

The Current Situation, Problems and Countermeasures of the Legal Regulation of the Coordinated Development of the Cold Chain Logistics Industry in Beijing, Tianjin and Hebei

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ABSTRACT

People have higher and higher requirements for the quality of life, the pursuit of fresh ingredients, more and more attention to the whole link of food from the field to the table, which has higher requirements for cold chain logistics. With the integrated development of Beijing Tianjin Hebei region, the population of the region is growing, and the demand for seafood, dairy products, fruits and other goods that are not suitable for long-term storage is growing. As a result, the cold chain logistics industry is developing rapidly in this region. The cold chain logistics industry in this region not only connects with the cold chain logistics transportation on land and sea, North and south, but also undertakes the import and export transportation of cold chain logistics. As far as the development momentum is concerned, Beijing Tianjin Hebei region is the first regional joint legislation region in China, and whether it is internal regional development or external export or cold chain industry exchange and cooperation in other provinces and cities, the influence is huge. However, in the development process of cold chain logistics industry, the laws and regulations related to cold chain logistics in China have not been developed accordingly. The lag of laws leads to the cold chain logistics industry losing the restraint and guarantee of corresponding laws and regulations. In this paper, the research on the coordinated development of Beijing Tianjin Hebei cold chain logistics industry is generally divided into three parts, using the literature research method to analyze the current situation of Beijing Tianjin Hebei cold chain logistics industry and legal regulation, and using the case study method to analyze and summarize the existing problems of Beijing Tianjin Hebei cold chain logistics industry and the corresponding solutions. Specifically in the three aspects of legislation, law enforcement and justice, first of all, analyze the existing laws and regulations in Beijing, Tianjin and Hebei, and sort out the existing laws and regulations, then combine with the problems in the cold chain logistics industry in Beijing, Tianjin and Hebei, further analyze the deficiencies in the legal regulations, and finally for the whole flow of cold chain logistics industry from raw material production, transportation, processing to trafficking Cheng, make appropriate suggestions. The cold chain logistics industry itself has the characteristics of cross regional. The general idea of improving the cold chain logistics environment of Beijing, Tianjin and Hebei and strengthening the management means is to establish perfect laws and regulations, strengthen the regional law enforcement cooperation and judicial cooperation. In terms of legislation, based on the existing laws and regulations, combined with the overall process of cold chain logistics, laws and regulations are further refined. On the basis of the government's incentive policies, substantial assistance is strengthened to help cold chain enterprises improve infrastructure construction as soon as possible. In terms of law enforcement, all departments in the region should strengthen the sense of cooperation. Using modern information platform to share information of cold chain logistics, the government, cold chain industry association, media and social personages supervise cold chain enterprises, and establish a wide safety supervision system. In terms of judicial cooperation, we need to further strengthen judicial cooperation mechanism, strengthen inter regional court information sharing, talent flow and other measures. In order to better realize the coordinated development of Beijing, Tianjin and Hebei, and accelerate the steady development of Beijing, Tianjin and Hebei cold chain logistics industry.

KEYWORDS: cold chain logistics; food safety; collaborative development; legal regulation; cooperation mechanism.

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I. INTRODUCTION

A. Research purpose

In recent years, China's cold chain logistics industry has developed rapidly. Compared with the traditional postal logistics industry, the specialization division of logistics industry in recent years is more detailed, among which the cold chain logistics industry is the fastest growing. The development prospect of cold chain industry is very huge. On the one hand, it saves cost for preservation of goods and enables many seafood products to be transported across regions and time. On the other hand, with the frequent occurrence of food safety problems, people's demand for cold chain transportation products has increased. Among them, fruits and vegetables, agricultural products and food are the most concerned. Business giants such as Suning e-commerce, Jingdong and Taobao also set foot in the cold chain logistics industry. However, in the development process of cold chain logistics industry, the laws and regulations related to cold chain logistics in China have not been developed accordingly. The lag of laws leads to the cold chain logistics industry losing the restraint and guarantee of corresponding laws and regulations.

The coordinated development of cold chain logistics industry in Beijing, Tianjin and Hebei needs the unified legislation and the establishment of a complete legal system. However, most of the existing regulations in the region are departmental regulations, plans and opinions issued by the State Council. There are no mandatory provisions for cold chain logistics enterprises, and the lack of necessary reward and punishment measures is not conducive to the long-term development of Beijing Tianjin Hebei cold chain logistics. This paper analyzes and summarizes the current situation and existing problems of the laws and regulations of the cold chain logistics industry in Beijing Tianjin Hebei region, and studies the legal regulations of the coordinated development of the cold chain logistics industry in this region, which is of great significance for the long-term stable development of the cold chain logistics industry in this region.

B. Research significance

1. Theoretical significance

As a major national strategy, the coordinated development of Beijing, Tianjin and Hebei is inseparable from the regulation and guarantee of the rule of law. However, there are still many legal dilemmas in the process of the coordinated development of Beijing, Tianjin and Hebei. The research on the legal regulation of the cold chain logistics industry in Beijing Tianjin Hebei region is conducive to improving the legal guarantee of the industrial cooperation mechanism in Beijing Tianjin Hebei region and accelerating the implementation of the planning of the cold chain logistics industry in Beijing Tianjin Hebei region. It will promote the legal research on the coordinated development of Beijing Tianjin Hebei region and better realize the common interests among regions.

2. Practical significance

With the improvement of people's living standards and the awareness of health and safety, people have higher requirements for the quality and circulation efficiency of food, medicine and other consumer goods. At the national level, we are also fully aware of the importance of cold chain logistics industry for food safety and people's livelihood safety. In recent years, the state has continuously issued

relevant policies, norms, guidance, etc. to support the healthy and stable development of cold chain logistics industry. The contradiction between the market demand for cold chain logistics and the supply of cold chain logistics industry shows great market potential. It is necessary to use laws to guarantee the steady development of cold chain logistics industry, to supervise cold chain logistics enterprises with perfect laws and regulations, to better provide consumers with safe and quality products, so as to contribute to the economic development of Beijing, Tianjin and Hebei. The research on the legal regulation of cold chain logistics industry in Beijing Tianjin Hebei region is conducive to strengthening the development of legislative cooperation mechanism, law enforcement cooperation mechanism and judicial cooperation mechanism, and further promoting the coordinated development of Beijing Tianjin Hebei region.

II. Development and legal regulation of cold chain logistics industry in Beijing, Tianjin and Hebei

A. Current situation of coordinated development of Beijing Tianjin Hebei cold chain logistics industry

With the development of the integration of Beijing Tianjin Hebei region, the population of the region is growing, and the demand for seafood, dairy products, fruits and other goods that are not suitable for long-term storage is growing. Cold chain logistics industry is developing rapidly in this region. It not only connects the cold chain logistics transportation of land and sea, North and south, but also undertakes the import and export transportation of cold chain logistics.

As one of the four municipalities directly under the central government in China, Tianjin has a world-wide port and strong cargo air transport capacity. Ports, railways and highways extend in all directions, across North China and Shandong, and across the border of the three eastern provinces. In 2016, the current value-added of Tianjin logistics industry was about 140 billion yuan, accounting for 7.8% of Tianjin's GDP. Relying on convenient transportation, Tianjin undertakes the transportation of goods in the north. Meanwhile, it constantly updates its logistics structure system, accelerates the construction of logistics node facilities and service network, such as cold chain logistics and e-commerce logistics, and builds a cold chain logistics base and e-commerce logistics base serving Beijing, Tianjin, Hebei and the whole country. Beijing, as the capital of China and a strong economic city, has been developing rapidly. Beijing has gathered the world's top companies. The Beijing Guangzhou line is responsible for the vast majority of China's railway transportation. In addition, Beijing's shipping and land transportation are widely accessible, and it is an important transportation hub in the north. The construction of xiong'an new area has accelerated the transfer of Beijing's non capital functions, and enterprises in Beijing have moved to xiong'an New Area in succession. At present, the pattern of Beijing Tianjin Hebei urban integration development centering on xiong'an new area is forming. Other cities in Hebei Province also undertake the relocation of regional enterprises in Beijing, utilize land resources and industrial base, and accelerate the development of logistics industry. It has formed an important base construction of the largest commercial logistics and modern commercial logistics in the north with cold chain logistics as the core, and formed a regional agricultural and sideline products, fresh products, characteristic commodities and other commercial logistics system in Beijing, Tianjin and Hebei.

Since the implementation of the coordinated development strategy of trade and logistics in Beijing, Tianjin and Hebei, the volume of trade and logistics between the cities of Beijing, Tianjin and Hebei has doubled, and the business departments of the three regions have cooperated to jointly establish a regional logistics alliance with Beijing, Tianjin and Hebei. In May 2017, the three governments jointly passed the plan of one hour fresh agricultural products circulation circle around the capital, which further integrates the business logistics transportation of the three regions, creates a coordinated cold chain logistics system, accurately connects the respective advantages and characteristics of the cities in Beijing, Tianjin and Hebei, and creates an integrated cold chain logistics system, marking a new stage of the cold chain logistics cooperation in Beijing, Tianjin and Hebei.

B. Legislation status of coordinated development of cold chain logistics industry in Beijing, Tianjin and Hebei

Due to the frequent occurrence of food problems in recent years, people's eyes return to food health problems. It can be seen from the compilation and revision of laws such as food safety law and consumer protection law by the National People's Congress that compared with the past, this revision of the law not only focuses on increasing the punishment on food safety, but also makes some standard provisions on food standards and online food shopping. These regulations also affect the cold chain logistics industry and guide the relevant standardized operation of cold chain logistics in the transportation process. In addition, in addition to the legislative work of the National People's Congress, relevant administrative departments and local legislations have also taken action.

In June 2014, the executive meeting of the State Council passed a plan, in which it was proposed that the first project among the 12 major projects to be deployed is the cold chain logistics industry, and the cold chain logistics network of the whole country should be improved. In April 2015, the Political Bureau of the CPC Central Committee deliberated and approved the outline of Beijing Tianjin Hebei coordinated development plan. Tianjin is positioned as the core area of international shipping. In August 2016, the Ministry of Commerce issued the notice of the office of the National Standardization Management Committee of the general office of the Ministry of Commerce on carrying out the demonstration work of cold chain circulation of agricultural products, further improving the standard system of cold chain circulation.

In 2017, the State Council issued a guiding opinion, which stipulated the operation guidelines and incentive policies for the cold chain industry, and promoted the development of national cold chain logistics and transportation and local legislation. The opinion points out that the cold chain logistics industry must comply with the provisions of the food and drug law, as well as some problems existing in the cold chain logistics industry. In August of the same year, the Ministry of transport also issued an implementation opinion, which specifies the standards to be noted in the development of cold chain industry and logistics transportation.

In addition, local legislation has also been carried out in major cities of Beijing, Tianjin and Hebei. For example, the

Tianjin municipal government has issued 30 local standards, such as standardized pallet operation specifications, in promoting the development of commercial logistics. It has made corresponding specifications for the development of the logistics and transportation industry in Tianjin and constructed a new standard information service platform for commercial logistics in Tianjin. In addition, the case set of Tianjin logistics standardization pilot project is compiled. For the development of new logistics industry, five models are proposed. In terms of cold chain logistics, Tianjin has increased cooperation with neighboring cities and major cities across the country. Three administrative normative documents have been issued successively. Meanwhile, Tianjin municipal government has signed 23 cooperation projects focusing on the five aspects of cold chain logistics, including business market cooperation, planning and consulting cooperation, system technical cooperation, cold storage construction cooperation, and operation management cooperation.

In June 2018, all departments of Beijing, Tianjin and Hebei jointly issued 8 regional collaborative local standards for cold chain logistics. This is the first time that Beijing, Tianjin and Hebei have made specific standards and specifications for food in the form of government documents. On the one hand, the standard unifies the professional terms and concepts of cold chain logistics industry, facilitates the conclusion of transportation contracts between cold chain suppliers and customers, and solves disputes in the transportation of cold and fresh products. On the other hand, the transport standards of frozen food, including low temperature level, vehicle environment, supervision, inspection and quarantine, should be more specific, so that law enforcement departments can manage the cold chain logistics industry. Eight regional collaborative local standards will effectively promote the unification and standardization of the development of Beijing Tianjin Hebei cold chain logistics industry, improve the level of regional cold chain logistics, ensure the safety of fresh products and food consumption, build a brand of cold chain logistics in Beijing Tianjin Hebei region, and provide reference, replication and promotion experience for the development of national cold chain logistics standardization.

It is not difficult to see from these opinions that the government attaches great importance to the development of cold chain logistics industry in Beijing Tianjin Hebei region, and the above policies also play a guiding role in the development of cold chain logistics industry in this region. However, there is still a lack of necessary laws and regulations in legislation to protect and restrict the development of cold chain logistics industry in Beijing Tianjin Hebei region.

C. Status quo of law application of cold chain logistics industry in Beijing, Tianjin and Hebei

After the joint release of 8 regional collaborative local standards for cold chain logistics by Beijing, Tianjin and Hebei departments, the standards are in good condition in the major cities of Beijing, Tianjin and Hebei. The standards play an important role in integrating and standardizing the city circle of Beijing, Tianjin and Hebei, and in cracking down on and punishing the black hearted businessmen in the black cold chain logistics.

According to the Bureau of industry and Commerce of Shijiazhuang City, Hebei Province, within one month after the release of the standard, disputes related to cold chain logistics in the main urban area of Shijiazhuang decreased by 11 percentage points compared with that in 2017, and disputes due to transportation decreased by 36. At the same time, the problems such as low temperature of cold chain car, bad product quality, transport vehicle not up to the standard and so on are much less than before. The release of the standard also increased the transportation volume of regular cold chain logistics enterprises. Some illegal cold chain logistics enterprises and black hearted businessmen were also beaten up in the joint law enforcement led by the industry and commerce. In addition, disputes over the quality of refrigerated food in the retail industry have also been greatly improved. In addition, according to the court case filing statistics report released by Chaoyang District Court of Beijing last year, the filing rate of logistics and transportation contract disputes is 23% lower than that of previous years, and the filing rate of food safety infringement disputes is 3% lower. The personal safety and property safety cases related to the cold chain logistics industry also show a sharp decrease trend compared with the previous years.

In general, after the release of the new regulations, the government regulated the cold chain logistics industry more strictly, not only strictly controlled the standard specifications of the new regulations in terms of law enforcement, but also inspected the vehicle model, effect, driver's experience of transport vehicles, as well as the transport standards for specific objects, with greater punishment. It also promotes the self supervision of the cold chain logistics industry, the ban of black logistics companies, and speeds up the transformation of the industry. In the judicial process, the conditions for determining breach of contract and infringement are more stringent than before. Although the administrative provisions will not affect the court's discretion standards, many courts have recognized the administrative provisions in their judgments as legal and compliant.

III. Problems in coordinated development of cold chain logistics industry in Beijing, Tianjin and Hebei

A. The Legislative Coordination mechanism needs to be improved

1. The local legislative standards are not unified

At the same time, cold chain logistics industry is facing many practical problems. As far as the development momentum is concerned, Beijing Tianjin Hebei region is the first regional joint legislation region in China, and whether it is internal regional development or external export or exchange and cooperation with other provinces and cities of cold chain industry, its influence is huge. Compared with Beijing Tianjin Hebei region, the development of regional cold chain industry is relatively slow. First of all, there is no unified national standard in the cold chain industry at present, and it will bring many inconveniences for local governments to enforce the law according to the cold chain standards. First, in terms of export trade, the cold chain standards of western countries and Japan are generally higher than the local standards of China. In some places, there are strict restrictions on cold chain products. For example, the European Union has special restrictions on Chinese chicken, African pork and American beef cold collections. In addition

to being subject to import and export inspection and quarantine, the products also need to be issued complete with respect to origin, sales amount, etc Data proof report. Second, the standards implemented in various regions are not uniform. The different standards in different regions have brought difficulties to judicial and law enforcement activities. At present, there are 36 standards of cold chain industry established in different regions of China. There are large conflicts between many standards. For example, compared with the standards of cold chain industry in Henan Province and Beijing, Tianjin and Hebei Province, the standards of Beijing, Tianjin and Hebei are significantly higher than those of Henan Province, while the transportation of cold chain products in the two regions is not only To meet the landmark, but also in line with the cold chain into the regional market standard. At the level of effectiveness, the current legislative effectiveness of cold chain industry norms is too low. The norms of the cold chain logistics industry in all regions are only administrative regulations in the legal level, not only lack of unified standards in terms of scientificity and rationality, but also can't be used as a basis directly in judicial application, which will make the standards lack of force and cause difficulties in law enforcement. At present, in terms of the quality of cold chain food, China's food safety law has different provisions on the national standard, provincial standard and enterprise standard. In the absence of a unified national cold chain logistics and transportation standard, it is applicable to the provincial standard in principle, while the enterprise can stipulate the enterprise standard. The disunity of legislation and law enforcement standards also indirectly increases the difficulty of cold chain industry supervision.

2. The normative content of laws and regulations is relatively limited

At present, the legislation of cold chain logistics mainly involves the logistics transportation, but the whole cold chain links, including production, storage, sales, are rarely involved in the published management standards of cold chain logistics. Production is the source of food safety in cold chain logistics, and the country has no strict restrictions on the processing of cold collections. In the event of meituan merchants' seasoning package in 2018, meituan and hungry merchants used wholesale seasoning package to process takeout. Among them, the reporter exposed a lot of illegal operation and health problems in the processing of seasoning bags. After the event was exposed, it attracted widespread attention of consumers. Although the final official survey result is no problem, people also began to formally examine the health quality problems in the cold chain logistics process. Cold chain industry can indeed bring great convenience to social production and life, but abuse of cold chain technology will also bring harm to people's production and life.

3. The reward and punishment measures for the coordinated development of cold chain logistics industry need to be improved

The reward and punishment measures of cold chain industry are not clear. At present, the administrative guiding policies for cold chain logistics only focus on the state's encouragement of independent R & D and guarantee of independent management rights of cold chain enterprises. But in fact, the cold chain logistics industry needs not only policy support, but also some talents, technology and capital support. In addition, there are still some markets that have

not been fully opened up in terms of policy guarantee for the autonomy of the cold chain industry, which need to be improved in the legislation. In this regard, we can draw lessons from Japan. Japan's relevant measures for cold chain logistics industry are very mature. The Japanese Affairs Office issued a report encouraging the development of cold chain industry in Japan, implementing relief for Japanese enterprises engaged in cold chain logistics industry, encouraging the transformation of Japanese enterprises, and providing financial, land and tax support for traditional cold chain logistics transformation. In addition, Japan has strict food safety laws, and the most serious food safety crime will be sentenced to 15 years in prison. Japan's insurance industry has set up insurance under different risks for the cold chain logistics industry. The rich types of insurance in Japan are conducive to the large-scale development of cold chain logistics in Japan. At present, the cold chain logistics enterprises in Beijing Tianjin Hebei region bear the corresponding legal liability in accordance with Article 37 of the standardization law of China. Although it plays a certain role in the management of cold chain logistics industry, more professional laws and regulations are still needed to restrict the cold chain logistics industry.

B. Construction of law enforcement cooperation platform needs to be strengthened

First of all, on the level of law enforcement, cold chain logistics, as a new industry, also faces many problems in its standardization and operation. At present, the personnel and technology of food inspection in our country are not enough to cope with the huge cold chain industry. Compared with the living quarantine, the cold chain quarantine is more complex. Many black hearted merchants will use this point to make goods for cold collection transportation. In reality, some unscrupulous merchants add cheap toxic and harmful chemicals to cold chain food to enhance the shelf life of food. For the inspection and Quarantine of cold chain food, at present, the number of national health departments and quarantine departments can not afford to guarantee the safety of cold chain products. In many cases, it is necessary to make up for the dead corner of inspection and quarantine by means of media exposure and mass supervision. Due to the low illegal cost, many black heart traders also take advantage of this to make profits. For example, it was previously exposed that the border disease department of Beijing, Tianjin and Hebei inspected the goods smuggled from Japan's nuclear contaminated Fukushima beef. The black heart merchants just took advantage of the shortage of personnel in the border inspection department to take the cold chain logistics to the Chinese market. In addition, due to the different standards implemented in different regions, it will also bring difficulties to the law enforcement work. For example, in the import and export, the cold chain standards of some countries will be lower than those of our country, and there will be high and low differences between the provincial standards, which are some problems in the application of law in the process of cold chain logistics law enforcement.

At present, there are still many loopholes in the process of law enforcement in the cold chain logistics industry. There are three major potential safety hazards: one is the sales of expired products, the second cooling chain is not qualified, and the third is the inspection and quarantine is not qualified.

First of all, in the sales of the first category of expired products, from the current point of view, the main problem of cold chain industry arises from this. In the case of expired frozen meat sales in Zhejiang and Shanghai seized in 2014, the criminal suspect purchased frozen expired meat at a low price and processed it into meat products for resale. In this link, it is difficult for the supervision department to supervise this kind of behavior. One is meat management. At present, there is no effective management process for meat products. Although there are regulations on how to deal with expired food, the actual implementation is not so good. The other is that the source of black food in the black workshop is very hidden. For the processing of expired food, sometimes it is in the residential buildings or abandoned factories, which brings inconvenience to the law enforcement and investigation activities. The third is that the manpower of market supervision department is not enough. The black workshops hide and hide, which increases the cost of law enforcement, but also brings huge problems to law enforcement.

Secondly, the supervision of cold chain logistics is still a blank. In 2018, pear video exposed the event of Anhui Fuyang seasoning bag. The processing enterprises do not follow the processing process, and the enterprise environment is very bad. Although there is no problem in the meat quality identification according to the later investigation results, the nonstandard operation process is also the source of food hygiene problems, which needs to be supervised and managed by relevant measures.

Finally, in the inspection and quarantine, the current standard of cold chain products in China is very low, which can be said to be far lower than those developed countries in Europe and America. Moreover, in terms of detection indicators, our detection indicators are only for the detection of common bacteria. There is no corresponding instrument for detection and quarantine in the routine of Sanquan swine fever virus. Lax inspection and quarantine also threaten our health. It can be said that there is a long way to go in the supervision of cold chain logistics industry, and how to carry out effective supervision requires the functional division and cooperation of all departments.

C. Judicial cooperation mechanism needs to be improved

In judicial application, at present, there are many civil disputes about cold chain logistics industry in practice. After the new standard of cold chain industry was issued, many enterprises also abide by this standard to guide their own civil behavior. If the transporter or supplier fails to comply with the standards, they shall bear the corresponding civil liabilities, and may also bear administrative or criminal liabilities. In addition, transportation involves not only contractual relations, but also tort and consumer protection relations, transportation insurance, brokerage relations, etc. All kinds of problems need the judicial cooperation mechanism of Beijing, Tianjin and Hebei to play a role. The judicial cooperation mechanism in Beijing, Tianjin and Hebei started as early as 2015. In the opinion issued by the Supreme People's court, it emphasized to strengthen the judicial cooperation mechanism in Beijing, Tianjin and Hebei, so as to provide legal guarantee for the coordinated development of regional industries in Beijing, Tianjin and Hebei. However, there are still many problems in the

development of cold chain logistics in Beijing, Tianjin and Hebei, such as low efficiency of cross regional implementation, barriers in the information system, difficulties in property inspection and control and realization, and inconsistent judgment standards. The cold chain logistics industry itself has the characteristics of cross regional, in the raw material import, production, transportation to the final market, every link will have problems, the regional judicial cooperation mechanism is of great significance to the supervision of cold chain logistics industry.

IV. Suggestions on the construction of the legal guarantee mechanism for the coordinated development of the cold chain logistics industry in Beijing, Tianjin and Hebei

A. Improve the legislative cooperation mechanism of the coordinated development of Beijing Tianjin Hebei cold chain logistics

1. Promote the standardization construction of Beijing Tianjin Hebei cold chain logistics industry

In terms of legislation, it is necessary to speed up the standardization of regional and national cold chain logistics industry. Specifically, it is to form a unified cold chain transportation standard, including food safety and quality indicators of production, transportation and sales. The joint legislation of Beijing, Tianjin and Hebei has set a precedent for national legislation. At present, there is a large demand for cold chain transportation of seafood, dairy products and other fresh products. According to the distance of the product location, the transportation standard is also very high. Legislation can start from four aspects, and gradually regulate the cold chain transportation industry nationwide. First, limit the content of cold chain products, including special restrictions on the quality and types of cold chain products, so as to guarantee the safety and quality of cold chain products in advance. Among many refrigerated products, some are not suitable for long-distance transportation, such as dairy products; some need special transportation, such as chemicals. The second is to limit the carrier of cold chain goods. In China, the cold chain logistics transportation channels include road transportation, railway transportation and air transportation. Arrange transportation tools reasonably according to the nature of refrigerated products. For example, the best way to transport seafood is by rail or air, which can guarantee the freshness of food. The third is to restrict the establishment of cold chain logistics enterprises. At present, there are no restrictions on the establishment of cold chain logistics transportation enterprises. However, from the perspective of practical operation, cold chain logistics transportation industry is not only closely related to food safety and other fields, but also requires high technical content and capital, as well as inspection and quarantine. To set up the limited conditions for the enterprises in the industry, on the one hand, it is convenient for the management of the industry, and on the other hand, it can also reduce a lot of pressure on the logistics and transportation inspection. Fourth, the limitation of each stage of logistics makes it very difficult to check the cold chain logistics, and the cold chain involves many stages, not only transportation but also production and sales stages. Generally, certification of product origin, sales review and other methods are used to restrict the cold chain logistics industry.

2. Improve the legislative system of the acquisition link of Beijing Tianjin Hebei cold chain logistics industrial chain

In addition to the strict restrictions on cold chain logistics industry in legislation, legislation should also actively encourage the development of cold chain logistics industry. First of all, policy guidance should be given to the industrial chain acquisition. At the beginning of the cold chain is the purchase of agricultural products, fishery products and other products, and the centralized purchase processing. On the one hand, this approach solves the unsalable or out of stock situation caused by the information asymmetry of products, and indirectly improves the income level of farmers and fishermen. At present, the coverage rate of professional cooperatives in all links of cold chain logistics industry is low, and farmers, fishermen, herdsman and other scattered free economies lack the sense of cooperation. In addition, in recent years, with the development of industrial mechanization, food production has increased substantially, people's demand is not as large as before, and the utilization rate of main fresh agricultural products is low, resulting in serious unsalable phenomenon. On the other hand, the centralized cold chain treatment also reduces the operating cost of the enterprise and makes the cold chain industry develop in scale. The refrigeration system of cold chain logistics can insure the fresh products and greatly reduce the waste. Due to the large-scale industry, it can store in a large scale and unify the management, thus reducing the transportation and storage costs.

3. Improve the risk sharing mechanism of Beijing Tianjin Hebei cold chain logistics industry

First of all, in terms of costs, cold chain industry is also faced with greater risks in reality. In addition to bearing heavy transportation costs, it also bears large expenses for the storage and transportation of cold collections, so it is necessary to reduce taxes. In terms of legislation, tax preference should be implemented for cold chain industry, such as the reduction of vehicle and ship taxes and bridge fees. Secondly, certain subsidies should be implemented for enterprises that have legally obtained cold chain operation, such as reducing land transfer fees for industrial land use of enterprises, implementing tax relief for industrial power use, which plays a role in tax reduction.

Secondly, in terms of risk bearing in operation, there are not many insurance types for cold chain transportation at present. Compared with traditional fresh product transportation, the risk of cold chain transportation is far less than that of traditional product transportation. However, this does not mean that there is no risk in cold chain transportation. First of all, in terms of sales, although the cold chain industry can make a reasonable profit by using its scale, the cold chain industry should also consider the problem of unsalable cold collections. In addition to the impact of market supply, cold chain products are also affected by emergencies, such as the swine fever event in 2019 in Sanquan dumplings, which will bring great losses to Sanquan enterprises. The price of dumplings in Sanquan enterprise was mainly low, and the price reduction after swine fever could not reverse the unsalable loss caused by negative news. In addition, there are also political risks in overseas transportation, such as the impact of EU and US embargoes, antidumping, countervailing and trade wars on

Chinese products. For the cold chain industry, if these risks can not be timely differentiated through insurance, the loss is certain. Secondly, in terms of storage, cold products have extremely high temperature requirements. If there is power failure or water shortage or natural disaster, the losses to cold chain industry are also visible. This area also needs to be shared by corresponding government emergency security and commercial insurance. Finally, if the cold chain transportation enterprises have to sell their products domestically due to the risks caused by external factors, the law should also regulate the handling and remedial measures of unsalable products. Otherwise, it will be like the event of expired cold products in Zhejiang and Shanghai.

B. Improve the law enforcement cooperation mechanism of coordinated development of Beijing Tianjin Hebei cold chain logistics

1. Clear rights and responsibilities of supervision subjects

To strengthen the law enforcement work, first of all, we need to define the scope of authority among the main bodies. For the cold chain logistics industry, the law enforcement mainly involves the departments of quality inspection, health, industry and commerce, food and drug supervision, etc. There is a division of labor and mutual assistance between these departments. In terms of division of labor, each department should ensure that its responsibilities are clear and that the definition of power is clear. To avoid long supervision, difficult coordination and low efficiency of law enforcement. In terms of assistance, we can simplify the process of handling affairs, and adopt a variety of law enforcement methods such as joint law enforcement and cross regional law enforcement among multiple departments, which can not only effectively realize the supervision of the cold chain logistics industry, but also greatly save the time and money cost of the counterpart.

The principle of responsibility system should be confirmed among all departments. At present, the cold chain food industry constantly exposes food safety problems. On the one hand, it is due to the shortage and low efficiency of personnel in various departments, on the other hand, the personnel themselves are slack in their work and neglect their duties. For example, last year, expired frozen meat came into the market in Zhejiang and Shanghai. At the same time, the regulatory authorities of the two places knew nothing about the source, quantity and supply channel of the frozen meat. Finally, the incident was finally solved by media exposure. The principle of responsibility system requires departments to determine their own corresponding responsibilities to ensure the supervision of each stage of cold chain logistics industry. In case of problems, the supervision department can save time and deal with the problems in a timely manner. On the one hand, the responsibility system can effectively urge the relevant departments to perform their duties and ensure food safety; on the other hand, it can also punish those civil servants who neglect their duties, which is the reason for determining the responsibility system.

2. Establish a wide safety supervision system

At present, many scholars in the field of law enforcement have put forward their own views on the supervision of cold chain logistics industry, among which the highest voice is to establish a wide range of safety supervision system.

Specifically, it is necessary to give full play to the government, society, media and other forces to realize the safety monitoring of cold collections without perspective.

First of all, the industry association can take the lead to establish a cold chain logistics information sharing and reward and punishment mechanism. Through the information exchange between enterprises, the enterprise reputation, product and service quality of the upstream and downstream production, transportation and sales enterprises shall be graded. The cold chain logistics enterprises with bad or illegal behaviors in the industry shall be punished in the industry, and the main departments of the government shall be reported when the illegal crimes are involved. Enterprises in the same industry can also report the illegal acts of individual enterprises to the industry association, which will deal with them accordingly according to the contents of the report. Secondly, the supervision department of cold chain logistics enterprises, which is the most important way to supervise cold chain logistics. In the supervision department, in addition to the industrial and commercial, quarantine and food and drug supervision of government agencies, the consumer association and other agencies are also the supervision departments of the cold chain industry. In addition to the law enforcement supervision of the cold chain logistics process due to duty behavior, each department can also carry out joint law enforcement supervision according to reports or complaints. Finally, the media and citizens supervise the cold chain logistics process and product services. As a social supervisor, the media, on the one hand, has independence and is not interfered by any administrative organs and social groups to conduct media reports. Second, its communication speed and exposure effect are the best. In the era of new media, the mutual communication between information plays a powerful role in promoting the realization of information sharing and the formation of regulatory system. Third, there is no formal restriction on media exposure. Compared with the law enforcement of government agencies on cold chain logistics enterprises, news media can directly attack the truth and collect evidence, which is not limited by the law enforcement procedures. It has been proved that news media has also contributed a lot to the supervision of cold chain industry. As consumers, it is more a kind of supervision in life. For the quality problems of food, in addition to taking effective relief measures to make up for their own losses, we should also dare to expose the black hearted enterprises and avoid other consumers being cheated.

The establishment of a wide range of safety monitoring systems among industry associations, enterprises, regulatory departments and media masses plays an important role in standardizing the cold chain logistics industry, improving the law enforcement efficiency of administrative organs and safeguarding their own rights and interests.

3. Improve the judicial cooperation mechanism of coordinated development of Beijing Tianjin Hebei cold chain logistics

To strengthen the judicial cooperation among regions, it is inevitable to cultivate talents. We should pay attention to the training of legal talents, strengthen the flow of talents among regions, and establish a long-term mechanism for the

exchange and training of court personnel among the three regions. There is a gap in the economic development of Beijing, Tianjin and Hebei. According to the coordinated development strategy of Beijing, Tianjin and Hebei, the functions of different regions are different, and the problems in the cold chain logistics production link are also different, which requires more exchanges between the three courts.

On the judicial side, on the one hand, for food safety litigation cases, we should handle the cases according to law, so that judicial justice can be deeply rooted in the hearts of the people; on the other hand, we should strengthen the judicial dispute resolution mechanism, and improve the mediation system. The people's court can publicize the rule of law for several outstanding cases in the cold chain logistics industry in practice, guide people to solve disputes reasonably and protect their legitimate rights and interests. In order to improve the cold chain logistics industry environment and strengthen the regional law enforcement, we need to further reflect the role of Beijing Tianjin Hebei judicial cooperation mechanism. First of all, actively rely on information technology to maximize the information sharing related to cold chain logistics. The judicial cooperation among regions needs a large number of information sharing mechanisms to realize the sharing of judicial resources, promote the rational allocation of judicial resources, and strengthen the complementary advantages of judicial resources among regions. In order to form a stable and effective information query mechanism, a cold chain logistics information query platform is established in the internal system of local courts in the region. In addition, the court can regularly participate in the judicial supervision of cold chain logistics enterprises and blacklist the dishonest logistics companies to ensure the smooth progress of judicial activities. It is necessary to carry out necessary publicity and report on the specific practical work involving judicial cooperation in the region in a certain period of time, so as to pay back the dishonest unhealthy practices in the society and rectify the normal operation order of the market.

V. Conclusion

A lot of thinking in this paper comes from the cases related to cold chain logistics, mostly related to food safety. The cold chain logistics industry contains a lot of content, including medicine, chemicals, food, etc. This paper mainly discusses the research on the legal regulation of cold chain logistics based on food safety. The development of cold chain logistics industry has brought many conveniences to people's life, and cargo transportation has gradually penetrated into all aspects of people's production and life. With the emergence of swine fever in dumplings at the beginning of 2019, the state's supervision on cold chain products will be more severe, and cold chain enterprises will bear more obligations in formulating standards and preventive measures in the future.

This paper starts from the analysis of the current situation of the development of the cold chain logistics industry in Beijing, Tianjin and Hebei, to understand the current situation of the legislation and the application of law in Beijing, Tianjin and Hebei. At present, in the content of Cold Chain Logistics legislation, not only pay attention to the punishment of food safety, but also make some standard provisions for various standards of cold chain food. In June 2018, all departments of Beijing, Tianjin and Hebei jointly

issued 8 regional collaborative local standards for cold chain logistics, which is the first time for Beijing, Tianjin and Hebei to make specific standards and specifications for cold chain logistics in the form of government documents. Secondly, it focuses on the problems existing in the process of coordinated development of the cold chain logistics industry in Beijing, Tianjin and Hebei. The legislative standards of cold chain logistics in different regions are different, and the content regulated by laws and regulations is limited, which does not include the whole circulation process of cold chain logistics industry. In the development process of cold chain logistics industry, the reward and punishment measures are not clear. The United States is the country with the most strict punishment for food health in the world, and the laws of local states in the United States are relatively strict for food cold chain logistics. Good and effective government support policies and punishment measures are conducive to improving the chaotic market environment of cold chain logistics. In the region, the construction of law enforcement cooperation platform and judicial cooperation platform also needs to be improved. All departments need to reasonably divide their functions and improve the efficiency of law enforcement. By using the existing judicial cooperation mechanism in Beijing, Tianjin and Hebei, we will increase the information exchange among regions, supervise the cold chain logistics industry, and establish a long-term mechanism.

After a thorough analysis of the phenomenon and existing problems, this paper puts forward some suggestions on the construction of the legal guarantee mechanism for the coordinated development of the cold chain logistics industry in Beijing, Tianjin and Hebei. First of all, in the aspect of legislation, we should promote the standardization construction of cold chain logistics industry in Beijing, Tianjin and Hebei. From the three aspects of cold chain content, cold chain carrier and enterprises engaged in cold chain logistics, we should carry out standardized and standardized management to improve the access threshold of cold chain logistics enterprises. We should also pay attention to the source of cold chain food. If you want to make the canal clear, you can have a source of fresh water. Strengthening the policy guidance of the industrial chain acquisition is not only conducive to the supervision of the cold chain logistics industry, but also a protection and supervision of the producers at the beginning of the industrial chain. In the process of cold chain logistics transportation, strengthen the risk awareness of enterprises. In the aspect of law enforcement, we should make clear the rights and responsibilities of supervision subjects and establish a wide range of safety supervision system. The cross regional characteristics of cold chain logistics are doomed to the supervision of cold chain logistics industry as a result of joint efforts. Therefore, it is necessary to strengthen regional law enforcement cooperation and judicial cooperation. I hope that we can contribute to the coordinated development of Beijing Tianjin Hebei cold chain logistics industry.

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