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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**on the exercise of the power to adopt delegated acts conferred on the Commission
pursuant to Directive 2010/63/EU of the European Parliament and of the Council of
22 September 2010 on the protection of animals used for scientific purposes**

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1. INTRODUCTION

Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes¹ ('Directive') establishes measures for the protection of animals used for scientific or educational purposes. It lays down rules on (i) the replacement and reduction of the use of animals in procedures and the refinement of the breeding, accommodation, care and use of animals in procedures; (ii) the origin, breeding, marking, care and accommodation and killing of animals; (iii) the operations and authorisation of breeders, suppliers and users; and (iv) the evaluation and authorisation of projects involving the use of live animals in procedures.

The Directive empowers the Commission to adopt delegated acts to adapt Annexes I and III to VIII (with the exception of provisions of Sections I and II of Annex VIII) to scientific and technical progress:

- Annex I: List of species of animals referred to in Article 10 [requiring these to be specifically bred for use in procedures]
- Annex III: Requirements for establishments and for the care and accommodation of animals
- Annex IV: Methods of killing animals
- Annex V: List of elements referred to in Article 23(3) [as the basis for Member States to lay down minimum requirements for education and training of staff]
- Annex VI: List of elements referred to in Article 37(1)(c) [on the information to be included in a project application]
- Annex VII: Duties and tasks of the Union Reference Laboratory [established to coordinate the validation of alternative methods at Union level]
- Annex VIII: Severity classification of procedures [examples of different types of procedure assigned to each of the severity categories].

2. LEGAL BASIS

This report is required under Article 51(1) of the Directive. Pursuant to this provision, the power to adopt delegated acts was conferred on the Commission for a period of eight years beginning on 9 November 2010. The Commission is required to make a report in respect of the delegated power at the latest 12 months before the end of the eight-year period. The delegation of power is to be automatically extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 52.

¹ OJ L276, 20.10.2010, p. 33.

3. EXERCISE OF THE DELEGATION

During the period covered by this second report (from 9 November 2018 to 8 November 2026), based on information available today, the Commission adopted one delegated act, Commission Delegated Directive (EU) 2024/1262 of 13 March 2024².

Delegated Directive 2024/1262 amended Annexes III and IV to the Directive to adapt them to scientific and technical progress. At the time of the adoption of the Directive, insufficient scientific evidence was available on the appropriate housing and care requirements and on the appropriate killing methods for certain species. On the basis of the scientific evidence gained since 2010, the amendment to Annex III updated the requirements for establishments and for the care and accommodation of cephalopods, zebrafish and passerine birds, and the amendment to Annex IV updated the methods of killing for cephalopods and zebrafish.

In preparing Delegated Directive 2024/1262, the Commission cooperated with technical and scientific experts from the Member States to assess which adaptations were needed in the light of advancements in technical and scientific knowledge and new insights into the welfare requirements of animals. Further scientific input was requested from the Scientific Committee on Health, Environmental and Emerging Risks (SCHEER), which adopted its Opinion on 25 September 2023³. The process was carried out in close consultation with the Commission Expert Group on the protection of animals used for scientific purposes, which is composed of (i) Member States competent authorities; (ii) the animal breeder and user community encompassing industry, science and academia; (iii) veterinarians; and (iv) NGOs for animal welfare⁴.

² OJ L, 2024/1262, 15.5.2024, ELI: http://data.europa.eu/eli/dir_del/2024/1262/oj

³ https://health.ec.europa.eu/publications/scheer-revision-annexes-iii-and-iv-directive-201063eu-protection-animals-used-scientific-purposes_en.

⁴ See in particular the summary records from the 21st to the 24th meeting and the ad hoc meeting of 7 February 2024 of the [Competent Authorities' Expert Group on the protection of animals used for scientific purposes](#).