

A Cross-Disciplinary Study on the Legal Regulation of Food Safety and Food Nutrition under the Implementation of Online Catering Regulations

Siyi Heng

School of Wuhan, Polytechnic University, Wuhan 430000, China

Hengsiyi0906@163.com

Abstract. The Regulations on the Supervision and Administration of the Implementation of Primary Responsibility for Food Safety by Online Catering Service Providers (SAMR Order No. 123) officially took effect on June 1, 2026, marking a shift in the online catering industry in China toward systematic management. The Regulations, which focus on baseline food safety concerns such as verification of qualification, process control and prohibition of “ghost kitchens” also set an institutional basis for the joint governance of food nutrition. This paper analyses the institutional structure and regulatory rationale behind the new regulations, taking into account Article 150 of the Food Safety Law, which explicitly includes compliance with required nutrition standards as part of food safety. It also examines their strengths and weaknesses with respect to the regulation of food additives, prepared foods and nutrient information disclosure. This study shows that, while the Regulations mainly confirm the traditional safety standard of the food must be “non-toxic” and “non-hazardous”, the dimension of “nutritional adequacy” is still underdeveloped and largely subsidiary, particularly in the online catering sector. With the help of prepared dishes as a focal case, the paper argues that the lack of institutionalization of compulsory disclosure of nutritional information constitutes a major institutional gap. Based on the regulatory rationale for the compulsory “delivery-only” labelling, the paper recommends that compulsory disclosure of prepared dishes should be included in the current regulatory system, as it is a necessary measure for ensuring consumers' right to know and right to choose. Finally, the paper proposes an integrated governance approach which integrates nutritional protection with the food safety regulation, including better information transparency mechanisms, revision of the food safety law to concentrate nutrition-related obligations, creation of third party verification systems and greater participation of consumers in nutrition-related social supervision.

Keywords: Online Catering, Food Safety Law, Primary Responsibility, Prepared Dishes, Food Additives, Nutrition Legislation, Right to Know.

1. Introduction

In recent years, the sector of online catering services has seen a tremendous growth and the food delivery market is still expanding at a rapid rate. For the general public, “Ordering takeout” has become an integral part of everyday food consumption. Official industry statistics show that food delivery has achieved a successful breakthrough of 1.4 trillion yuan in China and the proportion of food delivery in the catering industry accounts for around 24% of the total revenue of the catering industry [1]. The food safety of online catering is closely related to the health and well-being of millions of households, as an important channel for daily diet. But, there are food safety issues that are like a ghost behind the scenes of ordering at a click of a mouse. There are three main issues in the online catering market that need to be addressed immediately: the presence of “ghost kitchens”, delivery-only restaurants without dine-in premises that are operating illegally and without health and qualification certificates, and the falsification of health and qualification certificates [2]. Since consumers are unable to directly monitor the work done in the kitchen by delivery merchants, the kitchen is a “hidden corner” and this constitutes a regulatory issue of being “unseen and unmanageable”. Sad scenes of dirty kitchens, grease piled in food production zones and the inappropriate handling of foodstuffs by kitchen workers are commonplace in the media and regularly stir public opinion and concerns [3].

"The root cause of the chaos in delivery-only (non-dine-in) food services lies in a lack of transparency." For delivery-only services, the value should ideally be multi-dimensional, for the consumers, merchants, industry and society. Practical experiments in different parts of the country have furnished excellent experience for a national uniform legislation. To realize comprehensive regulation on all links, Chongqing Municipality issued the country's first group standard for the whole-chain service of delivery-only food services. Zhejiang Province divided the areas for "group-based governance," and carried out "six unifications." Shenzhen City promulgated relevant regulations, encouraged the mode of "Internet + Bright Kitchen, Bright Stove," and implemented the whole-chain traceability and information-based management system. The first provincial-level local standard in the country for "Bright Kitchen, Bright Stove" has been formulated by Yunnan Province and published online through video. Guangdong Province explained the requirement of construction of "Bright Kitchen, Bright Stove". This governance has brought to delivery-only food service chaos regulatory oversight, including "ghost kitchens" [4]. Yet local governance standards have not been fully harmonised and there is a lack of regulatory consistency across regions, which calls for a harmonised framework of national regulation. To streamline the main duties of online business operators, crack down on "ghost kitchens" and improve the food safety level of food delivery, the State Administration for Market Regulation has prepared the "Regulations on the Supervision and Administration of the Implementation of Primary Responsibility for Food Safety by Online Catering Service Providers" (hereinafter referred to as the "Regulations" or the "new regulations") which will be implemented starting from June 1st. The Regulations are made up of 48 articles, divided into six chapters, and specify the entire chain management responsibilities of delivery platforms, such as qualification review, information disclosure, process control, and so on. The Regulations also tackle the pain point of "ghost kitchens" and provide that platforms should carry out substantive qualification checks on merchants, including real name registration of merchants and on-site inspection, so that qualification information is true and correct, and refuse to carry out formalistic inspection, which solidifies the offline verification obligation of platforms. Additionally, the new rules require delivery-only merchants to prominently post a "Delivery-Only (No Dine-In)" label on their homepages and platform listing pages, thus safeguarding consumers' right to know. The Regulations provide for a long-term and dynamic regulatory feedback mechanism: platform merchants' information in operation (qualifications, addresses, etc.) must be verified and updated every six months, realizing long-term and effective supervision. The new laws enhance the consequences for violations, include the delivery platforms in the unified regulatory framework of the E-Commerce Law and reinforce their statutory obligations. The violation will be subject to fines of up to 200,000 yuan. Fines of up to 10 times the principal's previous year's income can be levied for principals who willfully refuse to comply with the law, or comply only under grossly egregious conditions, with severe consequences. These are significant fines that force management to make food safety a top priority and not traffic or profit [6].

The Food Safety Law of the People's Republic of China (PRC) defines food safety as two aspects: being "non-toxic, non-hazardous" and "meeting nutritional requirements." The above mentioned Regulations focus mainly on issues of hygiene and qualification related issues with the delivery of food (i.e., "non-toxic, non-hazardous"). Yet there are also significant issues in the 'meeting nutritional requirements' dimension. All people deserve to have food that is sufficient, safe and nutritious to satisfy their individual nutritional requirements and biological growth [7]. For example, in the case of this law, although it specifies food nutrition and physical health, but it is not enough in public opinion and related departments to get rid of traditional food nutrition safety concept, and adjust their thinking to keep pace with the general trend of the society, resulting in the overall food nutrition level decline [8]. The nutrition of food is an integral part of food safety and is included in the effective field of food safety legislation. However, the application of the safety criterion "non-toxic and non-hazardous" has been the one traditionally given more consideration in the legal field, and implementation of "meeting nutritional requirements" has been comparatively weak. At present, processed and fast foods are widespread, and even prepared foods are inadequately processed and

prepared resulting in loss of nutrients; Furthermore, food additives are often misused with exceeding the scope and/or limit of use, which poses a great threat to public health [9].

The Party Central Committee has always been strengthening nutrition legislation since the 19th National Congress of the Communist Party of China, which is an important supplement to the Food Safety Law, and has clearly stated that nutrition safeguarding and market regulation should be strengthened. The new online catering rules place the objective of "eating more nutritiously and healthily" in a strategic setting, which supports the implementation of nutrition legislation [10] and opens up new ways of thinking about the nutritional guarantee obligations in the Food Safety Law and integrated ways of regulation of food nutrition and food safety in law. Nutrition legislation is an important means to protect national health, improve nutrition and achieve the Healthy China goal [11]. There is an urgent need for comprehensive national legislation in the health field in the new era, especially in view of the need for better nutrition for the residents. On this basis, this paper will start from the new rules of online catering, discuss the institutional structure and effectiveness of the law in regulating food additives, prepared food and nutrition information disclosure; and discuss the intersection and integration of food nutrition law and food safety law in online catering, suggest measures for improvement.

2. Institutional Framework and Governance Logic of the New Online Catering Regulations

2.1. Legislative Background and Core Provisions of the new regulations

The new regulations have far reaching practical motivations. The online catering industry has grown at a rapid pace, and there has been a lot of chaos and risks in this industry. On the other hand, some platforms, to gain market share and boost order volumes, have been misled by the mistaken development mentality of "scale supremacy", where many merchants resort to using loopholes in the qualification review process and run businesses under illegal registrations [13]. Conversely, platforms have also had their responsibilities diluted, and their gatekeeping function has not worked, leading to poor oversight of online merchants, weak inspections of the online merchants, and a vicious circle of violations, objectively facilitating the proliferation of violations and making the food safety defense line a paper tiger. In addition, "kitchen live streaming" functions are often hidden, perfunctory, and even devolved to the merchants' performance functions; the tip reporting function of riders is self-service, leading to false accusations and excessive or false reporting, and it is difficult to establish a stable and reliable long-term mechanism [14]. The 2025 inspection by the Standing Committee of the National People's Congress pointed to the significant food safety risks associated with new business models, noting the need to develop category-specific regulations and encourage the use of smart, integrated online and offline regulation. In consequence, the new regulations contain systematic provisions on four fronts: platform providers, online catering service providers, the delivery process and regulatory enforcement.

The new regulations act systematically on three levels: platform responsibility, information disclosure and accountability. As for platform responsibility, platforms must perform substantive checks on the merchants' qualification with onsite inspections, and also verify and crosscheck with the information provided by the regulatory authority. Merchant information shall be kept up to date on a dynamic basis at least once every six months. Platforms must also have "food safety seals," regular online patrol and off-line spot checks, and involve multi-party in supervision [15]. As for information disclosure, the new regulations specify that the name of an online store should reflect the name of the store where they are situated and that on the home page, business qualifications, photos of the physical stores, and the real address should be permanently displayed. Delivery-only merchants will be required to have a prominent "delivery-only (no dine-in)" label on the home page and on their platform listing page. The new regulations also promote the publicity of food processing process with "Internet + Bright Kitchen, Bright Stove", and stipulate that platforms should not be hidden and block the display of this information, should give corresponding technical support [16]. As far as

accountability is concerned, the new rules have a six-step closed loop process of investigation and enforcement of “ghost kitchens,” including online screening, on-site verification, kitchen inspection, ingredient tracing, platform lockdown, and follow-up review. When violations are confirmed, the merchants are liable to legal delisting, case filing, credit penalties; if there are indications of criminal offenses, the cases are transferred to public security agencies. The "Three Disclosures, Three Cleans, Three Musts" standard is adapted to delivery-only stores so that they can be operated in compliance with the standard [17].

Relevant regulatory and enforcement authorities will conduct special rectification campaigns to crack down on "ghost kitchens" and qualification fraud to meet the needs of the new regulations and enhance the effectiveness of governance. By building a "five-in-one" transparency system in business qualifications, ingredient traceability and processing and production, delivery process and regulatory enforcement, the supervisory power will be in the hands of the public, and responsibility must be fulfilled. This will enable the operators observing the law to gain a fair market space, rectification to promote standardization, and standardization to promote development, thereby cleaning up the market ecology of the industry and unleashing the vitality of industries [18].

2.2. Legal Connotation and Regulatory Effectiveness of "Primary Responsibility"

The key institutional language of the new regulations is "primary responsibility," which is a statement of the legal obligations. In terms of regulation, current laws and regulations include only a few specific provisions relating to the safety of online food sales, such as the responsibility of the platform enterprises in food safety management. Furthermore, the requirements applicable to this are not well tailored to the reality of online sales, with clear instances of enterprises not having rules to apply and regulators not having a legal foundation for action. The new rules put this into perspective by identifying three areas – the platforms, the online food sellers and the regulating authorities – that all revolve around the theme of responsibility, which further anchors and reinforces primary responsibility for food safety. Platform providers bear overall responsibility for food sales conducted on their platforms, with management responsibilities including the establishment of specialized food safety management institutions; the appointment of management personnel such as food safety directors and food safety officers; and the establishment of whole-process management systems covering access review, risk control, and handling of violations. Online food sellers must assume primary responsibility for food safety, including obtaining production and operation permits or filings before going online in accordance with the law, ensuring the safety of the food they sell, standardizing information disclosure, business promotion, storage, and delivery practices, and establishing risk prevention and control mechanisms of daily checks, weekly inspections, and monthly reviews in accordance with the law. At the same time, regulatory authorities must effectively assume their supervisory responsibilities. The three parties each perform their own functions and assume their own responsibilities, forming a working framework of mutual supervision and collaborative governance [19].

However, for this regulatory system constructed around "responsibility" to be effectively implemented, the issue of alignment with superior laws cannot be avoided. According to Article 103 of the Legislation Law of the People's Republic of China (hereinafter referred to as the "Legislation Law"), which provides that "where laws, administrative regulations, local regulations, autonomous regulations, separate regulations, and rules enacted by the same authority contain inconsistent provisions, the special provisions shall prevail over the general provisions; where new provisions are inconsistent with old provisions, the new provisions shall prevail," it can be concluded that where the new regulations conflict with the Food Safety Law on the same issue, the new regulations have the effect of priority application. Therefore, the relationship between the new regulations and the Food Safety Law depends on whether the latter serves as the basis for the former's validity at the time of enactment. Article 99 of the Legislation Law clearly stipulates that "laws have higher effect than administrative regulations, local regulations, and rules." Promulgated in the form of departmental

rules, the new regulations are at a lower legal level than laws such as the Food Safety Law and the E-Commerce Law, but are higher than general normative documents [20].

This effect of priority application is precisely why the new rules can reasonably demand that the delivery platform not only collect commission and have no responsibility, but must bear the primary responsibility as the "gatekeeper" of delivery food safety. In this regard, the new regulations make particularly specific the roles of delivery platforms throughout the chain, from the review of merchant qualifications to the disclosure of information, process control, and handling of problems. Responsibility needs to be built into the process of filing, supervision needs to be built into the process of going online, and performance of duties needs to be built into the platform's operation, so that the food safety responsibilities are firmly in place at each link, each process, and each decision of platform operations. CD platforms should not only take commissions and aren't responsible; they should not simply be responsible for traffic and disregard quality, but should take the primary responsibility as the "gatekeeper" of delivery food safety [21].

2.3. Institutional Foundations for Nutrition Governance in Online Catering under the New Regulations

The new regulations not only consolidate the foundation of food safety, but also provide the bases of nutrition governance in online catering, and set the stage for special nutrition legislation [20]. Nutrition governance should prioritize on these key aspects including food education, market nutrition regulation, nutrition improvement systems and safeguarding key populations. But there are gaps in the current nutrition laws, including fragmentation and implementation challenges [22]. While the new rules focus on food safety, they make a link with better nutrition regulation in two important aspects: control of ingredients and disclosure of information. As it concerns control of ingredients, the new laws stipulate that incoming inspection must be done, and that no spoiled ingredients are allowed, thus protecting the revenue and protection of the nutritional quality from the beginning. The local standard has already developed the refined implementation for Jinshan District, Shanghai. The new regulations adopt the mandatory disclosure system as the way to disclose nutritional content, oil-sugar-salt content, and other information later. This practice has been done successfully in Jinshan District, and it proves the possibility of such a system. The new regulations can be said to not only stipulate the responsibilities for nutrition guarantee on the macro level, but also leave sufficient room for the systematic improvement of nutrition governance in online catering.

But in fact, the new regulations actually leave a space for the role of nutrition governance in the framework of food safety standard, while the national standards established under the Food Safety Law contain provisions pertaining to food nutrition quality, which in practice has a "hidden function" of nutrition safeguarding, but still "implicit" and not "explicit" [23]. The nutritional guarantee provisions in the new regulations, by contrast, are quite fragmentary and ancillary, as they are spread out and connected to food safety requirements, have no independent framework for nutritional guarantee, and they lack clear implementation mechanisms, which makes it difficult to build targeted constraints on the nutritional supply of online catering [24].

In addition, due to the improvement of residents' nutritional requirements, which are more personalized, the nutritional provision merely related to the food safety requirements cannot meet the practical needs. This institutional gap is a tension with the intention of the legislature in the Food Safety Law. While there are principles related to nutritional balance of special groups and standards for nutrition of foods in the Food Safety Law, as well as the national obligation to promote nutrition, the spirit of the law, especially in the new environment of online catering, has not been fully realized. For instance, the nutrition requirements of special groups, nutrition standards in new catering formats, or regulatory requirements for the nutrition service industry, have not been clearly defined. This reveals the gap in nutrition governance in the online-catering sector and creates an unfilled gap that urgently requires to be filled for further institutional improvement [25].

3. Food Additives and Prepared Dishes: Regulatory Responses and Practical Dilemmas under the New Online Catering Regulations

3.1. Legal Regulation of Food Additive Abuse and Its Limitations

Food Additives Abuse is a major issue in the online food delivery industry. The notice made by the State Council Food Safety Office at the end of 2025, specifically states that violations of food technology would be seriously rectified, such as using food additives that are not allowed to use or in excess, as well as “ghost restaurants” (virtual kitchens with no licence) [26]. However, operators may use non-compliant additives as a cost-cutting measure to prolong shelf life, or to enhance the sensory properties, for profit. For example, the packing of peeled ready-to-eat pineapples with added sweeteners, and the overuse of sulfites for preservation in pickled vegetables is still occurring despite bans. The fact that the online catering sector is fragmented and online, combined with non-standardised labelling and the deliberate hiding of information on additives used, further increases the challenge of identification and traceability for traditional random sampling and testing models [27]. At the institutional level, China has established a food additive regulatory system with the Food Safety Law at its core and supported by standards such as GB 2760-2024 [28]. new regulations have introduced targeted institutional responses: they reinforce source control of food additives through the incoming inspection system, urging online food service operators to fulfill their obligations in obtaining supplier certifications and invoices and verifying procurement; they consolidate the routine risk monitoring responsibilities of online food delivery platforms, with an emphasis on special inspections of businesses that have no dine-in services and have not implemented the “transparent kitchen” requirement; and they refine disciplinary rules while increasing the severity of penalties, thereby raising the cost of violations to compel operators to use food additives in compliance [29].

However, from the perspective of practical implementation effectiveness, the regulatory efficacy of the new regulations remains constrained by multiple technical difficulties in supervision. First, the closed and non-transparent processing of online catering, coupled with the continuous iteration of new composite additives and functional additives while the corresponding limit standards and usage scope updates lag behind, results in a lack of clear technical basis for law enforcement [30]. Second, there are few professional staff members, and outdated test equipment, in grassroots regulatory agencies, and there is little capacity for spot checks, so it's hard to establish a regular technical deterrent. Thirdly, the lack of cross-departmental and cross-regional collaborative regulatory measures, as well as the lack of clarity in the regulatory authority and the traceability of "three-no" food additives through Internet platforms, further compounds the issue. This regulatory 'mess' diminishes the effectiveness of the new regulations as institutional constraint, and creates governance loopholes for the abuse of food additives [31].

3.2. Legal Positioning of Prepared Dishes and the Dilemma of Information Disclosure

Prepared dishes are the product of deep integration between the food industry and the catering industry. Against the dual trends of accelerating urban living rhythms and shrinking household sizes, prepared dishes have become an ideal choice for daily household dietary needs due to their effective balance between quality and efficiency. At the same time, the industrialization of agricultural production and processing, along with continuous innovations in key technologies such as central kitchens and cold chain logistics, have laid a solid foundation for the scaled development of the prepared dishes industry. The extreme pursuit of meal delivery efficiency in the takeout market has further amplified the demand for prepared dishes from the catering side. Driven by the combined effect of these factors, the prepared dishes industry has experienced explosive growth [32]. According to publicly available data, the number of prepared dish and related enterprises has now exceeded 68,000, with nearly 58% of these enterprises established within the past five years. According to analyses by certain consulting firms, the domestic prepared dishes market size may exceed one trillion yuan in 2026 [33]. However, consumer resistance to prepared dishes has been increasingly heating up in recent years. On the one hand, this stems from concerns over food safety and health, including

the abuse of food additives, quality issues with raw ingredients, and hygiene risks during processing. On the other hand, due to the lack of clarity regarding consumers' right to know about prepared dishes in catering scenarios, consumers often purchase prepared dishes at prices comparable to freshly cooked meals, leading to psychological dissatisfaction. This contradiction came to a head in the widely publicized "Xibei Incident" in 2025, which not only demonstrated consumer demand for transparent information disclosure but also revealed the ambiguity in the industry's definitions and labeling standards for prepared dishes [34].

At the level of legal regulation, the positioning of prepared dishes is undergoing a transition from "ambiguity" to "clarity." In September 2025, the draft of the "National Food Safety Standard for Prepared Dishes" passed expert review, and in February 2026, it was officially released by the National Health Commission for public consultation [35]. This standard provides, for the first time at the national level, a unified definition of prepared dishes, pre-packaged dishes made from edible agricultural products and other raw materials, processed industrially, and requiring heating or cooking before consumption, and explicitly sets forth two core requirements: no addition of preservatives, and mandatory disclosure when prepared dishes are used by catering establishments. At the same time, the National Health Commission has included the "National Food Safety Standard for Prepared Dishes" in its national food safety standards project plan, established a special working group, and formulated national quality standards for prepared dishes [36]. The National Standardization Administration is organizing the development of "Terminology and Classification of Prepared Dishes" to define relevant terms and categories. The Office of the State Council Food Safety Commission has made clear that it will accelerate the revision and formulation of food safety standards for prepared dishes, cold chain transportation, and other areas, and promote the comprehensive revision of the Food Safety Law [37]. In addition, relevant authorities have specifically proposed to supervise and urge food production and business enterprises to engage in the production and operation of prepared dishes in accordance with requirements concerning raw and auxiliary materials, processing techniques, product scope, storage and transportation, and consumption methods, and to vigorously promote the disclosure of prepared dish use in catering, thereby protecting consumers' right to know and right to choose [38].

However, although the new regulations require merchants to ensure that menu information is true and accurate and prohibit false advertising, they do not specify whether prepared dishes constitute a type of information that should be subject to special disclosure. When merchants sell prepared dishes under the guise of "freshly cooked," this may not only infringe upon consumers' right to know but also constitute false advertising. Even more noteworthy is the problem of "implementation attenuation" at the level of enforcement. Although relevant authorities have issued administrative measures for prepared dishes, the implementation of standards in production and operation remains superficial. On the production side, raw materials used by some hot pot restaurants in Nanchong for making prepared dishes were found to contain excessive levels of tartrazine and brilliant blue, violating GB 2760-2024 "National Food Safety Standard for Uses of Food Additives," exposing the failure to implement the requirement of "inspect upon each receipt" for raw material control [39]. A municipal-level spot inspection in 2025 revealed ten batches of non-compliant food products, with prominent issues such as excessive use of additives, indicating weak implementation of production process standards. On the operation side, the Lüshui Market Supervision Office in Yingshan County discovered problems such as non-compliant document and invoice requests during a special inspection of prepared dishes [40]. From a whole-chain perspective, regulatory gaps become even more pronounced: on the raw material side, the safety of materials used by some enterprises is difficult to effectively control; on the production side, HACCP systems have not been established or implemented, and critical control points such as curing and sterilization have become regulatory blind spots; on the logistics side, some community group-buy prepared dishes frequently encounter problems during transportation such as temperature non-compliance and "thawing-refreezing cycles," seriously threatening quality and safety [41]. This indicates that there remains a considerable governance distance from standard setting to effective whole-chain implementation.

The inescapable requirement of the new rules—delivery-only merchants must post a "delivery-only (no dine-in)" sign in a conspicuous place on the main page of their sites—will give comforting familiarity for enforcing the prepared dish disclosure obligation. The idea behind the delivery-only label is the institutional logic: the business model (physically dine-in or not) has a direct impact on the consumers' expectations about the food safety and quality, therefore the disclosure should be made. Similarly, the application of prepared meals in the preparation of food has an impact on consumer expectations of the freshness and nutrition value of the food and should be treated on the same basis as required disclosure and provide for the same. The new regulations on online catering are not only a logical way to bridge the current institutional gap, but also a necessary step to safeguard consumers' right to know and right to choose, by introducing mandatory disclosure of the dishes prepared.

3.3. Institutional Shortcomings of the Absence of Nutritional Information Disclosure

The core value of the prepackaged food labeling system lies in achieving effective transmission of food information. At present, China has formed a universal labeling regulatory framework based on laws such as the Food Safety Law, Advertising Law, and Consumer Rights Protection Law, supplemented by supporting standards such as the General Standard for the Labeling of Prepackaged Foods (GB 7718-2011) [42]. However, in vertically segmented areas, the supply of special labeling standards for specialty foods is insufficient, and special institutional systems for allergens, genetically modified organisms, nutrition labeling, and the like remain incomplete. Article 26 of the Food Safety Law incorporates food nutrients into the scope of food safety standards, but this provision is currently only implemented in the management of nutrition labeling for prepackaged foods and has not yet been extended to adapt to the online catering service scenario.

The new regulations fill this gap to a certain extent by requiring merchants to label dishes containing allergens or special ingredients with warnings for unsuitable populations, effectively protecting the rights and interests of special groups such as those with food allergies. However, this provision focuses only on safety-related information prompts. Nutritional quality information such as calorie, fat, and sodium content—which concerns consumers' health rights and interests—remains in a blank area of disclosure obligations. This creates an institutional gap between allergen prompts and comprehensive nutritional information disclosure, making it difficult to guide rational and healthy consumption by the public. This institutional shortcoming is particularly prominent in the category of prepared dishes [43]. Prepared dishes generally suffer from nutritional problems such as relatively short shelf lives and high sodium content, creating an urgent need to establish targeted nutrition labeling control rules, clarify disclosure obligations for key nutritional indicators, and guide the industry toward healthier development. Filling the institutional gap in nutritional information disclosure should become an important direction for the optimization and improvement of both the existing labeling system and subsequent new regulations [44].

4. Collaborative Governance Pathways for Food Nutrition and Safety

4.1. Normative Evolution of the “Nutritional Requirements” Clause in the Food Safety Law

Article 150 of the Food Safety Law incorporates "meeting the required nutritional standards" into the definition of food safety, which has important legal significance. This provision establishes a "dual-layer structure" for the concept of food safety: the first layer is the safety baseline of being "non-toxic and non-hazardous," and the second layer is the quality guarantee of "meeting the required nutritional standards." Together, these two layers constitute the complete legal connotation of food safety [45, 46]. However, this ideal dual-layer structure has not developed in a balanced manner in legislative implementation. With the improvement of people's living standards and the enhancement of public rights awareness, consumer demand for food has shifted from "meeting basic safety" to "pursuing nutrition and health." Relevant reports from the former National Health and Family Planning Commission reflect this trend, indicating that macro-level policies have placed food safety and food health on equal footing [47]. However, in legislative implementation, the dual-layer

structure has not developed in a balanced manner: the "non-toxic and non-hazardous" aspect has formed a complete regulatory system, while the guarantee system for "nutritional requirements" remains relatively underdeveloped. The policy direction of the new era provides an opportunity to address this gap. The "Healthy China 2030" Planning Outline, issued by the Central Committee of the Communist Party of China and the State Council in 2016, proposes "guiding reasonable diets" and "strengthening legislative revisions in key areas," aligning with the needs of improving resident nutrition. Scholars have pointed out that the conditions for special nutrition legislation in China are essentially mature, and such legislation should be positioned as a supplement to the Food Safety Law, covering content such as nutritional guarantees for key populations, a national nutritional improvement work system, and a market regulatory framework [48].

Against the above macro background and direction of legislative improvement, it is particularly necessary to examine the implementation of the "nutritional requirements" clause by selecting a typical scenario. In the context of the implementation of the new regulations on online catering, promoting the normative development of the "nutritional requirements" clause has special significance. On the one hand, online catering has become an important part of residents' daily diets, and its nutritional quality is directly related to the overall health of the public, and thus cannot remain outside the scope of nutritional guarantee systems [49]. On the other hand, the new regulations have set standards for delivery-only and other business formats, clarified the boundaries of responsibilities and rights among platforms, online catering service providers, and delivery units, and detailed platform requirements for qualification review, routine monitoring, information disclosure, and more, thereby establishing a whole-chain regulatory framework for online catering. Although this framework is primarily aimed at the bottom line of food safety, the regulatory tools and governance foundation it establishes provide institutional and technical support for subsequently embedding "nutritional requirements" (such as mandating or encouraging the labeling of nutritional content, setting nutritional standards for specific categories, etc.) in the online catering sector [50].

4.2. An Integrated Framework for Nutritional Protection and Food Safety Regulation in Online Catering

The specificities of the catering context require that nutritional guarantee and safety regulation must break through fragmented limitations and achieve systemic integration at the institutional level. Based on this premise, a whole-chain regulatory system of "from information to process, from individual to whole" can be constructed from the following three aspects.

First, improve the information transparency mechanism and solidify the foundation for nutritional information disclosure. Promote the extension of a nationally unified and interconnected food safety traceability information platform into the field of nutritional data, add a "nutritional information" module within the existing information display system, and achieve forward traceability and backward traceability of key information such as calorie content, levels of major nutrients, and allergens, making it convenient for consumers to voluntarily consult when ordering, so that they can clearly "see" the nutritional composition [51].

Second, regulate the management of specific business formats, focusing on the pain point of prepared dish disclosure. Optimizing the information disclosure system is a key link in protecting consumers' right to know and enhancing the transparency of the prepared dishes industry. The new regulations' mandatory labeling system for delivery-only merchants provides a reference model for prepared dish disclosure, and mandatory norms should be used to clarify the operator's proactive obligation to inform [52]. Relevant authorities should list "the use of prepared dishes" as statutory information that catering service providers must disclose in advance, prohibiting the substitution of vague expressions such as "process optimization" or "centralized distribution" for the explanation of "prepared dish" attributes. At the same time, the legal liability for failure to fulfill the obligation to inform should be clarified, a multi-level liability mechanism should be established, the cost of violations should be increased, and an effective deterrent should be formed. Implementable detailed rules should be formulated: for dine-in establishments, uniform labeling should be displayed on

menus or in prominent positions within the premises; for delivery platforms, independent categories or clear labels should be set on the ordering interface, and images or promotional language that may cause misunderstanding should be prohibited [53]. Operators need to refine the disclosure standards for different scenarios of offline dine-in and online delivery, achieving standardization and scenario adaptation of information disclosure. In addition to labeling "prepared dishes," prepared dish producers and operators should also disclose core information such as main ingredients, food additives, nutritional content, and storage conditions, ensuring that key information from raw material procurement to terminal sales is verifiable and traceable, achieving full-chain transparent supervision "from farm to table," and providing a solid institutional guarantee for consumers' right to know and right to choose nutrition [54].

Third, strengthen top-level design, promote legislative coordination, and elevate the aforementioned measures into institutional norms, forming a closed regulatory loop. Scientifically and timely develop national food safety standards for nutrition and special dietary foods, promote the upgrade from "safety standards" to "nutrition and health" standards based on safety, and incorporate matters such as nutritional information disclosure for online catering, nutrition labeling and nutrition claims for prepared dishes, and requirements for the protection of nutrients during the processing of catering food into the legislative agenda. In subsequent revisions of the new regulations or the formulation of supporting rules, add a special chapter on nutritional guarantees, clarifying the statutory obligations of online catering service providers regarding nutritional information disclosure and nutritional quality assurance [55], thereby achieving the closed-loop implementation of institutional integration.

4.3. Case Examination and Institutional Improvement Recommendations

Typical cases in law enforcement practice intuitively reflect the current operational status and room for optimization of the online catering regulatory system. A delivery-only restaurant in Guangdong Province exhibited prominent kitchen hygiene issues and a lack of safety awareness among its staff, sparking public discussion [56]. In certain agricultural markets in Nanjing, a large number of delivery-only specialty shops have appeared, accepting orders solely online and essentially functioning as small takeout processing workshops, with storefront publicity seriously inconsistent with actual operating conditions, thus devolving into "ghost kitchens" [57]. The new regulations have launched targeted special governance measures, focusing on regulating the operational behaviors of platforms and online merchants [58]. Analyzed from the perspective of nutritional guarantee, the common tactics of "ghost kitchens" include "one store operating under multiple registrations" and "one license used for multiple registrations": operators forge or rent licenses to open multiple online stores sharing non-compliant kitchens; some entities fabricate operating addresses or forge licensing qualifications to illegally accept orders [59]. If merchants cannot even guarantee the authenticity of their basic operating qualifications, the authenticity and standardization of nutritional information disclosure become even more unattainable. Therefore, it is necessary first to rely on the new regulations to improve the basic food safety system for online catering, and then to advance the construction of a nutritional guarantee system—only then is it realistically feasible.

Based on this, this paper proposes four improvement recommendations to construct a complete governance closed loop. First, improve the supporting rules of the new regulations and add guidelines for nutritional information disclosure. It is recommended that the State Administration for Market Regulation issue the "Guidelines for Nutritional Information Disclosure of Online Catering Services," clarifying the content, methods, standards, and implementation timeline for disclosure, providing operational bases for online operators. Align with nutritional health standards, achieve accurate collection of data on ingredients and seasoning usage in the kitchen, standardized labeling of dish nutrition, and push nutritional references and dining guidance to consumers [60]. Second, promote the revision of the Food Safety Law to consolidate the statutory obligations of nutritional guarantee in online catering. Refine the discretionary standards for administrative penalties for food safety violations to avoid mechanical application by grassroots law enforcement. Clarify the statutory

responsibility of online catering operators for nutritional information disclosure, providing superior legal support for subordinate regulations [61]. Third, establish a third-party verification mechanism for nutritional information in online catering. Drawing on the new regulations' experience of substantive review of merchant qualifications, clarify that third-party institutions assume responsibility for the qualification review of online entities, nutritional information verification, and routine monitoring [62]; conduct regular spot checks on platform operational behaviors and disclosed information, retain transaction records in accordance with regulations, urge merchants to implement sealed delivery, investigate and punish violations such as nutritional information falsification, and prevent derivative risks [63]. Fourth, improve the nutritional social supervision mechanism with consumer participation. Relying on the new regulations' system of delivery personnel serving as food safety voluntary supervisors, incorporate nutritional supervision into public participation channels. Clarify consumers' rights and responsibilities in nutritional supervision, encourage the reporting of dish nutritional information authenticity through platform evaluations, punish whole-chain violations in accordance with the law, and build a comprehensive, fully closed-loop pattern of social co-governance supervision [64].

5. Summary

The new online catering regulations substantially strengthen the allocation of food safety responsibilities between platforms and merchants, particularly by addressing persistent problems such as “ghost kitchens.” Nevertheless, their regulatory focus remains largely confined to the “non-toxic and non-hazardous” baseline established under Article 150 of the Food Safety Law. In contrast, the equally significant dimension of “nutritional adequacy”—including issues related to food additive abuse, prepared dishes, and nutritional labeling—receives only fragmented regulatory attention. Using prepared dishes as a representative case, this paper argues that the absence of mandatory disclosure regarding both their use and nutritional content constitutes a major institutional deficiency. Drawing on the regulatory rationale underlying the “delivery-only” labeling requirement, the paper contends that mandatory disclosure obligations for prepared dishes should be incorporated into the new regulatory framework to safeguard consumers’ right to know and right to choose. To promote the integrated governance of food nutrition and food safety, it is necessary to revise the Food Safety Law, formulate specific nutritional disclosure guidelines, establish third-party verification mechanisms, and strengthen consumer participation in nutrition-related supervision. In this sense, the new regulations should serve not merely as a tool for baseline food safety control, but also as an institutional platform for transforming food nutrition governance from policy advocacy into formal legal regulation.

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