Food Safety Law of the PRC

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Adopted at the 14th Session of the Standing Committee of the Twelfth National People's Congress on April 24, 2015; Amended in accordance with the Decision on Amending the Food Safety Law of the People's Republic of China adopted at the 28th Session of the Standing Committee of the Thirteenth National People's Congress on December 29, 2018; Amended in accordance with the Decision on Amending the Food Safety Law of the People's Republic of China adopted at the 28th Session of the Standing Committee of the Thirteenth National People's Congress on April 29, 2021

Effective: October 1, 2015 (Amended 2018, 2021)

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of ensuring food safety and safeguarding the physical health and life safety of the public.

Article 2 — Those engaging in the following activities within the territory of the People's Republic of China shall comply with this Law: (1) food production and processing, and food sales and catering services; (2) production and trading of food additives; (3) production and trading of packaging materials, containers, detergents and disinfectants for food, and tools and equipment used in food production and trading; (4) use of food additives and food-related products by food producers and traders; (5) storage and transportation of food; and (6) safety management of food, food additives and food-related products. The quality and safety management of primary edible agricultural products shall comply with the provisions of the Law on the Quality and Safety of Agricultural Products. However, the sale of edible agricultural products, the formulation of relevant quality and safety standards, the publication of relevant safety information, and the provisions of this Law on agricultural inputs shall comply with the relevant provisions of this Law.

Article 3 — Food safety work shall follow the principles of putting prevention first, carrying out risk management, exercising whole-process control, and involving broad participation by all sectors of society, and establish a scientific, strict supervision and administration system.

Article 4 — Food producers and traders shall be responsible for the safety of the food they produce and trade. Food producers and traders shall engage in production and trading activities in accordance with laws, regulations and food safety standards, ensure food safety, be honest, self-disciplined, and be responsible to the public and the society, accept social supervision, and bear social responsibility.

Article 5 — The State Council shall establish a food safety committee, the functions of which shall be prescribed by the State Council. The food safety supervision and administration department of the State Council shall, in accordance with the functions and duties prescribed in this Law and the State Council, supervise and administer food production and trading activities nationwide. Other relevant departments of the State Council shall, in accordance with the functions and duties prescribed in this Law and the State Council, undertake relevant food safety work.

Article 6 — Local people's governments at or above the county level shall be responsible for the food safety supervision and administration work within their respective administrative regions, unify leadership over, organize and coordinate the food safety supervision and administration work and food safety incident response work within their respective administrative regions, and establish and improve the whole-process food safety supervision and administration working mechanism and information sharing mechanism. Local people's governments at or above the county level shall, in accordance with this Law and the relevant provisions of the State Council, determine the functions and duties of the food safety supervision and administration department, the health administrative department and other relevant departments at the same level. Each relevant department shall be responsible for the food safety supervision and administration work within the scope of its respective functions and duties.

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Article 7 — Local people's governments at or above the county level shall implement a food safety supervision and administration responsibility system. People's governments at higher levels shall be responsible for assessing the food safety supervision and administration work of people's governments at lower levels. Local people's governments at or above the county level shall be responsible for assessing the food safety supervision and administration work of the food safety supervision and administration department and other relevant departments at the same level.

Article 8 — People's governments at or above the county level shall include food safety work in the national economic and social development plans of their respective administrative regions, include food safety work expenditures in the government financial budgets of their respective administrative regions, and strengthen the construction of food safety supervision and administration capacity to provide safeguards for food safety work. The food safety supervision and administration department and other relevant departments of the people's government at or above the county level shall strengthen communication and coordination, exercise their respective functions and duties, and bear their respective responsibilities.

Article 9 — Food industry associations shall strengthen industry self-discipline, establish and improve industry norms and reward and punishment mechanisms in accordance with their charters, provide services such as food safety information and technology, guide and urge food producers and traders to engage in production and trading activities in accordance with law, promote the building of industry integrity, and publicize and popularize food safety knowledge. Consumer associations and other consumer organizations shall, in accordance with law, conduct social supervision over acts that violate the provisions of this Law and harm the lawful rights and interests of consumers.

Article 10 — People's governments at all levels shall strengthen food safety publicity and education, popularize food safety knowledge, encourage social organizations, primary-level autonomous organizations of a mass character, and food producers and traders to carry out popularization of food safety laws, regulations, standards and knowledge, advocate healthy dietary practices, and enhance consumers' food safety awareness and self-protection capability. News media shall carry out publicity for the public interest on food safety laws, regulations, standards and knowledge, and conduct public opinion supervision over food safety violations. Relevant food safety publicity and reporting shall be truthful and fair.

Article 11 — The State shall encourage and support basic research and applied research related to food safety, and encourage and support food producers and traders in adopting advanced technologies and advanced management practices to improve food safety. The State shall implement strict management systems for the use of pesticides, accelerate the phase-out of highly toxic and highly residual pesticides, promote the research, development and application of alternative products, and encourage the use of highly efficient, low-toxicity and low-residue pesticides.

Article 12 — All organizations and individuals shall have the right to report food safety violations, obtain food safety information from the relevant departments in accordance with law, and raise opinions and suggestions on food safety supervision and administration work.

Article 13 — For units or individuals that have made outstanding contributions in food safety work, the State shall commend and reward them in accordance with relevant State provisions.

Chapter II — Food Safety Risk Monitoring and Assessment

Article 14 — The State shall establish a food safety risk monitoring system to monitor food-borne diseases, food contamination and harmful factors in food. The health administrative department of the State Council shall, in conjunction with the food safety supervision and administration department and other relevant departments of the State Council, formulate and implement a national food safety risk monitoring plan. The health administrative department of the people's government of a province, autonomous region or municipality directly under the Central Government shall, in conjunction with the food safety supervision and

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administration department and other relevant departments at the same level, formulate and adjust, based on the national food safety risk monitoring plan and taking into account the specific circumstances of the respective administrative region, a food safety risk monitoring plan for the respective administrative region, and organize the implementation thereof after filing with the health administrative department of the State Council.

Article 15 — The technical institutions undertaking food safety risk monitoring work shall, based on the food safety risk monitoring plan and the monitoring plan, carry out monitoring work to ensure that the monitoring data are truthful and accurate, and submit monitoring data and analysis results in accordance with the requirements of the food safety risk monitoring plan and the monitoring plan. Where food safety risk monitoring data indicate the possible existence of food safety hazards, the health administrative department of the people's government at or above the county level shall promptly notify the food safety supervision and administration department and other relevant departments at the same level of the relevant information, and report to the health administrative department of the people's government at the next higher level. After receiving the notification, the food safety supervision and administration department and other relevant departments shall further carry out specific investigations.

Article 16 — Where food safety risk monitoring results indicate that there may be food safety hazards, the health administrative department of the people's government at or above the county level shall organize inspections and food safety risk assessments for confirmation in a timely manner.

Article 17 — The State shall establish a food safety risk assessment system, using scientific methods to conduct risk assessments of biological, chemical and physical hazards in food, food additives, and food-related products based on food safety risk monitoring information, scientific data and relevant information. The health administrative department of the State Council shall be responsible for organizing food safety risk assessments, establishing a food safety risk assessment expert committee composed of experts in medicine, agriculture, food, nutrition, biology, environment and other fields to conduct food safety risk assessments. The results of food safety risk assessments shall be published by the health administrative department of the State Council.

Article 18 — Under any of the following circumstances, a food safety risk assessment shall be conducted: (1) when food safety risk monitoring or the processing of reports and complaints reveals potential risks and a risk assessment is required; (2) when the formulation or revision of national food safety standards requires a risk assessment; (3) when major food safety issues need to be identified for key supervision and administration work; (4) when new factors that may endanger food safety are discovered; (5) when it is necessary to determine whether a certain factor constitutes a food safety hazard; and (6) other circumstances under which the health administrative department of the State Council deems a risk assessment necessary.

Article 19 — The food safety supervision and administration department and other relevant departments of the State Council shall, upon discovering the need for a food safety risk assessment, propose a food safety risk assessment proposal to the health administrative department of the State Council and provide risk source, relevant inspection data, conclusions and other information and materials. The health administrative department of the State Council shall promptly conduct a food safety risk assessment and inform the relevant department of the assessment results.

Article 20 — The food safety supervision and administration departments of the people's governments at or above the provincial level shall, in conjunction with the health administrative departments and other relevant departments at the same level, carry out food safety risk assessments based on the results of food safety risk monitoring and food safety risk assessments. Where food safety risk assessment results indicate that food is unsafe, the food safety supervision and administration department shall promptly announce to the public and inform consumers to cease consuming the relevant food, and take corresponding measures to ensure that the food that requires the cessation of production and trading ceases to be produced and traded;

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where rules and regulations need to be formulated or revised, the food safety supervision and administration department shall, in conjunction with the health administrative department, immediately organize the formulation or revision thereof.

Article 21 — People's governments at or above the county level and their relevant departments shall, in carrying out food safety risk monitoring, risk assessment and food safety standard formulation, use the Internet and big data and other modern information technologies to strengthen the integration, analysis and comprehensive utilization of food safety data, and improve the level of food safety risk management.

Article 22 — The food safety risk assessment expert committee of the State Council shall, in conjunction with the food safety supervision and administration department and other relevant departments of the State Council, carry out comprehensive analysis of the food safety situation. Upon discovering that a food safety situation indicates a relatively high risk, the expert committee shall issue a food safety risk alert to the food safety supervision and administration department and other relevant departments.

Article 23 — The food safety supervision and administration department of the people's government at or above the county level and other relevant departments and food safety risk assessment experts and their technical institutions shall, in accordance with scientific, objective, timely and open principles, organize food producers and traders, food inspection agencies, certification bodies, food industry associations, consumer associations and news media to exchange food safety risk assessment information and food safety supervision and administration information.

Chapter III — Food Safety Standards

Article 24 — The formulation of food safety standards shall aim to safeguard the physical health of the public, be scientific, reasonable, safe and reliable, and serve as the mandatory standards for enforcement. Food safety standards are the mandatory standards for enforcement. In addition to food safety standards, no other mandatory food standards may be formulated.

Article 25 — Food safety standards shall include the following: (1) limits on pathogenic microorganisms, pesticide residues, veterinary drug residues, biotoxins, heavy metals and other pollutants and other substances harmful to human health in food, food additives and food-related products; (2) the types, scope of use and dosage of food additives; (3) the nutritional content requirements of infant and young child supplementary foods and other foods for special dietary uses; (4) requirements for labels, marks and instructions related to food safety requirements such as hygiene and nutrition; (5) hygienic requirements in the process of food production and trading; (6) quality requirements related to food safety; (7) food inspection methods and procedures; and (8) other contents that need to be formulated as food safety standards.

Article 26 — National food safety standards shall be formulated and published by the health administrative department of the State Council in conjunction with the food safety supervision and administration department of the State Council. The national food safety standards shall be numbered by the standardization administrative department of the State Council. Limits on pesticide residues and veterinary drug residues in food and their inspection methods and procedures shall be formulated by the health administrative department of the State Council and the agricultural administrative department of the State Council. Slaughtering, inspection and quarantine procedures for livestock and poultry shall be formulated by the agricultural administrative department of the State Council in conjunction with the health administrative department of the State Council.

Article 27 — People's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, in the absence of national food safety standards, formulate local food safety standards and file them with the health administrative department of the State Council. After national food safety standards are formulated, the corresponding local food safety standards shall be abolished.

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Article 28 — The State shall encourage food production enterprises to formulate standards more stringent than the national or local food safety standards and apply them in their enterprises.

Chapter IV — Food Production and Trading

Section 1: General Provisions

Article 29 — The State shall implement a licensing system for food production and trading. Those engaging in food production, food sales and catering services shall obtain a license in accordance with law. However, this does not apply to the sale of edible agricultural products, or to the sale of edible agricultural products only in a wholesale or retail market of agricultural products. The food safety supervision and administration departments of local people's governments at or above the county level shall, in accordance with the provisions of the Administrative Licensing Law of the People's Republic of China, examine the applications submitted by applicants and grant licenses to those that meet the prescribed requirements.

Article 30 — Small food production and processing workshops, food vendors and other small-scale food producers and traders shall meet the requirements stipulated in this Law for their scale of production and trading, and ensure that the food they produce and trade is hygienic, non-toxic and harmless. The food safety supervision and administration departments shall strengthen their supervision and administration. The comprehensive law enforcement departments of local people's governments at or above the county level shall, in accordance with law, investigate and deal with food vendors illegally occupying roads and other public places for food trading activities. Specific measures shall be formulated by provinces, autonomous regions and municipalities directly under the Central Government.

Article 31 — Entities permitted to engage in food production shall have the following conditions: (1) having places for the processing of food raw materials and food processing, packaging, storage and other places suitable for the varieties and quantities of the food being produced, keeping the environment of the places clean and tidy, and maintaining a prescribed distance from toxic and hazardous places and other sources of contamination; (2) having production equipment or facilities suitable for the varieties and quantities of the food being produced, having corresponding facilities for disinfection, changing clothes, washing, lighting, ventilation, anti-corrosion, anti-dust, anti-fly, anti-rodent, anti-insect, washing, and wastewater treatment, and garbage and waste storage; (3) having full-time or part-time food safety professionals and technical personnel and food safety management personnel and rules and regulations to ensure food safety; (4) having a reasonable equipment layout and process flow to prevent cross-contamination between food to be processed and directly consumed food, and between raw materials and finished products, and preventing contact between food and toxic or unclean substances; and (5) other conditions stipulated by laws and regulations.

Article 32 — Food producers and traders shall establish and strictly implement a food safety self-inspection system. Where food producers and traders discover in the course of production and trading that there are potential food safety risks, they shall immediately stop production and trading, report to the relevant department, and take effective measures.

Article 33 — The State shall encourage food producers and traders to meet the requirements of Good Manufacturing Practice and implement the Hazard Analysis and Critical Control Point system to improve the level of food safety management. For food producers and traders that have passed Good Manufacturing Practice certification or Hazard Analysis and Critical Control Point system certification, the certification body shall conduct follow-up investigations in accordance with law; for those that no longer meet the certification requirements, the certification body shall revoke their certification in accordance with law and promptly report to the food safety supervision and administration department of the people's government at or above the county level, and make an announcement to the public.

Article 34 — The production and trading of the following food, food additives and food-related products are prohibited: (1) food produced from non-food raw materials, food with chemical substances other than food additives added or other substances that may endanger human health, or food produced from recycled food as raw materials; (2) food, food additives and food-related products whose content of pathogenic microorganisms, pesticide residues, veterinary drug residues, biotoxins, heavy metals and other pollutants and other substances harmful to human health exceeds the food safety standards limits; (3) food and food additives produced from raw materials or food additives beyond their shelf life; (4) food and food additives using food additives beyond the scope or exceeding the dosage limits; (5) food with nutritional content that does not meet the requirements of food safety standards for infants, young children and other specific groups of people; (6) food and food additives that are spoiled, contaminated with oil, moldy, infested with insects, unclean, adulterated, or with abnormal sensory properties; (7) poultry, livestock, game animals, aquatic products and their products that have died of disease, poisoning or from unknown causes; (8) meat and meat products that have not undergone quarantine inspection or have failed to pass quarantine inspection; (9) food and food additives contaminated by packaging materials, containers, means of transport, etc.; (10) food and food additives marked with a false date of production or beyond its shelf life; (11) pre-packaged food and food additives without labels; (12) food whose production and trading is prohibited by the State for special purposes such as disease prevention and control; and (13) other food, food additives and food-related products that do not comply with the provisions of laws, regulations or food safety standards.

Section 2: Food Additives

Article 35 — The State shall implement a licensing system for the production of food additives. Those engaging in the production of food additives shall have sites, production equipment or facilities, professional and technical personnel and management systems suitable for the varieties of food additives being produced, and shall obtain a license for the production of food additives in accordance with law. The production of food additives shall comply with laws, regulations and national food safety standards.

Article 36 — The use of food additives in food shall be limited to the varieties, scope of use and amount of use specified in the national food safety standards, and must not involve the use of food additives beyond the scope of use or exceeding the dosage limits. No food additives other than those specified in the national food safety standards shall be used in food.

Section 3: Food Labeling, Marks and Instructions

Article 37 — The packaging labels of pre-packaged food shall include the following: (1) name, specification, net content, and date of production; (2) ingredient or formula list; (3) name, address and contact details of the producer; (4) shelf life; (5) product standard code; (6) storage conditions; (7) common name of food additives used in the national standard; (8) production license number; and (9) other matters required by laws, regulations or food safety standards to be labeled. The labels of infant and young child supplementary foods and other foods for special dietary uses shall also indicate the main nutritional content and the content thereof. The food safety supervision and administration department shall announce to the public the specific measures for food labeling.

Section 4: Special Food

Article 38 — The State shall implement strict supervision and administration of special food such as health food, formula food for special medical purposes, and infant and young child formula food. The administration of health food shall be subject to the relevant provisions of the State Council. The formula of formula food for special medical purposes shall be subject to registration. The formula of infant and young child formula food shall be subject to registration. At the time of registration, the research and development report and other materials indicating the scientific nature and safety of the formula shall be submitted.

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Chapter V — Food Inspection

Article 39 — Food inspection agencies shall obtain qualifications in accordance with the relevant State certification and accreditation provisions before carrying out food inspection activities, unless otherwise provided by law. The inspection reports issued by food inspection agencies shall bear the□□ (official seal) of the food inspection agency and the signature or seal of the inspector. Food inspection agencies shall be responsible for the inspection reports they issue.

Article 40 — Food must not be exempted from inspection. The food safety supervision and administration department shall conduct regular or random sample testing of food and publish the inspection results in accordance with relevant provisions. No fees shall be charged for sample testing. The food safety supervision and administration department may retain food inspection agencies that meet the requirements to carry out food inspection work.

Article 41 — Where a food producer or trader raises an objection to the inspection results, it may, within seven working days from the date of receipt of the inspection results, apply to the food safety supervision and administration department that organized the sampling inspection or to the food safety supervision and administration department at the next higher level for a re-inspection, and the re-inspection conclusion shall be issued by the re-inspection agency accepting the application. If the re-inspection conclusion indicates non-conformity, the fees for the re-inspection shall be borne by the food producer or trader.

Chapter VI — Food Import and Export

Article 42 — Imported food, food additives and food-related products shall comply with the national food safety standards of China. The entry-exit inspection and quarantine authority of the State shall inspect imported food, food additives and food-related products in accordance with the relevant provisions. The entry-exit inspection and quarantine authority shall publish the list of imported food safety compliance assessment technical institutions.

Article 43 — Overseas food production enterprises that export food to China, and overseas exporters or agents shall file with the entry-exit inspection and quarantine authority of the State. Overseas food production enterprises that export food to China shall be registered with the entry-exit inspection and quarantine authority of the State. If a registered overseas food production enterprise provides false materials, or causes a major food safety incident due to its own reasons, the entry-exit inspection and quarantine authority of the State shall revoke its registration and make an announcement.

Article 44 — Imported pre-packaged food shall have Chinese labels and instructions. The labels and instructions shall comply with the provisions of this Law and other relevant laws and administrative regulations of China and the requirements of national food safety standards, and shall indicate the country of origin of the food and the name, address and contact details of the domestic agent. Pre-packaged food without Chinese labels or instructions, or whose labels or instructions do not comply with the provisions of this Article, must not be imported.

Article 45 — An import food enterprise shall establish a system for the verification of the sale records of imported food and the records of the purchase of imported food, truthfully record the name, specification, quantity, date of production, production or import batch number, shelf life, name and contact details of the overseas supplier and the purchaser, date of delivery and other information, and keep the relevant vouchers. The retention period of records and vouchers shall comply with the relevant provisions.

Article 46 — The State entry-exit inspection and quarantine authority shall collect and summarize information on food safety risks in imported food, and promptly notify the food safety supervision and administration department, the health administrative department and other relevant departments of the State Council. Where an overseas food safety incident occurs that may have an impact on China, or a serious food safety problem is discovered in imported food, the State entry-exit inspection and quarantine authority shall

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promptly take risk warning or control measures, and notify the food safety supervision and administration department, the health administrative department and other relevant departments of the State Council. The relevant departments that receive the notification shall promptly take corresponding measures.

Article 47 — Food produced for export shall comply with the relevant requirements of the importing country or region, and the requirements of Chinese laws, regulations and national food safety standards. The entry-exit inspection and quarantine authority and the relevant departments of the State Council shall supervise and administer the food safety of food produced for export.

Chapter VII — Handling of Food Safety Incidents

Article 48 — The State Council shall organize the formulation of a national emergency response plan for food safety incidents. Local people's governments at or above the county level shall, based on the provisions of relevant laws and regulations and the emergency response plans for food safety incidents of the people's governments at higher levels and in light of the actual local conditions, formulate emergency response plans for food safety incidents for their respective administrative regions and file them with the people's governments at the next higher level. Food production and trading enterprises shall formulate emergency response plans for food safety incidents, periodically inspect the implementation of various food safety preventive measures of the enterprise, and promptly eliminate potential incident risks.

Article 49 — When a food safety incident occurs, the entity where the incident occurs shall immediately handle it, prevent the spread of the incident, and report the incident to the food safety supervision and administration department and the health administrative department of the local people's government at the county level within two hours. The relevant departments that receive the report shall take measures to prevent or mitigate social harm and report to the people's government at the same level and the relevant departments at the next higher level in accordance with relevant provisions. No entity or individual may conceal, falsely report or delay the reporting of a food safety incident, or destroy relevant evidence.

Article 50 — After receiving a report of a food safety incident, the food safety supervision and administration department of the people's government at or above the county level shall immediately carry out an investigation and handling in conjunction with the health administrative department and other relevant departments, and take the following measures to prevent or mitigate social harm: (1) carry out emergency rescue and medical treatment; (2) seal off the food and raw materials, tools and equipment and facilities that have caused the food safety incident and order them to be cleaned and disinfected; (3) carry out inspections of the food and raw materials, order the recall of the food, cease trading, and seal off contaminated food and raw materials; and (4) properly handle the incident information to avoid public panic.

Article 51 — After a food safety incident occurs, the relevant disease prevention and control institutions shall carry out epidemiological investigations into the incident, and submit an epidemiological investigation report to the health administrative department and the food safety supervision and administration department. The relevant departments shall cooperate with the investigation and shall take corresponding measures according to the results of the epidemiological investigation report.

Chapter VIII — Supervision and Administration

Article 52 — The food safety supervision and administration department shall implement a food safety credit management system for food producers and traders, establish food safety credit files, record information such as licensing issuance, daily supervision and inspection results, and investigation and punishment of illegal acts, and disclose to the public with updates in accordance with law. Where food producers and traders have bad credit records, the food safety supervision and administration department shall increase the frequency of supervision and inspection, and take joint disciplinary action in conjunction with other relevant departments in accordance with law.

Article 53 — The food safety supervision and administration department may, in accordance with law, adopt the following measures when conducting supervision and inspection: (1) enter the production and trading premises to carry out on-site inspections; (2) conduct sampling inspections of the food being produced and traded; (3) consult and copy relevant contracts, bills, account books and other relevant materials; (4) seal off or detain food, food additives and food-related products that are proved to be non-compliant with food safety standards, or that have evidence indicating potential food safety hazards, or that are used for illegal production and trading; and (5) seal off premises used for illegal production and trading activities.

Article 54 — The food safety supervision and administration department shall establish a food producer and trader food safety credit file to record information such as licensing issuance, daily supervision and inspection results, and investigation and punishment of illegal acts. The food safety supervision and administration department of the people's government at or above the county level may, based on the food safety risk level information, determine the key areas, key methods and frequency of supervision and inspection, implement categorized risk management, and formulate an annual food safety supervision and administration plan.

Chapter IX — Legal Liability

Article 55 — Where food, food additives or food-related products are produced or traded in violation of the provisions of this Law, the food safety supervision and administration department of the people's government at or above the county level shall confiscate the illegal gains and the illegally produced or traded food, food additives and food-related products, and may also confiscate the tools, equipment, raw materials and other articles used for illegal production and trading. Where the value of the illegally produced or traded food, food additives or food-related products is less than RMB 10,000 yuan, a fine of not less than RMB 50,000 yuan and not more than RMB 100,000 yuan shall be imposed; where the value exceeds RMB 10,000 yuan, a fine of not less than 10 times and not more than 20 times the value shall be imposed; where the circumstances are serious, the license shall be revoked.

Article 56 — Where food, food additives or food-related products that have caused a food safety incident are knowingly produced or traded, or where the relevant responsible person, after being punished, still commits the relevant illegal act, and the circumstances are serious, the food safety supervision and administration department of the people's government at or above the county level may impose more severe penalties such as suspension of production and trading until the license is revoked, and may impose penalties on the legal representative, the directly responsible person in charge and other directly responsible personnel.

Article 57 — Where a violation of the provisions of this Law causes personal, property or other damage, civil liability shall be borne in accordance with law. If a crime is constituted, criminal liability shall be pursued in accordance with law.

Article 58 — Where a consumer's lawful rights and interests are harmed due to food that does not meet food safety standards, damages may be claimed from the operator or from the producer. A consumer who, in addition to claiming compensation for losses, demands from the producer or operator a punitive compensation of 10 times the price paid or three times the amount of losses, whichever is greater, shall be entitled to the same. However, this does not apply to minor flaws in food labels or instructions that do not affect food safety and will not mislead consumers.

Article 59 — Where a food producer or trader fails to recall or cease trading in accordance with the provisions of this Law within three months before the food supervision and administration department orders it to do so, the food safety supervision and administration department of the people's government at or above the county level shall order it to recall or cease trading, and impose a fine based on the value of the food, and revoke the license where the circumstances are serious.

Chapter X — Supplementary Provisions

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Article 60 — The production and trading of food in railway operations and civil aviation operations shall comply with the provisions of this Law. The relevant authorities shall strengthen the supervision and administration of food safety in railway operations and civil aviation operations in accordance with the division of duties.

Article 61 — The food safety supervision and administration of genetically modified food and salt shall be governed by this Law; where laws and administrative regulations provide otherwise, such provisions shall prevail.

Article 62 — With respect to the food safety administration of the production and trading of health food, formula food for special medical purposes, infant and young child formula food, and other special food as well as food for specific groups of people, the relevant laws, administrative regulations and provisions of the State Council shall apply.

Article 63 — This Law shall take effect as of October 1, 2015, and the Food Safety Law of the People's Republic of China adopted at the 7th Session of the Standing Committee of the Eleventh National People's Congress on February 28, 2009 shall be repealed simultaneously.

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