

Voluntary Report – Voluntary - Public Distribution

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Report Name: Food Safety Law Revision - Domestic Comments Opportunity

Country: China - People's Republic of

Post: Beijing

Report Category: FAIRS Subject Report, Sanitary/Phytosanitary/Food Safety

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Report Highlights:

On February 17, 2025, the People's Republic of China (PRC) State Administration for Market Regulation (SAMR) released a letter soliciting public comments on a revision to the current Food Safety Law. The revision aims to regulate the permission and management system for the transportation of key liquid foods (e.g., edible oils) in bulk. This report contains an unofficial translation of the revised draft law for comments. Stakeholders should conduct their own review of the regulation and submit comments as necessary. As this is a domestic comment period, nothing official has been reported to the World Trade Organization.

Summary:

On February 17, 2025, the People's Republic of China (PRC) State Administration for Market Regulation (SAMR) released [an Announcement soliciting public comments for the Food Safety Law of the People's Republic of China \(revised draft for comments\)](#) (link in Chinese).

The draft revision includes a new article regulating the licensing management for the bulk transportation of key liquid foods such as edible oils. Licenses will be issued to qualified enterprises for vehicles, tools, containers, and personnel to transport key liquid foods in bulk. Although the PRC has laws and regulations for the safe storage and transportation of relevant foods to prevent contamination, it has not licensed the transport of key liquid foods.

The written comments to the revised Food Safety Law must be submitted to SAMR before March 18, 2025. The detailed methods for sending the comments are in the below announcement.

The previous revision to the Food Safety Law was made in January 2024, please refer to [FAS GAIN Report CH2024-0014](#) for more detailed information.

BEGIN UNOFFICIAL TRANSLATION

Food Safety Law of the People's Republic of China (Revised draft for comments)

In order to strictly implement "Four Most Strict" requirements for food safety, standardize the bulk transportation of key liquid foods, and prevent food safety risks throughout the chain, the State Administration for Market Regulation (SAMR) plans to implement licensing management for the bulk transportation of key liquid foods, and has studied and drafted the "Food Safety Law of the People's Republic of China (Revised Draft for Comments)." It is now open to the public for comments. All relevant units and individuals are welcome to raise revision comments.

The written comments to the revised Food Safety Law must be submitted to SAMR before March 18, 2025, via the following methods:

- Log in to SAMR's [official website](#) to send comments under "Interaction" of "Soliciting Survey" column on the home page,
- Send email to spxs@samr.gov.cn indicating in the subject line as "Food Safety Law (revised draft for comments) soliciting public comments,"
- Or Mail the comments letter to the following address:
Food Production and Operation Department of SAMR,
No. 9 East Road, Haidian District, Beijing, 100088.

Please indicate on the envelop “Food Safety Law (revised draft for comments) soliciting public comments.”

Appendix:

- I. Food Safety Law of the People’s Republic of China (Revised Draft for Comments)
- II. Explanation on the “Food Safety Law of the People’s Republic of China (Revised Draft for Comments)” (*translation omitted*)

**Appendix I: Food Safety Law of the People’s Republic of China
(Revised Draft for Comments)**

In order to strictly implement the “four most strict” requirements for food safety and in view of the high risk for transportation of some key foods, SAMR plans to include those transportation enterprises in licensing management. A new article will be added and an article will be modified under the current “Food Safety Law of the People’s Republic of China” (hereinafter referred to as the “Food Safety Law”), as follows:

Food Safety Law Regulation	After Revision
	<p>Article XX The state implements a licensing system for the bulk transportation of key liquid foods. Those engaged in bulk transportation of key liquid foods must have vehicles, containers, operators, and management systems that are suitable for the foods being transported and must obtain approval certificates for bulk transportation of key liquid foods in accordance with the law.</p> <p>The food safety supervision and administration departments of the local people’s government at or above the county level shall, in accordance with the provisions of the “Administrative Licensing Law of the People’s Republic of China,” review the relevant materials submitted by the applicant as required by the preceding paragraph, and grant permission to those who meet the prescribed conditions; if they do not meet the prescribed conditions, they shall deny permission and explain the reasons in writing.</p> <p>The catalog of key liquid foods is formulated by the food safety supervision and administration department of the State Council in conjunction with the transportation</p>

	management department and other sections, and will be implemented after approval by the State Council.
<p>Article 132 Anyone who violates the provisions of this Law and fails to store, transport, and load and unload food as required will be ordered to make corrections and given a warning by the food safety supervision and administration departments of the people's government at or above the county level in accordance with their respective division of responsibilities; if they refuse to make corrections, they will be ordered to suspend production and business, and a fine of not less than RMB 10,000 but not more than RMB 50,000 will be imposed; if the circumstances are serious, the license will be revoked.</p>	<p>Article XX Anyone who violates the provisions of this Law and engages in bulk transportation of key liquid foods without obtaining a bulk transportation license for key liquid foods shall have his or her illegal gains confiscated by the food safety supervision and administration department of the people's government at or above the county level and shall be fined not less than RMB 50,000 but not more than RMB 500,000.</p> <p>Anyone who violates the provisions of this Law and fails to carry out food storage, transportation, loading, and unloading as required shall be ordered to make corrections and given a warning by the food safety supervision and administration departments of the people's government at or above the county level in accordance with their respective division of responsibilities; if they refuse to make corrections, they shall be ordered to suspend production and business, and shall be fined not less than RMB 10,000 but not more than RMB 50,000; if the circumstances are serious, they shall be fined not less than RMB 50,000 but not more than RMB 500,000, and the license shall be revoked.</p>

END TRANSLATION

Attachments:

No Attachments.