

The Regulatory Regime of Food Safety in China

A Systemic not Accidental Failure

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Abstract

During the previous decade from 2004 to 2013, people in China witnessed both skyrocketing number of food safety crises, and aggregating regulatory initiatives attempting to control these crises. Indeed, numerous food safety crises promoted intuitional reforms and innovations, together with adoption of complex rules and legislation within the regulatory regime of food safety, multiple cycles of “crisis—regulatory efforts”, however, still indicated the systematic incapacity of the food safety regime to tackle with crises. Therefore, the fundamental research problem that structures this thesis is to understand the causes of this systemic failure in the “social foundations” for the regulatory governance of food safety.

The thesis locates the proximate causes of the regulatory failure of food safety regime in China in the regulatory segmentation of the regime. This thesis is supported by the differential impacts of the food regulatory regime on various consumer groups. Through compartmentalised regulatory arrangements, the regulatory segmentation reduced the political incentives for enforcement and compliance of food safety regulations, directly leading to unbalanced distribution of regulatory incentives and resource in which the benefits of the food safety regime were felt mostly by well-connected and affluent consumer groups. Conversely it impacted adversely on poorer and vulnerable consumer groups. Such uneven food safety level has further been intensified through a compound of emerging factors in China: politicised social stratification, deepening economic liberalisation, modernisation of the food industry, food trade, and growing food chain and demand.

This thesis analyses how this system of regulatory segmentation has been historically embedded into the food safety regime in China, and how it has further been stabilised and institutionalised over time. Based on the theoretical framework construction and historical review, the thesis explains how this segmented food safety regime has been delivering benefits and burdens among different sectors of population, unevenly unfortunately, through analysing different aspects of food safety management. A key contribution of this thesis is to identify and locate the social foundation for this segmented regulatory system, which in turn helps to explain the systemic failure of the food safety regime in China.

Declaration

I certify that this work contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text. In addition, I certify that no part of this work will, in the future, be used in a submission for any other degree or diploma in any university or other tertiary institution without the prior approval of the University of Adelaide and, where applicable, any partner institution responsible for the joint-award of this degree. I give consent to this copy of my thesis, when deposited in the University Library, being made available for loan and photocopying, subject to the provisions of the Copyright Act 1968. I also give permission for the digital version of my thesis to be made available on the web, via the University's digital research repository, the Library catalogue and also through web search engines, unless permission has been granted by the University to restrict access for a period of time.

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List of Abbreviations

ACFSMC	All China Federation of Supply and Marketing Cooperatives
ASEAN	Association of Southeast Asian Nations
AQSIQ	Administration of Quality Supervision, Inspection and Quarantine
BMELV	Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz (Federal Ministry of Food, Agriculture and Consumer Protection of Germany)
CAC	Codex Alimentarius Commission
CASS	Chinese Academy of Social Science
CCDC	China Centre for Disease Control
CCP	China Communist Party
CFDA	China Food and Drug Administration
CFIA	Canadian Food Inspection Agency
CFSA	China National Centre for Food Safety Risk Assessment
CFSAN	Centre for Food Safety and Applied Nutrition
CIQ	China Inspection and Quarantine
CNCA	Certification and Accreditation Administration
CNRRI	China National Rice Research Institute
CNY	China Yuan
CQC	China Quality Certification Centre
CSA	Community Supported Agriculture
DAFF	Department of Agriculture, Fishery and Forestry
DEHP	Di 2-Ethyl Hexyl Phthalate
EFSA	European Food Safety Authority
FAO	Food and Agriculture Organisation

FDA	Food and Drug Administration
FSA	Food Standard Agency
FSANZ	Food Standards Australia New Zealand
FSC	Food Safety Commission (of Japan or China)
FSIS	Food Safety Inspection Service
FSL	Food Safety Law of the People's Republic of China
GAC	General Administration of Customs
GAP	Good Agricultural Practice
GDP	Gross Domestic Products
GMP	Good Manufacturing Practice
GMO	Genetically Modified Organism
HACCP	Hazard Analysis and Critical Control Point
ISO	International Standardisation Organisation
LAO	Legislative Affairs Office of the State Council
MAFF	Ministry of Agriculture, Forestry and Fisheries
MEP	Ministry of Environmental Protection
MFA	Ministry of Foreign Affairs
MHLW	Ministry of Health, Labour and Welfare
MIIT	Ministry of Industry and Information
MLR	Ministry of Land Resources
MOA	Ministry of Agriculture
MOC	Ministry of Commerce
MOF	Ministry of Finance
MOFCOM	Ministry of Commerce and Trade
MOH	Ministry of Health
MOS	Ministry of Supervision
MOST	Ministry of Science and Technology
MPS	Ministry of Public Security

MRL	Maximum Residue Limit
NPC	National People's Congress of PRC
NHFPC	National Health and Family Planning Commission of People's Republic of China
NDRC	National Development and Reform Commission
NSBC	National Statistics Bureau of China
PBSC	Politburo Standing Committee
PRC	People's Republic of China
QS	Quality Safety
RMB	Renminbi
SAG	State Administration of Grain
SARF	Social Amplification of Risk Framework
SARS	Severe Acute Respiratory Syndrome
SAT	State Administration of Taxation
SAIC	State Administration for Industry and Commerce
SCIO	State Council Information Office
SFDA	State Food and Drug Administration
SOE	State-owned Enterprise
TBT	Technical Barrier to Trade
TSB	Tri-State Biodiesel
USD	USA Dollar
USDA	United States Department of Agriculture
WFZ	Weisheng Fangyi Zhan (Sanitation and Anti-epidemic Stations)
WHO	World Health Organisation