

GUEST COLUMN



Food Adulteration Bill, a very nasty piece of legislation

Bill C-28 will accelerate adulteration of Canada's food supply with cancer-causing chemicals

By MICHAEL MCBANE

With all eyes on the Gomery Inquiry, the Government of Canada is sneaking a very nasty piece of legislation through Parliament. Bill C-28, an Act to Amend the Food and Drugs Act, will accelerate the adulteration of Canada's food supply with cancer-causing chemicals, pesticides, food additives and veterinary drugs like growth hormones and antibiotics. During second reading debate the Parliamentary secretary to the Minister of Health, Robert Thibault, told the House not to worry, the bill is "not related to food safety," but is a "technical" matter. Mr. Thibault added that C-28 is "in line with the ongoing intent of the Government of Canada's smart regulation

Health's statutory duty from protecting our food from chemical adulteration to facilitating chemical adulteration is described as Smart Regulation. According to the *Concise Oxford Dictionary*, smart can mean: 1. severe enough to cause pain, and 2. selfishly clever verging on dishonesty; and unscrupulously clever. Bill C-28 is very smart.

The Precautionary Principle states that: Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing measures to prevent adverse health impact. Why is Health Canada's Health Products and Food Branch not applying the Precautionary Principle in the regulation of pesticide, chemical, and veterinary drug residues in the diet of children, infants, pregnant women and other human beings?

'The Gomery Inquiry and the corruption in the sponsorship program will pale in comparison to what a public inquiry into Health Canada's regulatory programs would bring to light.'

initiative." He added that the bill: "will support ongoing work under the North American Free Trade Agreement Technical Working Group on pesticides."

In article 4 of the *Food & Drugs Act*, the Minister's duty is to prohibit the sale of food that has been adulterated. Under Bill C-28, the minister will exempt from this adulteration provision: a) an agricultural chemical; b) and its components or c) derivatives, d) singly or e) in any combination; f) a veterinary drug and g) its metabolites, h) singly or i) in any combination; j) a pest control product or k) its components or l) derivatives; or m) a food additive.

Food would not be adulterated if the food is named in "an interim marketing authorization" or IMA. The IMA could also be used to allow higher residues of these toxins in a food.

Hocus-pocus, adulteration is not adulteration if the Minister of Health says so!

The effect of Bill C-28 is to eviscerate the Minister of Health's statutory duty to protect the public from health hazards and fraud. The Minister of Health's new statutory duty in Bill C-28 is to expose Canadians to chemicals, food additives, pesticides and veterinary drugs—some of which are believed to be carcinogens like estradiol, a growth hormone widely used in industrial beef production.

This transformation of the Minister of

Health Canada approved the use of six hormones used in beef production that are banned in the EU: estradiol, progesterone, testosterone, trenbolone, zeranol, and melengestrol acetate. According to the EU's Scientific Committee on Veterinary Measures Relating to Public Health: "no threshold levels can be defined for any of the six substances."

Estradiol is linked to DNA damage, early puberty among girls, and breast cancer in women. The human epidemiological studies point to estradiol as a carcinogen adding approximately three per cent breast cancer risk per year of estrogen exposure.

The EU asked the WTO for Canada to supply the risk assessment data upon which Health Canada determined that these six hormones banned in Europe are in fact safe for human consumption. The Government of Canada responded that the risk assessment data (as well as the Health Canada reviewers' assessment) are secret. If a process is secret it is not scientific. How can we trust their claim that residues in our food have no harmful health effects?

2,4-D is being approved by Health Canada, in spite of the fact that toxic equivalent intakes exceed WHO guidelines for all children under five. This is shocking, that even when there is scientific evidence of harm, we're being told that safety has been established. There appears to be no limit beyond



Photograph by Jake Wright, The Hill Times

It's his file: Health Minister Ujjal Dosanjh is the minister responsible.

which senior managers in Health Canada's Health Products and Food Branch are prepared to go on behalf of their industrial clients.

It would be imprudent and unwise to trust Health Canada to "determine"—in secret—that toxic residues in our food "would not pose an unacceptable health risk to the public." How can anyone establish a "safe level" for residues in food of which one single molecule can cause a mutation leading to cancer? How many Canadians have to die from diet related cancer before Health Canada stops the adulteration of the food supply with known carcinogens?

Canadians are being misled about Bill C-28 and Smart Regulation. We'd have to be very naive to think that harmonizing with U.S. regulations would have no negative impact on public safety. The Bush White House is implementing a sweeping deregulatory strategy to dismantle public health and environmental safeguards.

Canadians don't want their health protection weakened—even if it is done in a 'smart' (and unscrupulous) manner. They don't want their safety rights gutted piecemeal with Bill C-28. Nor do they want their health protection in the *Food & Drug Act* gutted wholesale by means of the Minister's proposed new Canada Health Protection Act. Canadians want health regulation based on the Precautionary Principle, where one always errs on the side of safety and not on the side of the risk.

The Gomery Inquiry and the corruption in the sponsorship program will pale in comparison to what a public inquiry into Health Canada's regulatory programs would bring to light.

Michael McBane is the national coordinator of the Canadian Health Coalition (www.medicare.ca) and author of *Ill-Health Canada: Putting food and drug company profits ahead of safety*, Ottawa: CCPA, 2005. *The Hill Times*

THE HILL TIMES Policy Briefing

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Life Sciences

The Hill Times will focus on the government's life sciences agenda on May 16. We'll take a deeper look at the government's direction and funding; the government's five top priorities; opportunities in nanotechnology; revolutionary research in health, environment, biodiversity and genomics;

biopharmaceuticals; access to market; the knowledge-based economy; and how Canada can help developing countries fight disease.

Industry Minister David Emerson will do a Q & A interview. Party critics will file columns along with other key political players.

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LETTERS

Ujjal Dosanjh says Bill C-28 does not compromise safety

Re: "Food Adulteration Bill, a very nasty piece of legislation," (*The Hill Times*, April 25). I would like to raise some serious concerns regarding the guest column on Bill C-28, an Act to amend the Food and Drugs Act. Michael McBane has painted an inaccurate picture of the proposed legislation and Health Canada's regulatory activities, which have, as their principal purpose, to protect Canadians.

As Minister of Health, my responsibility is to protect the health of Canadians. Let me be clear, it is a responsibility I take very seriously. And, protecting the health of Canadians will always be Health Canada's primary objective.

Bill C-28 does not change existing government practices in maintaining the safety of the food supply. Bill C-28 will give me, as the Minister of Health, the authority to issue an Interim Marketing Authorization or IMA, which will allow a product to be sold while the Food and Drug Regulations are amended. Simply put, the purpose of an IMA is to bridge the period of time between the completion of the safety assessment and the completion of the regulatory process. This was a recommendation from the Joint Standing Committee of Scrutiny of Regulations.

What Canadians must know, and what your guest's column failed to mention, is that the substances he focuses upon, namely food additives, veterinary drugs, pest control products and agricultural chemicals, must have been previously reviewed and approved by Health Canada and authorized through amendments to the Food and Drug Regulations before an IMA can be considered.

In addition, an IMA can be issued for these previously approved substances only when the proposed new uses have undergone another thorough scientific review demonstrating the safety of such new uses.

I would also like to take this opportunity to reiterate my commitment to increasing openness and transparency at Health Canada. Except where there are legitimate and compelling reasons of privacy or business confidentiality, the Department is moving towards complete disclosure of the information on which scientific decisions are based.

Health Minister Ujjal Dosanjh
Ottawa, Ont.

Election and the blood lust of uncontrolled vigilantes

We will be thrust into an election where everybody loses except the Bloc and the NDP. I know the polls show gains for the Conservatives, but I have not heard from anyone who plans to vote Conservative who did not vote Conservative in the last election.

I believe most Canadians do not feel that their local Liberal Member of Parliament was in any way connected with the sponsorship scandal, while most Canadians are worried about a hidden agenda for health care. Necessitating the need for e-mails and phone calls to Alberta Premier Klein and his Ministers in Alberta to remain silent about their healthcare plans during the election.

Jack Layton, leader of the NDP, is proving himself to be a politician above the fray. Remember the saying about keeping your head when all those around you are losing theirs? That is Jack. Keep up the good work.

The Bloc will gain seats at the Liberals' expense because the Sponsorship Inquiry plays like a soap opera in Quebec, propelling people to the polls protesting the wounding of their pride. Fears about hidden agendas and right-wing politics will also keep the Conservatives at the door with hat in hand.

My reasons for considering voting



Photograph by Jake Wright, *The Hill Times*

Election Day: Prime Minister Paul Martin, above. Letter-writer and on again off again Lib. Garfield John Marks says he will vote Liberal.

Liberal are, first and foremost: the fact that it will be another minority government and a party too extreme, either to the left or right will find it impossible to cooperate with another party. A more centrist party (Liberal?) can deal with all political stripes successfully under normal conditions, proven in the past and in the present negating the effect of the sponsorship scandal.

Second is the fact that Paul Martin will be gone after this election and there is a good chance, the next Liberal leader will be from Ontario which will garner the votes in Ontario to ensure a majority government in the next election, possibly as early as 2006.

Third is the fear that the federal Conservatives will not rein in the provincial Conservatives when they try to privatize all or parts of health care.

Fourth is the history of accomplishments by Liberal/NDP coalition governments. Healthcare and pensions would be horribly different if not those coalitions.

Fifth is the very fact that most, not all, Liberals are seen as kind-hearted, proactive salt of the earth politicians. Individuals, who are often seen as interested in issues beyond the monetary ones.

The final reason that I have for considering voting Liberal is even though I do not support Paul Martin and his lieutenants, I do not believe in throwing the baby out with the bath water. Let us see what Judge Gomery presents to us in his final report and go to the polls with knowledge and with a rational purpose.

Perhaps it would be a good time to pre-determine an election day, perhaps the third Monday in March. Not too cold, seeding has not started, kids are in school, and it would not interfere with the municipal and American elections. The opposition has been calling for it, the Prime Minister wants it, the Americans practise it successfully and it shows to Canadians that politicians can rise to challenge.

Let us clear the air, and decide an election on policy and proposals rather than on the blood lust of uncontrolled vigilantes. Let us rise above the fray and base our actions on facts and not on innuendo and unsupported allegations yet to be given credence by the judge. Canadians deserve that.

Garfield John Marks
Red Deer, Alta.

(The letter-writer has been an on-again, off-again Liberal Party member for years.)

EDITORIAL

Sharing the blame

Oh, enough already. Alfonso Gagliano, the former Public Works minister who was responsible for the now defunct and scandalous sponsorship program until the Auditor General released her report into the program in 2002, has been blaming the Prime Minister for the rise of separatism, and, ultimately, the end of Canada because of this Gomery Inquiry. Mr. Gagliano started laying blame in an interview with CanWest News Service on April 20 and he's been repeating the claim in major media outlets ever since. He should stop.

At the same time, the Prime Minister should also stop singling out Mr. Gagliano in this whole mess, as he did yet again in his dramatic nationally-televised speech in which he pled for more time to govern before an election call. Some in the party felt the reference to Mr. Gagliano unfair and even cruel.

Yet, this is Prime Minister Paul Martin's tangled web: how to dig out the rot without continuing a civil war inside his own party? It's not possible.

Who is responsible? Paul Martin? Jean Chrétien? Chuck Guité? Alfonso Gagliano? Jean Pelletier? Jean Carle? The ad executives? The bureaucrats? Who? The late Pierre Tremblay? Jean-Marc Bard? Jean Brault? Paul Coffin? Claude Boulay? Gilles-André Gosselin? Who?

And why is it so easy for Mr. Gagliano to deny any wrongdoing, to contradict his own testimony before the Gomery Inquiry and to lay undeniable blame at the Prime Minister's feet, and, at the

same time, not lay any blame on Jean Chrétien, or, himself?

So each side is blaming the other. There are Paul Martin Liberals and Jean Chrétien Liberals and in the end both sides will pay the price.

But to single out the Prime Minister, alone, for the rise of separatism and the end of Canada, as Mr. Gagliano sees it, this from the former Cabinet minister who ran the scandalous program and was the leading Quebec lieutenant at the time, is a little mind boggling. Doesn't he see it?

If Mr. Gagliano is able to blame the Prime Minister so readily, he should also be able to blame himself.

Mr. Gagliano says his life has been ruined because of the scandal. Mr. Gagliano has a \$4.5-million lawsuit against Mr. Martin and the government for wrongful dismissal and damage to his reputation. Mr. Gagliano said Mr. Martin and his election team are a "bunch of amateurs." He said the Sponsorship Inquiry should never have been called.

In Liberal Party lore, it may go down as one of dumbest political moves in Canadian history to have ordered an inquiry into its very own party and the Prime Minister could lose everything because of it, but it was better than hiding it and not doing anything about it, although Mr. Martin's hyped-up mad as hell tour probably didn't help matters.

In the end, Mr. Gagliano did make one good point. He said, "imagine if there had been a Gomery Inquiry into the Mulroney years, or, any political party."



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EDITORIAL

MPs play 'the race card'

A few weeks ago, *The Hill Times* reported that the next election campaign will be a big, nasty, tear 'em down, brutal and ugly battle. Turns out we were wrong. The campaign started in the House early and the verdict is, well, it's already dirty. The House is poisonous. Some MPs say they haven't seen such viciousness in decades. Unfortunately, most MPs are to blame on both sides of the House, despite the best efforts of some, including outgoing NDP MP Ed Broadbent, who last week lamented the current state of House affairs, talked about proportional representation and suggested there is definitely room for some improvement in the House and across the land in politics.

Ain't that the truth.
Ottawa is litigious. It's ugly. And too many Liberals and Conservatives are "playing the race card."

Please.
Ezra Levant, publisher of *The Western Standard* magazine, ran a poster on his front cover. The poster, called *Librano\$*: Canadian Politics Redefined features Jean Chrétien, Paul Martin, Chuck Guité, Alfonso Gagliano, Jean Carle, Benoit Corbeil, Scott Brison and Jean Brault. Mr. Levant said it is a spoof on HBO's *Sopranos* and an effort to satirize the Liberal "crooks" in Ottawa.

Two Conservative MPs, Werner Schmidt and Lee Richardson, were later pictured by a Canadian Press photographer laughing and holding the poster on the steps of Parliament Hill. It made a splash in the *Ottawa Sun*.

Immigration Minister Joe Volpe responded angrily to the picture and the Conservatives. "The Klan looks like it's still very much alive. I think these are a couple of fine, upstanding members of the new Conservative Klan."

Conservative MP Rahim Jaffer pounced. He said Mr. Volpe was a "race baiter." Conservative MP Bev Oda said: "Let us remember Ernst Zundel ran for the leadership of the Liberal Party."

Mr. Richardson announced to the press that he will sue Mr. Volpe.

Meanwhile, Conservative MP Inky Mark suggested last week that he had been offered an ambassador's post by an unnamed Liberal Cabinet minister. He said he'd swear on two Bibles that it was the truth. Treasury Board President Reg Alcock apologized to Mr. Mark for telling *The Canadian Press* that if he was going to recruit a Tory, he'd pick someone "higher up the gene pool." Mr. Mark initially shrugged the comment off, but the next day held a press conference backed by 15 MPs, some shaking their heads sadly, to declare that Mr. Alcock had demeaned the entire Chinese Canadian community. Mr. Mark is Chinese Canadian.

But the saddest spectacle was a three-way interview with CTV's Mike Duffy, Mr. Levant and Mr. Volpe. Mr. Volpe said he didn't think the poster was funny. He thought the Conservatives had taken an ethnic stereotype and foisted it back "in the public domain." He said it was a "slur of the worst variety for those of Italian-Canadian background and it prompted me to react very, very, intemperately. For that, I'm sorry."

Declared Mr. Levant: "What is so amazing is that you said this was the work of the Ku Klux Klan Joe. But Joe, I'm a Jew and our editor is Jewish and we've got blacks writing for us."

Well. The campaign has unofficially started, but it would be real nice if the political players would stop making racial slurs and stop falsely accusing each other of racial slurs.

LETTERS

McBane responds to Dosanjh

Health Minister Ujjal Dosanjh says that "Bill C-28 does not change existing government practices" (*The Hill Times*, May 2). I agree. C-28 will provide a legal basis for these regulatory practices and limit government liability for regulatory negligence in the event of harm.

The Health Minister also says that scientific review demonstrates the safety of chemical residues in our food. According to Sandra Steingraber, PhD, an internationally recognized expert on the environmental links to cancer and reproductive health, the scientific community does not know what levels of chemical exposure in food are sufficient to endanger the health of human adults, and know even less about their effects on children.

Many of the contaminants in our food have never been adequately screened for their ability to cause cancer. Even less thoroughly have we tested their ability to affect fetal brain growth, contribute to miscarriages, disrupt hormonal signaling, alter the onset of puberty, or undermine fertility.

In keeping with Minister Dosanjh's commitment to openness and transparency, Canadians should be provided with Health Canada's risk assessment that established a "safe" level for estradiol, the growth hormone used in industrial beef production. Peer-reviewed scientific evidence indicates that estradiol—approved for use by Health Canada—is a complete carcinogen.

Michael McBane
Canadian Health Coalition
Ottawa, Ont.

Open letter to politicians generally

It's not particularly difficult these days for Canadians to be completely disillusioned by politicians and, most particularly, by the seedier aspects of politics. It is a reflection of our failed expectations, and, to some extent, our own worst fears being confirmed. In the loneliness of the ballot box, in a solemn act of democratic privilege, we place our confidence in a party and candidate of our choosing. In that simple act, a right bestowed upon us through the sweat, tears and blood of our forefathers, we place our hope and dreams for the future into the hands of others. In the final analysis, it is a proxy bestowed.

Extending personal trust is no small thing and does come with a price attached. The price is that when confronted by choice, a person holding public office, a position of honour and rarefied privilege, will always err on the side of correctness—will always do what is right and best for us.

If an electorate cannot take the integrity of its elected officials and public servants completely for granted, our democracy becomes an illusion—worse—a charade deserving of labels normally reserved for ideologies and systems that are otherwise deserving of our scorn. Given the current revelations of alleged wrongdoing surrounding the sponsorship initiative, we are being forced to scrutinize our system of government, our public institutions, and our choice of elected officials.

Worse, however, we are also being forced to look at ourselves and to consider whether we could possibly withstand such intense scrutiny in our own lives and to live up to the principles, standards and practices we demand of others.

In so doing, perhaps our own worst fears and failed expectations come a bit too close to home.

Keith Dériger
Ottawa, Ont.

Send in the Clowns to Question Period

After watching the four-ring circus they call Question Period I have come to the conclusion that it should be renamed "The Zoo." They can even have a theme song, *Send in the Clowns*.

Douglas Copeland
Winnipeg, Man.



Photograph by Jake Wright, *The Hill Times*

Health: Michael McBane, left, and Carolyn Bennett, who is now Canada's Public Health Minister.

Root causes of failed states

Robert Miller's column "Helping global hot spots: the Canadian case for Sudan" (*The Hill Times*, May 2) is a good start to an important discussion on Canada's role in "failed and fragile states." His three reminders for Canadian engagement (recognize the risks, arrive early and stay late, and support governance reform) are all vital.

Unfortunately, Miller steers clear of the most difficult aspect of state failure, namely the root causes. Meaningfully dealing with these issues means not only asking how we can help Sudan, but how our policies exacerbate state "failure."

"Failed and fragile" states do not exist in a vacuum. Rather, they are embedded in international political and economic systems, in which Canada plays evolving roles. The global arms trade, trade in so-called "conflict commodities," and foreign investments that intentionally or unintentionally perpetuate illegitimate regimes, all have roles to play in state "failure."

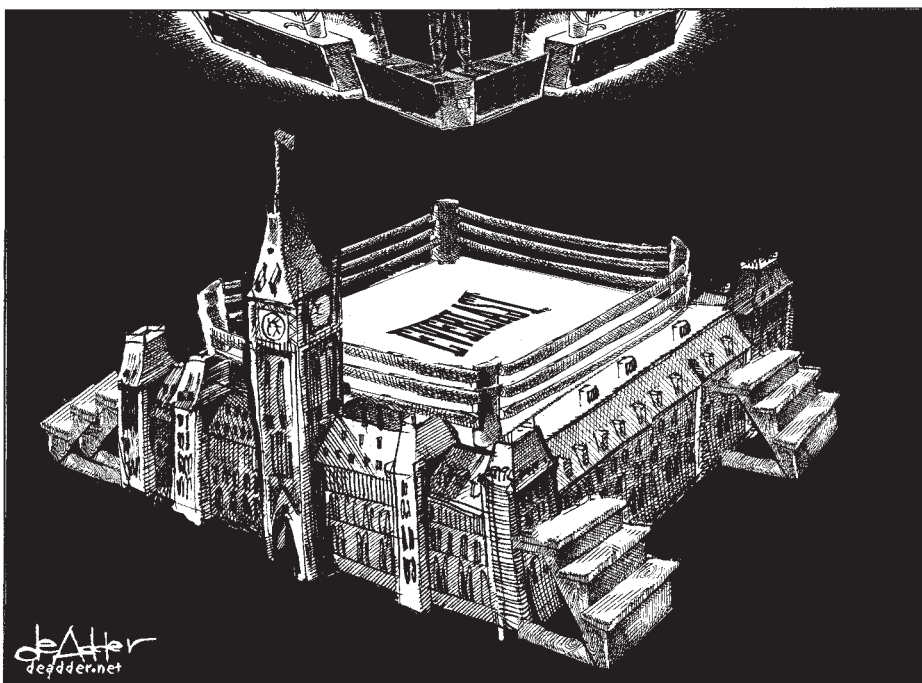
Canadian actors have been, and continue to be, involved in the destabilization of "fragile states"—not least in Sudan, where for many years, the operations of Canadian oil giant, Talisman Energy, facilitated the war aims of the Government of Sudan.

We can contribute to solutions, but only if we recognize our role in the problems.

Canada can and should play an active role in failed states. We should work with local peace-builders to seek resolutions to violent conflicts, and support strong democratic development, as Miller suggests. But equally important, as other countries have done, we should enact legislation to monitor and regulate the activities of Canadian companies abroad. We should continue to support work underway at the United Nations Human Rights Commission to develop internationally binding norms on business and human rights. We should also take the lead in the development of an international arms trade treaty.

Dealing with failed states must mean more than simply waiting for the effects of our harmful policies to manifest themselves. Government policy on failed and fragile states should explicitly recognize and take into account the impacts of the whole of our government's policies on state fragility.

Gerry Barr
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Ottawa, Ont.



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