment before us is unnecessary.

The last comment I want to make deals with one that the hon. member for Vancouver-Kingsway made. I think she was possibly being a little rhetorical at that point in her remarks because she urged me as the minister to get off the fence on the question of consumer protection. I take some offence, some objection to that remark, but I think she was being more rhetorical than anything else. I think my record as minister and the record of the department are such that we have fully demonstrated over the past two years that we have decided which side of the fence we are on.

Here I refer to such things as the Hazardous Products Act, which is the finest consumer product safety legislation in the world, the amendment to the Bills of Exchange Act which came into effect last November 1, and the drugs bill which we put through the House against the strongest and best organized lobby that many in this Parliament had every seen organized. I refer also to the action we are taking against misleading advertising. Both small advertisers and some of the leading companies in Canada have been charged and convicted of misleading advertising for the first time in the history of this country.

I think this kind of record, on behalf of the consumers, by myself and by my department surely answer the question. We know which side of the fence we are on. We are acting, as this bill is designed to act, for the protection of the Canadian consumer. I can only assume that the hon. member for Vancouver-Kingsway was being quite rhetorical in her comment.

Some hon. Members: Hear, hear!

Mr. McCleave: You went so fast we didn't have time to tune up the fiddle to go along with all that.

Mr. Les Benjamin (Regina-Lake Centre): Mr. Speaker, this bill is designed to prevent, inhibit and stop any kind of advertising, packaging or labelling that misleads or deceives. There is no argument from any corner of the House about that objective; all parties are in agreement with it.