A briefing for a debate in the House of Lords on Wednesday 10 February: the report of the European Union Committee on the Revision of the EU Directive 86/609 on the Protection of Animals used for Scientific Purposes

This document encompasses the views of organisations in the UK bioscience sector that represent academia, industry, SMEs, charities and other research funders, all of which will be directly affected by the revision of the Directive.

Summary

Our sector recognises the need for Europe-wide legislation concerning the use of animals in research, and we agree that it is timely to update the 1986 Directive.

We welcomed the inquiry by the Lords Sub-Committee D (Environment and Agriculture) in 2009. We were pleased to see recognition that using animals in scientific procedures is important for understanding and treating diseases from which humans and animals suffer, and that the strength of UK R&D in this area makes a contribution to the economy which needs protecting.

Our organisations consider that the current draft revised Directive represents a good compromise. It matches many of the findings of the Sub-Committee report.

The revised Directive would significantly enhance and harmonise the regulatory regime across Europe (especially in countries where there is currently little in place). It rightly puts great emphasis on the advancement of animal welfare and the 3Rs (replacement, reduction and refinement of animal use). It allows for flexible implementation which should not unduly hinder essential biomedical research and testing using animals and as such supports the needs of patients and consumers.

We hope that the process of revision in Europe will proceed smoothly through the second reading. The compromise on the draft text was difficult to reach. However, there is now political agreement between the three main European institutions (Commission, Council and Parliament). We agree with the Sub-Committee report that a revised Directive "should now be agreed and implemented effectively".

On the other hand, we continue to have concerns that some provisions in the draft Directive lack clarity. If inappropriately implemented, these could unnecessarily restrict research. New regulations should not lock the EU into an uncompetitive position, which would undermine our science base, adversely affect investment decisions with impacts over a very long time scale and compromise the ability of the EU to discover and develop new treatments for patients and ensure protection of consumers.

We hope the House of Lords will recognise the need to strike the right balance between animal welfare and medical and scientific progress. This means not gold-plating the Directive in the UK (to maintain harmonisation), and keeping administrative burdens to the minimum. Any such burdens should be justified by a corresponding gain in animal welfare.

Specific issues

A number of issues were identified by the Sub-Committee report where the original draft Commission proposal went beyond the controls currently in place in the UK.

For most of those issues, the existing draft text does now reflect a reasonable compromise. Specifically we support the following:

1. The scope has now been limited to fetal forms of mammals. The invertebrate species covered are now restricted to cephalopods only.

2. The re-use of animals is now allowed under carefully controlled conditions, including veterinary supervision.

3. Extended deadlines are in place for upgrading animal accommodation (although it remains unclear for the rodent stocking densities in particular that the resulting increase in cage sizes will offer any measurable animal welfare benefits).

4. There is greater clarity over the use (and restrictions of the use) of non-human primates.

5. The administrative burden has been considerably streamlined, and targeted towards achieving improvements in animal welfare and the 3Rs.

We also welcome establishment of the severity classification, and clarification of the restriction on severe-prolonged suffering which cannot be ameliorated (both of these now reflect the current situation in the UK). Our organisations share the view of the Sub-Committee that the Directive should be implemented consistently in all member states. This means that during implementation the UK Government should focus on promoting welfare while minimising bureaucracy, and should liaise with other member states to promote consistency of transposition across Europe.

Organisations supporting this briefing

Association of Medical Research Charities
BioIndustry Association
Biotechnology and Biological Sciences Research Council
Institute of Animal Technology
Laboratory Animal Breeders Association
Laboratory Animal Science Association
Medical Research Council
The Academy of Medical Sciences
The Association of the British Pharmaceutical Industry
The Society of Biology
Understanding Animal Research
Wellcome Trust