

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Voluntary Public

Date: 5/25/2016

GAIN Report Number: CH 16031

China - Peoples Republic of

Post: Beijing

State Council Publishes Key Tasks on Food Safety Work for 2016

Report Categories:

Policy and Program Announcements

Approved By:

Jennifer Clever

Prepared By:

Jennifer Clever and Ma Jie

Report Highlights:

On April 27, 2016, China's cabinet, the State Council published its Key Tasks regarding Food Safety Work in 2016. This document serves as the reference for Chinese ministries/departments under the State Council responsible for food safety work during the year. Key tasks include the formulation of law/regulations and standards, stricter oversight of agricultural products at their source (agricultural inputs), registration of key products and foreign food facilities, and the establishment of traceability systems for key products. This document also strings together recently imposed measures, draft measures under consideration, and sets the stage for new measures.

This report contains an executive summary of the key issues that may affect food and agricultural trade, and an un-official translation of the full text of the State Council notice.

Executive Summary:

On April 27, 2016, China's cabinet, the State Council published its Key Tasks regarding Food Safety Work in 2016. This document serves as the reference for Chinese ministries/departments under the State Council responsible for food safety work during the year. Key tasks set by the document include:

- Pushing forward the formulation and revision of the “Law on Farm Product Quality and Safety;” the Grains Law; the implementing rules of the Food Safety Law¹, the Administrative Rules for Pesticides, and the Administrative Rules for Animal and Poultry Slaughter;
- Expediting the formulation and revision of regulations and rules for labeling, supervision and inspection, foods on e-commerce, special foods registration, administration of a health food catalogue, and oversight of foods at entry/exit ports, etc.;Expediting the development and revision of essential food safety standards and pesticide/vet drug residue standards;
- Publishing national food safety standards that were developed/revised as part of the standard integration and consolidation program; eliminating and revising other food-related standards;
- Implementing the working plan for improving the pesticide residue standard system (for 2015 to 2020), and develop 1,000 new MRL standards, 200 vet drug residue standards, and 300 agricultural industry standards in 2016; Pushing forward the merger and acquisition of infant formula powder enterprises. CFDA will regulate the formula registration process for infant formula powder products, foods for special medical purposes, and health foods. CFDA will continue close oversight of key products, including infant formula powder, supplementary foods for infants and young children, dairy products, meat products, Chinese liquor, flavored wheat products, edible vegetable oil, and food additives;
- CFDA and AQSIQ will launch special inspections into key products (imported edible vegetable oil, farmed aquatic products, meat products, and alcoholic beverages), and conduct comprehensive inspections into the quality and safety of imported infant formula powder;
- CFDA and AQSIQ will launch the regulations that require food importers to review their foreign suppliers², and will strictly implement the registration³ of foreign food producers that export foods to China; establish traceability systems for key products, including meat, vegetables, infant formula powder, Chinese liquor and edible vegetable oil;CPC: Communist Party of China
CFDA: China Food and Drug Administration
FSC: Food Safety Commission
FSCO: Food Safety Commission Office (resides in CFDA)
MOA: Ministry of Agriculture
NHFPC: National Health and Family Planning Commission
AQSIQ: General Administration of Quality Supervision, Inspection and Quarantine
MEP: Ministry of Environmental Protection
NDRC: National Development and Report Commission
MOST: Ministry of Science and Technology
MOF: Ministry of Finance
MIIT: Ministry of Industry and Information Technology
MOFCOM: Ministry of Commerce

¹ The 2015 [Food Safety Law](#) was published in April 2015. [Draft Implementing Rules](#) were released for domestic public comment in December 2015.

² AQSIQ's [Draft Administrative Measures for Importer's Review and Inspection of Offshore Establishments that Export Food products to China](#) was released for domestic public comments in September 2015.

³ Reflects AQSIQ [Administrative Measures for Registration of Overseas Manufacturers of Imported Food](#) (Decree 145).

SAIC: State Administration of Industry and Commerce

General Information:

BEGIN TRANSLATION

State Council Notice concerning Issuance and Publishing the Key Tasks of Food Safety Work in 2016

Guo Ban Fa [2016] No.30

Municipal governments of all provinces, autonomous regions and municipalities, ministries and departments under the State Council,

We are sending you the Key Tasks for Food Safety in 2016 to you for your implementation.

General Office of the State Council

April 27, 2016

(This document is public)

Key Tasks of Food Safety Work in 2016

In 2015, the general food safety in China is steady and moving towards a better direction; however, the foundation for food safety is still weak, and potential risks remain. Echoing instructions by the 18th National Congress of the CPC, the Third/Fourth/Fifth Plenary Sessions of the 18th CPC Central Committee, the Central Conference on Economic Work, and the Central Conference on Rural Work, we hereby make the following arrangements of the key tasks of food safety work in 2016.

I. Improve the food safety regulatory system

(CFDA, FSCO, together with provincial municipal governments are responsible for) the popularization of the newly revised Food Safety Law, and collaboration with the National People's Congress for inspections of food safety law enforcement.

(MOA, CFDA, the State Council Legal Affairs Office "SCLAO", the State Administration of Grain are responsible for) pushing forward the formulation and revision of the "Law on Farm Product Quality and Safety", the Grains Law, the implementing rules of the Food Safety Law, the Administrative Rules for Pesticides, the Administrative Rules for Animal and Poultry Slaughter, etc.

(CFDA is responsible for) deepening reform of food production and trading licensing.

(NHFP, AQSIQ, CFDA, China Railway Corporation are responsible for) expediting the formulation and revision of regulations and rules for labeling, supervision and inspection, e-commerce foods, special

foods registration, administration of a health food catalogue, oversight of food safety in railway operation, and oversight of foods at entry/exit ports, etc.

(MOA and CFDA are responsible for) carrying out the “Implementation Outline for Building a Government Ruled by Law (2015-2020)”⁴; they are required to improve the procedures for food safety administrative law enforcement, regulate law enforcement activities, and fully implement the accountability system for law enforcement.

(The Central Political and Legal Affairs Commission of the CPC, CFDA are responsible for) adopting more strict criminal accountability sanctions for the adulteration and counterfeiting of foods.

II. Improve the food safety standard system

(NHFPC, MOA, together with provincial municipal governments are responsible for) establishing and publishing the catalogues of national food safety standards and local standards.

(NHFPC, MOA, CFDA and AQSIQ are responsible for) expediting the development and revision of a batch of essential food safety standards and pesticide/vet drug residue standards; they will publish national food safety standards developed/revised in the standard integration and consolidation program, eliminate and revise other food-related standards. These ministries will establish a working mechanism to develop, adjust and publish national food safety standards; they will reinforce tracking and assessment of standards, and better connect standard development with law enforcement.

(MOA, NHFPC and CFDA are responsible for) implementing the working plan for improving the pesticide residue standard system (2015 to 2020); they will develop 1,000 new MRL standards, 200 vet drug residue standards, and 300 agricultural industry standards.

(NHFPC is responsible for) implementing the national food safety risk surveillance plan.

III. Rectify the sources of edible agricultural products

(MOA is responsible for) adopting strict agricultural input use mechanisms by adopting various measures (such as improving standards, developing good practices, establishing traceability systems and tightening market inspections); to solve the pesticide/vet drug residue problem, MOA will launch special rectifying actions on restricted/prohibited pesticides, veterinary antimicrobial (illegal use of Malachite green and nitrofurantoin in Mandarin fish, turbot and *Channa argus*) and beta-adrenergic agonist, as well as the comprehensive rectification of illegal use of antibiotics in animals/poultry/aquaculture.

MOA will carry out administrative measures that oversee the growing of edible agricultural products⁴ and animal/poultry/aquaculture, and regulate production and trading of such products. MOA will strictly investigate into illegal adding prohibited drugs (in feed), purchasing and slaughtering of ill/dead animals/poultry, and producing/selling counterfeited agricultural inputs. MOA will formulate a catalogue of key potential risks, and reinforce patrol inspection, supervision and spot check, and launch the inspection-punitive actions. By attaching more significance to the advantageous regions and the

⁴ Edible agricultural products refer to primary edible products derived from agriculture, such as vegetables, melons, fruits, unprocessed meats, etc.

“Grocery Basket” products⁵, MOA will promote standard agriculture production, and construct standard farms of vegetables/fruits/tea, demonstration livestock farms, and healthy aquatic farms. MOA will make efforts to promote safe and quality edible agricultural products with brands, such as pollution-free edible agricultural products, green foods, organic foods, geographical indicated products, etc.

(MEP, MOA, together with provincial municipal governments are responsible for) environmental protection and rectification from the source of production. Improve atmosphere, water and curb soil pollution, and reduce the impact of discharged/emitted pollutants to food safety.

(FSCO, NDRC, MOST, MOF, Ministry of Land and Resources, MEP, MOA, CFDA, State Administration of Grain, together with provincial municipal governments are responsible for) carrying out measures required by the State Council for managing heavy metal pollution in foods.

(AQSIQ is responsible for) overseeing quality and safety of foods originated outside China, and continue the construction of quality and safety demonstration zones for export foods and agricultural products.

(NDRC, MOA, MOFCOM, AQSIQ and CFDA are responsible for) improving construction of cold chain infrastructure and operation standards for edible agricultural products and foods, and improving the logistics of cold chains.

IV. Risk Prevention

(CFDA is responsible for) launching research into the division of administrative powers in approvals, sampling check/surveillance, and inspections; (CFDA) will improve the oversight system including a clear division of administrative power and matching responsibility and authority. CFDA will conduct research for establishing the risk grade assessment system and develop administrative measures accordingly, and promote the adoption of graded oversight.

(FSCO, together with MOA and CFDA are responsible for) implementing the quality and safety sampling inspection of foods and edible agricultural products; central and local governments, how peer departments should divide responsibilities while guarantee complete coverage of their inspections; they will carry out sampling inspections into pesticide/vet drug residue, food additives, and heavy metal contamination in foods.

(FSCO, together with MOA, NHFPC, AQSIQ, CFDA, State Administration of Grain are responsible for) improving the food safety risk consultations and early warning communication mechanisms; they will integrate the data obtained in safety risk surveillance and sampling inspections of foods and edible agricultural products; they will improve effective use of the obtained data through analysis and research/judgement.

⁵ The Grocery Basket products refer to grains, oil, meat, poultry, egg, vegetables, milk, fish and fruits, etc.

(MOA and NHFPC are responsible for) risk assessments of edible agricultural products and food safety.

(CFDA is responsible for) information disclosure, timely publishing of information involving administrative licensing, sampling inspections, administrative punishments and investigation for responsibilities, etc.

(AQSIQ is responsible for) reforming the inspection and oversight mechanism at the ports receiving imported foods, and reform the sampling inspection for exported foods.

V. Comprehensive governance of prominent issues

(CFDA is responsible for) formulating lists of potential risks, prominent problems, and oversight measures for food safety. CFDA will regulate the formula registration process for infant formula powder products, foods for special medical purposes, and health foods. CFDA will continue the close oversight of key products, including infant formula powder, supplementary foods for infants and young children, dairy products, meat products, Chinese liquor, flavored wheat products, edible vegetable oil, and food additives.

(CFDA and AQSIQ are responsible for) making efforts to rectify prominent problems, such as illegal adding or excessive using of food additives (scope and amount); they will launch special inspections into key products, such as imported edible vegetable oil, farmed aquatic products, meat products, and alcoholic beverages, as well launch comprehensive inspections into quality and safety of imported infant formula powder.

(The State Administration of Grain, NDRC, MOF, MOA and relevant provincial municipal governments are responsible for) the proper handling purchase and disposal of polluted grains, and prevent such grains from entering the rations market.

(CFDA and the Ministry of Education, China National Tourism Administration, and the China Railway Corporation are responsible for) governing food safety in the rural area; they will give more attention/supervision to large-scale group dining in the rural area and foods/catering in school cafeteria and neighborhood; they will launch joint inspections in key dining areas, such as tourist attractions and railway operation venues.

(CFDA) regulates the wholesale markets' trading of edible agricultural products and on-line food trading.

VI. Producers and traders accountable (for food safety problems)

(CFDA and AQSIQ, etc. are responsible for) making the food producers and traders aware of their accountability for food safety; they will urge the companies to strictly put in place the food safety systems, such as training/evaluation, self-inspection of risks, food recall, whole-process record keeping, and emergency response, etc.; CFDA and AQSIQ will reinforce the food safety control measures that cover the whole process in production and trading. CFDA and AQSIQ will launch the regulations that require food importers to review their foreign suppliers, and will strictly implement the registration of foreign food producers that export foods to China. They will carry out inspections into food-related

certification. CFDA and AQSIQ will push forward the “Open Kitchens” and graded oversight over catering service suppliers. They will make meetings with accountable entities a routine practice.

(MIIT, MOA, MOFCOM, AQSIQ, and CFDA are responsible for) supervising and guiding enterprises to establish the traceability systems for key products, including meat, vegetables, infant formula powder, Chinese liquor and edible vegetable oil.

(NDRC, MIIT, SAIC, AQSIQ, and CFDA are responsible for) reinforcing the establishment of the food safety credit system, and launching the initiatives of food safety commitment; they will improve the incentives for activities/behavior/persons that honor the commitments, and punish those fail the commitment.

(FSCO, CFDA, and China Insurance Regulatory Commission are responsible for) popularizing the food safety accountability insurance system, and encouraging food producers/traders to participate in this system.

VII. Strictly punish activities/persons that violate laws and regulations

(The Central Political and Legal Affairs Commission of the CPC, MIIT, Ministry of Public Security, MOA, General Administration of Customs, SAIC, AQSIQ, CFDA are responsible for) strengthening inter-ministry/inter-region cooperation in case transmission, supervision and inspection, punishment measures jointly imposed by several agencies, and information disclosure, with priorities given to smuggled frozen foods, producing edible oil with kitchen waste and cutting of offal, or violation activities in e-commerce. They will reinforce systematic analysis of evidence and case information, timely summarize common problems, and attack the “unwritten practices” of the industry. They will continue the combat the illegal adding, producing/selling counterfeit products, and illegal use of prohibited/illegal pesticides/vet drugs, and will disclose information related to key cases.

VIII. Capacity building for food safety oversight

(FSC, together with its members) are responsible for formulation of the 13th Five-Year Plan for Food Safety, which will provide more policy guidance and supporting measures for food safety; they will also formulate the mid-long term food safety strategic plans, which will propose goals, set key tasks, provide comprehensive supporting measures, and instruct on the implementing steps. These agencies will also work to strengthen capacity building for edible agricultural products and food safety law enforcement. They will continue capacity building for testing and surveillance for edible agricultural products/food safety; they will support procurement of testing equipment/apparatus and lab renovation to enhance testing and inspection capacity of the grass root agencies.

(NDRC, MIIT, MOA, MOFCOM, NHFPC, SAIC, AQSIQ, CFDA, State Administration of Grain are responsible for) carrying out of the Opinion of the State Council’s General Office for Accelerating the Construction of the Traceability System for Key Commodities (Guo Fa Ban [2015] No. 95)⁶, pushing forward the key information technology projects; they will initiate the construction of the national food safety Oversight Information Platform, and push forward the establishment of the traceability

⁶ [The State Council announced Opinions on the Construction of Traceability Systems for key Commodities in January 2016.](#)

information platform for edible agricultural products quality and safety; They will realize connecting and sharing of food safety information through unifying standards and building connecting channels.

(MOA is responsible for) publishing regulations for establishing county/village agricultural product quality and safety oversight stations; MOA will explore the mechanism of certified country/village inspectors.

(NDRC, MOF, NHFPC, CFDA, together with provincial municipal governments are responsible for) strengthening trainings for law enforcement officials and technicians engaging in risk surveillance and inspections; they will reinforce capacity building for food safety risk surveillance and standard law enforcement tool kits for grass root inspectors; they will clarify responsibilities, headcounts and tools for risk surveillance and oversight at the grass root level.

(MOA, CFDA are responsible for) regulate law enforcement at the grass root level, and promote the oversight, adoption of standard forms in site-inspection, and publish accountable personnel; they will reinforce capacity building for grass root inspectors for their on-site inspections to growers, livestock farms, producers, processors, distributors and catering enterprises.

(AQSIQ is responsible for) construction of inland CIQs for import foods, and establish the big data platforms for oversight of import/export food safety.

IX. Food Safety Accountability

(FSCO, the Central Political and Legal Affairs Commission of the CPC, MOA, CFDA, together with provincial municipal governments are responsible for) carrying out the food safety accountability system, formulating measures for assessment of food safety work, and further intensify the assessment of food safety oversight work; the edible agricultural product quality and food safety work are incorporated into local government's performance review and comprehensive social management review; such review results will be important reference for evaluating local leader team's performance and (promotion of) local leading officials. They will urge local governments to build and improve the mechanisms for seamless integration of the exit-approval (of edible agricultural products in the production region) and the access permission (for such products to enter the market), and formulate measures to better manage the small food traders/vendors/catering service providers). They will urge oversight authorities to fulfill their responsibilities in routine inspections and sampling inspections. They will urge local governments to evaluate food safety oversight work by the food and drug authority/other relevant government agencies of the same level.

(FSCO, MOA, CFDA, together with provincial municipal governments are responsible for) pushing forward the trials for naming food safety cities and edible agricultural product quality and safety counties; they will timely summarize experiences learnt in the trial works.

(CFDA, Ministry of Supervision are responsible for) formulating the negative lists, power lists (items that need government approvals), and the list of government responsibilities; they will assist the improvement of food safety accountability system in government agencies of all levels, and establish the responsibility sanction system. They will strictly pursuit food safety responsibilities and punish the accountable persons who fail to properly perform their duty.

X. Promote the social governance for food safety

(Members of the State Council Food Safety Commission and provincial municipal governments are responsible for) capacity building for complaints/reporting systems, and keeping the complaints/reporting channels open. They will organize the “Food Safety Week” activities; encourage media (radio, TV, newspaper, magazines and portal websites) to open food safety columns; they will also provide food safety public education by using new media tools, such as WeChat, Weibo and mobile apps.

(SAIC, AQSIQ, CFDA are responsible for) issuing food safety risk warnings or consumer alerts to protect consumer rights and interests.

(MIIT, together with NDRC, MOA, and CFDA are responsible for) encouraging food industry associations to strengthen industry self-discipline, guide and urge food producers/traders to strictly follow laws/regulations/rules in their operation, and popularize food safety knowledge.

(MIIT, MOFCOM and CFDA are responsible for) pushing forward the merger and acquisition of infant formula powder enterprises.

(MOST is responsible for) organizing research for key technologies for food safety, and establishing food safety data sharing platform, as well as promoting the new operation format “Internet +” in food safety testing and inspection. MOST will implement the food safety innovation program, and demonstrate the guiding role of technology innovation.

The Ministry of Education is responsible for including food safety education into relevant courses in primary and middle schools.

(FSCO, CFDA, All-China Federation of Labor, Central Committee of the Communist Youth League of China, All China Women's Federation are responsible for) motivating the entire society to engage in food safety supervision; they will encourage the grass root food safety information reporter/liaison officers to play their roles (in food safety supervision), and encourage the labor unions, youth league and the women’s league of all levels to include food safety supervision as a part of their voluntary services.

XI. Unified and Authoritative Oversight System

(FSCO, CFDA, State Commission Office for Public Sector Reform are responsible for) expediting the formation of unified and authoritative food safety oversight mechanism and system, improving professionalism and systematization food safety oversight work. They will conduct researches for opinions to form a unified and authoritative food and drug oversight mechanism.

(CFDA, together with the State Commission Office for Public Sector Reform, Ministry of Human Resources and Social Security are responsible for) establishing the professional inspector team to expand the inspection forces.

(Ministry of Human Resources and Social Security, CFDA are responsible for) developing a professional title system that matches characteristics of the food safety oversight work.

(CFDA is responsible for) promoting the oversight power to penetrate to the grass root level by means of on-site inspections.

(FSCO is responsible for) letting the food safety commission offices at all levels to coordinate and guide food safety work; they will reinforce information reporting, public education, potential safety hazard checking and controlling, and attack law violations. FSCO will clarify division of responsibilities amongst the FSCO member agencies, improve the inter-agency coordination in situation consultation, risk communication, emergency response and coordinated joint action, etc.

Full text of the notice in Chinese can be found at: http://www.gov.cn/zhengce/content/2016-05/11/content_5072221.htm

END OF TRANSLATION