

Draft

**DECREE**

of ..... 2025,

**amending Decree No 419/2012 on the protection of experimental animals, as amended.**

Pursuant to § 29(1) of Act No 246/1992 on the protection of animals against cruelty, as amended by Act No 162/1993, Act No 77/2004, Act No 312/2008, Act No 291/2009, Act No 359/2012, Act No 501/2020 and Act No 70/2025, in order to implement § 15c(7), § 17(3), § 18c(5), and § 18g(9) of the Act, the Ministry of Agriculture lays down the following:

Article I

Decree No 419/2012 on the protection of experimental animals, as amended by Decree No 299/2014 and Decree No 158/2021, is amended as follows:

1. At the end of footnote 1, the following text is added on a separate line: 'Commission Delegated Directive (EU) 2024/1262 of 13 March 2024 amending Directive 2010/63/EU of the European Parliament and of the Council as regards the requirements for establishments and for the care and accommodation of animals, and as regards the methods of killing animals.'
2. The full stop at the end of § 3(1) is replaced by a comma and the following subparagraph (k) is added:  
'k) the strategy for maintaining the health of experimental animals in accordance with Annex 8(a)(1) to this Decree.'
3. In § 3(2), subparagraph (d) is deleted.

Subparagraphs (e) to (k) become subparagraphs (d) to (j).

4. In § 9, the following new paragraph (1), including footnote 5, is inserted:

'(1) Methods of confirmation of death<sup>5)</sup> shall be appropriate for the species to be killed.

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<sup>5)</sup> § 18g(5) of Act No 246/1992 on the protection of animals against cruelty, as amended.'

The existing text becomes paragraph (2).

5. In the introductory part of Annex 6(2)(c), the words 'and vibration' are inserted after the word 'noise'.
6. At the end of Annex 6(2)(c), the following point 4 is added:  
'4. for aquatic animals, equipment causing noise or vibration, such as electricity generators or filtration systems, shall not adversely affect the welfare of the experimental animals.'
7. In the introductory part of Annex 6(2)(d), the words 'and contingency plans' are inserted after the word 'systems'.

8. The full stop at the end of subparagraph (d) in Annex 6(2) is replaced by a comma and the following point 4 is added:

‘4. effective contingency plans shall be in place to ensure the health and welfare of the experimental animals in the case of failure of essential husbandry elements.’.

9. In Annex 7, part 8 Birds, the following sentence is added after the first sentence on a separate line: ‘When housing birds taken from the wild, the space allowances provided for in Tables 8.1 to 8.10 shall apply whenever birds are held for more than 24 hours. When birds are held for shorter periods of time, measures shall be taken to minimise risks to the welfare of the experimental animals.’.

10. In Annex 7, at the end of Part 8. Birds, the following Tables 8.8 to 8.10 are added:

**Table 8.8**

**Starlings**

Group size	Minimum enclosure size (m <sup>2</sup> )	Minimum height (cm)	Minimum length of the food trough per bird (cm)	Minimum length of perch per bird (cm)
up to 6	2.0	200	5	30
7 to 12	4.0	200	5	30
13 to 20	6.0	200	5	30
for each additional bird between 21 and 50	0.25		5	30
for each additional bird above 50	0.15		5	30

**Table 8.9**

**House sparrows**

Group size in the absence of visual barriers	Group size in the presence of visual barriers	Minimum enclosure size (m <sup>2</sup> )	Minimum height (cm)
up to 10	up to 15	2.4	180
11 to 20	16 to 35	4.8	180
21 to 30	36 to 60	7.3	180
for each additional bird above 30	for each additional bird above 60	0.11	

**Table 8.10**

**Great tit and blue tit**

Group size	Minimum enclosure area per bird (m <sup>2</sup> )	Minimum height (cm)	Minimum number of feeders	Minimum length of perch per bird (cm)
1	3	180	1	100
2–10 <sup>1</sup> ) (single sex)	1	180	2	40
1 female + 1 male	2	180	2	100

Note:

1) Group sizes greater than 10 are not permitted without defining a monitoring schedule at sufficient frequency to detect and mitigate aggression.’

11. In Annex 7, Part 11. Fish, points 11.1 to 11.3 read as follows:

**‘11.1 Water supply and quality**

Adequate water supply of suitable quality shall be provided at all times. Water flow in recirculatory systems or filtration within tanks shall be sufficient to ensure that water quality parameters are maintained within acceptable levels, according to the characteristics of the husbandry system and the species and life stage requirements. Water supply shall be filtered or treated to remove substances harmful to fish, where necessary. Water-quality parameters shall at all times be within the acceptable range that sustains normal activity and physiology for a given fish species and stage of development. The water flow shall be appropriate to enable fish to swim correctly and to maintain normal behaviour. Fish shall be given an appropriate time for acclimatisation and adaptation to changes in water-quality conditions. Appropriate measures shall be taken to minimise sudden changes in the different parameters that adversely affect water quality. Appropriate water flow and water level shall be ensured and monitored.

**11.2 Oxygen, nitrogen compounds, carbon dioxide, pH, and salinity**

Oxygen concentration shall be appropriate to the species and to the context in which the fish are held. Where necessary, supplementary aeration of tank water shall be provided, depending on the husbandry system. The concentrations of carbon dioxide and of nitrogen compounds, namely ammonia, nitrite and nitrate, shall be kept below harmful levels. Water quality shall be monitored using a defined testing schedule at a sufficient frequency to detect changes in these critical parameters and action shall be taken to mitigate such changes.

The pH level shall be adapted to the individual animal species and monitored to be kept as stable as possible. The salinity shall be adapted to the requirements of the fish species and to the life stage of the fish. Changes in salinity shall take place gradually.

**11.3 Temperature and lighting**

Temperature shall be maintained within the optimal range for the given fish species and their stages of development and kept as stable as possible. Changes in temperature shall take place gradually. Fish shall be maintained on an appropriate photoperiod.

12. In Annex 7, Part 11. Fish, point 11.5 reads as follows:

### **'11.5 Feeding and handling**

Fish shall be fed a diet suitable for the fish at an appropriate feeding rate and frequency. Particular attention shall be given to feeding of larval fish during any transition from live to artificial diets. If feed withdrawal is necessary for reasons other than experiments, for example for transport, the duration shall be kept as short as possible and take into account fish size and water temperature.

Where possible, fish shall be handled without removal from the water. Handling of fish both in and outside of the water shall be kept to a minimum and equipment in direct contact with fish shall be moistened. Fish shall not be handled at the outer limits of the water temperature ranges that they can tolerate.'

13. In Annex 7, at the end of Part 11. Fish, the following point 11.6 is added:

### **'11.6 Zebrafish (Danio rerio)**

#### **11.6.1 Water quality**

**Table 11.1**

#### **Water parameter requirements in zebrafish housing systems**

Water parameters	Minimum and maximum requirements
Temperature	24 – 29 °C
Conductivity	150 – 1700 µS/cm <sup>2</sup>
Total hardness	40 – 250 mg/L CaCO <sub>3</sub>
pH	6,5 – 8
Nitrogen compounds	NH <sub>3</sub> /NH <sub>4</sub> <sup>+</sup> < 0.1 <sup>1)</sup> mg/L, NO <sub>2</sub> <sup>-</sup> < 0.3 mg/L, NO <sub>3</sub> <sup>-</sup> < 25 mg/L
Dissolved oxygen concentration	> 5 mg/L

Note:

1) or below detection limit. 0.1 mg/L indicates the total amount of ammonia, NH<sub>3</sub>/NH<sub>4</sub><sup>+</sup>. This corresponds to 0.002 mg/L NH<sub>3</sub> at 28 °C and pH 7.5.

#### **11.6.2 Lighting**

During the light phase, the light levels shall be constant, except during short dawn/dusk transitions where used. Dark phase shall be completely dark.

#### **11.6.3 Stocking density and environmental complexity**

Water volumes smaller than 1 litre shall not be used for adult zebrafish. Stocking densities shall not exceed 10 adult fish per litre. Tank size and shape shall allow the fish to perform their natural behaviour and swimming activity.

Prolonged single housing shall be avoided.'

14. At the end of Annex 7, the following Part 12. Cephalopods, is added:

## **12. Cephalopods**

### **12.1 Water supply and quality**

Adequate water supply of suitable quality shall be provided at all times.

Tank design and water flow rate shall meet the needs of the animal including appropriate oxygenation delivered in relation to its size, life stage and behavioural needs. Water temperature, salinity, pH, and nitrogen compound levels shall be appropriate to the needs of the species and life forms. Escapes and inadvertent introduction of foreign elements shall be prevented by use of covers where necessary

Cephalopods shall be given appropriate time for acclimatisation and adaptation to changes in water-quality conditions.

### **12.2 Lighting**

Light intensity and photoperiods shall meet the requirements of the species.

### **12.3 Diet**

Cephalopods shall be provided with a feeding regime appropriate to the species, their developmental stages and behavioural needs.

### **12.4 Enrichment and handling**

Cephalopods shall be provided with appropriate and sufficient amount of physical, cognitive and sensory stimuli to enable a wide range of species-specific behaviours. Housing conditions shall take into account species-specific social needs (i.e. group- or solitary-living habits of the species). Shelters or dens shall be provided, whenever appropriate for the species.

Where possible, cephalopods shall be handled without taking them from the water. Handling of cephalopods outside of the water shall be kept to a minimum and equipment in direct contact with animals shall be moistened.

**Table 12.1****Cephalopods**

Family	Group	Body length <sup>1)</sup> (cm)	Minimum water surface area (cm <sup>2</sup> )	Minimum water surface area for each additional animal in group holding (cm <sup>2</sup> )	Minimum water depth (cm)
Sepiidae	Common cuttlefish	up to 2 > 2 to 6 > 6 to 12 > 12	100 600 1 200 2 500	40 200 400 1 000	7 15 20 25
Sepiolidae	Sepioids <sup>2)</sup>	up to 1 > 1 to 3 > 3	50 120 150	5 50 100	5 8 12
Loliginidae	Squid <sup>3)</sup> <sup>4)</sup>	up to 15 > 15 to 25 > 25	2 000 4 500 6 000	400 900 1 200	60 90 90
Octopodidae	Octopus <sup>4)</sup>	up to 10 > 10 to 20 > 20	2 000 2 600 4 000	600 700 1 200	40 50 50

Notes:

1) Dorsal mantle length.

(2) Group up to 40 individuals.

3) Use of cylindrical shape tanks shall be preferred. The minimum values shall be increased by 5 % if non-cylindrical tanks are used.

(4) During juvenile stage, squid and octopus shall be housed in cylindrical tanks with a maximum of 20 hatchlings per litre and methods to limit visual interaction shall be adopted.’.

15. The table in Annex 10 reads as follows:

Poznámky/metody pro jednotlivá zvířata	Ryby	Obojživelníci	Plazi	Ptáci	Hlodavci	Králíci	Psi, kočky, fretky a lišky	Velcí savci	Subhumánní primáti	Hlavonožci
Předávkování anestetikem	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	
Upoutaný projektil			(2)							
Oxid uhličitý					(3)					
Zlomení vazy				(4)	(5)	(6)				
Tupý úder do hlavy				(7)	(8)	(9)	(10)			
Oddělení hlavy od trupu				(11)	(12)					
Omráčení elektrickým proudem	(13)	(13)		(13)		(13)	(13)	(13)		
Inertní plyny (Ar, N <sub>2</sub> )								(14)		
Zastřelení volným projektilem odpovídající puškou, pistolí a střelivem			(15)				(16)	(15)		
Hypotermický šok	(17)									

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Poznámky/metody pro jednotlivá zvířata

Ryby

Obojživelníci

Plazi

Ptáci

Hlodavci

Králíci

Psi, kočky, fretky a lišky

Velcí savci

Subhumánní primáti

Hlavonožci

Předávkování anestetikem

Upoutaný projektil

Oxid uhličitý

Zlomení vazy

Tupý úder do hlavy

Oddělení hlavy od trupu

Omráčení elektrickým proudem

Inertní plyny (Ar, N<sub>2</sub>)

Zastřelení volným projektilem odpovídající puškou,

pistolí a střelivem

Hypotermický šok

Animals-remarks/methods

Fish

Amphibians

Reptiles

Birds

Rodents

Rabbits

Dogs, cats, ferrets and foxes

Large mammals

Non-human primates

Cephalopods

Anaesthetic overdose

Captive bolt

Carbon dioxide

Cervical dislocation

Percussive blow to the head

Decapitation

Electrical stunning

Inert gases (Ar, N<sub>2</sub>)

Shooting with a free bullet with appropriate rifles,

guns and ammunition

Hypothermic shock

16. In Annex 10, the following Requirement 17 is added:

‘(17) To be used only for zebrafish (*Danio rerio*)  $\geq$  16 days post fertilisation (dpf) and with a maximum body length of 5 cm. Temperature of hypothermic shock shall be  $\leq$  4 °C and the temperature difference from holding temperature shall be  $\geq$  20°C. Fish shall not have direct contact with ice. Minimum exposure time shall be 5 minutes.’

## Article II

### **Transitional provisions**

1. In administrative proceedings commenced prior to the effective date of this Decree and not concluded by a final decision before the effective date of this Decree, breeders of experimental animals, suppliers of experimental animals or users of experimental animals applying for authorisation to breed experimental animals, authorisation to supply experimental animals or authorisation to use experimental animals shall submit to assessors the data pursuant to Decree No 419/2012, as in force prior to the effective date of this Decree.
2. In administrative proceedings commenced prior to the effective date of this Decree and not concluded by a final decision before the effective date of this Decree, the assessors shall draw up the written assessment referred to in Decree No 419/2012, as in force prior to the effective date of this Decree.

## Article III

### **Final provisions**

This Decree was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

## Article IV

### **Effective date**

This Decree shall come into effect on 4 December 2026.

Minister of Agriculture: