

Research on Safety Supervision of Takeaway Food on Chinese e-Commerce Platform

Zhang Ke

School of Marxism, Nanyang Institute of Technology, China

Zhangke1981727@126.com

Keywords: E-commerce platform, Takeaway food safety, Supervision mechanism

Abstract: Food safety issues in my country's e-commerce platform have seriously violated citizens' rights to life, health, property rights and the right to know. At the same time, this will also damage the reputation of my country's e-commerce platform food delivery industry and harm the long-term interests of traders. The author will start with the "Food Safety Law", starting from the governance perspective of my country's administrative managers, and strive to provide a wide range of ideas for food safety supervision on the e-commerce platform.

1. Introduction

The convenience and low price of food ordering on the e-commerce platform have won the favor of market participants. Due to the virtual and cross-regional characteristics of the e-commerce platform, the food safety of the e-commerce platform faces a major threat and violates the legality of our citizens' rights and interests. At the same time, it will damage the reputation of takeaway businesses and harm the long-term economic benefits of commercial trade in takeaway food. It will have a potential long-term negative impact on my country's e-commerce platform food delivery industry. From the perspective of my country's administrative managers, the author strives to provide a wide range of ideas for food safety supervision on the e-commerce platform. Combining government governance with market supervision and "grasping the big and letting go of the small" will achieve a win-win situation in my country's economic development and legal supervision.

2. Specific Manifestations of Problems in the Safety Supervision of Takeaway Food on e-Commerce Platforms

Through field surveys and questionnaires, we discovered the current situation and existing problems of food safety supervision on e-commerce platforms in my country. For example: my country's e-commerce platform food delivery food safety supervision has particularity, complexity, and government supervision limitations. The takeaway platform is not strictly reviewed and not supervised. Black-hearted food takeaway merchants on e-commerce platforms lack a sense of social responsibility and their interests are paramount. Consumers have weak awareness of rights protection and lack of social supervision. Food hygiene and unsafe quality are the biggest flaws of our foreign food e-commerce platform. This is particularly manifested in the following: First, takeaway food businesses lack relevant qualifications and the sanitary environment for food processing is poor. For example: lack of business licenses, food business licenses, health certificates and other documents, among which many takeaway companies process food in garages and residential buildings. Strong concealment, poor self-discipline of operators. Among them, there are many unlicensed enterprises, and the sanitary environment is not up to standard. Disposable lunch boxes provided by takeaways mainly use disposable plastic bags and plastic lunch boxes. Long-term use is harmful to human health. Moreover, the thermal insulation effect of plastic products is not good, and the taste of food is greatly reduced. The hygienic condition of take-out delivery boxes is even more worrying. And the health of the transport personnel is difficult to guarantee. If the transport personnel carry infectious diseases or the food is contaminated during the

transportation process, it will cause secondary pollution of the takeaway food. Second, the entry barriers of third-party platforms are low and their responsibilities are not clear. Third-party platforms are not strict with online merchants' qualification review, and they lack specialized personnel to conduct on-site inspections of stores. The review mechanism of third-party takeaway platforms is weak. The platform provider has carried out a substantive check on the identity of the online merchant against the network operator's inability and obligation. Third, the government supervision mechanism lacks effective connection with third-party platforms. The industrial and commercial departments, quality inspection departments, and health departments are responsible for different aspects of food safety. This division of labor cannot ensure that all aspects of food production can be well connected, and it is easy to cause problems such as unclear responsibilities and unclear responsibilities, resulting in each department being unable to specifically understand the status of each food safety link. The number of business sectors is limited, and the ability to manage the market is also limited. Food safety management on e-commerce platforms is more difficult than actual food safety management. The division of various departments is prone to evasion of responsibilities.

3. Analysis of the Causes of Problems in the Safety Supervision of Takeaway Food on e-Commerce Platforms

First, the particularity of the subject of supervision. the virtual nature of the supervision object. The business entities of the e-commerce platform conduct anonymous transactions with consumers in virtual online restaurants, and consumers cannot understand the specific information of the counterparty. It is difficult for the supervisory authority to grasp the situation of the supervisory object. regulatory information is difficult to obtain. It cannot be ruled out that some operators send high-quality samples in order to successfully pass the test, and sell food that does not meet safety standards on the e-commerce platform, or even to attract customers, expand sales, and falsely promote and beautify food pictures. Finally, regulation is complicated. The food business operators of the e-commerce platform are concealed. Once food safety issues arise, they can quickly withdraw from the e-commerce platform. It is difficult to hold accountable, which increases the difficulty of the supervision department. Frauds exist in terms of authenticity and validity, and the administrative departments for industry and commerce have certain difficulties in obtaining evidence.

Second, the food safety supervision of e-commerce platforms lacks effective laws and regulations. The level of legislation is low and the binding force is not strong. It is difficult for food operators on e-commerce platforms to give up high profits and consciously abide by the law. Local regulations are only enforced in certain areas and have strong regional characteristics. From the perspective of ministries and regulations, the State Administration for Industry and Commerce issued the "Online Transaction Management Measures" and the "Interim Regulations on the Administration of Centralized Promotion of Online Products and Services" in 2014 and 2015 respectively. Aiming at the development of online commodity trading activities, preventing illegal operations by network operators, thereby promoting the healthy development of the network economy. From the perspective of local regulations, more developed regions such as Beijing, Shanghai, and Guangdong have issued corresponding regulations to deal with e-commerce platform transactions. However, our country's laws and regulations in this area are far behind, and the food in the e-commerce platform is more prone to problems. In addition, in accordance with the relevant provisions of the Food Safety Law, to engage in food production and business activities, you must obtain the corresponding food production license, food distribution license and other qualifications in advance. Food transactions on e-commerce platforms have special characteristics, but laws and regulations do not stipulate specific access standards.

4. Improvement of the Safety Supervision Mechanism of Takeaway Food on e-Commerce Platform

- (1) Clarify the main body of food safety supervision and expand the scope of supervision.

The main functional departments for food safety supervision of e-commerce platforms are the State Food and Drug Administration and the local Food and Drug Administration. However, it is difficult to rely solely on food and drug supervision and management for e-commerce platform food operator qualification review and e-commerce platform market credit system construction. Therefore, in view of the characteristics of online shopping, it is necessary to cooperate with the Ministry of Industry and Information Technology and the State Administration for Industry and Commerce to establish a comprehensive three-dimensional regulatory structure. After the "Food Safety Law" was revised, the food of e-commerce platforms has been clearly included in its supervision, but only the relevant obligations of third-party platforms of e-commerce platforms are stipulated, and the operators of food transactions in e-commerce platforms are ignored. The Regulations for the Implementation of the Food Safety Law also does not provide for this. The lack of comprehensive supervision and regulation has led to weak law enforcement. Therefore, the objects of food safety supervision on e-commerce platforms should be expanded. Including: e-commerce platform service providers, e-commerce platform food operators, e-commerce platform food express industry.

(2) Improve relevant laws and regulations, and raise the level of legislation related to safety supervision

The Food Safety Law is the basic law regulating the food industry. Most of the content is relatively macro and principled. In this case, it is necessary for the "Regulations on the Implementation of the Food Safety Law" to supplement the general provisions of the law. For example, when food transactions are conducted on an e-commerce platform, the electronic version of the relevant certificate should be displayed in a prominent position on the online merchant page for consumer inspection. Regulations on food production and storage sites are made on the e-commerce platform, and a regular inspection system is formed. Anyone that does not meet food safety standards shall be ordered to make corrections within a time limit. Food producers and operators of e-commerce platforms should record their internal raw material procurement, production, transportation and other links in order to find the responsible party when problems arise.

At present, the highest level of legislation for food safety supervision of e-commerce platforms in my country is mainly the "Food Safety Law" and "Food Safety Law Implementation Regulations." Other legislation is basically at the level of ministries and regulations. The low level of legislation will inevitably lead to weak law enforcement. Appropriately improving the level of legislation and legislating all aspects of online shopping in the form of laws or administrative regulations can enable regulatory agencies to increase their regulatory awareness, thereby promoting the healthy development of the e-commerce platform food market. In addition, according to the characteristics of takeaway food on the e-commerce platform, it has been reflected in the content of the "Product Quality Law" and the "Tort Liability Law", and we will try our best to maintain the health of consumers on the e-commerce platform.

(3) Improve the entry and exit mechanism for food operators on e-commerce platforms

First of all, it is necessary to make full use of Internet technology, simplify the application process, and appropriately increase the national unified and standardized e-commerce platform food operators' access procedures. According to the provisions of the Food Safety Law, the State Food and Drug Administration is responsible for food circulation, and can establish a unified national e-commerce platform for food operators based on the characteristics of the Internet era and the particularity of food. For example: applicants engaged in online food transactions should apply for relevant online business licenses to the food and drug regulatory authorities at or above the county level, and enter the information of eligible applicants into the unified e-commerce platform of the e-commerce platform food business operator and issue The corresponding electronic license. When they apply for access to the third-party platform of the e-commerce platform, they must have an electronic license to be approved. This ensures the food production and operation qualifications of the food operators in the network, and is also conducive to the daily supervision of the regulatory authorities.

Second, establish a sound exit mechanism. Under the withdrawal mechanism, the conditions and procedures for withdrawal should be stipulated to prevent the food operators of the e-commerce platform from suddenly disappearing on the website, thereby harming the interests of consumers and bringing difficulties to supervision. The exit mechanism should strictly regulate the events that may occur, and ensure the legality, compliance and rationality of the specified exit items.

(4) The third-party network platform has accurate positioning and consciously assumes the responsibility of supervision and inspection.

E-commerce platforms should strictly control the access standards of online food operators. If a third-party platform finds serious violations of the law, it should immediately stop providing online transaction services to food operators. On the basis of reviewing business licenses and catering service permits, increase the review of employee health certificates, and send professionals to the site to conduct inspections, make records and records, and only those who meet health standards can enter the network. After the review is passed, the relevant personnel should also do the subsequent random inspections, and regularly or indefinitely conduct hygiene inspections on the take-out businesses in the area to ensure food safety. Combine food safety testing with e-commerce platforms, cloud computing and big data as technical means, and propose solutions to ensure product quality and product safety. The Food and Drug Administration and the e-commerce platform have established a network traceability platform to supervise and guide the platform to save online order data for traceability. Once a dispute occurs, the accountability can be quickly found to bear the subject!

(5) Regulating the express delivery behavior of the takeaway food industry on e-commerce platforms

E-commerce platforms need riders to deliver food to consumers. At present, the main problems in the distribution of the food market on my country's e-commerce platform are: slow distribution during peak hours, uneven quality of distribution personnel, and difficulty in tracking the distribution process. This has seriously affected the quality and safety of takeaway food on e-commerce platforms. At present, the lag in the logistics construction of my country's e-commerce platform will affect its future development. It is suggested that the e-commerce platform of my country's food delivery platform should establish a professional takeaway delivery team, and establish a scientific and reasonable food delivery process to ensure food hygiene and quality in the food delivery process. First, the rider's order conditions must be regulated. Applicants who want to enter the rider industry should check the equipment and environment corresponding to the transportation requirements, and check regularly to ensure that the takeaway food in transportation will not be cross-contaminated and deteriorated. Second, ensure the inspection rights of consumers on e-commerce platforms. When consumers indicate that there is a problem with take-out food, they can refuse to sign and have a smooth refund channel.

(6) Establish a credit evaluation system for take-out food operators in the e-commerce platform

Article 32 of my country's "Administrative Measures on Online Transactions" stipulates the credit evaluation system in e-commerce platform transactions, requiring an objective and fair evaluation of the credit status of operators. Consumers of e-commerce platforms usually pay attention to the "commercial reputation rating." Many e-commerce platform merchants try to violate laws and regulations to increase credit ratings and product discount rates, such as conducting false transactions or hiring professional sellers to increase the praise rate. Improving the construction of the credit evaluation system in e-commerce platform transactions is an important task for strengthening the food safety supervision of e-commerce platforms. my country's regulatory authorities and third-party trading platforms of e-commerce platforms should coordinate and cooperate to establish a complete credit evaluation system. First, improve the credit evaluation system and standardize the establishment of credit files. Within the e-commerce platform, a special credit evaluation system management department can be established to issue clear credit rating evaluation standards, establish the credit files of takeaway merchants on the e-commerce platform, and report to the relevant industrial and commercial departments for the record. The second is to improve the corresponding reward and punishment system. In the credit file records, takeaway

merchants with good credit e-commerce platforms are given priority to increase transaction volume on the website; punishment measures for takeaway merchants lacking integrity, lower credit rating, exposure or even forced delisting. Third, crack down on credit speculation. It is found that in order to obtain a higher credit rating, conduct fictitious transactions and fictitious praise for the takeaway merchants of the e-commerce platform, the e-commerce platform should immediately notify the relevant regulatory authorities and assist the regulatory authorities to intervene in the investigation, revoke the issued business license and related licenses, and force Period of delisting.

(7) Establish an effective e-commerce platform food delivery dispute resolution mechanism

When the legal rights of consumers on an e-commerce platform are violated, the cost of protecting their rights is too high, and many consumers let their rights go. Therefore, first, my country's Food and Drug Administration needs to establish an effective and specialized e-commerce platform transaction dispute resolution mechanism. Second, the Chinese government should establish an official complaint channel. Consumer associations and various industrial and commercial departments have set up a special e-commerce platform complaint column on their official website. When food consumers on e-commerce platforms are violated in purchasing takeaway food, they can complain to relevant authorities online. After receiving a complaint, the department should actively participate in the investigation, and timely release the latest progress of the investigation and handling, so as to protect the legitimate rights and interests of consumers. Third, the my country Consumers Association established an online online mediation organization. When the legal rights of takeaway food consumers on the e-commerce platform have been violated and the mediation application has been submitted to the Consumer Association, the Consumer Association will dispatch professional mediators to the scene to mediate between the two parties in the dispute to protect the consumers' rights. rights and interests.

In short, only by combining government governance with market supervision and optimizing the e-commerce platform food takeaway food safety supervision model, can the safety of my country's e-commerce platform takeaway food be effectively guaranteed.

References

- [1] Sun Haizhe. Discussion on the construction of the prevention and control system of food crimes-from the perspective of the reform of food administrative supervision. Journal of Sichuan Police College. 2016(2).
- [2] Zhang Mengxia. Obligations and Responsibilities of Online Platform Providers-Based on the perspective of consumer protection. Journal of Chifeng University (Chinese Philosophy and Social Sciences Edition). 2014 (4).
- [3] Hu Yifan. Food safety supervision of e-commerce platform food delivery from the perspective of governance theory[J]. Economic Management, 2016 (8).
- [4] On behalf of Dapeng. Research on Network Food Safety Supervision from the Perspective of Economic Law[D]. Ningbo University, 2014.
- [5] Liu Yuanyuan. Research on Food Safety Regulation in my country's Online Market [D]. Taiyuan: Shanxi Medical University, 2015.