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I am petitioning the FSIS and USDA to request that 9CFR 310.16(a), the rule stating “Livestock lungs shall not be saved for use as human food” be amended to allow livestock lungs to be saved and sold as human food.

I am writing as a medical doctor, author and food writer, and I believe there is no legitimate scientific basis for this rule. Of course, livestock lungs that are diseased should be appropriately condemned, but this rule is not based on concern over actual lung pathology in animals. Instead, the rule is based on studies done by the USDA around the year 1969 in which scientists examined animal lungs and found contaminants in the airways, specifically fungal spores, dust, pollen, and aspirated rumen contents. These lungs were generally pathology-free, and it was solely because of these supposed contaminants that the rule was amended to declare lungs unfit for human consumption.

I have no doubt that many people at the USDA, as well as in the general public, would feel squeamish when faced with the prospect of eating these substances, but a food being “gross” is not the same as it being unsafe. There is no medical reason to suspect that eating the tiny amount of these contaminants present in animal lungs would pose any healthy risk to people of any age or any baseline health status. While, to my knowledge, there are no studies specifically proving that lungs are safe to eat, we can look to developed countries where lungs are regularly eaten (the UK, for example) and see that no ill health effects result from it.

Furthermore, I would like to draw your attention to the simple biologic fact that every human on earth is already ingesting these substances all day every day of our lives. With every breath we take, from the first after birth until the last just before death, we inhale fungal spores, dust and (depending on the season) pollen. Human lungs are equipped with a self-cleaning mechanism called the “mucociliary elevator” where a steady supply of mucus is secreted by the cells lining the airways, and the mucus is pushed by microscopic cilia in a steady flow toward larger and larger airways, and eventually into and up the trachea. This mucus drags with it various contaminants that are inhaled, including those mentioned above. Once this mechanism delivers contaminant-laden mucus into the throat, we subconsciously swallow it. Therefore, we are all eating these very same contaminants that caused the USDA to create rule 9CFR 310.16. Please see the attached excerpt from a chapter on Mucociliary Clearance, and note the highlighted text on the first page. [G Laurent, S Shapiro. **Encyclopedia of Respiratory Medicine**. Elsevier, 2006.]

It is also worth emphasizing that, with mucociliary clearance, we are eating these contaminants completely uncooked, whereas animal lungs are almost universally cooked before eating, contaminants and all. Furthermore, a human living in a city likely inhales – and therefore ingests – much more of these contaminants than an animal living in a rural area; therefore, city-dwellers are swallowing a larger amount of these substances from their own mucociliary elevators than they would be by eating livestock lungs.

On the subject of rumen contents being found in livestock lungs, clearly this poses no danger to people ingesting the lungs, since tripe is freely available and a popular and safe food item in the U.S.

Another important perspective here is sustainability. We live in an age of renewed interest in eating the whole animal, both for ethical reasons and to reduce food waste. Raising livestock contributes significantly to environmental problems facing our country. It is incumbent on us to reduce waste from livestock, which demands that we use every part of the animal as much as possible, and so long as it does not pose a health risk (which lungs do not).

I recognize that there does not appear to be widespread enthusiasm among the American public in overturning this rule. In fact, the large majority of Americans probably know nothing about this rule and have never thought about why lungs do not often appear in butcher shops. The lack of mass public mobilization clamoring for the USDA to overturn this rule should not be a legitimate reason to keep it in the federal register through regulatory inertia. Food policy should be evidence-based and scientific, and this rule is neither. Food policy should aim to maintain or improve the health of the population, and this rule does not contribute to that mission.

I appreciate your time on this unusual request, and I look forward to your response.

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