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Chair

Mr. Paul Steckle

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• (1535)

[English]

The Chair (Mr. Paul Steckle (Huron—Bruce, Lib.)): I will call the meeting to order.

The first order of business today, before we get into the formality of hearing our witnesses, is to deal with the matter of travel to the Riding Mountain National Park region of Manitoba. There is no money to travel, but despite that, we're going to ask for it. With your approval, we will ask for that this coming Thursday. The budget number is now \$38,950. This would be round table.

Mr. Gerry Ritz (Battlefords—Lloydminster, CPC): It's in the budget here too.

The Chair: It's already spent, but we'll deal with that. It may not work, but we have to at least go through the process of having approval given.

There will be eight members going, I believe. The budget is \$38,950. We would travel, I would hope, in the last week of April during our break. Those are the parameters. Any questions? We've talked about this before. We simply have to go through the process of having it approved here so we can request the money on Thursday.

Do I have approval for travel to Riding Mountain National Park?

Some hon. members: Agreed.

The Chair: Today we want to continue our reference of Bill C-27, the consolidation bill. We have before us today people from the National Farmers Union. We generally have the president here, but I see we have Mr. Robinson, and Colleen Ross, who is here as the women's vice-president. Your president is not with us today. You people will have to carry the information forward for them.

We have Terry Pugh, executive secretary; Colleen Ross, women's vice-president; and, Barry Robinson, national board member representing Ontario.

You're first, Colleen?

Is one person speaking for the group or more than one?

Mr. Terry Pugh (Executive Secretary, National Farmers Union): We're both speaking.

The Chair: You're sharing your time for ten to twelve minutes.

You may start.

Ms. Colleen Ross (Women's Vice-President, National Farmers Union): Thank you very much.

On behalf of the National Farmers Union, I welcome this opportunity to present our views on Bill C-27, the CFIA Enforcement Act.

The National Farmers Union is a nationwide, direct membership, democratic, farmer-led organization representing family farms across Canada. The National Farmers Union is committed to maintaining the family farm as a primary food-producing unit, strengthening rural communities, and building environmentally and economically sound food systems.

The National Farmers Union has long held a strong position supporting high-quality food safety standards nationally and internationally. Canada's grain standards, for example, are internationally recognized as second to none in their historically consistent high standards. We know that the current food production system developed in Canada is what it is today because it has been based on the family farm system, which has had to guarantee high food production and address safety challenges.

Checks and balances have been in place on these farms and continue to be monitored and developed as changes to the marketplace demand further scrutiny. Farmers continue to comply and make necessary, often very costly, adjustments to new and sometimes questionable regulations. Farmers in Canada have a vested interest in producing healthy food, and when we receive adequate returns for our expertise, we are further able to employ production practices that are in the best interest of consumers, the environment, our livestock, our trading partners, and Canada at large.

We know that with appropriate regulations, the family farm model has proven to be the most efficient, as well as the safest, food production system in Canada. We endeavour to protect that model of agriculture in Canada and therefore work with our government in creating better opportunities for farmers, for the benefit of all Canadians.

I'd now like to hand it over to Terry.

Mr. Terry Pugh: As we know, farmers already carry a disproportionate share of the costs associated with Canada's food safety network. The legislative measures contained in Bill C-27 actually dovetail into what we see as a larger agenda that will further add to farmers' costs. These other initiatives include proposed amendments to the Plant Breeders' Rights Act and cutbacks to publicly funded plant breeding and agronomic research.

The federal government is pursuing a policy of boosting exports through legislation and regulations that facilitate and promote trade. This is part of a larger agenda aimed at economic integration of North America. U.S. corporate investment in Canada's food system has increased from \$2 billion in 1990 to \$5 billion in 2004. U.S. investment in Mexico has mushroomed from about a quarter of a billion dollars in 1990 to now over \$5 billion. Exports to the U.S. account for 67% of Canadian food exports and 85% of Mexican food exports. Overall Canadian food exports to the U.S. and Mexico have increased an incredible 266% between 1990 and 2004.

These figures are from Michael Keenan's speech to the USDA conference on economic integration and agricultural commodities. That was held on February 25, 2005—just a little over a month ago.

Increased exports may have led to higher gross farm revenues as a result of higher production and trade volumes. But at the same time, realized net farm income continues to decline dramatically. The farmer is handling more money, but he or she is holding onto proportionately less. Input suppliers, processors, and retailers are capturing an increasing share of the market returns at the expense of the farmer. This endangers the family farm structure and places excessive dependence on corporate traders, and in particular on one market, the U.S. market. The NFU contends that tailoring Canada's regulatory framework to fit an agenda based on expanding trade volumes places our nation in a vulnerable position, not only with respect to food safety but also to food security.

Increasingly, legislation and regulations aimed at consolidating the economic power of industrial corporations have placed smaller players in the food chain at a disadvantage. A one-size-fits-all approach to food safety fails to recognize that most family farms are inherently different, and they already achieve very high health and safety standards. The most disturbing aspect of this particular legislation is that it facilitates the harmonization of standards, rules, and regulations with those of the United States. Clause 9 of Bill C-27 grants the CFIA the authority to accredit foreign governments, foreign government agencies, and even foreign organizations to approve exports of agricultural commodities and food into Canada.

This section also enables the CFIA to accept those standards and regulations of other countries as equivalent to Canadian standards, and this sidesteps the need for Canadian regulatory approval of those imports. Under this bill, CFIA would have sole authority to accredit foreign bodies. Even the Minister of Agriculture need not be notified beforehand of such accreditation. Clause 10 lays the groundwork for cost-recovery fees, which as we all know will filter down to the level of the individual farmer.

When the CFIA was created in 1997, it was founded on a dual mandate. It was charged with not only protecting the public interest by ensuring food safety, but also with facilitating exports of food and expediting free trade agreements with Canada's trading partners. These dual responsibilities place the CFIA in a compromised position. If Canada is to ensure its food supply is safe, there must be a set of strong national food safety standards to ensure the public interest remains our highest priority. The food standards agency in the United Kingdom is an example of a government body whose sole priority is protecting public health.

The requirement that the CFIA place equal or greater emphasis on facilitating trade requires Canada to continually lower its standards and regulations to achieve a competitive advantage. The report issued last fall by the external committee on smart regulation actually calls for regulations to be an ingredient in the recipe for achieving that competitive edge. This policy of re-regulation is designed to reduce regulations for corporations while increasing the regulatory burden on farmers. Bill C-27 is designed to protect CFIA from liability in an environment in which public safety becomes increasingly vulnerable.

● (1540)

As corporate concentration has increased, regulatory agencies in Canada have followed the U.S. model of scaling back their inspection efforts in favour of monitoring procedures and test results provided to them by accredited private agencies operating under contract. This forces the CFIA to rely on information from outside sources. The change to hazard analysis and critical control point systems has coincided with reductions in the number of inspectors and the resources available for them to carry out their duties. Monitoring under HACCP plans requires less commodity-specific knowledge, so inspectors rely more on paperwork and less on direct inspections. Farmers, meanwhile, are expected to produce more and export more, and then they have to assume full responsibility for the increased risks.

Clauses 31 and 32 of Bill C-27 allow CFIA accredited inspectors to search for and seize any unregulated product. They actually have a power in there to search these premises without even applying for a warrant, and this is extremely excessive. On the whole issue of liability, we would like to raise the question of what happens when a substance is banned in Canada after being approved in the United States. Are there provisions in there to protect Canada in the event a lawsuit is launched by the exporter over the loss of future profits from a closed Canadian market? On another issue of liability, it has been revealed that tests conducted by Agriculture Canada ten years ago on the PVYn virus in New Brunswick and Prince Edward Island were actually improperly done, and there's been a court case that's going to be wrapping up, probably in the fall. Our question is, if this bill had been in place ten years ago, would that sort of court action, taken by the farmers of New Brunswick, still have been able to go through?

One thing that really concerns us quite a bit is with regard to the Seeds Act. This bill specifies that the minister can actually issue a licence to a prescribed class, and from our reading of this bill, it appears it broadens the scope of the operations that will require licensing. Currently, seed cleaners that don't clean certified seed but that clean common seed in Canada don't require a licence. If you're cleaning certified seed, then obviously you do require a licence. We think what might happen here is that the cleaners of common seed will also have to apply for a licence. Another aspect of this is that there's a provision in here that says the seed cleaners may have to give the CFIA accredited inspectors lists of their clients, of any farmers that come and get their seed cleaned; they may have to turn that list over to the inspectors. When you look at that in conjunction with the changes to the Plant Breeders Rights Act, and also the fact that with seeds you have a three-year limitation for litigation, as opposed to two years for all the other commodities, we wonder why there is this emphasis on the seeds.

Clause 8 allows the CFIA to disclose information on Canadians to any government or prescribed organization. This is really a sweeping provision that has the potential for abuse by foreign governments and organizations that may not be governed by Canada's privacy and access to information laws. Of course, the real devil is in the details, and that will come out in the regulations, which we don't even know at this time. Laying the groundwork with this legislation sets the stage for regulations that may have a really adverse impact on farmers.

The NFU strongly recommends that Bill C-27 not be adopted, or certainly not in its current form, and that we go back to the whole structure of the CFIA and split that mandate, so that if we have an agency charged with safety and quality of food, this will be its sole mandate, similar to the workings of the British Food Standards Agency. This bill, we feel, is actually designed to accommodate industrial demands for reduced regulatory barriers to trade within North America. It expands the CFIA's regulatory and enforcement authority without ensuring adequate checks and balances. It will really undercut Canada's food quality and safety standards, and it will increase our country's vulnerability to trade disruptions by placing even greater dependence on the U.S. market.

Thank you very much for allowing us to make this presentation.

• (1545)

The Chair: Thank you very much, Mr. Pugh.

That's your conclusion to the presentation? If that's the case, then Mr. Ritz—

Mr. Terry Pugh: Barry, actually, would like to—

The Chair: Mr. Robinson, do you have something to say?

Mr. Barry Robinson (National Board - Ontario, National Farmers Union): We do have some recommendations. We obviously didn't read the report.

• (1550)

The Chair: Let's leave the recommendations and see how the questioning goes, and if we find there is time following questions, we will have them tabled to the committee anyhow. So we'll be receiving those.

Let's begin our question period with Mr. Ritz for seven minutes.

Mr. Gerry Ritz: Thank you, Mr. Chairman.

Ladies and gentlemen, thank you for being here today.

Of course, we all have some tremendous reservations with Bill C-27. There is broad, sweeping power here that really nobody is comfortable with, other than the CFIA themselves. My greatest concern, of course, is who is going to pay. Ultimately, it's going to be the farmer, the producer, who is going to pay for any errors or omissions, whatever we don't get right in this bill, now, or next year for that matter.

You did talk about Canada supplying 67% to the States and so on. I'm wondering why, then, you have such a concern with a harmonized inspection system, when two-thirds of our product is going there anyway. The harmonization of inspection should help facilitate that. I look, for example, at the Japanese, who are probably the most rigorous testers of foodstuff in the world, and they seem to prefer the American foodstuffs over Canadian. So adapting some of what the Americans are doing isn't necessarily a bad thing, but there are several items in here where you see that as the devil incarnate.

Mr. Terry Pugh: It's not so much that some of their regulations may be better than ours—that's a possibility—but our point is that Canada has to maintain its own regulations. We can't go holus-bolus into accepting simply what the United States has, because many of their regulations are in fact inferior to ours. I think all we have to do is look at the BSE situation to see what happens when you have an overdependence on a certain market. I think there is a tremendous amount of unanimity among cattle producers right across Canada that those markets really have to be diversified. We need to brand this as Canadian beef, and that's going to be impossible under many of the regulations that may come out of this or under this legislation. If we have a North American market that's so integrated that you're not going to be able to have things like a country-of-origin label, if it comes down to that, we really need to brand western Canadian beef or Ontario beef, because these are premium products.

Mr. Gerry Ritz: But the Canadian Cattlemen's Association is not in favour of country-of-origin labelling.

Mr. Terry Pugh: That's the Canadian Cattlemen's Association, sir.

Mr. Gerry Ritz: Well, they represent a few more cattlemen than grain growers or whatever.

Anyway, moving on—

Mr. Barry Robinson: Mr. Ritz, I would just point out that there is a graph in our presentation showing gross farm income and realized net farm income. We're not opposed to trade, we're very supportive of trade, but we do need to understand who benefits from the trade and we need to regulate it so that it benefits not only the companies—and we support that—but the family farms and rural communities.

Mr. Gerry Ritz: Farm gate, sure, no argument with you there. That's my background, that's my community. I certainly agree with you, but we've got a lot more problems at this point with overregulation, of course, some of which is in here, but also with input costs on fuel, fertilizer, chemicals—half of it is tax—land property taxes, and so on. Of course, it's government regulation and government taxation that's really closing the door on a lot of family farms, more so than this at this precise moment.

You seek to make some amendments to some of the other acts that come in under Bill C-27—that's fine. I would go back to your recommendations. The one that leapt out at me here is where you're talking about transferring the CFIA to the Minister of Health, as opposed to the Minister of Agriculture. We already have a model like that called the PMRA, and it's certainly not farm-gate-friendly, so I'm wondering if this would not just exacerbate the problem. Why would you seek to put this under Health?

Mr. Terry Pugh: The British Food Standards Agency actually reports to their Minister of Health. I think there are all sorts of hurdles we have to get over, but the point is that if you have the Minister of Health in charge, your priority is going to be protecting the quality and safety of the food. That's our point.

Mr. Gerry Ritz: Okay, but we also have the actual example here in Canada of the PMRA, and it's not working well for producers at all. We have them before the committee here a couple times a year, and it's not friendly by any stretch of the imagination.

Another thing you say is “appropriate regulation should be implemented to encourage smaller-scale and community-based processing”. Again, I don't have a problem with that—that's where farmers get involved—but how do you then square that with the new HACCP regulations that are coming in, interprovincial trade barriers, and so on that fly in the face of this type of recommendation?

•(1555)

Mr. Barry Robinson: We certainly need to look at the broader vision. Unfortunately, we end up looking at one piece of legislation at a time. Part of the broader vision and longer-term vision.... We certainly look at the longer-term vision for agriculture, and we believe we need more locally based processing. The BSE was a fine example of what goes wrong when we don't have those small local processing plants.

So we need to look at a broader vision, and then these types of legislation need to fit into that broader vision as to where we're going with agriculture.

Mr. Gerry Ritz: In your presentation you also said “Canadian standards are clearly higher”. There are examples...“extract premiums for commodities in which Canadian standards are clearly higher than those in the U.S”.

Would you happen to have examples of that? Which commodities are you talking about here?

Ms. Colleen Ross: Yes, I can answer that question. For instance, we have an acceptable level, a fairly high level, for adventitious presence of foreign matter in our grains and oilseeds. When you talk about foreign matter on a global scale, or when you're dealing with the U.S., for example, they talk about LMOs, living modified organisms, or what I prefer to call GMOs, genetically modified organisms. I don't know if this has changed, but less than a year ago, the Agricultural Marketing Service of the USDA had no current regulations. They have no provision for adventitious presence in the U.S.

When meeting with the CFIA very recently and looking at adventitious presence and identity preservation in our grains and oilseeds, the USDA was present at that meeting here in Ottawa, and the debate was very clear that Canadian standards are just too high. Our standards being as high as they are, the U.S. considers that a trade barrier in itself.

The Chair: Interesting. Thank you.

Madam Poirier-Rivard.

[Translation]

Ms. Denise Poirier-Rivard (Châteauguay—Saint-Constant, BQ): Thank you, Mr. Chairman. Thank you to the witnesses for being here to inform us about Bill C-27.

Some groups say that, by repatriating the Seeds Act, the CFIA would impose restrictions on farmers' traditional right to preserve the seeds from their own harvests. What is your opinion and what is your position on that?

[English]

Ms. Colleen Ross: I'm sorry, your question doesn't seem clear to me. Could you just repeat that? Maybe it's the translation.

[Translation]

Ms. Denise Poirier-Rivard: Some producers want to preserve their own seeds for reseeded purposes. I'd like to know your position on that.

[English]

Ms. Colleen Ross: We're talking about the proposed changes to plant breeders' rights and the seed sector advisory report and recommendations. I see how that ties in with this Bill C-27.

In my introduction I talked about Canadian standards being second to none, and that farmers saving and reusing their own seed has been done since the inception of agriculture in Canada. It's never affected our standards, and globally it's never had an impact on our standards.

I've travelled in various places around the globe. For instance, I just met with the Australian Wheat Board, and they are very proud of their standards, but they even admit that compared to Canadian standards, ours are second to none. That has historically resulted from farmers saving and reusing their own seed. If that is something that we can no longer do in the future with proposed changes to plant breeders' rights, that is not going to improve the standard of grain and oilseeds in this country. Regulating farmers and making that illegal is certainly not going to improve our food and health standards in this country, and it's certainly not going to improve our market edge internationally.

[Translation]

Ms. Denise Poirier-Rivard: Which clause leads you to believe that Bill C-27 would tend in that direction? Try to explain that to us to really convince us.

• (1600)

[English]

Mr. Terry Pugh: That Bill C-27 is leading toward economic integration of North America?

[Translation]

Ms. Denise Poirier-Rivard: Yes.

[English]

Mr. Terry Pugh: The regulations are viewed as barriers to trade. Certainly, if you look at the background document that has been circulated—the external advisory committee on smart regulations report—it addressed regulations as one of the things that needs to be ironed out so that you're able to introduce new products into the market at a faster rate.

There's always the proviso put in there that we have to protect Canadian health and safety. But when you look at the actual mechanisms or how that's going to happen, it's very difficult to see how you can have your cake and eat it too, so to speak—how you're going to be able to protect these high standards at the same time as you're really facilitating getting out these new products, which may not be properly tested or for which you're relying on the data provided by the developer of that product alone. You're not having independent inspections of those products, but you're relying on the data they supply. You're simply monitoring what they're doing after the fact, once it's out into the market. Then you have farmers and the Canadian public become the guinea pigs for it.

When you look at the investment—and certainly in Michael Keenan's speech to the USDA conference on February 24, this was one of the things they really were pushing—these regulatory barriers needed to come down in order to integrate the U.S. and Canadian and Mexican markets into one fortress North America because there were all of these other commodities coming in from South America or Europe or wherever.

[Translation]

Ms. Denise Poirier-Rivard: That leads me to ask you a question.

It was reported in *Le Devoir* about 10 days ago that a variety of genetically modified corn, Bt10, is prohibited here in Canada. It was grown by mistake in the United States, then sold in Canada.

In your opinion, how should the government legislate in order to reassure Quebeckers and Canadians about the quality and safety of what they find on their plates?

[English]

Ms. Colleen Ross: Perhaps mandatory labelling of the adventitious presence of GMOs in our foodstuffs is something we should look at. I know the U.S. is not in favour of mandatory labelling because they do not recognize adventitious presence in anything. They would basically have to label everything as potentially containing GMOs. But if we had mandatory labelling in this country, then consumers would understand immediately, regardless of whether it was Bt10 or any form of Bt or Roundup Ready, or whatever, that it is in the foodstuff, and they can then make an intelligent decision about whether or not they want to buy into that or not. We would like to see that in this country. It would be an extra check and balance.

Mr. Terry Pugh: I think it also illustrates the problem with this type of regulation, in that you're looking at the end result. You're not regulating it at the beginning. You're monitoring it after the fact. You can have all of these sorts of things, and then it becomes the problem of how do you correct the mistakes that have already happened. That's much more difficult than actually tackling it at the beginning.

[Translation]

Ms. Denise Poirier-Rivard: So you would strongly recommend labelling food to reassure consumers about its safety, so they really know what they're buying.

You also referred to safety standards. What are your recommendations on those standards? Is it labelling or something else? You've put a great deal of emphasis on safety and health standards. What are your recommendations on that?

[English]

Mr. Terry Pugh: Certainly mandatory labelling would be at the top of the list.

Ms. Colleen Ross: What do we recommend to ensure health and safety?

• (1605)

[Translation]

Ms. Denise Poirier-Rivard: Yes.

[English]

Ms. Colleen Ross: I recommend that we maintain the high standards we're globally known for. Adopting some of the standards that are accepted in the U.S. is really a dumbing down of some of our standards.

One of the members here mentioned that Japan is actually importing more from the U.S. than it is from Canada. But Japan is very cautious about, for example, GM contamination in its grain. I don't know how much wheat they're importing from the U.S., but they are certainly importing wheat from Canada, and even more from Australia. One of the reasons Australia did not adopt GM canola was that Japan had told them that if they adopted GM canola, they might very well lose their wheat exports because of the possibility of cross-contamination.

We just have to be more vigilant and maintain our own Canadian standards separate from the U.S.—really take care of our own interests. We have to look at the standards we have.

I used the example of adventitious presence. That's something that's not even considered in the U.S. They're still talking about it. And it's something we are very clear about, adventitious presence in our grain and oilseeds. That gives a great deal of consumer confidence, especially to our international traders.

I think we really have to be a stand-alone.

The Chair: We have to move on to the Liberal side, with Mr. Easter.

Hon. Wayne Easter (Malpeque, Lib.): Thank you, Mr. Chair, and welcome, folks.

As usual, the NFU is known for its good research, and this is more of the same.

First of all, I do want to say that I notice you ask that Bill C-27 be rejected. That's not our intent. Our intent is to put the bill through. I know in my assessment of the bill, I believe we still do retain our independence with respect to establishing food health standards and trade protocols. The whole thrust of this bill is to basically bring it up to modern-day standards by combining a number of acts. What you'll find when you go through the bill is that the CFIA does in fact do a lot of the things that are proposed in the bill. They do a lot of them now. Yes, there are some additional powers.

Starting with the recommendations, first, on the Minister of Health, I know the NFU was involved in the RBST fight. That initially started off with the Ministry of Health, because they were in charge of it at that time. I really question the wisdom of transferring CFIA authority to the Minister of Health for much the same reasons that Gerry talked about earlier. The fact of the matter is that one of the huge costs for the farm community now is the CFIA. I think our chances of keeping a damper on those costs are a lot better with the Ministry of Agriculture and Agri-Food, which has an understanding of what that impact really means to the primary producer. So I question the wisdom of going that way.

You recommend that there be stronger checks and balances on the CFIA, and you're not the only ones. Quite a number of witnesses have come before us making that recommendation. I guess my question is, how do you propose to do that? We think there are checks and balances there, but if there are others, we're certainly, as a committee, willing to look at them.

How do you see doing that?

Mr. Terry Pugh: First of all, when you're talking about cost swing, the costs to the farmers are not specifically costs of the CFIA. We're talking about a lot of fees, like user fees and so on, that farmers are picking up. Our concern, too, is that if you have an agency that's concerned about health and quality of food, you have to have enough resources to allow them to do that. Simply cutting back on the CFIA's resources is not going to necessarily be a good thing for farmers.

On checks and balances, I'm certainly not a lawyer or someone who can write legislation, a lot of the ins and outs there, but I think the basic concern we have is one of civil liberties. There are many

things certainly that jump out at you in this particular piece of legislation—for example, the search warrants. I realize that some of them are simply getting up to speed with electronic warrants and that sort of thing. But there's one provision in there for the ability to search and seize without any search warrant in the event of exigent circumstances, and it's really pretty difficult to figure out when that might happen, especially if you have another provision that says you can search and seize only during the daytime.

I think certainly that has to go, and real concern for civil liberties has to be in there. You can't sacrifice civil liberties in order to bring up safety standards. That's not something that makes sense.

• (1610)

Hon. Wayne Easter: Barry.

Mr. Barry Robinson: I have a couple of points. On the accountability, I guess the concern is that if we're harmonizing standards, what authority is the CFIA going to have to simply adopt standards that someone else has decided on? In the case of RBGH, for example, the U.S. adopted that. If we were under those conditions, would the CFIA simply say that we would have RBGH in Canada? That's the unknown to us at this point. We as Canadians said we don't want RBGH, but will this bill simply take that out of the hands of Canadians and bring RBGH into Canada?

On the accountability side, where do we have the ability to say no to some of these decisions? Will CFIA simply make a decision based on an agreement with the U.S., Mexico, or any other country or organization? The real question is, where do we have a chance to intervene here? Where do we as Canadians have a chance to provide our input?

Hon. Wayne Easter: I think it's fair to say that a number of people have come before the committee about how much authority the CFIA has to enter into arrangements with other countries and organizations. The political process must reign supreme. I think that was the suggestion by quite a number of people.

We were talking earlier, Terry, in terms of checks and balances, about an overall appeal body that individuals and organizations could go to. Is that in the cards?

Mr. Terry Pugh: I think it would certainly help if farmers, or consumers for that matter, had some sort of appeal, outside of simply going through civil action. I'm assuming civil action could take place. But if some sort of appeal process were incorporated into this, I think that would certainly help. It wouldn't address the larger issues we're also concerned about.

Hon. Wayne Easter: In item 5 you recommend “implementation of a legislative framework with appropriate health and safety regulations that would enable farms and smaller firms to produce safe food for local and export markets”.

What do you mean by that, and can you expand on that?

Mr. Terry Pugh: Referring to a specific example, there's the Peace Country Tender Beef Co-op in northern British Columbia. It has been fighting for several years, ever since the BSE crisis hit, to put up a plant that's farmer owned and farmer cooperatively run. It would basically market organic or hormone-free beef to the European market, Japan, other export markets, and the domestic market. There's a tremendous demand for that sort of thing.

What they would like to do, of course, is test 100% of the beef that comes through there. Currently they may have the opportunity to test 100% of it, but they may not get credit for testing 100% under the CFIA. They allow them to test it, but only the number or percentage that is tested can be credited in that way. They would like to get 100% credit for what they really test.

With the niche markets in that area, if you're going to have a standard then you need to have appropriate regulations. This is a plant that would have to come up to some sort of federal standard, because they're going to be exporting outside the province and outside the country. But there may be smaller abattoirs, even mobile abattoirs, that could easily achieve the same health standard without having to go through all of that intense capital investment you have for a Tyson and a Cargill, which are totally different kinds of plants.

In Saskatchewan, the independent meat processors association is looking at setting up video cameras, or some sort of computer cameras. When an animal comes in, a certified vet could actually look at it through the hook-up, and if there was something wrong with it they could reject it or accept it. That would allow the same level of inspection as plants that are certified at the federal or provincial level. It would allow this to take place in smaller communities in rural Saskatchewan where a lot of that beef is produced. They would then be able to service that internal market in Saskatchewan.

• (1615)

The Chair: The time has expired.

We now move to Mr. Anderson.

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Thank you, Mr. Chair.

I have a few questions. I'd like to start off with recommendation 9 on page 3 of the document we were given here. It talks about the CFIA being able to accumulate and “disclose information on Canadians”, and then it talks about your wanting to balance that with CFIA disclosing test results and inspection results.

Are you asking for privacy protection there or are you asking for CFIA disclosure? It seems in reading the legislation that there's an awful lot of leeway for this agency to accumulate whatever information they want. I'm just asking, what do you see as more important there, the disclosure requirements or...? What are you suggesting we do to protect people's information while the CFIA still discloses its information?

Mr. Terry Pugh: Our concern is that if CFIA is relying on monitoring everything based on data provided by private companies, then Canadians may not have access to the basis of CFIA decisions. We think that needs to be available so that people can see what those decisions were based on.

Obviously, the privacy of individuals needs to be protected, but I think there needs to be balance there, so that we do have access to the basic information on which CFIA makes its decisions.

Mr. David Anderson: I guess I would agree with you that this ability to collect information goes too far, and you mentioned earlier that search and seizure should be conducted during daylight. Well, I would agree with that. I guess I would also just like to remind people of the fact that the Canadian Wheat Board raids carried out in the late nineties were done in the middle of the night as well. There was one in particular where people came home from the hospital, yet the police felt they had the authority to go in there in the middle of the night. So I think we need to put those restraints on these organizations.

In paragraph 10, you talk about clause 9 in Bill C-27 allowing them to “enter into arrangements with foreign governments...to certify standards”, and those kinds of things. You oppose that, but I thought it was interesting that the ag industry, for years, has actually asked for this, particularly with PMRA and where it is concerned. So I'm just wondering what kind of balance you'd like to find there, because we continually hear that we need our standards, especially these chemical standards, to be harmonized with the United States in order to make the approvals a lot simpler than they are.

Mr. Terry Pugh: What we're worried about is going beyond that kind of an arrangement they have with PMRA, where you have a blanket regulation or standards. I think there needs to be flexibility. If certain things are in fact equivalent, you still need to have some sort of independent ratification or confirmation of those standards.

I think simply to put something out onto the market as long as it gets fast-tracked regulatory approval in one country, and then you find out down the road that actually there were problems with that.... I think what we're saying is that we need to avoid those kinds of problems.

Mr. David Anderson: Don't the defence and that come in the regulatory system itself and whether or not those regulations are valid, not in the coordination of two systems?

While it could be said that because they've approved it somewhere else we don't want to be able to do that here, the reality is that we should be checking to see what the regulatory systems are. If they're safe and they meet the standards that we think are important, then we should be coordinating them.

Mr. Terry Pugh: Well, I think there's validity to what you're saying, but the difficulty is that we don't know what our regulations are going to be. This is laying out that CFIA can set those regulations, and I think until we know what those are, then we have reason to be concerned.

Mr. David Anderson: That ties into another area.

I know that your organization philosophically would see government as being fairly benevolent and that you would be interested in their involvement in more things than I probably would, but I'm surprised that none of your regulations deals with the appeal body or a call for that, as Wayne mentioned earlier. We've heard from other organizations that they have a concern. Is it something you feel you've missed, or you deliberately don't think we need to call for that at this stage?

• (1620)

Mr. Terry Pugh: No, I wouldn't say that we deliberately don't want that. As I mentioned to Wayne, I think an appeal process definitely has to be built into this.

Mr. David Anderson: Can you tell me what you would visualize that to be? Do you just want an appeal process to the CFIA? Do you think it's important to have an oversight body? Should that body be industry, should it be parliamentary, or what?

Mr. Terry Pugh: I think it should be parliamentary. I think the Canadian public's representatives need to have oversight.

Mr. David Anderson: Gerry mentioned this—and I think Wayne did as well—that the responsibility for CFIA should be transferred to the Minister of Health. Are you serious about that? Everything that I've seen in the four and a half years I've been here would indicate that this is not at all in the best interest of agricultural producers, and you sell yourselves as one of those grassroots agricultural organizations. This would not be to the benefit of our folks on the ground.

Mr. Barry Robinson: It outlines our concern that the CFIA at present virtually has a dual mandate. One is to protect the food system safety and the other is to promote trade. I guess which takes precedence is the question. Is it possible to promote a dual mandate under one agency fairly? That's the real concern. If someone else had the ultimate authority for protecting the safety, then I think we could be sure that it was being looked at thoroughly.

Mr. David Anderson: I think the appeal body would be a better place for it than putting it in Health.

Mr. Barry Robinson: The appeal body has been raised a couple of times. I guess the question I would have then is, what are the implications of that too? Can we ultimately say no to something?

If the CFIA adopted an agreement with another country, would that appeal body have the power without a penalty to change that agreement? That's the concern too. It's one thing to appeal it, but would there be a penalty—and Terry raised this earlier—for backing out of an agreement that someone thought they had earlier?

The Chair: Mrs. Ur.

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Thank you for your presentation.

Wayne basically asked a bit of my first question, which is on number 5 in your presentation. I just want clarification on the following statement:

It's apparent from the record of the CFIA in dealing with outbreaks of Bovine Spongiform Encephalopathy (BSE) and Avian Flu that corporate interests have undue influence in shaping policy....

Maybe I'm misreading this. We were out there studying the avian flu. Are you saying the large farmers were responsible for the avian flu? Are you trying to differentiate between the large farmers and, say, the backyard farmers?

Mr. Terry Pugh: That's one of the points we want to make here, yes, absolutely. When you have a system that brings large numbers of animals together in a very industrial setting, then the odds of that disease spreading are obviously very high.

I think in the CFIA pamphlet distributed just recently, CFIA basically is saying that this problem is caused by wild birds. I'm not so sure that we've actually nailed that down, that this has been confirmed as the ultimate source of it. But there are several parts in this pamphlet—which, actually, farmers who I've talked to find very insulting—where CFIA is saying keep poultry in closed poultry houses, keep wild birds and their feces away from poultry and poultry feed. Obviously the implication there is that it's these backyard flocks or wild birds that are responsible for this introduction of avian flu.

• (1625)

Mrs. Rose-Marie Ur: I would think these large farmers, under the HACCP and all that they are required to be a part of, would certainly be ahead of the game. It would be far too costly for backyard farmers to ever participate in that kind of an operation, for it to be viable for them to carry out those kinds of procedures. I'm not advocating large farms—don't get me wrong—but I'm just calling attention to the hoops they have to go through versus the small farms.

Mr. Terry Pugh: We're advocating appropriate regulations. You have to do what you have to do in order to keep the food supply safe. But if you have the conditions there where you can produce food safely, then is it overkill to go with massive, capital-intensive investments that really are not necessary?

Obviously, if you have a situation where those investments are necessary, then that's what has to happen, but often those operations are very, very large and export-oriented. With backyard flocks, the scientific evidence points to some of those heritage breeds that were destroyed not even being susceptible to avian flu; yet they were destroyed as part of that whole mop-up operation. A tremendous amount of hurt occurred in the Fraser Valley as a result of that.

Mrs. Rose-Marie Ur: Sure.

You had concerns as to the inspectors wearing many hats, reviewing different commodities rather than specific areas. Are you concerned that because of the vast amount of knowledge that they have to retain on various areas, they'll be doing a less adequate job for consumers and for the farmers as well?

Mr. Terry Pugh: I think the demands on these people will be greatly increased. I'm sure they're all very well educated and they do the best job they can, and I have a great deal of respect for them, but the problem as well is the process we're looking at, as I alluded to—the HACCP model. It's more a tracking mechanism with a lot of paperwork. A lot of the roles of those inspectors would be to make sure that the paperwork is in order and to do less and less actual physical inspections. So the knowledge base may not have to be quite as extensive.

Somebody who's a fish inspector, for example, needs to know the fish inside out in order to visually detect something, but if their main training is on the HACCP model, then the job is making sure that all those paper trails are in line and they're able to catch anything that's not out of line. It's partly the process. I think also, if they are switching commodities, it will be a tremendous—maybe not tremendous, but it will be an increased workload for those folks. They're going to have to keep on top of changes to rules and regulations in different commodities, especially if we're looking too at border controls. These folks are doing an awful lot more. They're going to have to also know what to look for when certain commodities come across the border.

Mrs. Rose-Marie Ur: I only have five minutes and I want to get to this question, because it certainly has been a topic that's been raised in my riding quite a bit over the last several months; that is, restrictions on farmers' rights to save and reuse seed. That's been a really big topic in my riding. We've had presentations by NFU representatives at many of these meetings stating that the farmers' rights are going to be taken away.

I looked into this and I was told, I was assured, that it's not a case of taking away their rights. They will still be able to reuse their seed, but that they can't sell. They can't sell now, so there's no change there. With respect to the information that's being put out in our farming communities, our farmers are rather confused as to the information that was being sent out by NFU. Farmers will still be able to use their seed, and, no, they can't sell it. The only thing that will happen is it will be enshrined that this indeed is the case.

What is the reasoning behind, or what kind of messaging are you trying to put out there, so that it helps me understand what's going on with the saving of seed?

Ms. Colleen Ross: It is an option in UPOV 91 to keep in the clause for farmers' privilege. What we've seen in other countries that have acceded to UPOV 91—Azerbaijan, for example—was that farmers' privilege ended up being null and void. Industry and patent rights took precedence over farmers' privilege. We really don't see that being a long-term privilege over industrial rights. It's turned reality on its head. Suddenly, something we've historically done in Canada to make our standards second to none has suddenly become a privilege instead of a right, and we don't see that privilege having any really long-term viability, seeing what's happened in other countries and lawsuits that have happened.

We're looking at historically what has happened in other countries, and I don't see it as being something that's giving us much security. Also, within the legislation, they want to eliminate common seed from the market. If they're eliminating common seed from the market...if you hold a handful of common seed and see the results at harvest, there's really not a lot of difference. When I sell a load of

grain from my farm-saved seed and it leaves my farm in a semi-trailer, I'm assuming it's going into the food system, not necessarily going back into seed. But it could very well go back into seed. I can identify that. I can identify exactly what variety that is, but it's classified as common, as a common product, from common seed. In fact, I know exactly what I'm selling and I know exactly what that variety is, and the people who are buying it want to know exactly what it is.

• (1630)

Mrs. Rose-Marie Ur: I think we have to be sure we're messaging the message properly, because in some of your recommendations—number 11, “may impose”—the probabilities or whatever.... We have to be a little bit fair as to what may or may not happen.

Ms. Colleen Ross: I would rather be in my position and be wrong than be in their position and be wrong.

Mrs. Rose-Marie Ur: Right.

You had also indicated on page 6:

Bill C-27, the CFIA Enforcement Act, will impact heavily on Canadian farmers and consumers. These are two sectors of society which will pay the cost of changing the rules surrounding food safety and trade.

I'm just going to relate to the consumer part. I know what burdens the farmers have been carrying for years. You tell me how the consumers will be affected.

Mr. Terry Pugh: Consumers are going to be affected if something that comes on the market is not safe, for example.

Mrs. Rose-Marie Ur: You believe that with this change, the CFIA is going to forego the safety of Canadian food?

Mr. Terry Pugh: I think we need to look at—

Mrs. Rose-Marie Ur: Are you saying that?

Mr. Terry Pugh: No, I'm saying that we need to be concerned that we don't put in place legislation or regulations that may put Canadians at risk.

Mrs. Rose-Marie Ur: I think if we move to Health we may have more of a concern than if we keep it in Agriculture.

Mr. Terry Pugh: Let me use an example, if I could—just a short one. Vioxx was put in place. I know this is not covered under Bill C-27. This is a food and drug problem—it's under Bill C-28—but that also is before the House of Commons.

This drug was approved in the United States. It was on the market, then later found to cause real problems for heart patients, and then it was pulled back off the market. That drug was never approved in Canada because, my understanding is, they needed to do independent testing on it and never approved it. So if we had common regulations or common approval to facilitate getting new products on the market as quickly as possible.... We just need to look at what happened with Vioxx. It went on, they found out it was not the help it should be, it was pulled back off the market, and now it's back on. But consumers are the ones who are going to pay the price.

Mrs. Rose-Marie Ur: Thank you.

The Chair: We're getting onto another issue. Vioxx was also used in Canada, by the way.

We'll move to Mr. Gaudet.

[Translation]

Mr. Roger Gaudet (Montcalm, BQ): Thank you, Mr. Chairman.

You said in your presentation, in point 4 on page 2, that the CFIA has a dual mandate. Could you tell me about that?

[English]

Mr. Terry Pugh: Yes, the two mandates actually are in the endnotes, endnotes 2 and 3. The objective is "to contribute to a safe food supply and accurate product information", and the other objective is "for market access to facilitate trade in food, animals, plants, and their products". Both of those were from the CFIA annual report of 1997-98, which is the first year it came into existence. That's the dual mandate we're referring to.

•(1635)

[Translation]

Mr. Roger Gaudet: Would it be preferable to divide the mandate in two? That way, one organization would protect public safety and the other would promote trade. Is that what you would like to have? Who would be in charge of those two agencies? Would it be the Department of Health or the Department of Agriculture and Agri-Food, or both? What would you recommend to us?

[English]

Mr. Terry Pugh: I think that sums it up very well actually, Mr. Gaudet. What we want is to definitely split that mandate, because they're conflicting mandates. You can't push both those mandates at the same time. You're either focused on health and safety or you're focused on increasing trade. And we believe that health and safety has to be the number one priority. So splitting it, putting it under two different organizations, is absolutely what we're after.

[Translation]

Mr. Roger Gaudet: You didn't tell me who would be responsible for each agency. Would it be the Department of Agriculture and Agri-Food for one agency and the Department of Health for another? It could also be the Department of Agriculture and Agri-Food for both, but independently.

[English]

Mr. Terry Pugh: I think the Department of Health is the one that should be concerned with the health and safety of Canadians. There is some debate, even within our organization, about whether agriculture itself needs to be split into two different departments,

the Department of Agriculture and the Department of Agri-Food, for example. Other countries, like Brazil, actually have a model like that. They have a Minister of Agriculture for—

[Translation]

Mr. Roger Gaudet: In fact, what you say corresponds to your recommendation 10: "Canada should retain independent standards, and regulations should be made based on protecting public health and safety rather than facilitating increased trade." Explain that to me. There seems to be a contradiction between the two.

[English]

Mr. Terry Pugh: Well, I hope it's not a contradiction. We want to retain those independent standards. Again, our priority is protecting the quality of food and protecting public health and safety.

Once you have regulations and standards in place that assure very high quality food, then the trade will follow automatically. It's not a matter of going out and lowering your standards in order to gain these markets and saying that we have the best food if we don't. Once you have the best food and everyone knows that, the proof is in the pudding. When you have standards and food quality that's up there, then those markets will be much easier to access because everyone will know that your food is safe and they're not taking your word for it.

Ms. Colleen Ross: Can I add to that?

We talk a lot about sound science and homogenizing or harmonizing our standards with the U.S. I'm thinking about the trilateral trade agreement right now that we're reading about with the U.S., Mexico, and Canada. They're using an acronym called FAST. That in itself is very telling. FAST stands for free and secure trade. Looking at sound science, whose sound science is it?

Through Bill C-27, we are considering trusting industry science. In Canada, as I said before, we would like to see stand-alone science, where our science is done independently by publicly funded researchers, not industry researchers, so that we don't have another mandate that is only going to give us fast, free, and secure trade. I question free and secure trade when the science isn't really sound and it has ulterior motives.

In Canada, the National Farmers Union would like to see publicly funded research, that our health and safety standards do not have ulterior motives, and that our priority is the health and safety of the Canadian public, regardless of what the U.S. or any other country considered to be sound science.

The Chair: Are you finished?

Monsieur Gaudet, a short one.

[Translation]

Mr. Roger Gaudet: What do you think of bioterrorism, which is one of the new issues making it necessary to strengthen the existing legislative basis? Could you explain to us the current deficiencies in the legislation regarding bioterrorism control and how the proposed bill would make it possible to tighten up the measures in place?

• (1640)

[English]

Ms. Colleen Ross: Do you want us to address bioterrorism? Bioterrorism is something that can so easily happen anywhere. You're asking us what we think we should do to avoid the possibility of bioterrorism in Canada through Bill C-27.

As a farmer, knowing how things can be so easily contaminated and the promiscuity of what we consider to be contaminants, bioterrorism is something that can very easily happen anywhere. I see bioterrorism happening already by, for instance, countries or states.

I'm using Australia as an example because it's something that's very familiar to me. There are moratoriums on genetically modified organisms, but there are secret test plots of genetically modified organisms in states where there are moratoriums on genetically modified organisms. I consider that bioterrorism because there's a very real danger of contamination. A lot of these genetically modified organisms are extremely promiscuous and there's no way of controlling that.

In that case, I think there are things that CFIA or the food regulators can do to stop it. A moratorium is a moratorium and no means no.

The Chair: Your time has expired.

Ms. Crowder, do you want to come on now or do you want to wait a turn? Are you ready to go?

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): I'm ready to go.

Thank you, Mr. Chair.

I apologize for missing your presentation.

In my riding of Nanaimo—Cowichan, Bill C-27 is an important issue. We have many small farmers who are very concerned about Bill C-27 and the safety of food in our riding.

You may have addressed this, so forgive me if you have, but there's a notion of the precautionary principle out there when you talk about many aspects of science and food safety. And really it talks about the fact that the obligation is to make sure things are safe instead of waiting and finding out down the road that we've missed the boat on it.

Can you talk a little bit about the things you might see as being important and that could be put in place, instead of what is being suggested under Bill C-27, to ensure Canadians' confidence in their food safety and security?

Ms. Colleen Ross: I'm a farmer. We're talking here about backyard farming, and I'm not sure what that means. We obviously understand what the industrial model of agriculture is. As a farmer I

have many friends and neighbours who are perhaps in an industrial model of agriculture. And for what I would consider medium-sized farms, we do have consumer safety already.

I market domestically, and I'm sure a lot of what I grow is exported. There is consumer confidence already. I find more and more my market is increasing. People are becoming less confident in the food they're seeing in the grocery stores, especially when they're seeing it coming from countries that may not have the regulations on pesticides and herbicides that we have in Canada. When we say, "Oh, Canada's got really safe food", well, yeah, when it's produced in Canada, at our very high standards. I know consumers more and more in my community are saying, "We want to buy locally", and it's very difficult to do. That is already there and we need to protect that by keeping our standards high and questioning other people's sound science, other country's sound science.

Ms. Jean Crowder: That's actually a good point.

Mr. Barry Robinson: I just have a point. When it comes to the precautionary principle, I think quite often it's the farmer who is asked to pick up the cost of the precautionary principle. On one hand when we talk about things like nutrient management and a number of regulations, water regulations that we're facing in various jurisdictions—and we are certainly an organization that's very supportive of environmental regulation and protection—we are often asked to pick up the cost of that to ensure that nothing happens. Yet, on the other hand, we find that the regulations appear to be much easier when it comes to genetically modified products, for example. We believe the science isn't in on that yet, and yet they get approved.

As we mentioned earlier, RBGH was approved in the U.S. Under this bill, as was asked earlier, would it have come into Canada? We don't believe those technologies have been proven, and yet we're allowing them.

So the farmer is caught in the middle here, paying for protection on one hand, and yet when it comes to industry, there seems to be freer access to the final product.

• (1645)

Ms. Jean Crowder: Mr. Chair, do I have time left?

The Chair: Yes, you have.

Ms. Jean Crowder: Thank you.

I would just like to follow up on the issue of the precautionary principle. GMOs are a very good example of something that I would suggest we want to look at in detail as regards the precautionary principle before we go down that road.

I come from a community that has small and medium-sized farms, and when you talk about support to local farmers, there needs to be support in a number of areas, including land regulations so that you buffer farmers. And certainly when you talk about things like water regulations—although I live in the middle of a rain forest, we're looking at severe water restrictions this summer—our farmers are going to be adversely impacted by that because they've relied on those water surpluses that have been there for years.

If you're talking about asking farmers to pick up the costs for things, what would you suggest needs to be done differently around that bit? Should there be other regulations, or support from the government?

Mr. Barry Robinson: When it comes to some of these regulations there needs to be more financial support. If it's society as a whole that benefits from these regulations and this protection, which I said earlier we do support, then society needs to be paying for them. As we see fewer and fewer farmers in this country—and we know what the financial situation is for farmers—it becomes an increased burden to pick up more and more of the regulatory costs and yet not have any of the benefits.

The Chair: You've exhausted your time.

We're going to stay on this side, and then I'm coming across to you, Mr. Kilgour.

Mr. Miller.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Thank you, Mr. Chairman.

Mr. Pugh, there's something I'd like to go back to from when Ms. Ur was questioning. I don't know whether it was Rose-Marie or you who referred to recommendation 11, but I just wondered if there was a piece of paper that I didn't get, because I see that you have 10 recommendations.

Mr. Terry Pugh: Actually, right at the very beginning of our brief there's a recommendation 11. I tried to condense it at the tail end. It refers to regulations; it's on page 3.

Mr. Larry Miller: Okay. For the sake of time, then, I'll go back to it. I just didn't see it.

Where I'd like to start off here is on page 11 in your report, where you have permanent injunctions and what have you. Of course, this marks, as you point out in there, major expansion in the CFIA's authority. You mention in there the potential abuse of these permanent injunctions.

Would one of you, or your peers, enlarge on that?

Mr. Terry Pugh: My understanding is that a permanent injunction prevents someone from doing something permanently. I can't think of an instance where you would actually need to do that. A permanent injunction—and again I'm not a lawyer—is I think really an excessive power in the hands of the CFIA. If something like that were really necessary.... I think certainly temporary injunctions may be called for in any legislation involving food and tampering and that sort of thing, but a permanent injunction.... I just can't imagine why you would need something like that.

Mr. Larry Miller: I agree with you. I guess what I'm trying to do is find an example of where that injunction could be put on. Could it be put on a slaughterhouse?

Mr. Terry Pugh: I assume it could go onto any operation that's dealing with the regulated commodity—for example, a seed cleaner. Any mobile seed cleaner could be prohibited from owning seed-cleaning equipment forever. I don't know. I just think it's excessive.

• (1650)

Mr. Larry Miller: Okay. I was going to ask something about seed cleaners at the end, but you've just brought it up now.

I've read your comments in here about seed cleaners and what have you. Has your organization done any estimate on what the costs might potentially be, not only, say, to custom seed cleaners, but also to farmers? Have you done anything along those lines?

Mr. Terry Pugh: I think the cost would be significant. I don't have dollar figures for it; I think those would be very difficult to nail down.

Certainly, many farmers rely on custom seed cleaning, and many of them mix certified seed with common seed. They'll buy a certain amount of certified seed in order to make sure they have the variety purity and so on, but it's very expensive to keep doing that year after year. Some of them will probably use a majority of their crop as common seed. Often the yields turn out to be better in the second or third year, after they buy certified seed, because the seed becomes acclimatized to the soil and climate conditions and so on.

I would say it would be a tremendous impact, but I can't give you a dollar figure.

Mr. Barry Robinson: This doesn't apply to everything, but on small grains it's roughly double the cost to buy certified seed over common seed. That's not cleaning your own; that's just going out and buying common seed from someone versus certified. As Terry mentioned, people may be using a combination of those things, so it could go anywhere from doubling the cost of your seed to maybe a 50% increase.

Mr. Larry Miller: Okay. Thanks for that. I'm a farmer too, so I know what the costs are as far as that goes.

Maybe we could go back to page 11, under "Search and seizure of assets". What I noticed in here is that it's going to basically exempt the CFIA from liability for any loss. One of the fears I see here—and I'd like your comments on it—is the potential for this part of Bill C-27 to be open to abuse, say for an inspector who had a confrontational visit with a plant or an operation of some kind.

Do you see that it could open up that kind of thing?

Mr. Terry Pugh: I think it's a very real possibility. It's very arbitrary from what I've seen in here, and a lot of it could come down to...because you don't have that appeal mechanism anywhere in here. The CFIA's word is final on that.

Mr. Larry Miller: Without going back through your recommendations, have you recommended, or do you have any thoughts on, how that thing could be changed and yet still have a certain amount of controls?

Mr. Terry Pugh: I can't give you specifics on that. I think there should be.... When it comes to writing the bills, no, I'm not an expert in that. I just think that whoever does this should be able to balance that out, and I think the appeal authority is a good place to start.

The Chair: Mr. Robinson.

Mr. Barry Robinson: I was just going to make that point. It's been brought up that perhaps an appeal body would be appropriate, and certainly there should be room to appeal some of these decisions.

Mr. Larry Miller: I just had one more question. You've expressed opposition, or your group has, to foreign inspection arrangements. The Canadian Federation of Agriculture has stated before this committee that they're pleased with this section of the act because it puts the onus on exporters before the product actually arrives in Canada. So if an exported product has been inspected outside of Canada and certified that it meets or exceeds our standards here—Canada's standards—what's the problem with this? It reduces domestic cost and prevents products that don't meet Canadian standards from coming here. It's baffling why your group would be opposed to this.

Mr. Terry Pugh: Our concern is that it sounds like a tremendous amount of faith placed in the certification system and the accreditation system. I think Canadians need to retain an independent inspection service in Canada in order to ensure that those standards are at a place where we want them.

Ms. Colleen Ross: As I said before, how do we define sound science? Once again, referring to the trilateral trade agreement and Bill C-27 and also the mandate of Agriculture and Agri-food Canada, it's giving permission for third-party organizations or industry to deem what is sound science and what is safe. Once again, I would like to say that we need to have our own checks and balances here with publicly funded researchers who do not have another mandate, so that... We are actually looking at what they're calling FAST, free and secure trade, based on industry's definition of what is sound science.

•(1655)

The Chair: Okay, we've exhausted the time. We move over to Mr. Kilgour.

Hon. David Kilgour (Edmonton—Mill Woods—Beaumont, Lib.): Thank you, Mr. Chairman.

My questions only relate to page 5 of your brief. Was it you who came to Innisfree and told us there that every farm in Saskatchewan had lost \$20,000. Is this the source of that figure?

Mr. Terry Pugh: Yes, and yes, I was there.

Hon. David Kilgour: And over the last three years it has been extremely difficult in Saskatchewan, hasn't it? Was it a \$900 million lawsuit in Saskatchewan alone?

Mr. Terry Pugh: I don't have the exact figure, but it's in that range. Yes, Alberta...the figure has actually gone up. We do have an updated graph that we can circulate later, but it's still very much in the negative range.

Hon. David Kilgour: This is an awful chart, isn't it, actually?

Mr. Terry Pugh: It's a nice chart. The figures are bad, but—

Hon. David Kilgour: Couldn't every Canadian see this? Don't you think there's some way we could get this out to every Canadian consumer?

Mr. Terry Pugh: We've been doing our best to show people that an increase in gross exports, an increase in gross farm income, does not necessarily translate into prosperity at the farm gate level. That's

the whole point. The more you export, the more money is coming into the farmer's hands, but the more is going out and it's being captured by the market.

Ms. Colleen Ross: And this is not just a reality in Saskatchewan. This is a reality in Ontario. Four or five years ago I was selling conventional white highland soybeans for...I think I ended up getting \$444 a tonne. I think it might have peaked at \$446, so I think I did pretty darn good. Now I think conventional soybeans are going for around \$260 a tonne. If they get \$300, farmers are going to get excited.

We really lower our standards as far as return on investment goes. Corn in Ontario right now is around the \$93 mark and we're still bringing it in from the U.S. There was a ship at Casco just a few days ago unloading corn from the U.S., and farmers aren't moving corn at \$90 a tonne.

So this graph is actually quite relevant right across Canada, excluding those farms that are producing under supply management.

Hon. David Kilgour: Exports account for 70% of our farm output. Is that correct?

Mr. Terry Pugh: I said that 67% are going to the United States and Mexico.

Hon. David Kilgour: Are you saying stop concentrating on exports and do something about the income of farm families?

Mr. Terry Pugh: What I'm trying to say is that the market really needs to be fixed. For example, if we focus on pouring more money into expanding Cargill and Tyson in Alberta, who are shipping boxed beef into the United States at a tremendous profit—the cows aren't going down to the States, but the meat from under-30-month cattle is going down—what incentive do they have not to take advantage of that situation? They're buying cattle at rock-bottom prices, and they have a tremendous lucrative market down there. Expanding our capacity in Canada by allowing Cargill to go up to 5,000 head a week and Tyson the same is expanding our production, but that's certainly not going to help the farmer.

Hon. David Kilgour: If you wanted to have a model—and I know this is philosophy—who would you look at? Would you look at Europe, the States, Japan? Which country do you think gives a fair break to its producers?

Mr. Terry Pugh: Quebec is much fairer to its producers than the rest of Canada. They have their ASRA program. The farmers have paid into this. If you look back 30 years, it was very similar between the rest of Canada and Quebec, where the federal government was putting in \$2 for every \$1 the farmers put in. Quebec built on that. It put in a stabilization program that gives returns to farmers in years of low income, and in years when they have a higher income they have to pay into it. So it actually is an insurance program.

In the Canadian stabilization programs, they always seem to be based on a downward trend, such as at 70% you get back, and so on. No matter how much you put in, you're always going down. I think we should look in our own backyard at what Quebec is doing and put that model in across the country.

● (1700)

Hon. David Kilgour: Is there any other country or jurisdiction you'd point to, or is Quebec your best model?

Mr. Barry Robinson: I think Quebec is the best model. It's not based on government payouts. We're not asking for government handouts. We're looking for a framework that ensures long-term stability within agriculture and within rural communities. We're all tied together in this. If we take a graph like that or look at figures in Quebec, we see that the gross farm income is less but the net farm income is higher. So they're holding on to a bigger share because of the type of system they have. Let's be frank, the farmers in Quebec aren't rich, but they're doing better. So we need to build on that type of system.

We've been talking a lot recently about cost of production. Terry was talking about this. We need to build cost of production into anything we do. That has to be the bottom line. Anything that delivers less than that just isn't adequate.

Hon. David Kilgour: Thank you.

The Chair: Now we'll go to one of those successful farmers in Quebec. Do you want to go again, Madame Poirier-Rivard? She doesn't even recognize herself as one of those successful farmers.

Some hon. members: Oh, oh!

[Translation]

Ms. Denise Poirier-Rivard: In Quebec, we've also recommended supply management for five types of production: milk, hatching eggs, hens, pullets and turkeys. That's another advantage in Quebec that helps producers avoid producing surpluses and avoid being penalized when the market is lower.

I'd like to continue in the same vein as earlier, when I referred to Bt10 corn. Do you believe that, if the United States wanted to export Bt10 corn here, we could close the borders as they do when there's any doubt about the quality of our beef? Shouldn't the federal government be just as prudent and close its borders to corn from the United States in this case?

[English]

Ms. Colleen Ross: We would hope so. As a farmer and a citizen of this country and as somebody who eats, I would hope, especially since we do not have mandatory labelling in this country, that they could close a border to that. I'm not sure we have the ability to do that under WTO. I don't know whether we could put up that barrier. I can't answer that question. But I would certainly hope we could.

[Translation]

Ms. Denise Poirier-Rivard: I'd like to talk about food inspection. We've talked about small businesses and large businesses. We haven't yet talked about producer processors. We know there's more and more farm tourism and that producers and processors are established on the same agricultural sites. How do you view the Canadian Food Inspection Agency Enforcement Act?

I'm a farmer. I'm engaged in goat production; I raise goats, and I have a cheese house. Will the inspector go from the goat barn to the cheese house? How do you see that? Could those two activities be completely separate?

[English]

Ms. Colleen Ross: I have just spent the weekend with some fellows from the UPA. They tend to work under completely different rules. In Ontario we really envy that. We have dairy farmers in Ontario who would love to produce soft cheeses and other cheeses, and there is a market. There are consumers who would love to buy that, but we cannot do that in Ontario, while we know that is being done in Quebec, and we envy that. And we certainly hope it can be protected. We are fearful that Bill C-27 will somehow—

[Translation]

Ms. Denise Poirier-Rivard: You seem to like Quebec a lot right now.

What might bring about a change in Ontario? There's more and more of that in Quebec. My concern is about inspection. There are producer processors of other products, not just cheese. You're allowed to kill bison on the farm because you can't transport it to the slaughterhouse. Bison is also processed on the farm. That's going on in Quebec right now. How do you see health standards and inspection standards? Animal inspection and the inspection of processed products are two completely different things.

● (1705)

[English]

Mr. Barry Robinson: In Ontario right now we're examining the meat inspection regulations, and one of the options is to look at on-farm inspection of meat products to allow on-farm slaughter of animals, and that comes back to providing locally grown food to our communities, rather than trucking product long distances to slaughterhouses and then back through the system. By allowing for some closer community inspection and on-farm inspection that allows us to sell directly to consumers, it makes that link between farmers and consumers and gives both a better deal.

Certainly when it comes to a further processed product, we need to ensure that it meets standards. So whether it's done on farm or whether it's in further processing, we need to ensure that it's done properly.

Mr. Terry Pugh: That doesn't necessarily mean we have to have a huge high standard, is the point we are making. Not everybody has to meet the federal standards of Cargill and Tyson in order to sell safe food, and there should be some standards so you could sell across borders or whatever. If you're right on the border of Ontario and Quebec, you're limited, and also the standards vary significantly across the country. Farmers who direct market from Saskatchewan have regulations that favour them much more so than, say, in Alberta, and there's no difference really in their practices. They're all very high.

So there should be standards that can accommodate farmers, the appropriate regulations that allow them to direct market across the country.

The Chair: Thank you.

We'll move to Mr. Drouin for five minutes, and then we'll go back to Mr. Bezan.

[*Translation*]

Hon. Claude Drouin (Beauce, Lib.): Thank you very much, Mr. Chairman.

I, in turn, want to thank the witnesses for being here. I would like to clarify a few points. First of all, recommendation 5 refers to appropriate regulations that should be implemented to encourage smaller-scale and community-based processing. I'd like to have some clarification. I'd also like to get a clearer understanding of your testimony and answers. I think it's important to protect our smaller producers.

You mentioned that 67 percent of exports go to the United States and Mexico. I believe we have to work for the large-scale producers and our smaller producers, which often handle more local products. A significant clientele isn't developing in that sector. We have to support them both at the same time.

I'd like you to clarify the regulations referred to in recommendation 5 that you'd like to see adopted.

[*English*]

Mr. Terry Pugh: When we're talking about export markets, as I say, operations like Cargill and Tyson are massive operations where all of the animals going through are fairly similar in size, weight, and so on. You have certain requirements that you're going to have to put in place in order to ensure cleanliness, and so on. When we say appropriate, those kinds of standards would be appropriate to an operation like that.

If a farmer owned a cooperative in northern B.C., where you're a long way from the market, the farmer would face different vulnerabilities up there. You may not have the stress on the animals because they're not transported quite as far. The pace in the plant itself would be slower. You wouldn't need to have certain things that would be absolutely necessary in a larger plant with a high rate of kill. In those plants, you could put in place regulations that still maintain those standards, but they would be more appropriate because the operation itself is different. Perhaps in some areas there could be mobile abattoirs that meet a certain standard.

I think these types of things shouldn't be dismissed out of hand as being totally unrealistic. We can still protect the health and safety of

Canadians, but there should be, as I say, appropriate regulations. Not being a meat inspector or someone who's an expert on that, I don't want to tell you what those regulations would be, but there are people out there who can. The farmers understand and people who are involved in the industry understand.

•(1710)

Mr. Barry Robinson: For example, lamb producers have had a problem processing lamb and shipping it to another province because we have no federally inspected lamb processing plants in Ontario. We need those plants to allow more locally produced lamb to be used. We're bringing in New Zealand lamb simply because we don't have the federally inspected plants.

Mr. Terry Pugh: One of the things too is to have it in the community that's within reach of those producers. They may have a market, but if the market is too far away, then it's not a market at all for them. It also encourages direct communication with the consumers in that local area.

[*Translation*]

Hon. Claude Drouin: Your answers raise a number of questions in my mind, but few solutions.

First, I'd like to get a clear understanding of why we have no slaughterhouses governed by federal standards.

Second, if we have different standards because we're farther north, there's less transportation and the animals are less stressed, it should be possible to... You're telling us we're experts. Thank you for thinking that. I'm far from being an expert; I don't have a green thumb. However, we should be able to demonstrate food safety. You emphasized those points. I'm not sure a smaller slaughterhouse will afford the same safety if it's governed by different standards. There are standards that are important and that must be complied with. It should be demonstrated that the public is nevertheless protected even if standards are different when fewer animals are slaughtered. You may answer because time is passing.

In recommendation 10, you say Canada should retain independent standards for regulations. You talked a lot about trade and public safety. Couldn't they go together? The best way to protect our trade is to ensure that we have strict regulations to protect the public. An organization like the Canadian Food Inspection Agency must bear in mind that it must make sure it protects the public if it wants to promote trade. That's our strength in this country. It isn't perfect, but our current strength is that we ensure public security, which helps us in terms of trade.

Lastly, perhaps I misunderstood this last point, but you said that we sent our meat in cans to the United States. Isn't that an advantage? If processing has taken place, that means that animals have been handled twice in Canada. So that creates as twice as many jobs. If we do the processing here instead of exporting live animals, doesn't that work to our advantage? We know that agriculture represents 10 percent of Canada's economy. So I thought that was an advantage.

I apologize for asking a lot of questions, but you raised a number of points.

[English]

The Chair: You can answer that, but don't create any more questions because he's out of questions. He can't ask any more questions. I want you to answer what he's put on the table.

Mr. Barry Robinson: The boxed beef going to the U.S. certainly creates jobs. We don't argue with that.

The situation, though, is one where neither the farmer nor the consumer has benefited. The farmer is getting paid very low prices for the beef, because there are very few players in the market, as far as processing plants are concerned. Those products are being boxed and sent to the States, where the price of beef has climbed considerably at the retail level. So as farmers we are not benefiting. It is an outlet for our product, but not at a sufficient price. It's supplying product for the consumer, but at a higher price. It's certainly a benefit for those couple of processors—and we can look back over the last couple of years and see that there are a couple of processors in particular who have really benefited from this BSE situation.

What we need is a fairer system so that the farmer gets a better price, and we need more processing plants so that we have better access and more bidding on the product.

But as I said, the consumer hasn't benefited from the lower prices to farmers.

• (1715)

The Chair: I don't know whether or not that really pertains to Bill C-27, but it's good information.

Mr. Bezan, you're on.

Mr. James Bezan (Selkirk—Interlake, CPC): Thanks, Mr. Chairman.

Thank you for coming in today. I was just wondering, how many farms does the NFU actually represent?

Ms. Colleen Ross: We represent close to 10,000 members.

Mr. James Bezan: Are they members or farms, because I know that sometimes you guys have duplication for farm...?

Ms. Colleen Ross: Members.

But what do you mean?

Mr. James Bezan: The husband and wife and the kids might have individual memberships.

Ms. Colleen Ross: No, we wouldn't consider that. If there are partners on the farm, then they would both be members, yes.

Mr. James Bezan: I'm one of the biggest critics of the bill, but you're saying you are willing just to throw away Bill C-27.

The current system is not perfect, and there is a lot that needs to be done: there is a lack of accountability in the current system, and there's a lack of accountability in Bill C-27 as well.

You talked about the framework that agriculture policy is situated under. I essentially think the APF is failing the farmer. I am a farmer myself, and I just want to know what are some of your ideas on how we can fix the current system if we throw out Bill C-27.

You've got a lot of recommendations here, but again, some of the concerns I essentially have still are oversight, accountability, and appeal processes. How do we address all of these?

Mr. Terry Pugh: I think it's a fairly large question you're asking.

Again, we start right at the overall framework itself. What are the objectives of an agricultural food-producing system? Is it to produce food and create food security for Canada as a whole? Obviously, that's a part of it. Is it to trade back and forth with other countries? Obviously, that's part of it too. The question becomes, which is your priority here, and who benefits if you focus on one as opposed to the other?

I think we need a system in place.... The market system itself needs some real fixing, and we're not going to be able to fix it just by tinkering with a piece of legislation here and there. The Competition Act needs to be beefed up in order to really allow other processors to compete with Cargill and Tyson, for example. That's just one area.

What we want to get across here is that we really feel we need appropriate health and safety regulations that are made in Canada. Simply harmonizing our regulations with those of the United States, or with any other country, in order simply to increase trade is not necessarily in our best interests, because as we've shown in the graph in our brief, increased trade does not translate directly to net farm income.

Our big concern is raising the standard of living for farmers, raising net farm income for farmers, and getting an agricultural policy in place that benefits family farmers and consumers.

Mr. James Bezan: But you realize that the bulk of agriculture is trade oriented. I'm a cattle producer, and well over 50% of what we produce here has to leave the country. Grains and oilseeds across this country have to be exported to generate revenue.

Are you saying we need to be looking at how to capture more of that here, so essentially we need more value added and more processing, we need to be doing away with the regulations, the barriers that are preventing that processing from happening in Canada?

● (1720)

Mr. Terry Pugh: That's part of it, absolutely. You need to have the processing in Canada, but under a framework like this, where you're simply looking at the North American market or exporting more into the United States, it's not going to translate into higher farm income for people at the farm gate.

Mr. James Bezan: So actually we need to make sure we get more processing in Canada, especially in grains, for example. There are some barriers that exist in the Canadian Wheat Board. That has to be changed to make sure we'd need more processing on the prairies.

Mr. Terry Pugh: Well, I think we could go around in circles in terms of what particular efforts of value added might increase net farm income. The point is that there need to be changes to the market system to allow farmers to capture more from that.

Mr. James Bezan: You're talking about CFIA. I'm not at all enthusiastic about the idea of moving it into Health Canada. Some of the things we've seen with the Pest Management Regulatory Agency is that they are extremely difficult to work with, they're not farmer friendly. CFIA, in my opinion, is not farmer friendly now, and if we moved them over there we'd lose complete input into how they run the show.

I know you have a concern about their dual purpose, whether it's trade or whether it's food safety. I've always been a believer that CFIA is not the best place to be doing trade promotion, and possibly that should be moved out of there. Let it become just strictly food safety; function under that means. Trade should be put back into market development officers under the Agriculture and Agri-Food Canada brand rather than CFIA. Would you feel that would be a proper approach?

Mr. Terry Pugh: I think that's legitimate. We'd still have concerns with the total focus on exports without regard to net farm income, absolutely. But splitting it off is definitely something that we think would be appropriate.

The Chair: We will now turn to Mr. Ritz.

You had a short question. Has it grown bigger?

Mr. Gerry Ritz: Yes, I have two points.

The Chair: Okay, two points, and I'll close with you if you have a closing question.

Mr. Gerry Ritz: During your presentation today, folks, if I didn't mishear you, you made the point that your organization is in favour of mandatory labelling and country of origin labelling.

Mr. Terry Pugh: Yes.

Ms. Colleen Ross: Yes.

Mr. Gerry Ritz: You're the only farm group I've heard say they're in favour of those two initiatives at this point. How do you square that with costs to producers? This all flows downhill right to the farm gate.

Mr. Terry Pugh: I think if you look at the cost of not doing that, it is far greater than the cost of incorporating that, because it dovetails into what I said before—

Mr. Gerry Ritz: Long term, short term, there are some punitive costs involved.

Mr. Terry Pugh: Well, there are costs to testing, for example, for cattle too, and when the BSE crisis hit I think a lot of farmers said yes, we can't really afford the test. Now I think you would be hard pressed to find a majority of cattle farmers out there who would say, "We can't afford not to test".

Mr. Gerry Ritz: Well, we've tested every elk for three years and it hasn't opened one sale offshore.

Mr. Barry Robinson: When it comes to mandatory labelling, for example, on genetically modified food, your assumption is that it would flow down to the farmer. But I guess another option would be that those who want to impose genetically modified products into the system should pay the cost of that, and the farmers who want to use conventional crops shouldn't have to pick up the burden for industry developing new products they're trying to promote.

There could be a distinction there that the farmer shouldn't have to pick up the cost.

Mr. Gerry Ritz: You also talk about splitting the CFIA, the food safety side of it, and trade. The concern I have with that is trade is a two-way street, imports and exports. And you see all of that gone from the CFIA? Who's going to inspect as it comes in, if you're not concerned about who's inspecting going out and so on? How do you take trade away when it's that two-way street?

Mr. Terry Pugh: Well, no, what I'm talking about is trade deals, negotiating trade deals, going to the WTO and providing advice on how to get the best deal, how to get this particular item into the market as quickly as possible, and how to lower regulations or facilitate trade. That's a different question from regulating the safety of food that's coming into Canada.

I don't want you to misunderstand me there.

● (1725)

The Chair: Ms. Crowder, for two minutes.

Ms. Jean Crowder: Yes. Very quickly, I think there is a variance in the presentation. Two weeks ago, I noted in the paper that there was an article on consumer confidence in the food supply. In Mexico, for example, less than 50% of the people in Mexico had any confidence in the safety and security of their food. Canada was higher, but it wasn't in the top line.

I take your point that it's really important that Canadians have control of their regulations and food safety, and that it is our regulations. After reading the book *Fast Food Nation* by Eric Schlosser, it did not give me a lot of confidence in the American system. I would not want to see us go there.

What is your sense of whether Health Canada would actually have the capacity to it? Would you trust them to be the ones who talk about food safety and security?

That will probably take up my two minutes.

The Chair: That was the short question; now we'll have the short answer.

Ms. Colleen Ross: When we have unbiased scientists who are publicly funded to do the science with the mandate to protect Canadian consumers, and they are free to do the science, do it right, do it thoroughly, and tell the truth, then that gives me confidence and that gives the Canadian consumer confidence.

Having worked with people from Mexico on a very recent international round table on biosecurity, what has happened there to the staple in their diet, which is corn, is a tragedy.

I have met with international trade, and they have said that it is up to each country to do the science. Some countries do not have the infrastructure to do the science.

We have the infrastructure to do the science, but our mandate seems to be that somebody else is going to do the science. It is not going to be publicly funded. It is not going to be done through Agriculture and Agri-Food Canada. It is going to be done by a third party on a contract basis, and I have it written here.

That's not on. We need publicly funded, sound science that is open and honest, where it is okay to tell the truth, and not these trade deals. When we say that no, it does not meet our standards, that's okay for us.

The Chair: The time has expired. We have reached the end of our time period. I only want to say to the witnesses today that we appreciate your input.

As you know, this is a difficult process because most of us aren't lawyers. Some of us are farmers, though. We have an interest in what goes into this act.

One thing I can assure you, there will be an act of some kind. We are not going to throw this act away, but we will create an act. Hopefully, it will be an act that will serve the best interests not only of the general consumer public, but also the people who we call producers in this country.

How we reflect that in costs transferred down the system is something that we are very cognizant of. We are all aware of that. But we are also aware that in order to meet our international commitments and the belief we have in our system being a safe system, we have to do the honourable thing and ensure that health and safety come first and foremost.

Thank you very much.

If you have anything else that you want to come before this committee in terms of recommendations or areas of the bill that you would see amended, then have them before us by April 21. I know you have the recommendations. We'll take those and they'll come under advisement by this committee.

Thank you very much again.

At this time, the meeting stands adjourned.

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