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# Regulating Individual Actions of Professional Vegetable Farmers by Administrative Measures

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**Abstract** In individual production of professional vegetable farmers in Shandong Province, there are problems of inadequate standardization and lack of supervision influencing quality safety of vegetable. In view of these problems, this paper analyzes the feasibility of regulating individual actions of professional vegetable farmers by administrative measures. It is partly because of imperfect laws and regulations and partly because of Shandong Province satisfying applicable conditions of regulating individual actions of professional vegetable farmers by administrative measures. On the basis of these, it comes up with following recommendations: (1) in professional vegetable planting regions, townships should set up vegetable quality and safety committee; (2) villages should establish "five vegetable farmer households mutual assistance and joint guarantee system" for vegetable quality and safety; (3) it should implement vegetable real-name system and traceability system; (4) it should implement vegetable farmer training system.

**Key words** Vegetable in Shandong Province, Administrative measures, Professional vegetable farmers, Individual actions

At present, most rural areas of China still implement the household contract responsibility system, and the production mode with household as unit becomes basic production form of Chinese agriculture. Shandong Province is a famous vegetable production province in China. In the tide of market economy, a lot of vegetable farmers run after higher economic benefits, but neglect vegetable quality and safety. Although laws and regulations are increasingly improved, they are still imperfect and there are still legal loopholes. In addition, legal awareness of Chinese vegetable farmers is not high to reach the degree of voluntarily safeguard vegetable quality and safety. In this situation, administrative measure can be used as supplement of laws and regulations and play important role in ensuring vegetable quality and safety.

## 1 Existing problems in individual production of professional vegetable farmers in Shandong Province

Shandong Province, as the famous vegetable production province, is the largest vegetable production base in China, also the birthplace of winter vegetable greenhouses. It has formed a national market-oriented vegetable sales market system. Shandong vegetables sell well in more than 20 provinces and regions of China, and have been exported to Japan, South Korea, Russia and other countries and regions. It has made great contribution to vegetable supply and planting technology of China and surrounding countries and regions. In 2009, in Shandong Province, the planting area of vegetable (including melons) was 2.030 7 million  $\text{hm}^2$  and the total output reached 102 million tons, accounting for 11% and 16.6% of the whole country respectively, the total output value reached 152.74 billion yuan accounting for 47.4% of agricultural output value of Shandong Province, the foreign exchange earning

reached 201 million USD, accounting for 31.2% of the whole country<sup>[1]</sup>. In vegetable production of Shandong Province, individual planting of vegetable farmers take up more than 90% of the whole planting area. Although such production mode greatly stimulates farmers' enthusiasm and receives high economic benefits, it also easily lose due supervision. What's worse, there is a great difference in educational level and quality of vegetable farmers. In the tide of market economy, some professional vegetable farmers run after higher economic benefits but neglect environmental protection and use excessive pesticide<sup>[2]</sup>. They do not pay attention to soil and environmental factors of vegetable planting areas. As a result, quality of vegetable is varied, and it lays down many hidden dangers for standardized and large-scale development of vegetable industry.

## 2 Feasibility of regulating individual actions of professional vegetable farmers by administrative measures

**2.1 Theoretical basis of regulating individual actions of professional vegetable farmers by administrative measures** The source of agricultural quality and safety is production link. Thus, to strengthen supervision of agricultural product quality and safety, it firstly needs regulating production actions of agricultural products. Foreign countries have made certain achievements in research of regulating agricultural product safety by laws and regulations, especially, the United States promotes, develops and consolidates implementation of agricultural product quality and safety in legal form, which is worthy of learning. With development of socialist market economy, China has established the strategy of law-based governance of the country, constantly improves the legal system, and issues relevant laws and regulations. Domestic scholars have also made some researches on regulating agricultural product quality and safety by laws and regulations, but it is still not perfect. Historic development of countries shows that in coun-

tries and regions with high level of legal construction and not high national legal quality, the regulation of individual actions will have high dependence on laws; otherwise, in countries and regions with relatively low legal construction level and not high national legal quality, the dependence on laws and regulations is lower, and it also needs cooperation of administrative measures to a great extent.

**2.2 Applicable conditions of Shandong Province for regulating individual actions of professional vegetable farmers by administrative measures** On January 1, 2005, the National Development and Reform Commission approved, issued and implemented *Management Measures for Pesticide Production*. On April 29, 2006, the 21st Session of Standing Committee of the 10th National People's Congress of the People's Republic of China approved *Agricultural Product Quality and Safety Law of the People's Republic of China*, which was implemented as of November 1, 2006. On May 27, 2011, the 24th Session of Standing Committee of the 11th National People's Congress of Shandong Province approved *Regulations on Agricultural Product Quality and Safety of Shandong Province*. Then, it basically establishes the agricultural product legal system with *Agricultural Product Quality and Safety Law of the People's Republic of China* as the core and local regulations as support. However, there is still no law and regulation on regulating vegetable quality and safety in Shandong Province. Some cities have issued corresponding policies and countermeasures, but they are still not systematic. Now, people have higher requirements for vegetable quality and care more about ecological, healthy, natural and organic vegetables. Nevertheless, in the tide of market economy, many professional vegetable farmers run after higher economic benefits, and neglect environmental protection, so vegetable quality and safety fail to be guaranteed. China is vast in territory, and individual vegetable farmers become major force of vegetable planting. Although laws and regulations are gradually being improved, it is impossible to cover all matters and there must be loopholes. In addition, vegetable farmers' legal awareness is weak and has not reached the voluntary degree. In this situation, apart from further improving laws and regulations, it should seek help from administrative measures. As a supplement, administrative measure plays an important role in regulating vegetable production and ensuring vegetable quality and safety.

### 3 Recommendations for regulating individual actions of professional vegetable farmers by administrative measures

**3.1 In professional vegetable planting regions, townships should set up vegetable quality and safety committee** In history, there is strategy of "rule of country by its own people". In more society, there is the administration of Hong Kong affairs by the people of Hong Kong, Macao People governing themselves, and system of regional autonomy of minority nationalities. These indicate that self-planning and self-management are feasible strategy. Therefore, it is practical to set up vegetable quality and safety

committee with township as unit, to take charge of managing vegetable quality and safety of local towns. Each village recommends one or two vegetable quality and safety operator(s) with high quality and high sense of responsibility to set up township quality and safety committee. The committee may formulate specific supervision measures and methods, organize regular inspection and supervision, to supervise vegetable quality and safety operators to make clear understanding of production situation of vegetable farmers. Besides, it can set up vegetable quality and safety cooperatives in county level government as necessary, to guide work of township vegetable quality and safety committee.

**3.2 Villages should establish "five vegetable farmer households mutual assistance and joint guarantee system" for vegetable quality and safety** At present, most rural areas of China implement the household contract responsibility system. In Shandong Province, vegetable is also planted by individual farmers. Thus, the organizational level is low and such production mode is easy to lose proper supervision. What's worse, legal awareness of vegetable farmers is generally low. They care only about economic benefits, but neglect environmental protection. They use excessive pesticide or even hormone. Although vegetable planting regions have set up vegetable quality and safety inspection mechanism, it is still difficult to take overall inspection. Generally, it is sampling inspection. Since vegetable belongs to short-term storage foods, freshness is typical characteristic of vegetable, it is impossible to realize inspection one by one. However, this does not mean overall inspection is impossible. Vegetable farmers can mutually supervise each other, as supplement of special supervision of government. Tracing back to ancient times of China, there was five households joint responsibility system for recruiting, compulsory labor service, and guarding against theft. This system has made significant achievements in villager autonomy. In rural areas, vegetable farmers live together and communicate frequently. Thus, as soon as there is message, the whole village will know. It is recommended to set up five vegetable farmer households mutual assistance and joint guarantee system for vegetable quality and safety.

**3.3 It should implement vegetable real-name system and traceability system** On May 27, 2011, the 24th Session of Standing Committee of the 11th National People's Congress of Shandong Province approved *Regulations on Agricultural Product Quality and Safety of Shandong Province*. The Regulation was implemented on October 1, 2011, and Shandong Province becomes the first province promoting the real name system of agricultural product production and sales. Article 42 of this Regulation stipulates that agricultural product operators should hang a board indicating his name and contact method and provide sales documents of agricultural products for buyers as necessary. Article 27 stipulates that agricultural product production enterprises and farmers' professional economic cooperatives should make production record and keep two years. Article 43 stipulates that organizations and individuals engaged in wholesale and distribution of agricultural

products should make record of product information, supplier and contact methods. These mean that all agricultural products in Shandong Province are traceable from transportation to sales. For example, if consumers buy carrots which have quality problem, they can trace back to carrot grower through carrot certificate, carrot wholesale, supplier and retailer together will bear joint responsibility for the quality problem.

Before 2011, Shouguang City of Shandong Province has implemented the real name system of vegetable sales for many years, and it has provided substantial benefits for many distributors<sup>[3]</sup>. By now, the successful experience of real vegetable name system has greatly improved vegetable quality of Shouguang City and promoted its honest operation and vegetable quality and safety to a new stage<sup>[4]</sup>. However, real name system of vegetables is mainly applicable for large agricultural product market and wholesale market. For small and scattered sales outlet, it is difficult to realize, and many common people like buying vegetables from road-side stall and small markets. To further regulate scattered market and cooperate with implementation of this Regulation, it is feasible to take administrative measures. For example, it can assign township vegetable quality and safety information operator and the community takes a centralized management. Citizens can obtain more efficient first-hand information through their grass-roots daily life. As "supervisor" of vegetable quality and safety, they can play a great role.

### 3.4 It should implement vegetable farmer training system

As to training of vegetable farmers, Shandong Province and even the whole country has formed mature mode, but vegetable farmers care more about planting technology and method. To found standard vegetable garden, guarantee vegetable quality and safety, and realize harmless vegetable, we should further strengthen vegetable farmers' pollution-free awareness. Depending simply on legal sanction and administrative measures, it is hard to eliminate the serious problem of excessive pesticide. Only by improving vegetable farmers' awareness and overall quality, can we realize the objective of pollution-free vegetables. Therefore, apart from vegetable planting skills and methods, vegetable farmer training should also include legal system training and pollution-free training. The township vegetable quality and safety committee can assume the task of vegetable farmer training, set up night school for professional vegetable farmer training, and organize agricultural sci-tech personnel and agricultural experts to disseminate pollution-free knowledge, improve quality awareness and honest concept, to make vegetable farmers really realize the importance of vegetable

quality and safety and change passive actions to active ones. Apart from administration of individual actions of vegetable farmers, it also needs further improving relevant laws and regulations, including rules for implementing *Regulations on Agricultural Product Quality and Safety of Shandong Province*, *Methods for Pesticide Management in Shandong Province*, *Regulations on Pesticide Production and Use in Shandong Province*, and *Regulations on Safe Supply of Vegetable*. These regulations lay a legal foundation for healthy development of vegetable industry.

In conclusion, on the basis of improving laws and regulations, through administration of individual actions of professional vegetable farmers, it is able to effectively cooperate with implementation of corresponding laws and regulations, and Shandong Province can establish the vegetable quality and safety system with *Agricultural Product Quality and Safety Law of the People's Republic of China* and *Regulations on Agricultural Product Quality and Safety of Shandong Province* as the core and *Methods for Pesticide Management in Shandong Province*, *Regulations on Pesticide Production and Use in Shandong Province*, *Regulations on Safe Supply of Vegetable*, *Admittance Method for Vegetable Planting Environment*, *Township Vegetable Quality and Safety Management Method*, five vegetable farmer households mutual assistance and joint guarantee system, vegetable traceability system, and vegetable farmer training system as auxiliary measures, and state policies guide.

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