

## **Let's Firmly Oppose the Federal Bill C-51**

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When the public was still discussing and opposing the immigration bill, C-50, the Conservative government has another bill going discreetly to second reading which could have a huge impact on the Chinese community as well as other communities.

Bill C-51, the Food and Drugs Act, is definitely a dreadful act; it also has the three characteristics of the Conservative's C-50.

First, whether it's the immigration bill or the food and drugs bill, the government hasn't taken the trouble of going through the process of a comprehensive public consultation. Both are manufactured within closed doors; what both reflect is an arrogant and authoritarian attitude.

Second, the immigration minister asked the public to trust her, to give her extraordinary power to reduce the huge application backlog. Bill C-51 also gives greater and exceptional power to the government with fewer restraints.

Third, the government talks and acts differently. The immigration minister said C-50 would help her deal with the huge backlog. However, the effective date of the bill is February this year, so it doesn't affect applications before that date, i.e. it does not solve the backlog problem.

The government said the purpose of C-51 is to protect public safety and consumers. The fact is that our current system is already equipped to do that job.

After years of comprehensive consultation, the federal government implemented a new system: between food and drug, the government created a new category of natural health products (which also includes Chinese herbal products) and a set of regulations.

Whether it's the importation or selling of natural health products, Chinese medicine or herbal products, the vendor is required to obtain a special license, and the variety and quality of such products are subject to control. The control is not as strict as drug control but tougher than food regulations.

The fundamental problem with C-51 is that it ignores the history of the benefit and contribution of natural health and Chinese herbal products, and stubbornly makes them subject to the stringent western pharmaceutical drug assessment and control.

This creates a huge problem, because every western drug is subject to the process of clinical trial, chemical purity examination and other tests. To put thousands of Chinese herbs to clinical trial would indeed be an enormous project.

Generally speaking, unlike western drugs, no one holds the patent of Chinese herbs, so who would spend the huge sum to do clinical trials?

Unlike drugs which are a mixture of chemicals, Chinese herbal products make up of naturally grown products and examining them in terms of their chemical content is also impractical.

Another shocking element of the C-51 is how the bill reflects the government's hostile attitude towards natural health and Chinese herbal products. In the eye of the Conservative government, the natural health and Chinese herbal products are even worse than addictive drugs like marijuana or cocaine.

When the police want to search a house for marijuana, they need to build up their case and apply to the court for a search warrant. But bill C-51 would give Health Canada officials far greater authority than that given to the police. Empowered by the new law, a health inspector can enter, search, and confiscate goods and property, freeze bank accounts without a search warrant, and they don't even need to have "reasonable ground" to do so. They can also destroy the goods without the consent of their owner, and the vendor no longer has the right to file his or her disagreement in court.

Bill C-50 removes the right of immigrants and visa applicants to file their appeal in court. Now, bill C-51 removes the legal rights of Canadians in a similar way.

The extraordinary power granted to the government by the bill is not only very unfair to the natural health and Chinese herbal industries, it's also dangerous. Absolute and unchecked power would nurture corruption. Ah, this is also one of the concerns for C-50 too.

This is not yet the whole story. The new bill also increases the current fine 5000 times, with a maximum fine of \$5 million or 2 years of imprisonment for every violation.

Usually, when Health Canada charges a merchant (e.g. for incorrect labeling or quality problems), it involves tens of violations all at once.

It's doubtful how many merchants would want to stay in business under these kinds of threat. No wonder a Chinese owner of a health food plant with over 70,000 feet said if the new bill is passed, he would close his Canadian business.

The more absurd element of the bill is that C-51 also applies to ordinary citizens. For example, if a citizen gives food or a bowl of soup cooked with Chinese herbal

products, with “therapeutic effect” which is not recognized by the government, to his friend or children, the person would violate the law and be subject to prosecution.

The Conservative government may claim that they are enacting the bill to protect the health of the public, but the fact is that the bill violates the citizens’ needs and their right to choose. The real motive of the government is to drive out natural health products from the market so that they won’t compete for profit with the big pharmaceutical companies.

In Canada, there is no record of a person dying because of taking a natural health product. There are a few deaths a year due to food allergy (e.g. peanuts) and there are thousands of deaths related to drugs (An American university study stated that 200,000 American deaths were caused/related to western drugs annually).

There is a good reason why natural health products and alternative medicines (like traditional Chinese medicine, acupuncture) are popular in North America. The phenomenal interest in and demand for them are certainly affecting the profit margin of the pharmaceutical companies.

More info:

Canadian Health Food Association ([www.chfa.ca](http://www.chfa.ca)): Questions regarding Bill C-51  
[http://www.chfa.ca/media/pdf\\_files/bill%20c-51%20faqs%20final.pdf](http://www.chfa.ca/media/pdf_files/bill%20c-51%20faqs%20final.pdf)

Natural Health Products Protection Association (<http://nhppa.org/> )

Stop B-C51 Campaign ([www.stopc51.com](http://www.stopc51.com) )