

Risk Governance and Food Safety Standard-Setting in China

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Introduction

- Food safety governance and regulation is a highly dynamic policy field
- USA FDA Food Safety Modernization Act
- to balance between science and democracy, regain the trust

I. Food Safety Governance in China

- Food Safety Law of the People's Republic of China
- (adopted at the 7th Session of the 11th Standing Committee of the National People's Congress of the People's Republic of China on February 28, 2009)

Gutter oil?

Lean pork powder?

Chemical dyes?



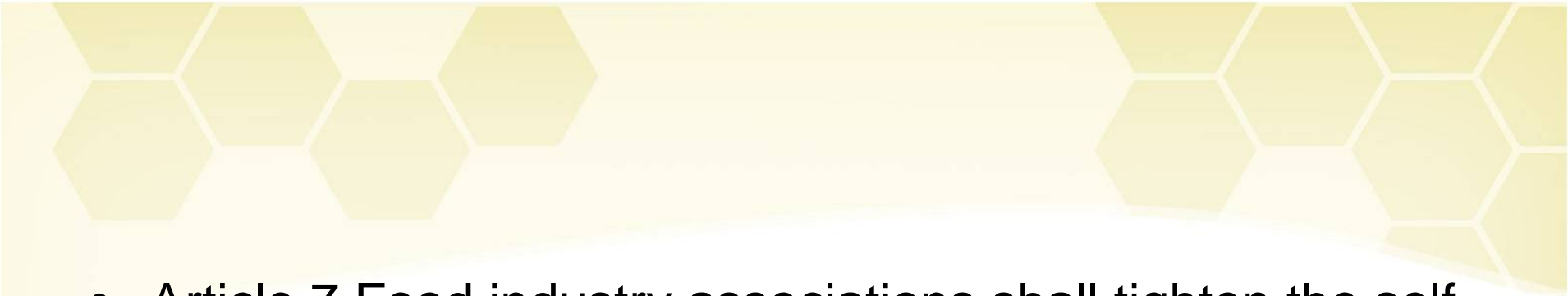
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First, from farm to fork

- Article 82 The State shall establish a unified food safety information release system. The following information shall be centrally disclosed by the executive department of health under the State Council:
 - 1) Overall situation of food safety in the country;
 - 2) Food safety risk assessment and food safety risk alert;
 - 3) Information on major food safety incidents and the handling; and
 - 4) Other important food safety information and information identified by the State Council as requiring centralized disclosure.

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- Article 7 Food industry associations shall tighten the self-discipline of the industry, and guide food producers and traders to produce and trade according to law, facilitate the construction of industry creditability, and publicize and spread knowledge related to food safety.
 - Article 8 The State encourages social and community groups to conduct educational activities regarding food safety laws and regulations, food safety standards and knowledge, to advocate healthy diets, and to raise consumers' food safety awareness and self-protection ability.
 - The media shall publicize food safety laws, regulations, standards and knowledge for free and provide public oversight on acts that violate the Law.

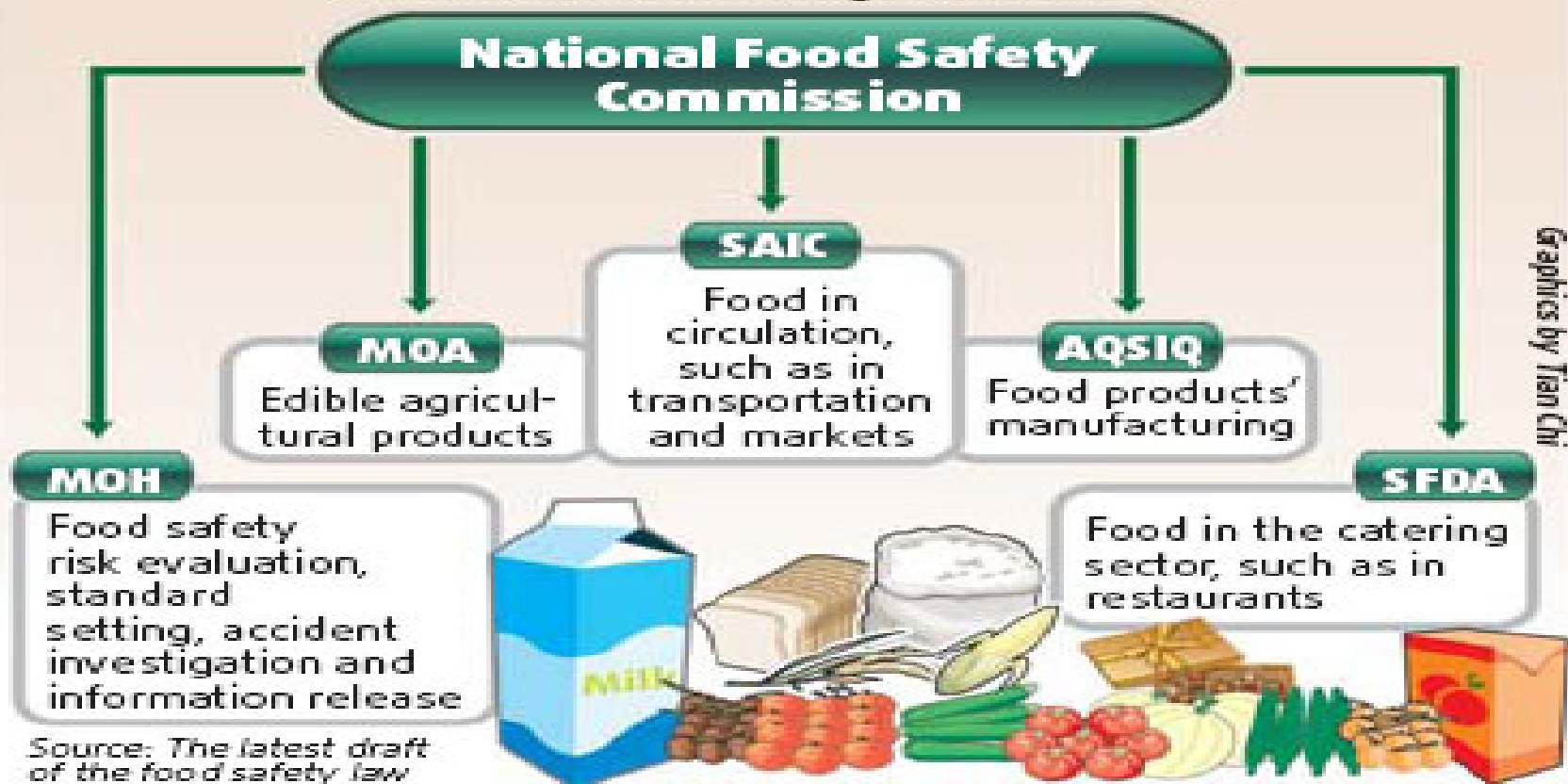
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- Article 2 The following business activities carried out within the territory of the People's Republic of China shall abide by this law:
 - 1) Food production and processing (hereinafter referred to as “Food Production”); food distribution and catering service (hereinafter referred to as “Food Trading”);
 - 2) Production and trading of food additives;
 -

Second, the creation of mechanisms

- Article 4 The State Council shall establish a Food Safety Committee whose responsibilities will be determined by the State Council.

Overarching commission

The future food safety supervision mechanism will coordinate functions of five central govt departments



Third, risk-based analysis

- risk monitoring
- risk assessment

- risk management
- risk communication




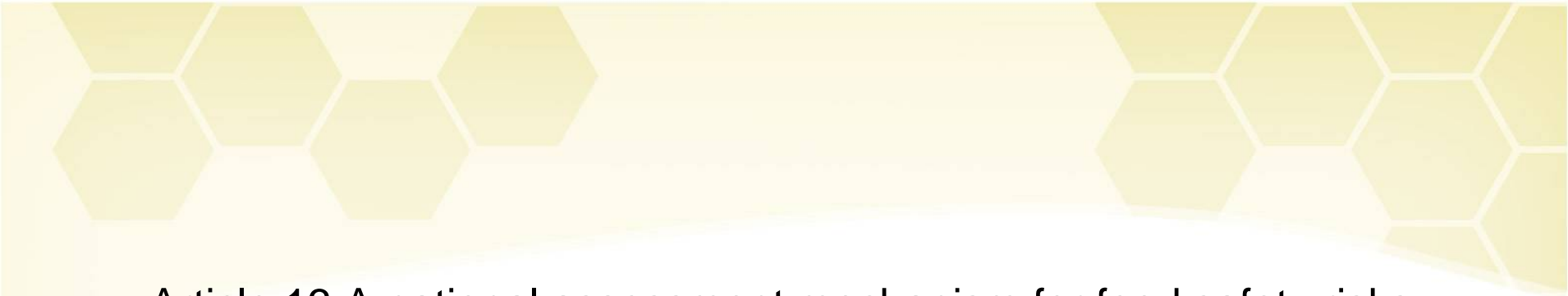
国家食品安全评估中心

National food safety assessment center

cd2040333

<http://home.zhuhajie.com/5556421/>

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- Article 11 A national surveillance system for food safety risks shall be established to monitor food-borne diseases, food contamination and other food-related hazards.

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- Article 13 A national assessment mechanism for food safety risks shall be established to assess the risks on biological, chemical and physical hazards in foods and food additives.
 - The executive department of health under the State Council shall be responsible for organizing food safety risk assessments. An expert committee on food safety risk assessment which is composed of experts on medical science, agriculture, food, and nutrition, shall be established to conduct the food safety risk assessment.
 - The safety assessment of pesticides, fertilizers, growth regulators, animal drugs, feed and feed additives shall be attended by experts from the expert committee on food safety risk assessment.
 - The food safety risk assessment shall be conducted on the basis of scientific methods, information of food safety risk surveillance, scientific data, and other relevant information.

II. Case: Dairy Safety Standards setting

- In 2008, products by Sanlu and other brands were found to be contaminated with melamine, added intentionally in order to make the milk appear to be rich in protein.
- These adulteration practices led to the hospitalization of more than 51900 infants and young children.
- Reponding to this, the government in China re-examined the health and food-safety standards in the dairy industry.

A. Chinese standard-setting system

- The Chinese standard-setting system has a hierarchy of four levels of standards formulated by various national and local institutions and business entities.



Normally, the higher-level standards supersede the lower ones.

- The National Standards consistently apply across Mainland China, and are administered by a relevant standard administration under the State Council.
- The government formulates Professional Standards for various industry sectors throughout China.
- Local Standards are often developed by the relevant departments of provincial governments and hence are referred to as "Provincial Standards".
- The Enterprise Standards are recommended, if stricter than the other standards levels, with the aim to better promote good quality.

B. Chinese food safety standard-setting system

- The main features of China's general standard-setting include a top-down hierarchical approach to regulation and heavy governmental intervention. The FSL is the same.
- But this approach failed. Industry inefficiency and increasing political pressure resulting from public unease.

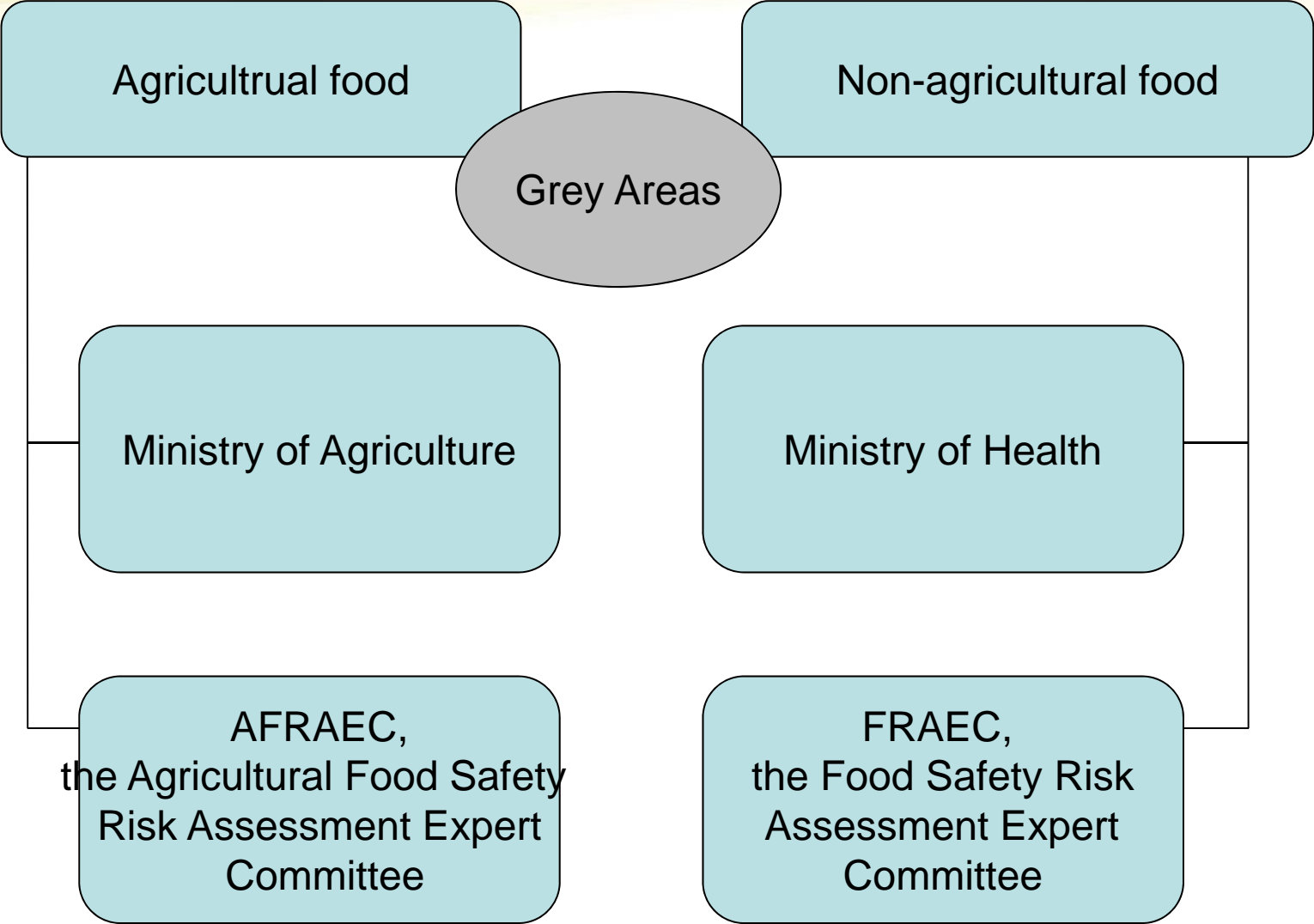
- In order to overcome the institutional complications, FSL empowers to MOH to establish uniform National Standards in China.
- But the result is not good. Dairy standards have stirred a new round of complaints.



C. China's GM food standard-setting: A new debate

- the State Council promulgated the Agricultural Genetically Modified Organism Safety Regulations in 2001, revised in 2011.
- Although China' FSL mandates the MOH to take responsibility for food safety standards, the MOA continues to handle GM food safety standard-setting.
- But the MOA's industry promotion role challenges its independence and neutrality regarding GM food risk assessment and standard-setting.
- Without public participation, the public concern that interested industries could lobby the MOA to adopt pro-GM food policy at a cost to human safety and health.

Chinese Food Risk Assessment System



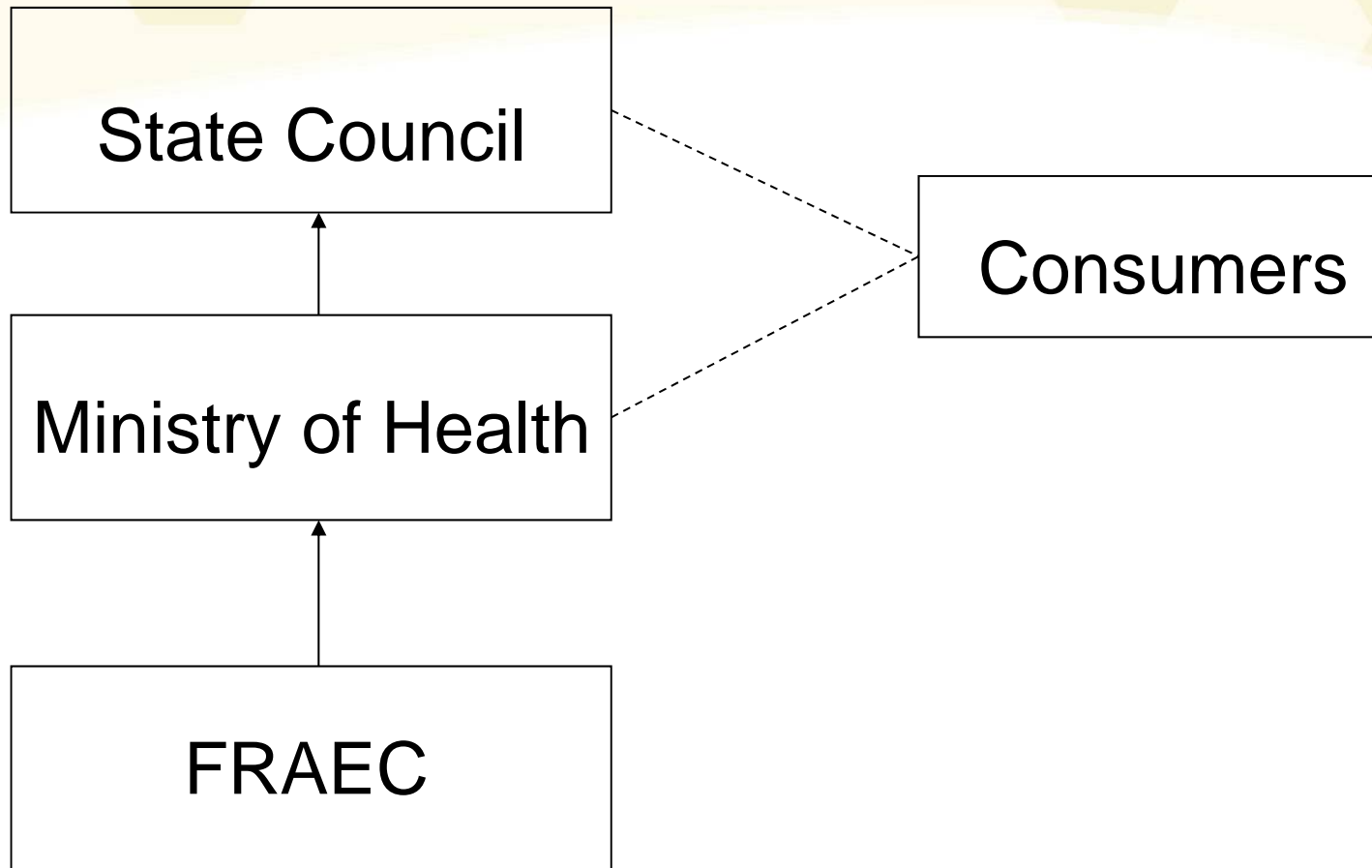
III. Analysis: Solo Dancer

- A. Solo Dancer
- In other countries, the standard is voluntary. However, in China, the food safety standards shall be formulated by the government, which the purpose is to unify the multivariate mixed food safety standard system.
- So give to Caesar what is Caesar's, and to God what is God's.

B. The Role of Expert is impect

- Lack of adequate training programs, facilities and staff resources in these agencies to implement the provisions in the laws and regulations.
- The National Risk Assessment Committee is not an independent organization, and is constantly affected and intervened by superior administrative agencies.
- The organization and procedures of Food safety risk assessment needs to be further improved, such as expert selection process, the development of assessment guidelines, the establishment of the peer review system, the establishment of announcements comment system, the establishment of information disclosure system, etc.

Independence of Risk Assessment



----- Communication Relationship
——— Affiliation Relationship

C. Without Risk Communication

- Government transparency is not enough, which cannot meet the needs of risk communication. Also, the government does not see the public as partners during the food safety regulation, which ignores the integration of risk communication and day-to-day work.
- Unitary risk communication is mainly release information, which do not develop the interaction with the public.

Conclusion

- We now live in a world of risk society.
- science-based and transparent risk analysis
- pluralistic governance



- Thank for your attention!

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