



Canadian Health Coalition Coalition canadienne de la santé

2841 Riverside Drive, Ottawa, Ontario K1V 8X7 CANADA

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Open letter to Prime Minister Right Hon. Paul Martin

Dear Prime Minister,

We are writing you to express our deep concern with your government's proposal to replace Canada's *Food & Drugs Act* with a new health protection legislative regime.

We have noted a series of changes announced by your new government that reflect the commitment to building a "21st century economy". A key element appears to be the redesign of the federal approach to health and safety regulation in order to create an "advantage" for industry by means of weaker safety standards.

Of particular concern are Health Canada's proposals to: a) abandon the Precautionary Principle to a narrow risk-benefit regime; b) shift the burden of proof from industry to the public – products are presumed safe unless harm is proven; c) speed up drug approvals; and d) allow direct-to-consumer advertising of prescription drugs. If the government abdicates its health protection duty of care, Canada's health care system will not be able to cope with the negative health outcomes. The negative effects of these proposed regulatory changes would also be felt throughout the international community.

Societies need both commercial and guardian functions. But these two types of work are contradictory and are prone to corruption if they stray across either their moral or functional barriers. When the governments in Canada mix trade and industry objectives - like de-regulation, self-regulation and privatization - into health protection functions, people are killed.

These are the painful lessons from the tainted blood disaster, drinking water contamination, adverse drug reactions, and deadly pathogens in food. Canada has not learned from the Mad Cow crisis in the U.K. Food safety and food promotion functions must not be housed within the same government agency. The federal regulator may have helped the Canadian beef industry economically in the short term by not adopting precautionary measures to stem the spread of Mad Cow disease. However, in the longer run, this lack of attention to safety will cost the industry much more.

The purpose of health protection legislation is to safeguard health and safety, not trade and investment. Government can't regulate to protect health and the environment – as the laws of Canada currently require - if it is in bed with the industries it regulates.

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A health and safety regulatory agency that puts industry self-regulation for profit (“smart regulation”) ahead of protecting public health is not moral, wise, or legal. Similarly, direct-to-consumer advertising of prescription drugs has only one aim: to promote product sales. Why would the federal government knowingly introduce a policy expected to undermine the sustainability of its health care services?

What kind of society builds a “21st Century economy” by exposing those least able to defend themselves - children and future generations - to uncontrollable hazards and unknown risk? This is not the kind of Canada Canadians want. This is not the kind of Canada the world wants. This policy will not only put Canadians at risk, it will destroy Canada’s international reputation. The end result will be to brand Canadian products as ‘dangerous’.

We therefore urge you to instruct your Minister of Health to do the following:

- 1. Adopt the Precautionary Principle as the basis for a broad, transparent, and independent assessment of risk to protect those least able to defend themselves from health hazards – especially children and future generations.**
- 2. Terminate the ‘Health Protection Legislative Renewal’ and uphold the “duty of care” in the current *Food & Drugs Act*.**
- 3. Restore the burden of proof on industry to demonstrate the safety of their product or technology before regulatory approval is granted.**
- 4. Allow full public access to the information upon which federal regulators base approval of a product or technology.**
- 5. Strictly enforce the ban on direct to consumer advertising of prescription drugs.**
- 6. Terminate all partnerships and promotional activities so regulatory agencies regulate only in the public interest and not in the interests of the regulated.**

Prime Minister, we are appealing to you for moral leadership into the 21st century so that powerful economic interests cannot trump the protection of citizens’ health in Canada and throughout the world. As the Royal Society of Canada’s Expert Panel on GM food said, it is better to err on the side of protecting human and environmental safety than to err on the side of the risks.

Sincerely,

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