

## **Article 10 - Phasing out the capture of wild non-human primates; the need for a move towards use of F2 animals**

**Proposal for a Directive on the protection of animals used for scientific purposes (revising Directive 86/609/EEC): Article 10**

The capture of monkeys from the wild is accepted as a significant animal welfare concern that must be addressed. Concerns about impacts on wild populations are also rising. These concerns apply whether the animals are used for scientific procedures or for breeding. It is also recognised as an issue for human health and safety since wild primates carry a number of diseases that are transmissible to humans.

We therefore urge that, while primate use continues, the use of wild caught monkeys in experiments be prohibited, and the use of monkeys born of wild caught parents (F1 monkeys) be phased out. A clear target for the phase out should be set (eg seven years as recommended by the Commission) to create the incentive for breeding facilities to begin, at the earliest opportunity, replacing breeding animals from captive bred stocks rather than from wild capture. We would support an ongoing or review after five years of progress to ensure successful implementation.

### **Background**

The cruelty, environmental and scientific impact of seizing monkeys from the wild to supply to laboratories is acknowledged:

**Welfare impacts:** The capture and use of wild-caught primates is a major animal welfare concern because of the level of suffering and mortality associated with capture, handling and housing of wild animals which include violence, stress and fear during capture, and sudden confinement; indiscriminate tearing apart of family groups; broken social groups left behind (eg animals can be left without parents or siblings).

**Environmental impacts:** Damage to habitat; damage to the genetic diversity of wild populations, and even the eradication of whole populations; disruption of the natural population balance – removal of females, animals of certain ages. 48% of primate species are now endangered or seriously endangered (IUCN). A paper published last year in Primate Conservation entitled “*The Crab-eating Macaque (Macaca fascicularis): Widespread and Rapidly Declining*”, noted: “**Besides forest loss and increasing urbanisation in their range, trade in wild-caught macaques for human consumption and, increasingly, for research and development and testing by the pharmaceutical industry (Pharma) is having a negative impact on their populations.**”

**Scientific Impacts:** Scientifically, the use of purpose-bred animals whose genetic and health background is known is preferred; the benefits include reduction of variation, improved consistency and reproducibility of data.

Some wild-caught primates continue to be used in procedures in Europe. More significantly, breeding establishments, especially in Asia and Mauritius, freely take animals from the wild to supplement their breeding stock. The offspring of wild-caught animals are known as “F1” animals. Animals born of captive bred parents are known as “F2”, with following generations called F3, and so on.

Thus whilst the research industry has publicly distanced itself from the trade, the dealers that supply them have continued to take animals from the wild for their intensive breeding farms.

The majority of macaque monkeys used in European laboratories are believed to be F1 animals, predominantly cynomolgus macaques, and smaller numbers of rhesus macaques. Marmosets, the second most commonly used primate species in Europe, are already bred to F2 and beyond.

The Commission notes in Recital 18: *“The capture of non-human primates from the wild is highly stressful for the animals and increases the risk of injury and suffering during capture and transport. In order to gradually end the capturing of animals from the wild for breeding purposes, only animals that are the offspring of an animal which has been bred in captivity should be made available for use in scientific procedures as soon as possible. Establishments breeding and supplying non-human primates should therefore have a strategy in place to support and facilitate the progressive move towards that goal.”*

Currently, there remains no incentive for dealers to stop taking monkeys from the wild for breeding stock. Since these animals are “free” and have already been reared, the price of animals of captive bred parents (F2 onwards) remains artificially inflated.<sup>1</sup>

**Our views on the present positions indicated by the different institutions are outlined below:**

### **Commission**

*Article 10.1:* “.....as from the dates set out in Annex III, Member States shall ensure that non-human primates listed in that Annex may only be used in procedures where they are the offspring of non-human primates which have been bred in captivity.

*Annex III:* Proposes that the use of F1 cynomolgus and rhesus macaques should be phased out in 7 years after transposition of the Directive; F1 marmosets to be phased out from the date of transposition; and other species of non-human primates after 10 years.

### **European Parliament**

*Amendment 60. Article 10 .1 (subpar 1)(new):* “The Commission shall carry out an animal welfare assessment and a feasibility evaluation of implementation of the requirements set out in subparagraphs 1 and 2, five years after the entry into force of this Directive.”

*Amendment 61. Article 10 .1( subpar 2).* “Where feasibility is established, as from the dates to be set in Annex III in light of the evaluation referred to in subparagraph -1, Member States shall ensure that non-human primates listed in that Annex may only be used in procedures where they are sourced from self-sustaining colonies.”

### **Council**

*Article 10.1:* “.....as from the dates set out in Annex III, Member States shall ensure that non-human primates listed in that Annex may only be used in procedures where they are the offspring of non-human primates which have been bred in captivity.

*Article 10 New subpara:* No later than [**5 years after the date of the transposition of this Directive**], the Commission shall publish a feasibility study, which shall include an animal health and welfare assessment, on the requirement laid down in second subparagraph. On the basis of this study, where appropriate, the Annex III shall be adapted. Those measures, designed to amend non-essential elements of this Directive, *inter-alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 51(4).

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<sup>1</sup> For more information (including cost, sources, and availability) refer to the ADI Technical Briefing “Ending the trapping of wild monkeys for research and breeding farms.”

## The position of ADI and Eurogroup during the triologue discussions

**We strongly support the Commission's original text** and believe paragraph 10.1, and Annex III are the first credible steps towards ending the European research community's responsibility for the wild capture of primates, with the consequential suffering and environmental damage this entails. These initiatives will receive widespread public support.

The phase out is based on the reproductive cycles of the various species, and knowledge of existing production levels. For example, Europe is already self-sustaining in F2 marmoset monkeys and therefore no transitional period is needed. The seven-year phase out was deemed "reasonable" for macaques following an intensive studying carried out on behalf of the Commission<sup>2</sup>.

**The European Parliament's amendments 60 and 61 are very strongly opposed.** The "feasibility study" serves to delay indefinitely the move away from the wild capture of primates to stock breeding farms and removes any incentive for these establishments to change their current practices.

**The Council text is supported as a significant improvement on European Parliament amendments 60 and 61.** This retains the commitment to a phase out, albeit with a review after five years. This is a practical way of addressing any concerns that led to Ams 60 and 61. **However, we would recommend clarification that this is a commitment to ending the wild capture of primates by replacing the words "feasibility study" with "review of progress."**

It is worth noting that Article 7.3 of the existing EC Directive 86/609/EEC states: "*Experiments on animals taken from the wild may not be carried out unless experiments on other animals would not suffice for the aims of the experiment.*" Yet 23 years after this Directive came into force, Europe continues to sanction the taking of monkeys from the wild for laboratory breeding farms. Self-regulation has failed to make the necessary impact to preserve the world's heritage of wild populations of primates and their environment, or address this area of animal suffering so a timetable is vital.

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<sup>2</sup> [http://ec.europa.eu/environment/chemicals/lab\\_animals/pdf/prognos\\_final\\_report.pdf](http://ec.europa.eu/environment/chemicals/lab_animals/pdf/prognos_final_report.pdf)