Under the background of urbanization, industrialization, and globalizaton, after the consumption level and the consumption pattern experienced change, people increasingly became concerned with food safety. Industrialization caused enterprises to have the impulse to seek more profits, even by dodging laws, and fast economic growth has caused an increase in food safety incidents. But there is high information asymmetry between food producers and the consumers; the common consumers are in a weak position in this process, and they are unable to distinguish food quality to guarantee their own safety. Ensuring food expiration dates and guaranteeing and promoting public health should be the important responsibility of the supervision organization. Food safety supervision must be strengthened, not weakened. In 2009, in light of food safety incidents that have frequently occurred in recent years, China expanded the construction of food safety supervision, and its progress is worth paying attention to.

I. Progress of Food Safety Supervision Legislation

A. The Promulgation and Implementation of Food Safety Law of the People’s Republic of China (中华人民共和国食品安全法)

On February 28, 2009, the 7th Session of the Standing Committee of the 11th National People’s Congress considered and adopted Food Safety Law of the People’s Republic of China. This law was formulated and released in light of new situations and new problems in food safety supervision and was based on the original regulations, such as Food Hygiene Law of the People’s Republic of China (中华人民共和国食品卫生法) etc.
Food Hygiene Law of the People’s Republic of China, which came into force on October 30, 1995, played a positive role in ensuring food hygiene and guaranteeing the health of the people. But, alongside social development, the problem on food safety became increasingly prominent, and incidents related to food safety occurred occasionally. The 59th executive meeting of the State Council held on July 21, 2004 and Decision of the State Council about Further Strengthening Food Safety (国务院关于进一步加强食品安全工作的决定)\(^3\) (Guo Fa (2004) No. 23), issued by the State Council on September 1, 2004, requested that the Legislative Affairs Office of the State Council organize and revise the Food Hygiene Law. In July 2004, the Legislative Affairs Office of the State Council established the Leading Group of Food Hygiene Law Revision composed of comrades in charge from the State Commission Office for Public Sector Reform and the state council departments concerned to organize and draft Food Hygiene Law (Draft amendment) (食品卫生法 (修订草案)). After that, through many times of studies and revisions, and according to the contents of revision, Food Hygiene Law (Draft amendment) was renamed Food Safety Law (Draft) (食品安全法 (草案)). This draft was adopted at the 195th Executive Meeting of the State Council on October 31, 2007, and was submitted to the Standing Committee of the National People’s Congress for consideration in December 2007. The General Office of the Standing Committee of the National People’s Congress promulgated Food Safety Law (Draft) on April 20, 2008, and widely solicited opinions and suggestions from all circles.

Food Safety Law is divided into ten chapters, including the general rule, food safety risk monitoring and assessment, food safety standard, food production and operation, food inspection, food import and export, how to handle food safety incidents, supervision and administration, legal liability and supplementary articles. Compared with the former Food Hygiene Law, this law covers the entire process “from the farmland to the dinner table,” and makes comprehensive provisions to problems concerning food safety. This law clearly defines the food safety supervision system; gives comprehensive construction to the food safety risk supervision system; consummates the food safety standard

\(^3\) See Decision of the State Council about Further Strengthening Food Safety, at http://www.lawinfochina.com/law/display.asp?db=1&id=3739&keyword=国务院关于进一步加强食品安全工作的决定