

S. 4

Providing for congressional disapproval of the rule submitted by the Department of Agriculture relating to the “Disposition of lungs”. As well as the implementation of safety regulations for lungs meant for human consumption.

IN THE SENATE

February 20, 2023

Mr.Mark(for himself),Mr. Lilburne (for himself), introduced the following bill

A BILL

Providing for congressional disapproval of the rule submitted by the Department of Agriculture relating to the “Disposition of lungs”. As well as the implementation of safety regulations for lungs meant for human consumption.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Haggis Legalization Act of 2023.”

SEC 2.CONGRESSIONAL DISAPPROVAL

- (a) The provisions of this Act shall supersede the rule submitted by the Department of Agriculture relating to ‘Disposition of lungs.’ (36 FR 11639, June 17, 1971), and such rule shall have no force or effect.

SEC 3. IMPLEMENTATION OF REGULATIONS AND HEALTH STANDARDS FOR LUNGS MEANT FOR HUMAN CONSUMPTION

- (a) REGULATIONS — In this section “subchapter” refers to 9 C.F.R Part 310
- (b) DISPOSAL OF CONDEMNED LUNGS — Lungs found to be affected with disease or pathology and lungs found to be adulterated with chemical or biological residue shall be condemned and identified as “U.S. Inspected and Condemned.” Condemned

lungs may not be saved for human food purposes. They shall be maintained under inspectional control and disposed of in accordance with §§314.1 and 314.3 of this subchapter.

- (c) LUNGS FOR HUMAN CONSUMPTION — Lungs not condemned under paragraph (b) of this section may be used in the preparation of human food purposes at the official establishment, provided they are handled in the manner prescribed in the Federal Meat Inspection Act or they may be distributed from the establishment in commerce, or otherwise, in accordance with the conditions prescribed in 49 U.S. Code § 5701 for human food purposes or they may be so distributed to pharmaceutical manufacturers for medical purposes.
- (d) CERTIFICATION — Certification of Food Handling Equipment will be subject to 7 C.F.R Subpart C
- (e) INSPECTIONS — Any individual, firm, or corporation that sells livestock lungs for the purposes of human consumption shall be mandated to apply for inspections through 9 C.F.R § 304.1 and 7 CFR § 54.1008.
 - (i) Case by case exemptions from inspections may be made in accordance with 9 C.F.R § 303.1

SEC. 4. CREATION OF STANDARDS FOR THE GRADING OF HAGGIS AND HAGGIS-RELATED PRODUCTS

- (a) IN GENERAL— 7 CFR § 54.17 relating to USDA Grading Shields, is amended as follows
 - (i) Subsections (b), (d), and (f) of 7 CFR § 54.17 is amended by inserting after ‘Canner,’ the following: ‘Certified Traditional’
 - (1) Certified Traditional shall be defined as a Haggis that includes the following steps and ingredients as part of its preparation.
 - a) The Sheep's liver, heart, lungs, kidney, and fat, are immersed in salted boiling water and cook slowly, covered, for 2 hours.
 - b) All ingredients will then be transferred to a casing whereupon it shall be cooked for an additional 3 hours if boiled
 - i) “Boiled” shall be defined as the act of cooking through immersion in water of a temperature at 212 degrees Fahrenheit
 - c) If it is cooked with an oven it may cook for a period of 1 hour and at a temperature no lower than 212 degrees Fahrenheit

- i) “Oven” shall be defined as a chamber used for baking, heating, or drying
- d) “Haggis” shall be defined as a dish that consists of the heart, liver, and lungs of a sheep or a calf minced with suet, onions, oatmeal, and seasonings and boiled in the stomach of the animal

(b) DEFINITIONS — 7 CFR § 98.2 is amended as follows

- (i) By inserting after every instance of the word ‘esophagus’ the words ‘Livestock Lungs’.

SEC. 5. ENACTMENT.

EFFECTIVE DATE.— The provisions of this Act shall come into force immediately upon passage.

Written by Senator Mark (R-CA-2) for Congress’ use.