

I Mayor concerns

Amendment 74

Article 24, paragraph 2a (new)

Text

Each breeding, supplying and user establishment shall ensure that there is at least one (and more if necessary) trained person on site (at all times) to care for the animals' welfare.

Comment

- For units where no, occasional or only low risk of invasive procedures occurs (e.g. most genetically modified mouse breeding facilities) the presence of a trained person on site at all times, 24 hours a day, 7 days a week is not indicated. Animals with uncertain health or welfare have to be observed by a trained person, however, constant 24 hour observation of healthy animals will cause disturbance to the animals.
- A trained person is always 'on call' when an alarm is triggered.
- One person cannot cover a number of facilities, as bio security provisions have to prevent this kind of open access.

Proposed amendment

- "Each breeding, supplying and user establishment shall ensure that there is at least one (and more if necessary) trained person on call at all times to care for the animals' welfare and when appropriate they should be available on site".
- or
- "Each breeding, supplying and user establishment shall ensure that there is at least one (and more if necessary) trained person available at all times to care for the animals' welfare."

Amendment 101

Article 38 -paragraph 1 -subparagraph 1

Text

All projects shall undergo a retrospective review by the permanent ethical review body which will submit the results of such review to the competent authority,...

Comment

- Amendment 101 is in contrast to amendment 21, stating "**In certain cases**, due to the nature ...of the project, **it might be necessary to carry out a retrospective assessment.**"
- The decision **whether** a retrospective review has to be undertaken should be up to the Competent Authority (CA) on a case-by-case basis. It should also be clearly fixed **how** CA should process these reviews.
- For the Permanent Ethical Review Body's (PERB) guidance on how to evaluate and report is required.
- Retrospective reviews for all projects will undoubtedly increase the costs and workload and may indeed dilute the real evaluation]

Proposed amendment

In certain cases, due to the nature of the project, the type of species used and the likelihood of achieving the desired objectives of the project, the Competent Authority is authorised to request a retrospective assessment by the Permanent Ethical Review Body.

Amendment 132

Annex V - Title

Text

Annex V Humane Methods of Killing of Animals

Agent	Rapidity	Efficacy	Ease of use	Operator safety	Aesthetic value	Overall rating	Remarks
-------	----------	----------	-------------	-----------------	-----------------	----------------	---------

Comment

Annex V includes an aesthetic evaluation and an assessment exclusively based on subjective human perceptions. These do not reflect the current state of veterinary knowledge. It is in our serious responsibility, that no animal should suffer pain or fear in the process of euthanasia. This detailed and prescriptive list on standards of 'Humane Methods of Killing of animals' contains too many subjective assessments, insufficient good science and does not acknowledge the currently developing field.

Proposed amendment

By keeping the amendment 132 wording of the AGRI Committee, the columns "Aesthetic value" and "Overall rating" in Annex V should be deleted. However, we propose this Annex V to be removed.

Amendment 31

Article 3 - paragraph 1

Text

'Procedure' means any use of an experimental animal,..., which may or may not cause the animal pain, suffering distress or lasting harm (**including death**), and...

Comment

- Including death this amendment changes the definition of a procedure, even if death is painless. If death is not preceded by a premonition of the event or any perception of pain it does not affect animal welfare. The entire concept applies to the quality of life of living animals.
- The inclusion of "including death" would increase the requirement for reporting.

Proposed amendment

Delete: (including death)

Amendment 62

Article 16 - point ca (new)

Text

The repeated re-use of the animal is supported by veterinary **examination**.

Comment

Use instead the word **determination**. This would allow the veterinary surgeon to set the criteria for re-use and monitor the use rather than performing a physical examination on every occasion that re-use occurs. The request for veterinary examination would be a major time and cost implication with no animal welfare benefit, e.g. if rodents are used in "up to mild" procedures and re-used after a suitable washout period.

Proposed amendment

The repeated re-use of the animal is supported by veterinary **determination**.

II Additional proposals

Amendment 54

Article 14 -paragraph 5

Text

An animal, which may suffer pain once anaesthesia has worn off, shall be treated with pre-emptive and post-operative analgesics or other appropriate pain relieving methods, provided that it is compatible with the purpose of the procedure. Where the treatment with analgesics is not possible, the animal shall be immediately killed by a humane method.

Comment

- This statement is too prescriptive by focussing strictly on treatment with analgesics. Mild pain might respond to good husbandry and/or nursing techniques (e.g. bandaging to assist weight-bearing). Analgesic methods can also take some time to take effect.
- If the objective of the experiment is the study of such pain, it is necessary to reword this amendment in order to allow unrelieved pain to an extent to be defined.

Proposed change

Substitute the last sentence of amendment 54 by: Where pain relief is not possible or ineffective, the animal shall be killed by a humane method.

This amendment also needs to be reworded to allow unrelieved pain where the study of such pain is the objective of the experiment.

III Terminology

Amendment 26

Article 2 -paragraph 2 - point a

Text

(a) live non-human vertebrate animals, including independently feeding larval forms and **embryonic** or foetal forms of species of mammals as from the last third of their normal development;

Comment

In this context "embryonic" is adverse to scientific terminology; mammals at the last third of gestation are defined as "foetuses".

Proposed amendment

(a) live non-human vertebrate animals, including independently feeding larval forms, and **foetal forms** of mammalian species as from the last third of gestation.

Amendment 97

Article 37 - paragraph 2 - point d

Text

b) the purposes of the project **are justified** by the possible pain, suffering, distress or lasting harm which will be involved for the animals.

Comment

It must be the purpose that justifies the harm, not vice versa.

Proposed amendment

b) the purpose of the project **has to justify** the expected level of pain, suffering, distress or lasting harm which will be involved for the animals.