Reviewer's report

Title: The Reuse of Cardiac Organs in Transplantation: An Ethical Analysis

Version: 0 Date: 08 May 2018

Reviewer: Tobias Bauer

Reviewer's report:

An interesting article on a topic with intriguing ethical and legal ramifications. It seems to be an original contribution in the field of transplantation ethics, which deserves to be considered for publication, after a revision of content and language.

To the knowledge of the reviewer, the article succeeds in identifying the main fields of legal and ethical concern in the reuse of a transplanted heart. However, with the exception of section 2.2., most parts of the article appear to be rather brief and limit themselves to an introduction of the relevant legal and ethical implications. Therefore, in the opinion of the reviewer, the article would greatly benefit from more in-depth treatment and a more focused and detailed discussion of the particular points raised. For example, section 1.1 presents an overview of the legal situation in the United States and in Japan; however, it seems to fail to provide the necessary information crucial for an effective binational comparison. The authors might want to add at least a brief account of the legal foundation, as well as an overview of the historical and cultural background of the current legal situations in both countries.

Although the methodology of this article is specified in the abstract as a "comparative analysis between the United States and Japan regarding legal and ethical aspects," a genuine comparison is conducted only on the legal aspects (chapter 1). Apart from a paragraph in section 2.2, chapter 2 (ethical aspects) lacks a comparative analysis of the situation in both countries. Moreover, for some parts of the article (e.g., section 2.3), it is unclear whether the observations presented are
given for the Japanese context or for the situation in the United States, or are considered to be "universal." (Also, the various moral attitudes and notions presented in section 2.3 leave a rather speculative impression, since the basis on which these assumptions are made remains unclear.) Therefore, concerning the method of the article, the authors might also want to reconsider the status of their comparative approach and its relevance to answering their research question presented on page 6. This would imply that they consider whether the proposed binational comparative analysis should really be the central focus of their article, or if priority should rather be given to a more full-fledged philosophical-ethical approach, evaluating the ethical implications of the reuse of a transplanted heart.

**Are the methods appropriate and well described?**
If not, please specify what is required in your comments to the authors.
No

**Does the work include the necessary controls?**
If not, please specify which controls are required in your comments to the authors.
Unable to assess

**Are the conclusions drawn adequately supported by the data shown?**
If not, please explain in your comments to the authors.
Unable to assess

**Are you able to assess any statistics in the manuscript or would you recommend an additional statistical review?**
If an additional statistical review is recommended, please specify what aspects require further assessment in your comments to the editors.
Not relevant to this manuscript

**Quality of written English**
Please indicate the quality of language in the manuscript:
Needs some language corrections before being published
Declaration of competing interests

Please complete a declaration of competing interests, considering the following questions:

1. Have you in the past five years received reimbursements, fees, funding, or salary from an organisation that may in any way gain or lose financially from the publication of this manuscript, either now or in the future?
2. Do you hold any stocks or shares in an organisation that may in any way gain or lose financially from the publication of this manuscript, either now or in the future?
3. Do you hold or are you currently applying for any patents relating to the content of the manuscript?
4. Have you received reimbursements, fees, funding, or salary from an organization that holds or has applied for patents relating to the content of the manuscript?
5. Do you have any other financial competing interests?
6. Do you have any non-financial competing interests in relation to this paper?

If you can answer no to all of the above, write 'I declare that I have no competing interests' below. If your reply is yes to any, please give details below.

I declare that I have no competing interests.

I agree to the open peer review policy of the journal. I understand that my name will be included on my report to the authors and, if the manuscript is accepted for publication, my named report including any attachments I upload will be posted on the website along with the authors' responses. I agree for my report to be made available under an Open Access Creative Commons CC-BY license (http://creativecommons.org/licenses/by/4.0/). I understand that any comments which I do not wish to be included in my named report can be included as confidential comments to the editors, which will not be published.

I agree to the open peer review policy of the journal