

Voluntary Report – Voluntary - Public Distribution

Date: September 06, 2023

Report Number: CH2023-0119

Report Name: Revised Measures for Supervision and Administration of Quality and Safety of Edible Agricultural Products in Markets Published

Country: China - People's Republic of

Post: Beijing

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

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Report Highlights:

On July 22, 2023, the People's Republic of China (PRC) State Administration for Market Regulation (SAMR) released revised Measures for Supervision and Administration of Quality and Safety of Edible Agricultural Products in Markets. The revised Measures will enter into force on December 1, 2023. This report provides an unofficial translation of the Measures.

Summary:

On July 22, 2023, the People's Republic of China (PRC) State Administration for Market Regulation (SAMR) released revised [Measures for Supervision and Administration of Quality and Safety of Edible Agricultural Products in Markets](#) (link in Chinese) under SAMR Order No. 81. The revised Measures will enter into force on December 1, 2023, replacing the current [Measures](#) (link in Chinese) that entered into force on March 1, 2016.

With the revision of the Agricultural Food Quality and Safety Law in 2022 (see FAS GAIN report [CH2022-0106](#)), SAMR implemented new requirements for the sales of edible agricultural products. In order to further regulate sales and ensure the quality and safety of edible agricultural products, SAMR updated the Measures.

Major revisions in these Measures include:

- encouragement of the prioritized purchases of edible agricultural products with commitment qualification certificate and other product quality qualification certificates,
- strengthening training of food safety management personnel,
- encouragement of the use of recommended national standards, industrial standards, and group standards to enhance high quality development with full implementation of national food safety standards,
- addition of settings and usage requirements for lighting in sales markets,
- emphasis on food safety requirements for ready-to-eat products such as fresh-cut fruits and vegetables to prevent cross contamination.

This report provides an unofficial translation of the revised Measures.

BEGIN TRANSLATION

Measures for Supervision and Administration of Quality and Safety of Edible Agricultural Products in Markets

(SAMR Order No. 81 on June 30, 2023 and become effective from December 1, 2023)

Article 1. In order to regulate the sales of edible agricultural products in the market, strengthen the supervision and management of the quality and safety of edible agricultural products in the market, and ensure the quality and safety of edible agricultural products, according to the “Food Safety Law of the People's Republic of China” (hereinafter referred to as the Food Safety Law), “Quality and Safety Law for Agricultural Products of the People's Republic of China,” “Regulations for the Implementation of the Food Safety Law of the People's Republic of China” (hereinafter referred to as the “Regulations for the Implementation of the Food Safety Law”) and other laws and regulations to formulate these measures.

Article 2. These Measures apply to the quality and safety of edible agricultural products in the markets and their supervision and management.

The sales of edible agricultural products mentioned in these Measures refers to the activities of selling edible agricultural products through centralized trading markets for edible agricultural products (hereinafter referred to as centralized trading markets), shopping malls, supermarkets, convenience stores and other fixed places, excluding the procurement of edible agricultural products.

Article 3. The State Administration for Market Regulation (SAMR) is responsible for formulating the supervision and management system for the quality and safety for the sales of edible agricultural products in the markets and guiding the supervision and management of the quality and safety of edible agricultural products being sold in the markets across the country.

The market supervision and management departments of provinces, autonomous regions, and municipalities directly under the management of central government are responsible for supervising and guiding the management of the quality and safety of edible agricultural products being sold in their administrative regions.

City and county-level market supervision and management departments are responsible for the supervision and management of the quality and safety of edible agricultural products being sold in the markets within their administrative regions.

Article 4. The market supervision and management departments at or above the county level shall establish and improve the coordination mechanisms for the supervision and management of the quality and safety of edible agricultural products being sold in the markets with the relevant departments of agriculture and rural affairs at the same levels, strengthen information sharing, promote linkages between production place and market access, and ensure the edible agricultural products in the markets can be traced.

Article 5. Industrial organizations related to the sales of edible agricultural products in the markets shall strengthen industry's self-discipline, urge operators and sellers of the centralized trading markets to fulfill their legal obligations, regulate the food safety management behavior of the centralized trading markets and the operation behaviors of sellers, and improve the quality and safety assurance of edible agricultural products.

Article 6. Based on the strict implementation of food safety standards, sales companies of edible agricultural products are encouraged to promote the high-quality development of edible agricultural products by applying recommended national standards, industry standards, and group standards.

Article 7. Sellers of edible agricultural products (hereinafter referred to as sellers) shall keep the environment of sales venues clean and tidy and keep an appropriate distance from toxic and harmful venues and other sources of contaminating to prevent cross-contamination.

When selling fresh edible agricultural products, it is not permitted to use lighting and other facilities that significantly change the sensory properties such as the true color of edible agricultural products to mislead consumers' sensory perception of the product.

It is encouraged to use (pre-packaged) clean and refrigerated sales methods for edible agricultural products.

Article 8. When purchasing edible agricultural products, sellers shall establish a verification record system in accordance with the provisions of Article 65 of the Food Safety Law, request and keep the records of purchasing certificate of edible agricultural products and review relevant information such as suppliers.

When purchasing meat that needs to be quarantined and inspected according to the regulations, animal quarantine qualification certificate, meat quality testing qualification certificate, and other supporting documents should be requested and filed. When purchasing imported edible agricultural products, it is necessary to ask for and maintain the certificates such as the inspection and quarantine certificate for entry goods issued by the Customs.

Sales vouchers, agreements of edible agricultural product purchase, and other vouchers provided by suppliers that contain the name, quantity, delivery date of the edible agricultural products, name, address, contact information of the suppliers, and other purchasing information can be used as purchase certificates for edible agricultural products.

Article 9. Sales companies of edible agricultural products engaged in chain operation and wholesale business shall take the initiative to strengthen the review and management of purchase channels, give priority to purchasing edible agricultural products with commitment certificates or other product quality certificates, and shall not purchase foods that do not meet food safety standards for edible agricultural products. For those that are unable to provide a commitment certificate or other product quality certificate, sales companies are encouraged to conduct sampling testing or rapid tests.

In addition to the commitment certificate issued by the producer or supplier, the self-testing qualification certificate, the inspection and quarantine certificate issued by the relevant departments, etc. can also be used as the product quality certificate for edible agricultural products.

Article 10. Sales companies of edible agricultural products that implement a unified distribution and sales method, whose headquarters can uniformly establish a purchase verification record system and keep purchase and product quality certificate. Each affiliated sales store should keep the distribution list of the headquarters, providing a way to verify the corresponding vouchers. The storage period of the distribution list shall not be less than six months.

Article 11. Sales companies of edible agricultural product engaged in wholesale business shall establish a sales record system for edible agricultural products, truthfully record the name, quantity, date of purchase, date of sale, and the name, address, and contact information of the purchasing entity of edible agricultural products and keep the relevant records. Records and vouchers shall be kept for not less than six months.

Article 12. Sellers of edible agricultural products shall truthfully indicate the name, production place, name of the producer or seller, and other information of the edible agricultural products at

a conspicuous place in the sales place or on the packaging of the packaged products. The production place should be specific to the county (city, district), and it is encouraged to mark the address of the specific production place such as townships and villages. If there is a requirement for the shelf life, the shelf life should be marked; if the shelf life is related to the storage conditions, it should be marked. If food additives such as preservatives or freshness agents are used in packaging, preservation, and storage, the name of the food additive should be marked.

Specific production time shall be marked for the sales of ready-to-eat agricultural products.

The text used on labels of edible agricultural products shall be standardized Chinese, and the content of the label shall be clear and obvious, and shall not contain false, wrong, or other misleading contents.

Sellers are encouraged to display the commitment certificates of edible agricultural products in conspicuous positions in the sales place. Those who sell edible agricultural products with packaging are encouraged to indicate the production date or packaging date, storage conditions, and best consumption period on the packaging.

Article 13. The packaging or labeling of imported edible agricultural products shall comply with the provisions of laws and administrative regulations and requirements of food safety standards, shall indicate the country (region) of origin in Chinese, as well as the name, address and contact information of the legally registered agent, importer, or distributor, and may not be indicated with the name, address, and contact information of the producer.

The outer packaging of imported fresh and frozen meat products should indicate the specifications, production place, destination, production date, shelf-life, storage conditions, etc. in Chinese.

Imported edible agricultural products sold in sub-packages, all information on the original imported edible agricultural products shall be retained, and information of company, time, and location of sub-packaging, and shelf life shall be indicated.

Article 14. Sellers who simply process and sell ready-to-eat agricultural products by peeling, cutting, etc., shall take effective measures to protect food safety and prevent cross-contamination.

Article 15. Sellers are prohibited from purchasing and selling edible agricultural products under the circumstances specified in Article 34 of the Food Safety Law.

The selectable edible fruits and vegetables with mud, sand, insects, and partly withered, and selectable aquatic products with water, mud, and sand, etc., are not products of corruption, mildew, vermin, filth, foreign matter, adulteration, or abnormal sensory properties, etc. under the provisions of Item 6 of Article 34 of the Food Safety Law.

Article 16. When storing edible agricultural products, sellers shall regularly inspect and promptly clean up edible agricultural products that have deteriorated, become rancid, moldy, infested with

insects, or have abnormal sensory properties. For the storage of edible agricultural products that have special requirements on temperature and humidity, etc., facilities and equipment such as heat preservation, refrigeration, or freezing shall be equipped and kept in effective operation.

If the seller assigns the storage of edible agricultural products to another, it shall select a storage service provider that has obtained business license and other legal subject qualifications and can guarantee food safety and supervise the entrusted party to store edible agricultural products in accordance with the requirements for ensuring food safety.

Article 17. The storage service provider who accepts the assignment of the seller to store edible agricultural products shall, in accordance with the requirements of ensuring food safety, strengthen the management of the storage process and perform the following obligations:

(1) Truthfully record the assigning organization name or person's name, address, contact information, etc., and the record retention period shall not be less than two years after the end of storage,

(2) Non-food producers and dealers who are engaged in the storage of edible agricultural products with special requirements on temperature, humidity, etc., shall file with the local county-level market supervision and management department within 30 working days from the date of obtaining the business license. The filing information includes storage name, address, storage capacity, the name of the legal representative or person in charge, unified social credit code, contact information, etc.,

(3) Ensure that the containers, tools, and equipment for storing edible agricultural products are safe and harmless, keep them clean, prevent contamination, and ensure the special requirements such as temperature, humidity, and environment required for food safety, and do not store edible agricultural products together with poisonous and harmful items,

(4) When storing frozen meat products, relevant certification documents such as animal quarantine certificates and meat quality inspection certificates shall be checked and retained,

(5) When storing imported edible agricultural products, inspection and quarantine certificates for imported goods issued by the Customs and other supporting documents shall be retained,

(6) Regularly inspect the edible agricultural products in stock, and if any illegal behavior is found by the seller, it should be stopped immediately and be reported to the local county-level market supervision and management department,

(7) Other obligations stipulated by laws and regulations.

Article 18. The transport containers, tools, and equipment for edible agricultural products shall be safe and harmless, kept clean, and protected from contamination. Edible agricultural products shall not be transported together with poisonous and harmful items. For the transportation of edible agricultural products with special temperature and humidity requirements, equipment, and

facilities such as heat preservation, refrigeration or freezing shall be equipped and kept in effective operation.

If the seller assigns the transportation of edible agricultural products, it shall review the assignee food safety assurance capabilities, supervise the carrier to strengthen the management of the transportation process, and truthfully record the organization name or name of person in charge, address, contact information, etc. of the assigning party and the consignee. The storage of record shall not be less than two years after the end of transportation.

Article 19. The operator of the centralized trading market shall establish and improve the food safety management system, perform registration and filing of sellers within the market, sign an agreement, check inside the market, conduct on-site inspection, publish information, stop and report food safety violations, handle food safety issues and complaints. Operators of edible agricultural product wholesale markets (hereinafter referred to as wholesale markets) should also perform management obligations such as sampling inspections, unifying the format of sales vouchers, and supervising the issuance of sales vouchers by sellers entering the market.

Article 20. The operator of a centralized trading market shall truthfully report the market name, address, type, name of the legal representative or person in charge, and main types of edible agricultural products to the local county-level market supervision and management department before the market opens.

The operator of the centralized trading market shall establish and update the archives of sellers entering the market in a timely manner and truthfully record the name of the seller, the unified social credit code or ID number, contact information, and the problems and handling information found in self-examination and random inspection. The storage period for the filing information of the sellers shall not be less than six months after the sellers stop selling in the market.

Article 21. The operator of the centralized trading market shall carry out regional sales according to the category of edible agricultural products, provide the environment, facilities, equipment, and other operating conditions that meet the food safety requirements for the sellers entering the market, conduct regular inspection and maintenance, and keep inspection records.

Article 22. Operators of centralized trading markets are encouraged to transform and upgrade, provide refrigerated, frozen, fresh-keeping, and other professional storage places that meet business needs for entry sellers, update facilities and equipment, and improve food safety assurance capabilities and levels.

Operators of centralized trading markets are encouraged to use informatization means to uniformly collect data on the purchase, storage, transportation, and transaction of edible agricultural products, to improve the ability and level of food safety traceability.

Article 23. The operator of the centralized trading market shall check the purchase certificate and product quality certificate of edible agricultural products entering the market and sign an agreement on the quality and safety of edible agricultural products with the sellers entering the market, specifying the delisting clauses that violate the provisions of food safety laws and

regulations. Sellers who have not signed an agreement on the quality and safety of edible agricultural products and those edible agricultural products that do not provide purchase certificates are not allowed to enter the market for sale.

The operator of the centralized trading market who claims to sell self-produced edible agricultural products shall check the commitment certificate of self-produced edible agricultural products or check and keep the ID number, contact information, address of the seller, and the name, quantity, date of entry, etc.

For edible agricultural products that cannot provide the commitment certificate or other product quality certificates, the operators of the centralized trading market shall conduct sampling inspections or rapid tests, and only when the results are qualified can they be allowed to enter the market for sale.

Operators of centralized trading markets are encouraged and guided to establish a centralized purchase inspection record system for edible agricultural products sold in the market.

Article 24. The operator of the centralized trading market shall be equipped with food safety management personnel such as food safety officers and strengthen the training and assessment of food safety management personnel. The operator of the wholesale market shall also be equipped with a food safety director.

The food safety management personnel shall strengthen the food safety publicity and education for the sellers entering the market and conduct inspections on the behaviors of sellers for edible agricultural products. If illegal activities are found during the inspection, the operator of the centralized trading market shall stop them in a timely manner and report to the county-level market supervision and management department.

Article 25. Wholesale market operators shall, in accordance with the provisions of Article 64 of the Food Safety Law, conduct sampling inspections on the edible agricultural products sold in the market. Where rapid testing is used, testing methods in the national regulations shall be used. Retail market operators are encouraged to obtain equipment and personnel for testing or entrust qualified food inspection institutions to conduct sampling inspections of edible agricultural products.

If the operator of the centralized trading market finds that the edible agricultural products in the market do not meet food safety standards, it shall require the sellers in the market to stop selling immediately and destroy or dispose the unqualified products in a harmless manner in accordance with the management regulations of the centralized trading market or the agreement signed with the sellers. Truthfully record the quantity, place of origin, seller, disposal method, etc. of unqualified edible agricultural products, retain the image information of the disposal of the products, and report to the local county-level market supervision and management department. The record keeping period shall not be less than six months after the seller stops selling.

Article 26. The operator of the centralized trading market shall announce the food safety management system, food safety management personnel, complaint and reporting hotline,

market self-inspection results, sampling inspection information, and handling results of unqualified edible agricultural products, etc. in a conspicuous place in the market.

The announced sampling inspection information of edible agricultural products shall include inspection items and inspection results.

Article 27. The operator of the wholesale market shall provide the sellers in the market with a unified sales voucher including the name of the wholesale market, the name of edible agricultural products, place of origin, quantity, date of sale, the name of the seller, booth information, contact information, etc., or instruct the sellers to print sales vouchers including the above-mentioned items information by themselves.

The sales voucher printed by the operator of the wholesale market or printed in accordance with the requirements of the wholesale market, as well as the electronic voucher of the item information listed in the preceding paragraph can be used as the sales record of the seller and the purchase voucher of the buyer. The record keeping period of the sales certificate shall not be less than six months.

Article 28. Wholesale market operators who sign agreements with slaughterhouses and edible agricultural products cultivation and breeding bases shall conduct on-site inspections to slaughterhouses and cultivation and breeding bases to understand the production process and relevant information of edible agricultural products.

Article 29. The market supervision and management departments at or above the county level shall, in accordance with the annual food safety supervision and management plan of their respective administrative regions, conduct daily supervision and inspection of the compliance of the centralized trading market operators, sellers and their entrusted storage service providers with these measures:

- (1) Conduct on-site inspections of places, facilities, equipment, and information announcements for the sale and storage of edible agricultural products,
- (2) Investigate and understand the situation related to the sales activities and quality and safety of edible agricultural products from the parties and other relevant personnel,
- (3) Check the implementation of the inspection record system for the purchase of edible agricultural products, review and copy records, agreements, invoices, and other materials related to the quality and safety of edible agricultural products,
- (4) Check the sampling inspection situation of the centralized trading market,
- (5) Conduct random inspections and assessments of food safety directors and food safety personnel in the centralized trading market and publish the results of the assessments,
- (6) Take samples of edible agricultural products and send them to qualified food inspection agencies for inspection,

(7) Seal, detain, and supervise the disposal of edible agricultural products that have evidence of not meeting food safety standards or having potential quality and safety hazards and that are used for illegal production and operation,

(8) Seal up venues for illegal sales of edible agricultural products in accordance with the law.

Centralized trading market operators, sellers and their entrusted storage service providers shall cooperate with the supervision and inspection conducted by the market supervision and management department in accordance with the law, and shall not refuse, obstruct, or interfere.

Article 30. The market supervision and management departments at the city and county levels may use the rapid testing methods stipulated by the state to conduct spot checks on the quality and safety of edible agricultural products. If it is determined that the edible agricultural products do not meet food safety standards, it can be used as evidence for administrative punishment.

If the seller has any objection to the rapid test result, he or she may apply for a re-test within four hours of receiving the test result. If the re-test conclusion is still unqualified, the re-test fee shall be borne by the applicant. Rapid testing methods shall not be used for re-tests.

Article 31. Market supervision and management departments at the city and county levels shall publish the quality and safety supervision and management information of edible agricultural products according to their duties.

Publication of edible agricultural product quality and safety supervision and management information shall be accurate, timely, and objective. Necessary explanations shall be made to avoid misleading consumers and public opinion.

Article 32. Market supervision and management departments at or above the county level shall strengthen information system establishment, analyze the quality and safety information of edible agricultural products, strengthen supervision and management, and prevent food safety risks.

Article 33. The local market supervision and management departments at or above the county level shall record the supervision and inspection, the investigation and punishment of illegal activities, etc. into the food safety credit files of the operators and sellers of the centralized trading market and publicize them to the public through the national enterprises credit information publicity system in accordance with the law.

For those that have serious circumstances and cause great social harm, they will receive severe administrative punishments from the market supervision and management department, they shall also be included in the list of seriously illegal and untrustworthy market supervision and management finding according to the law. Management measures such as increasing the frequency of inspections shall be adopted and joint punishment shall be implemented in accordance with the law.

City and county-level market supervision and management departments should gradually establish a pre-market credit commitment system for sellers, requiring sellers to make public commitments to the society in a standardized format, and will voluntarily accept credit punishment if there are illegal and untrustworthy sales behaviors. The credit commitment is included in the credit file of the seller, subject to social supervision, and used as a reference for supervision and management during and after the event.

Article 34. If there are quality and safety hazards in the sales process of edible agricultural products, and effective measures are not taken in a timely manner to eliminate them, the market supervision and management departments at the city and county levels may conduct responsibility interviews with the operators of the centralized trading market and the person in charge of the sales company. If the person being interviewed refuses to participate in the interview on time without justified reasons or fails to implement rectification as required, the market supervision and management department shall record it in the credit files of the operator of the centralized trading market and the sales enterprise.

Article 35. If the market supervision and management departments at the city and county levels find that there are edible agricultural products prohibited from sale in the wholesale market by national laws and regulations and these measures, while handling the case according to the law, they should promptly trace the source and flow of edible agricultural products, find out the reasons, and control the risks. They should report to the higher-level market supervision and management department, and at the same time notify the local market supervision and management department. If it involves planting and breeding and import and export, agricultural and rural affairs authorities and Customs should also be notified. After receiving the notification, the local market supervision and management department should actively cooperate with the investigation to control risks, strengthen information notification, and law enforcement cooperation with the local market supervision and management departments.

If city or county-level market supervision and management department identifies quality and safety cases beyond its jurisdiction, it should promptly transfer the cases to the city and county-level market supervision and management departments with jurisdiction.

Article 36. If the market supervision and management department at the city or county level discovers any of the following circumstances, it shall promptly notify the competent agricultural and rural affairs department at the same level of the place where it is located:

- (1) Agricultural products production enterprises, farmers' professional cooperatives, units or individuals engaged in the purchase of agricultural products fail to issue a commitment qualification certificate as required,
- (2) There is false information in the commitment qualification certificate,
- (3) The edible agricultural products with the commitment qualification certificate are unqualified,
- (4) Other violations of laws and regulations related to the commitment qualification certificate.

If the competent department of agriculture and rural areas finds that the edible agricultural products attached with the certificate of conformity to the promised standards are unqualified, and notifies the market supervision and management department at the local city or county level, the market supervision and management department at the city and county level shall, according to the flow information provided by the competent department of agriculture and rural areas, timely Investigate unqualified edible agricultural products and deal with them according to law.

Article 37. If a local market supervision and management department at or above the county level discover quality and safety accidents of edible agricultural products during supervision and management or receive complaints and reports about quality and safety accidents of edible agricultural products, it shall immediately investigate and handle them with relevant departments to take measures to prevent or reduce social harm. It shall report to the local people's government and the higher-level market supervision and management department in accordance with the provisions of the emergency plan and carry out the investigation and handling of edible agricultural product quality and safety accidents in a timely manner under the unified leadership of the local people's government.

Article 38. If the seller violates Paragraphs 1 and Paragraph 2 of Article 7, Article 16, and Article 18 of these Measures, or if the entrusted party for the storage and transportation of edible agricultural products violates the provisions of Article 17 and Article 18 of these Measures, the market supervision and management department at or above the county level shall order it to make corrections and give a warning under any of the following circumstances. If it refuses to make corrections, it shall be fined more than 5,000 yuan but less than 30,000 yuan:

- (1) The environment, facilities, equipment, etc. of the sales and storage places do not meet the quality and safety requirements of edible agricultural products,
- (2) Selling, storing, and transporting edible agricultural products that have special requirements on temperature and humidity, without being equipped with necessary heat preservation, refrigeration or freezing facilities and equipment and maintaining effective operation,
- (3) Failing to regularly inspect and promptly clean up edible agricultural products that have deteriorated, become rancid, moldy, and infested with insects, or have abnormal sensory properties during storage.

Article 39. Under any of the following circumstances, the market supervision and management department at or above the county level shall impose penalties in accordance with the provisions of Paragraph 1 of Article 126 of the Food Safety Law:

- (1) The seller violates Paragraph 1 of Article 8 of these Measures by failing to establish a purchase inspection record system for edible agricultural products as required, or failing to obtain purchase certificates as required,
- (2) The seller violates the provisions of Paragraph 2 of Article 8 of these Measures by purchasing and selling meat or imported edible agricultural products that should be quarantined and

inspected according to the regulations, and fails to ask for or retain relevant certification documents,

(3) Enterprises selling edible agricultural products that engage in wholesale business violate the provisions of Article 11 of these Measures and fail to establish a sales record system for edible agricultural products as required.

Article 40. If a seller violates the provisions of Articles 12 and 13 of these Measures and fails to mark the relevant information of edible agricultural products as required, the market supervision and management department at or above the county level shall order it to make corrections. If it refuses to make corrections, it shall be fined more than 2,000 yuan but less than 10,000 yuan.

Article 41. If a seller violates the provisions of Article 14 of these Measures by processing and selling ready-to-eat agricultural products and fails to take effective measures to protect food safety and cause contamination, the market supervision and management department at or above the county level shall order it to make corrections. If it refuses to make corrections, it shall be fined more than 5,000 yuan but less than 30,000 yuan.

Article 42. Where a seller violates the provisions of Article 15 of these Measures by purchasing and selling edible agricultural products specified in Article 34 of the Food Safety Law, the market supervision and management department at or above the county level shall impose penalties in accordance with the relevant provisions of the Food Safety Law.

Article 43. If the operator of the centralized trading market violates the provisions of Articles 19 and Article 24 of these Measures, fails to establish and improve the food safety management system in accordance with the regulations, or fails to equip, train, and assess food safety directors and food safety personnel such as food safety managers in accordance with the regulations. It shall be punished by the market supervision and management department at or above the county level in accordance with the provisions of Paragraph 1 of Article 126 of the Food Safety Law.

Article 44. If the operator of the centralized trading market violates the provisions of Paragraph 1 of Article 20 of these Measures and fails to truthfully report relevant market information to the market supervision and management department at the county level where it is located, the market supervision and management department at or above the county level shall impose penalties according to the provisions of Article 72 of the Implementation Regulations of the Food Safety Law.

Article 45. Where an operator of a centralized trading market violates Paragraph 2 of Article 20, Article 21, and Article 23 of these Measures by committing any of the following circumstances, the market supervision and management department at or above the county level shall order it to make corrections. If it refuses to make corrections, it shall be fined more than 5,000 yuan but less than 30,000 yuan:

(1) Failing to establish and update the files of sellers as required,

(2) Failing to carry out regional sales according to the category of edible agricultural products, the operating conditions do not meet the food safety requirements, or failing to conduct regular inspections and maintenance of the market operating environment and conditions as required,

(3) Failing to check the relevant certificate information of the sellers in the market and the edible agricultural products in the market as required, allowing edible agricultural products that cannot provide purchase certificates to enter the market, or allowing products that cannot provide quality certificates and have not passed sampling inspections to enter the market,

Article 46. If the operator of the centralized trading market violates the provisions of Paragraph 2 of Article 25 of these Measures and finds that the edible agricultural products on the site do not meet the food safety standards, and fails to handle and report as required, the market supervision and management department at or above the county level shall order corrections. If it refuses to make corrections, it shall be fined more than 5,000 yuan but less than 30,000 yuan.

If the operator of the centralized trading market violates the provisions of Article 26 of these Measures and fails to publish relevant information on edible agricultural products as required, the market supervision and management department at or above the county level shall order it to make corrections, and if it refuses to make corrections, it shall be fined more than 2,000 yuan but less than 10,000 yuan.

Article 47. If wholesale market operators violate the provisions Paragraph 1 of Article 25 of these Measures and fail to conduct sampling inspections of edible agricultural products entering the wholesale market in accordance with the law, the market supervision and management departments at or above the county level shall impose penalties in accordance with the provisions of the Paragraph 2 of Article 130 of the Food Safety Law.

Wholesale market operators who violate the provisions of Article 27 of these Measures by failing to provide sellers in the market with sales vouchers in a unified format or instructing sellers entering the market to print sales vouchers that meet the requirements themselves shall be subject to market supervision at or above the county level. The administrative department shall order it to make corrections, if it refuses to make corrections, it shall be fined more than 5,000 yuan but less than 30,000 yuan.

Article 48. The seller may be exempted if he has fulfilled the obligations of inspection of the purchase of edible agricultural products stipulated in these Measures and has sufficient evidence to prove that he did not know that the purchased edible agricultural products did not meet the food safety standards and can truthfully explain the source of the purchase. However, edible agricultural products that do not meet food safety standards shall be confiscated in accordance with the law. If personal, property or other damage is caused, he or she shall be liable for compensation in accordance with the law.

Article 49. Definitions:

Edible agricultural products refer to primary products derived from planting, forestry, animal husbandry, and fishery for human consumption, that is, plants, animals, microorganisms, and

their products obtained in agricultural activities for human consumption, excluding wildlife and their products prohibited by laws and regulations.

Ready-to-eat agricultural products refer to edible agricultural products that use fresh edible agricultural products as raw materials and can be directly eaten by people after simple processing such as washing, peeling, and cutting.

Concentrated trading markets for edible agricultural products refer to wholesale markets and retail markets (including centralized retail markets such as farmers' markets) that sell edible agricultural products.

The operator of a centralized trading market for edible agricultural products refers to an enterprise, legal person, or other organization established in accordance with the law to provide venues, facilities, services, and daily management for the wholesale and retail of edible agricultural products.

Sellers of edible agricultural products refer to individuals or enterprises that sell edible agricultural products through fixed places, including on-site sellers who sell edible agricultural products through centralized trading markets, and food business operators such as shopping malls, supermarkets, and convenience stores that sell edible agricultural products.

Article 50. Specific management regulations on the sale of edible agricultural products by food vendors shall be formulated by provinces, autonomous regions, and municipalities directly under the Central Government.

Article 51. These Measures shall come into force on December 1, 2023. On January 5, 2016, the former State Food and Drug Administration Decree No. 20 promulgated the "Measures for the Supervision and Administration of the Quality and Safety of Edible Agricultural Products Market Sales" will be abolished at the same time.

Attachments:

No Attachments.