



Food Safety & Inspection in China

The PRC inspection system governing food safety involves several key agencies, all of which must work together to supervise the entire food supply chain. In this effort, the most important players are the State Food and Drug Administration (SFDA), Administration of Quality Supervision, Inspection, and Quarantine (AQSIQ), State Administration of Industry and Commerce (SAIC), and the ministries of Agriculture, Health, and Commerce. Other agencies also have a role in this process, including the State Environmental Protection Administration (SEPA), National Development and Reform Commission (NDRC), General Administration of Customs, and the Rectification and Standardization of Market Economic Order Leading Group.

Government Agencies

PRC Government Agencies Responsible for Overall Coordination of Food Safety

China has created two main government bodies to oversee and coordinate policy formulation and product inspection across the entire food supply chain. The first of these, the Product Quality and Food Safety Leading Group, was formed by Premier Wen Jiabao on July 25, 2007. This group of 19 senior government officials, currently chaired by Vice Premier Wu Yi, will have its office located within AQSIQ and is tasked with coordinating the work of various PRC government agencies involved in food and product safety, including work on new laws and regulations. The leading group will assign primary responsibility to agencies based on their jurisdiction: agricultural products to the Ministry of Agriculture (MOA), pharmaceutical products to SFDA, and so on.

SFDA also plays a critical role in coordinating the various agencies responsible for food-product inspection and serves as the main coordinating agency for product inspection through the entire supply chain. Created in 2003 as a reorganization of the earlier State Drug Administration, SFDA is a vice-ministry-level agency, responsible for organizing and coordinating the various agencies in their policy and supervisory efforts.

PRC Agencies Directly Responsible for Food Inspection

Below the coordination efforts of the Leading Group and SFDA, several PRC agencies hold responsibility for inspecting parts of the food supply chain. In general, food inspection is divided among government agencies according to the links in the supply chain that fall under their jurisdiction:

Primary Coordinating Agencies

Product Quality and Food Safety Leading Group

Works with an array of government organizations, including the State Food and Drug Administration; Ministry of Agriculture; Administration of Quality Supervision, Inspection, and Quarantine; and Ministry of Health, to coordinate food and product safety issues.

State Food and Drug Administration

Coordinates and oversees all food-safety issues. Relevant departments:

- **Policies and Laws** Coordinates policies on regulation for all products, including food products;
- **Food Safety Coordination** Carries out general oversight of all food safety issues;
- **Food Safety Supervision** Investigates and prosecutes "major" cases.

- **MOA** Regulates and inspects planting, growing and harvesting crops, and animal husbandry.
- **AQSIQ** Regulates and inspects food processing, including animal slaughter, meat processing, and the processing of harvested food products for sale and consumption.
- **SAIC** Regulates and inspects “market circulation” (the movement of food products from farmers and processors to middlemen, wholesalers, retail operations, and individual consumers). This step includes logistics, distribution, and retail, and covers operations such as supermarkets and hypermarkets.
- **Ministry of Health (MOH)** Regulates and inspects of the food service industry, including restaurants and other dining establishments (such as teahouses and cafés). MOH supervises food quality and the storage and preparation techniques of each establishment.

This division of labor contains a few specific exceptions. The SFDA retains the authority, through its Department of Food Safety Supervision, to investigate and prosecute “major” violations – although the term “major” is not defined by any specific criteria or value threshold. In addition, certain food items and

Primary Inspection Agencies				
Ministry of Agriculture	Administration of Quality Supervision, Inspection and Quarantine	State Administration of Industry and Commerce	Ministry of Health	Ministry of Commerce
Inspects: agriculture, animal husbandry	Inspects: animal slaughter; production, processing, shipping of food products	Inspects: market circulation	Inspects: food service	Inspects: special products (see below)
Relevant departments: <i>Economic and Market Information</i> Promotes creation of agricultural markets; coordinates inspection for agricultural products and sets quality standards <i>Planting Management</i> Drafts laws controlling agricultural production and fertilizer use <i>Industry Policies and Law</i> Drafts laws and regulations designed to promote the development of the agriculture industry <i>Science and Technology Education</i> Directs environmental protection efforts related to agricultural production	Relevant departments: <i>Quality Management</i> Manages quality assessment and certification of Chinese producers <i>Food Production Supervision</i> Supervises quality and safety of food production and processing <i>Inspection and Quarantine Clearance</i> Manages inspection of import/export goods and system for country of origin labeling <i>Inspection Supervision</i> Manages inspection of products as well as shipping methods <i>Bureau of Import and Export Food Safety</i> Inspects all food and cosmetic products that cross PRC borders <i>Certification and Accreditation Administration of the PRC</i> Certifies and accredits all products in China, including food products <i>Standardization Administration of China</i> Oversees the promulgation of technical standards in China	Relevant departments: <i>Market Regulation</i> Supervises market circulation and contract enforcement <i>Consumer Protection Bureau</i> Drafts and enforces regulations on consumer protection; investigates major infractions; imposes relevant penalties and sanctions <i>Laws and Regulations</i> Formulates rules and regulations governing market circulation; organizes legal training and education; handles administrative reviews of litigation <i>Bureau of Enterprise Registration (Licenses)</i> Examines, approves, and issues business licenses	Relevant departments: <i>Policy Formulation</i> Formulates broad health policies, including policy on health inspections <i>Supervision/Inspection</i> Inspects food products with regard to health standards <i>Office of Health Emergency</i> Responsible for crisis management, recalls of products hazardous to consumer health	Relevant departments: <i>Market Operation</i> Regulates all aspects of production, distribution, and sale of alcoholic beverages; slaughter of hogs; and all tea products shipped to autonomous regions in China

processes fall under the purview of the Ministry of Commerce’s (MOFCOM) Department of Market Operation, including alcoholic beverages (all aspects of production, distribution, and sale), hog slaughtering, and all tea products shipped to autonomous regions in China.

Other PRC Government Agencies

Several other groups are also involved in supervising the food value chain, though they themselves do not carry out inspections. Other PRC agencies whose mandate affects food safety include

- **The Rectification and Standardization of Market Economic Order Leading Group** Provides guidance and direction to its constituent agencies on policies that affect the market environment. The leading group is comprised of 36 government officials from different agencies, and its working offices are housed in MOFCOM. The leading group’s food safety operations fall under its Project on Food and Pharmaceutical Safety, which seeks to ensure that food safety is a key part of new policies.
- **SEPA** Regulates and supervises agricultural and food processing activities (including packaging), as well as waste products from food items. It also handles specific food and agricultural issues, such as organic foods and genetically modified organisms.
- **General Administration of Customs** Inspects all goods that cross China’s borders. Customs inspects food items as part of its general duties, working closely with AQSIQ. After AQSIQ inspects food products, it hands them to Customs to administer quarantine and clearance procedures.
- **NDRC** Formulates national planning and development policies that regulate the food industry and shape its development.
- **Civil Aviation Administration of China (CAAC), Ministry of Railways, and Ministry of Transportation** Govern separate parts of China’s national transportation system – air, rail, roads, and waterways – and thus influence the distribution and logistical aspects of the food industry.

The job of coordinating these agencies and ministries – assigned to SFDA – is complicated, and agencies sometimes disagree over jurisdiction or responsibility. For example, if an unsafe food product turns up on supermarket shelves, it is not always clear where the problem originated and where inspection needs to be strengthened – in the “market circulation” step (regulated by SAIC) or in earlier food processing steps (regulated by AQSIQ). Though the SFDA was created to alleviate these problems through better coordination of existing agencies, its position as a vice-ministry-level administration makes it difficult for SFDA to coordinate multiple ministry-level organizations. In addition, SFDA must find the time, energy, and resources to tackle all of the issues covered in its broad mandate.

Standards also present a major problem for businesses and regulators. In many cases, different ministries apply different standards and processes, making coordination a

Other PRC Government Agencies

Policy Formulation, Coordination, and Guidance

- **National Office of Rectification and Standardization of Market Economic Order**
Relevant project: Food and Pharmaceutical Product Safety
- **National Development and Reform Commission**
Relevant departments: Industry; Laws and Regulations

Other Regulatory and Inspection Agencies

- **General Administration of Customs**
Relevant offices: General Office; regional and local Customs offices
- **State Environmental Protection Administration**
Relevant departments: Policies, Laws, and Regulations; Science, Technology, and Standards

Transportation Inspection

- **Ministry of Railways**
Relevant department: Shipping
- **Civil Aviation Administration of China**
Relevant department: Shipping
- **Ministry of Communications**
Relevant departments: Roads; Waterway Shipping

challenge. In other cases, there are overlapping standards, or gaps in standards; standards may also be outdated or significantly out of alignment with international standards.

Other Organizations Outside of Government

In addition to the government agencies described above, many other PRC institutions and organizations are involved in food safety and inspection. These include testing and certifying laboratories and centers, industry associations (in the various suppliers' industries or in the fields of consumer rights and protection), and specialized research organizations. All have varying roles related to food and product safety.

AQSIQ also works with a network of about 17,000 testing facilities throughout China, some of which are directly run by AQSIQ and others hosted at AQSIQ-certified institutions. Of these facilities, more than 3,900 are food testing labs. An example of these testing centers is the Chinese Academy of Quarantine and Inspection Sciences' Comprehensive Testing Center, with more than 2,400 m² of laboratory space in Beijing's Chaoyang District and testing capabilities across a range of food and products. Many testing centers are also run out of Chinese universities, such as the Beijing University Nutritional and Health Food Evaluation Center, which has 30 staff and more than RMB 7.9 million (\$1 million) in testing equipment and facilities.

In addition, nongovernmental organizations and industry associations play a role in setting standards, raising awareness and conducting training programs, providing comments on regulations, and, in some cases, drawing up draft regulations. Examples of relevant industry associations include the China National Food Industry Association, the China National Light Industry Association's Chinese Institute of Food Science and Technology, and so on. Some consumer rights groups like the China Consumer Protection Association are also involved, as consumers report suspect products to such organizations.