

SFDA/ADB/WHO PROJECT

Regulatory and Strategic Framework for Food Safety in
the People's Republic of China – recent developments
and future challenges

Roger Skinner
Tokyo 1 March 2008

Elements of a system for supporting food safety

- Legal framework
 - Risks, standards, consumer information, responsibilities of food businesses, evidence base for policy
- Organization to deliver policy effectively
- Enforcement regime
 - Effective and consistent observance of legislative requirements, including appropriate monitoring systems
- Import controls

Key issues in PRC

- **Improve current legislation**
 - Improve current institutional and organizational arrangements including enforcement

Basic Food Law - 1

Scope

- cover all stages of food production, processing and distribution (from farm to chopstick)
- set out general principles of food law (what and how)

General Principles

- High level of health protection
- Policies and decisions (including standards) based on independent scientific advice
- Protection of consumer interests
- Transparency

Basic Food Law - 2

- General requirements

- Food must be safe ie not harmful to human health or unfit
- Responsibilities of food businesses for producing safe food
- Traceability
- Responsibility of food business operator to withdraw unsafe food from the market and inform authorities

Basic Food Law - 3

- Other
 - Definition of food
 - Due diligence defence
 - Organise legislation on basis of primary and secondary legislation
 - Supersede existing legislation wrt food safety

Basic Food Law - Proposal

- Possible to address key issues without specific organisational change - specifies how to do things, not who does them
- include provisions of basic food law in Food Hygiene Law currently being revised into a Food Safety Law, which could be considered a “Basic Food Safety Law” or “General Food Law”

Key issues

- Improve current regulatory system
- **Improve current institutional and organizational arrangements**

Ministries/Agencies with responsibilities for food safety in China

- MoA - Agriculture
- MofCom Commerce
- MoH Health
- SAIC Industry and Commerce
- AQSIQ Quality Supervision Inspection and Quarantine
- SFDA Food and Drug
- SEPA Environmental Protection
- CNCA Certification and Accreditation
- Standardization Office

Other – NDRC, Railways, Transportation, Customs, etc

“17 Agencies involved in food safety” St Com of NPC

Problems of multi-agency arrangements

- Lack of coordination at national level;
- Confusion over jurisdiction and resultant inefficiencies in performance;
- Limited scientific input and risk assessment in decision-making processes;
- Lack of coherence leading to gaps or duplication of enforcement;
- Reductions in the confidence of domestic consumers and foreign buyers in the the safety of PRC food products.
- Poor protection of public health

Option 1

Strengthen comprehensive management

- Strengthen SFDA in its current role
- Establish a Food Safety Coordination Commission under the State Council
 - need full backing and explicit authority of State Council
 - more enhanced body
 - Chaired by Vice Premier
 - SFDA could provide staff to support the Commission

Option 2

Merge functions into a single authority

- merge all relevant food safety functions from across government into a single authority in an existing Ministry/agency- include risk management, risk assessment, risk communication and all legal powers
 - Eg UK, Sweden, Denmark, New Zealand
 - most effective in improving food safety; powerful influence; in China MoA should continue to be responsible on the farm
- Options 1 and 2 not mutually exclusive

Leading Group established

- Product Quality and Food Safety Leading Group set up under Vice Premier Wu Yi with AQSIQ providing the secretariat
- 4 month campaign to end 2007 to improve quality of goods and food safety
- Circular issued stipulating that manufacturers take responsibility for product and food safety

Rectification action of product quality and food safety

- Main mission and objectives by end 2007 include:-
 - Focus on 8 categories
 - All wholesale markets monitored
 - All food producers obtain production licenses and apply QS label
 - All small workshops sign food quality and safety promise letters
 - All livestock slaughtered in designated places

Future interrelated challenges

- Need for single agency with overall policy responsibility for food safety within government
- Monitoring and surveillance
 - Structured and focussed
- Independent source of scientific advice
- Transparent and consultative approach
- Training
 - Food businesses
 - Enforcement officers

Thank you