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**PROGRESS REPORT ON THE WORK OF THE TECHNICAL COMMITTEE, THE
TECHNICAL WORKING PARTIES AND THE WORKING GROUP ON BIOCHEMICAL
AND MOLECULAR TECHNIQUES, AND DNA-PROFILING IN PARTICULAR**

Document prepared by the Office of the Union

1. This document presents a progress report on the work of the Technical Committee (TC) and its Technical Working Parties (TWPs), including the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT).

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I. PROGRESS REPORT OF THE WORK OF THE TECHNICAL COMMITTEE

2. The Technical Committee (TC) held its fortieth session in Geneva from March 29 to 31, 2004, under the Chairmanship of Mr. Michael Camlin (United Kingdom). The Report on the Conclusions is contained in document TC/40/10 and the detailed Report appears in document TC/40/11 Prov.

Participation

3. The session was attended by 75 participants from 38 members of the Union, one observer State and four observer organizations.

Report on Relevant Matters Discussed in the Last Sessions of the Administrative and Legal Committee, the Consultative Committee and the Council

4. The Vice Secretary-General provided an oral report on the forty-seventh and forty-eighth sessions of the Administrative and Legal Committee (CAJ), the sixty-fifth and the sixty-sixth sessions of the Consultative Committee and the twentieth extraordinary session and the thirty-seventh ordinary session of the Council. He reported that the draft Program and Budget for the 2004-2005 biennium, approved by the Council, required operating expenses to be decreased by: (i) a decrease in support services by WIPO because of the reduction in the number of staff of the Office of the Union, (ii) a reduction in the number of documents mailed to be achieved through partial replacement by electronic distribution, and (iii) a reduction in the cost of translation of documents to be achieved through prioritization of activities. He noted that the prioritization in translation work would be given to appropriate sessions of Council, Consultative Committee, Administrative and Legal Committee and Technical Committee documents and that certain other documents, for example, Test Guidelines, would only be translated as far as funds were available. With regard to reductions in the mailing of documents, he explained that documents for the Technical Working Party sessions would no longer be mailed and would only be available from the UPOV Website. He anticipated that the same approach would be adopted for the Technical Committee (TC) from 2005.

Progress Reports on the Work of the Technical Working Parties, Including the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), and the *Ad hoc* Crop Subgroups on Molecular Techniques (Crop Subgroups)

5. The TC received oral reports, from the Chairpersons, on the work of the Technical Working Party for Ornamental Plants and Forest Trees (TWO), the Technical Working Party for Vegetables (TWV), and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT). In the absence of the Chairmen, the TC received oral reports on the work of the Technical Working Party for Agricultural Crops (TWA), from the Chairman of the TC, the Technical Working Party on Automation and Computer Programs (TWC), from Mrs. Beate Rücker (Germany), and the Technical Working Party for Fruit Crops (TWF), from the Chairman of the TWO.

6. The TC heard from the Chairpersons of the respective *Ad Hoc* Crop Subgroups on Molecular Techniques (Crop Subgroups) that meetings of the Crop Subgroups for Potato,

Soybean, Sugarcane and Wheat were planned to be held in association with the thirty-third session of the TWA, to be held in Poland in 2004.

TGP Documents

7. The TC considered documents TC/40/5 and TGP/7 Draft 5.
8. The TC agreed a text for adoption as TGP/7 “Development of Test Guidelines” on the basis of specified amendments to TGP/7 Draft 5.
9. The TC noted that Annex 4 “Collection of Approved Characteristics” would be made available on the UPOV Website. It further noted that a new section on the development of individual authority Test Guidelines would be developed in future. With regard to the “drafter’s kit”, the TC noted that this was intended for use by drafters only after the 2004 sessions of the TWPs.
10. The TC approved the structure of documents TGP/3 “Varieties of Common Knowledge”, TGP/4 “Management of Variety Collections” and TGP/9 “Examining Distinctness”, as presented in Annex I to document TC/40/5, on the basis that the working title of TGP/4 would be “Constitution and Management of Reference Collections”, but would be finalized at a later stage. Consideration would also be given to the inclusion of the role of variety descriptions in the relevant section(s).
11. The TC approved the content, organization and program of development for TGP documents, as presented in Annex II to document TC/40/5, on the basis that TGP/5.8.2 “Guidance on the use of Interim Reports” would not be developed at this time. It also agreed that Annex II should be revised to incorporate the individual sections of TGP/4 and TGP/9.

UPOV Information Databases

12. The TC considered document TC/40/6-CAJ/49/4. It was explained by the Office of the Union that the information provided in the Annexes to that document did not correspond exactly to that stated in the document. In particular, to avoid the document becoming too voluminous, Annexes I and II presented only the amendments to document TC/39/13, Annexes I and II. Furthermore, Annex IV presented the relevant TWP for checking purposes, but did not provide information on the authority entering the data in the UPOV-ROM.

UPOV Code

13. With regard to the issue of intergeneric and interspecific hybrids, the TC agreed that the UPOV code should reflect the taxonomic classification. Thus, for example, if a genus exists for a hybrid formed between two genera (e.g. Triticale), the “genus element” of the UPOV code would be based on the “hybrid” genus. The TWPs would be requested to consider how to address the cases where a specific genus or species for hybrids did not exist.
14. With regard to codes related to “multiple ranked names”, as set out in document TC/40/6-CAJ/49/4, paragraph 6(v), the TC noted that the proposal from the rapporteur of the International Code of Nomenclature for Cultivated Plants (ICNCP) appeared to have potential advantages. However, it was also noted that, until now, UPOV had not used

this system in relation to naming for variety denomination classes and Test Guidelines. Nevertheless, it recognized that once the codes were adopted it would be difficult to introduce a change at a later time, and it therefore proposed that this matter should be considered by the TC before the codes were finalized. To avoid delay in the agreement of codes, it agreed that the Office of the Union (the "Office"), in conjunction with the chairmen of the TC, TWA and TWV, should develop a proposal for consideration by the TWA, TWV and the *Ad hoc* Working Group on Variety Denominations (WG-VD). If the proposal was agreed by all parties, this would be the basis for codes for *Beta* and *Brassica*. In the absence of agreement by all parties, the code would be based on the proposals presented in Annexes I and II of document TC/40/6-CAJ/49/4. On that basis, the TC agreed to the codes as presented in Annexes I and II of document TC/40/6-CAJ/49/4. In agreeing the codes, the TC noted that, with the exception of some of the codes developed for taxa with the International Seed Testing Association (ISTA) stabilized names, these Annexes presented codes as checked and amended by the appointed TWP experts.

15. Concerning the approximately 600 entries presented in Annex III and the new entries proposed in Annex IV to document TC/40/6-CAJ/49/4, the TC agreed that these should be checked by the appropriate TWP during the 2004 sessions. Where, after consultation with the TWP Chairmen, an appropriate TWP could not be clearly identified, the country contributing data for the genera / species concerned would be identified and requested to check the code. In the meantime, the codes in Annexes III and IV of document TC/40/6-CAJ/49/4 would be included in the GENIE database.

16. The TC agreed to the following procedure for the introduction and amendment of codes:

(1) Responsibility for the UPOV Code System

The Office is responsible for the UPOV Code System and the individual codes.

(2) Repository of UPOV Codes

The definitive collection of UPOV codes would exist exclusively in the GENIE database.

(3) Introduction of New UPOV Codes / Amendments to UPOV Codes

(a) In the first instance, the Office would draft a code on the basis of the Germplasm Resources Information Network (GRIN) database, or other suitable references if the species concerned was not included in the GRIN database.

(b) Where the Office was aware of relevant experts for the genus or species concerned, or was advised of such experts, for example by the proposer of a new code, it would, wherever possible, check its proposals with those experts before creating the code.

(c) New codes might be proposed by any party, but it was expected that the majority of proposals would be made by contributors to the Plant Variety Database. Where the Office received such proposals, it would respond by updating the GENIE database with the new codes in a timely manner and, in particular, would seek to ensure that new codes were available to allow their use for the forthcoming edition of the Plant

Variety Database. In addition, the Office would add new codes where it identified a need.

(d) In general, amendments to codes would not be made as a result of taxonomic developments unless these resulted in a change to the genus classification of a species. The UPOV recommendations on variety denominations were based on the general principle that, unless the list of classes applies, all taxonomic units which belonged to the same genus were closely related. Therefore, it was important that the first element of the code could be used to sort species into the correct genus. The codes would also be amended if there were consequences for the content of a variety denomination class where the list of classes applied. Amendments to UPOV codes would be handled by the same procedure as the introduction of new codes as in paragraphs (a) and (b), above. However, in addition, all members of the Union and contributors of data to the Plant Variety Database would be informed of any amendments.

(e) New and amended codes would be presented to the relevant TWP(s) for comment at their first available session. If the TWP recommended any change, this would be treated as an amendment according to paragraph (d), above.

(4) Updating of Information Linked to UPOV Codes

(a) UPOV codes might need to be updated to take account of, for example, changes in taxonomic classification, new information on common names, etc. In the case of changes of taxonomic classification, this might, although it was emphasized that this was not necessarily the case (see section (3)(d), above), result in a need to change the UPOV code. In such cases, the procedure was as explained in section (3), above. In other cases, the Office would amend the information linked to the existing code as appropriate.

(b) The TC, the TWPs and individual communications from members and observers of these bodies would be the principle routes by which the Office would update its information.

17. The TC agreed that members of the Union and other contributors should be encouraged to start to use the UPOV codes when contributing data to the UPOV-ROM as soon as the GENIE database was made available on the UPOV Website. Guidance on how to use the GENIE database for this purpose would be issued at that time. However, in the first instance, such use would be optional.

Web-based Plant Variety Database

18. The TC noted the information concerning the development of the Web-based Plant Variety Database, as set out in paragraphs 18 to 39 of document TC/40/6-CAJ/49/4. It welcomed the program of cooperation between UPOV and the Community Plant Variety Office (CPVO) in the development of software and maintenance of data concerning their respective databases.

19. The TC noted that the Office would present an initial prototype of its Web-based Plant Variety Database at the forty-first session of the TC in 2005, together with proposals concerning the fields to be included and proposals for which fields might be considered to be

mandatory. The TC considered that the matter of frequency of updating of the Web-based Plant Variety Database should be considered in conjunction with the presentation of the prototype and that consideration of the establishment of links to relevant Websites for variety denomination checking purposes could also be considered at that time.

20. With regard to the proposal for manual inputting of data from printed gazettes, the TC noted that improving the ease of contributing data was likely to increase the number of countries contributing data and that it would be appropriate to assess the need for manual input of data at a later stage.

UPOV-ROM

21. The TC agreed that, in the light of developments concerning a Web-based Plant Variety Database, the planned short-term improvements to the UPOV-ROM should not be pursued. However, it agreed that training for the purposes of contributing data to the Plant Variety Database and for its use should go ahead. The TC noted that the UPOV-ROM would continue to be produced on the current basis and noted that, for some users, a CD-ROM media may offer advantages compared to a Web-based system. The Office confirmed that it would not discontinue production of the CD-ROM without further consultation.

GENIE Database

22. The TC noted the report on the development of the GENIE database and noted that the document TC/40/4 “List of species in which practical knowledge has been acquired or for which national test guidelines have been established” had been produced from the GENIE database.

Publication of Variety Descriptions

23. Discussions were based on document TC/40/7.

24. The following table summarizes the information on lists of varieties available for the studies and indicates the number of varieties on which the model studies will be based:

<u>Species / Crop</u>	<u>Proposing TWP / (Coordinator)</u>	<u>Contributors of Variety Lists (Interested Parties which did not provide a list)</u>	<u>Summary of Lists</u>	<u>Summary of varieties on which Model Study will be based</u>
<i>Alstroemeria</i>	TWO (NL)	(CA, JP, NL)	Request for lists sent December 2003	
Apple	TWF (GB)	BE, CA, CZ, DE, GB, HU, LV, NL, NZ, CPVO (AR, FR, ZA)	6 sources: 1 variety 4 sources: 8 varieties 3 sources: 19 varieties 2 sources: 55 varieties	1 variety 6 sources 2 varieties 4 sources 5 varieties 3 sources 2 varieties 2 sources Total: 10 varieties
Barley	TWA (DK)	AR, CA, CL, CZ, DE, DK, EE, ES, FI, FR, GB, HR, HU, NL, NZ, RO, RU, SE, ZA		Interested parties invited to contribute descriptions for all varieties.
Chinese Cabbage	TWV (JP)	DE, JP, KR, NL, PL (CN, CPVO, ISF)	3 sources: 2 varieties 2 sources: 23 varieties 1 source: 197 varieties	2 varieties 3 sources 23 varieties 2 sources Total: 25 varieties
Lettuce	TWV (NL)	CZ, DE, FR, HU, NL, PL, ES (CPVO, ISF)	6 sources: 1 variety 5 sources: 8 varieties 4 sources: 20 varieties 3 sources: 75 varieties 2 sources: 381 varieties 1 source: 1,362 varieties	1 variety 6 sources 8 varieties 5 sources 20 varieties 4 sources 75 varieties 3 sources 28 varieties 2 sources Total: 132 varieties
Petunia	TWO (DE)	DE, CA, NZ (AU, IL, JP, MX, KR, CPVO)		8 varieties
Potato	TWA (NL/CPVO)	CA, CZ, DE, IL, NL, ZA (AT, CL, EE, GB, NZ, CPVO)	6 sources: 2 varieties 5 sources: 3 varieties 4 sources: 24 varieties 3 sources: 82 varieties 2 sources: 215 varieties	2 varieties 6 sources 3 varieties 5 sources 24 varieties 4 sources 82 varieties 3 sources 215 varieties 2 sources Total: 326 varieties (plus additional varieties later)
Strawberry	TWF (IL)	AR, CA, HU, IL, NZ, CPVO (DE, ES, FR, KE, ZA)	>1 source: 170 varieties	10 varieties

25. The TC welcomed the proposals concerning work on the model studies. It agreed a model study on *Alstroemeria* and that a model study on rose should not be pursued at present.

26. The TC recommended that the following initial guidance for the Coordinators of the model studies, developed by the TWC, in conjunction with Mr. Gerhard Deneken (Denmark), should be followed as far as possible:

(a) where practically possible, the study should be conducted on all characteristics included in the UPOV Test Guidelines;

(b) contributors of variety descriptions should be requested to provide their “official” descriptions of the varieties concerned, i.e. the description resulting from the DUS examination of the variety. In making this recommendation, it noted that the description may have been re-calibrated in the meantime, but considered that, if such changes could not be accommodated in the comparison of variety descriptions, the aims of the project could not be met;

(c) in the case of authorities wishing to contribute variety descriptions for which they did not have “official” descriptions, e.g. for varieties which had been acquired for their reference collections, the description to be provided should be that produced at the end of the first complete cycle of testing in which the variety was included;

(d) contributors should be requested to specify the reference of the UPOV Test Guidelines on which the description had been developed; and

(e) contributors should be requested to provide the variety denomination, breeder’s reference, breeder and applicant for each variety to verify, as far as possible, whether varieties were the same or different.

27. The TC agreed that the Chairman of the TWC should, after consultation with the members of the TWC, develop guidance on how to present the variation in the states of expression between different descriptions of the same variety and communicate this guidance to the coordinators of the model studies via the Office.

28. The TC noted the developments in the CAJ and the *Ad hoc* Working Group on Publication of Variety Descriptions (WG-PVD).

Preparatory Workshops

29. The TC considered document TC/40/8.

30. The table below summarizes the participation in the preparatory workshops during 2002 and 2003.

	Number of Participants		Comprising (2003)
	2002	2003	
Members of the Union	35 (15 countries)	55 (23 countries)	Australia, Bolivia, Brazil, Canada, China, Czech Republic, Denmark, Finland, France, Germany, Hungary, Japan, Kenya, Mexico, Netherlands, New Zealand, Poland, Republic of Korea, Romania, Russian Federation, South Africa, Spain, United Kingdom
Observer States / Authorities	1	10 (9 States / Authorities)	Bangladesh, Indonesia, Malaysia, Mauritius, Philippines, Singapore, Thailand, Viet Nam, Community Plant Variety Office (CPVO)
Observer Organizations	8	3	International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA), International Seed Federation (ISF)

31. It should be noted in relation to the figures in the table that, in 2002, preparatory workshops were not organized for the TWC and the BMT. In 2003, preparatory workshops were held in association with all TWPs and the BMT. With regard to participation at individual preparatory workshops, the numbers of participants were as follows:

TWA (Japan):	11 participants
TWC (Denmark):	12 participants
TWF (Canada):	4 participants
TWO (Canada):	11 participants
TWV (Netherlands):	9 participants
BMT (Japan):	21 participants

32. The TC noted the report of the preparatory workshops, held in 2003, and agreed to the program for 2004, as set out in document TC/40/8, paragraph 5.

Molecular Techniques

33. The TC considered document TC/40/9.

34. On the basis of certain amendments, set out in document TC/40/10, paragraph 32, the TC agreed that the Annex to document TC/40/9 would be a suitable summary of the current UPOV position with regard to the possible use of molecular markers in DUS examination and proposed that the CAJ be invited to examine the document for that purpose.

35. The TC agreed to propose to the CAJ that it consider the possible use of molecular tools for variety characterization in relation to the enforcement of plant breeders' rights, technical verification and the consideration of essential derivation. In that respect, it proposed that these might be matters relevant for consideration by the BMT Review Group. The TC noted

that work concerning the use of molecular tools for variety characterization was being undertaken by the International Seed Testing Association (ISTA).

Test Guidelines

36. The TC considered and adopted the following Test Guidelines on the basis of the amendments as specified in Annex II to document TC/40/10 and the linguistic changes recommended by the Enlarged Editorial Committee:

<i>Document</i>	<i>Anglais</i>	<i>Français</i>	<i>Allemand</i>	<i>Espagnol</i>	<i>Latin</i>
TG/13/9(proj.1)	Lettuce	Laitue	Salat	Lechuga	<i>Lactuca sativa</i> L.
TG/16/8(proj.3)	Rice	Riz	Reis	Arroz	<i>Oryza sativa</i> L.
TG/23/6(proj.3)	Potato	Pomme de terre	Kartoffel	Papa, Patata	<i>Solanum tuberosum</i> L., <i>S. tuberosum</i> L. <i>sensu lato</i>
TG/48/7(proj.3)	Cabbage	Chou pommé	Kopfkohl	Col repollo	<i>Brassica oleracea</i> L.
TG/49/7(proj.3)	Carrot	Carotte	Möhre	Zanahoria	<i>Daucus carota</i> L.
TG/54/7(proj.3)	Brussels Sprout	Chou de Bruxelles	Rosenkohl	Col de Bruselas	<i>Brassica oleracea</i> L. var. <i>gemmifera</i> DC.
TG/66/4(proj.5)	White Lupin, Blue Lupin, Yellow Lupin	Lupin blanc, Lupin bleu, Lupin jaune	Weißer Lupine, Blaue Lupine, Gelber Lupine	Altramuz blanco, Altramuz azul, Altramuz amarillo	<i>Lupinus albus</i> L., <i>L. angustifolius</i> L., <i>L. luteus</i> L.
TG/90/6(proj.2)	Curly Kale	Chou frisé	Grünkohl	Col rizada	<i>Brassica oleracea</i> L. var. <i>sabellica</i> L.
TG/92/4(proj.4)	Persimmon	Plaqueminier	Kakipflaume	Caqui, Kaki	<i>Diospyros kaki</i> L.
TG/102/4(proj.1)	Busy Lizzie	Impatience	Fleißiges Lieschen	Alegria	<i>Impatiens walleriana</i> Hook. f.
TG/106/4(proj.3)	Leaf Beet	Poirée	Mangold	Acelga	<i>Beta vulgaris</i> L. var. <i>vulgaris</i> L.
TG/142/4(proj.3)	Watermelon	Pastèque	Wassermelone	Sandía	<i>Citrullus lanatus</i> (Thunb.) Matsum. et Nakai
TG/CLEMAT(proj.3)	Clematis	Clématite	Waldrebe	Clemátide	<i>Clematis</i> L.
TG/CPEAR(proj.3)	Cactus Pear - Xoconostles	Figuier de Barbarie - Xoconostles	Feigenkaktus – Xoconostles	Chumbera, Tuna – Xoconostles	<i>Opuntia</i> , Groups 1 & 2
TG/CATHAR(proj.3)	Catharanthus	Pervenche de Madagascar	Zimmerimgrün	Vinca pervinca	<i>Catharanthus roseus</i> (L.) G. Don
TG/PARSNIP(proj.2)	Parsnip	Panais	Pastinake	Chirivía	<i>Pastinaca sativa</i> L.
TG/HYPERI(proj.3)	<i>Hypericum hircinum</i> L., <i>H. androsaemum</i> L., <i>H. x inodorum</i> Mill.	<i>Hypericum hircinum</i> L., <i>H. androsaemum</i> L., <i>H. x inodorum</i> Mill.	<i>Hypericum hircinum</i> L., <i>H. androsaemum</i> L., <i>H. x inodorum</i> Mill.	<i>Hypericum hircinum</i> L., <i>H. androsaemum</i> L., <i>H. x inodorum</i> Mill.	<i>Hypericum hircinum</i> L., <i>H. androsaemum</i> L., <i>H. x inodorum</i> Mill.
TG/PERILLA(proj.3)	Perilla	Pérille	Perilla	Perilla	<i>Perilla frutescens</i> (L.) Britton var. <i>japonica</i> Hara
TG/VERBEN(proj.3)	Verbena	Verveine	Verbene	Verbena	<i>Verbena</i> L.

37. The TC noted that the proposals made by the TC-EDC in Annex II would not align the Test Guidelines, in all respects, with TGP/7 as adopted by the TC.

38. The TC agreed to the plans for the development of new Test Guidelines and the revision of existing ones, as shown in Annex II to document TC/40/2, with the following amendments:

- (a) TWO to be indicated as an interested TWP for TG/TEA;
- (b) leading country for the drafting of TG/DIASC to be indicated as Canada;
- (c) TWA to be added to the TWP for TG for Sweetcorn. Common names in French and Spanish to be checked;
- (d) TWA/TWV to be indicated as the relevant TWPs for TG/GINSEN.

39. The TC noted the status of the existing Test Guidelines as listed in document TC/40/2, Annex III.

List of Species in Which Practical Knowledge Has Been Acquired or for Which National Test Guidelines Have Been Established

40. The TC considered document TC/40/4.

41. The TC was informed that the notes indicating types of practical experience had been extended to cover new options. The TC agreed that the contributors should check the information presented in document TC/40/4 and notify any amendments to the Office by April 30, 2004. The Office would produce an updated version of the document on the basis of comments received.

Program for the Forty-First Session

42. The following draft agenda was agreed for the forty-first session of the TC to be held in Geneva in 2005:

1. Opening of the session
2. Adoption of the agenda
3. Report on relevant matters discussed in the last sessions of the Administrative and Legal Committee, the Consultative Committee and the Council (oral report by the Vice Secretary-General)
4. Progress reports on the work of the Technical Working Parties, including the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) and Crop Subgroups
5. Matters arising from the Technical Working Parties
6. TGP documents
7. Publication of variety descriptions

8. UPOV information databases
9. Molecular techniques
10. Preparatory workshops
11. Test Guidelines
12. List of species in which practical knowledge has been acquired or for which national test guidelines have been established
13. Program for the forty-second session
14. Adoption of the report on the conclusions reached in the session (if time permits)
15. Closing of the session.

Chairman of TWA

43. The TC noted that Mr. Carlos Gómez Etchebarne (Uruguay) had resigned his chairmanship of the TWA. The TC noted that the TWA had not had an opportunity to formulate a proposal for a new Chairman. It was, therefore, agreed that the TC should propose a new Chairman to be elected by the Council at its twenty-first extraordinary session on April 2, 2004, and decided to propose that Mr. Luis Salaices (Spain) be elected as Chairman of the TWA for the remaining term of the TWA chairmanship.

Chairperson and Vice-Chairperson

44. The TC noted that the chairmanship of Mr. Michael Camlin (United Kingdom) would expire with the closing of the forthcoming ordinary session of the Council in October of the current year. It proposed to the Council that it elect Ms. Julia Borys (Poland) as new Chairperson and Mrs. Françoise Blouet (France) as new Vice-Chairperson of the TC for the forthcoming three-year term.

II. PROGRESS REPORT OF THE WORK OF THE TECHNICAL WORKING PARTIES AND THE WORKING GROUP ON BIOCHEMICAL AND MOLECULAR TECHNIQUES, AND DNA-PROFILING IN PARTICULAR

Technical Working Party for Agricultural Crops (TWA)

45. The TWA held its thirty-second session in Tsukuba, Japan, from September 8 to 12, 2003, under the chairmanship of Mr. Michael Camlin (United Kingdom), acting Chairman of the TWA. The Report on the Conclusions is contained in document TWA/32/10 and the detailed Report appears in document TWA/32/11.

Participation

46. The session was attended by 77 participants from 18 members of the Union, eight observer States and two observer organizations. The participants included the trainees from a plant variety protection training course, organized by the Japan International Cooperation Agency (JICA), running from August 13 to October 25, 2003. The TWA noted that the preparatory workshop held during the afternoon of September 7, 2003, prior to the TWA meeting, was attended by 11 participants from eight members of the Union.

47. The TWA received short reports on plant variety protection from a number of countries. The TWA also received an oral report from the Office of the Union on the latest developments in UPOV, including a summary of developments in the Council, the Committees and the other Technical Working Parties.

Molecular techniques

48. Following the request of the TC at its thirty-ninth session, the TWA considered a report on developments in molecular techniques, based upon document TC/38/14-CAJ/45/5, during which experts from France and the United Kingdom made presentations on the three options proposed for the possible use of molecular techniques in DUS testing. The TWA received reports on the Soybean and Sugarcane Crop Subgroup meetings, which had met immediately after the thirty-first meeting of the TWA in Rio de Janeiro, Brazil, on September 27, 2002. The TWA received an oral report on the eighth session of the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), which had taken place in Tsukuba, Japan, from September 3 to 5, 2003, from Mr. Gerhard Denecken (Denmark). It was highlighted that the BMT had agreed to the preparation of "BMT Guidelines" to harmonize methodologies for the generation of molecular data in order to ensure that the quality of the data produced would be universally acceptable for use in variety characterization. Experts from Australia and Brazil reported on developments in molecular markers for Sugarcane and Soybean, respectively, in their countries.

Project to consider the publication of variety descriptions

49. The TWA received reports from the coordinators on the model studies for Barley and for Potato within the project to consider the publication of variety descriptions. In the case of potato, the TWA agreed that the model study should include the 326 varieties included in the lists of more than one country, plus additional varieties to be provided by other interested parties before December 1, 2003. In the case of Barley, the TWA agreed that it should cover all barley types and not just spring types and that the request for descriptions should allow countries to indicate where they had already contributed data to the earlier study, reported in document TWA/29/19, and did not wish to provide further information. The TWA finally noted that the GAIA software might be a useful tool for comparing descriptions in the study.

Project for exchanging seed of selected varieties

50. The TWA received reports on the project for exchanging seed between interested countries of selected varieties for Lupins, Rice and White Clover. In the case of Rice, the TWA received an oral report and visited the field trial where the varieties were grown. The TWA agreed that a document should be prepared for its thirty-third session, comparing the descriptions of the varieties grown in Tsukuba, Japan, with the descriptions produced in the countries providing the seed. The TWA agreed that the project should be repeated with

interested countries in 2004, with the aim of identifying the minimum number of example varieties which could constitute an “East Asian” set of example varieties for the Test Guidelines for Rice. The TWA also agreed that experts from Brazil, Hungary, Japan and Mexico would exchange seed and would report the results at its thirty-third session. It was agreed that the expert from Mexico would be the coordinator of the group.

UPOV information databases

51. The TWA discussed the review of UPOV information databases on the basis of document TWA/32/3. It concluded that the most effective way of checking the UPOV codes would be to invite individual experts to check the genera and species in document TC/39/13, Annexes I and II, within particular crop types (i.e. beets, brassicas and linseed, cereals, forage grasses, forage legumes, grain legumes) and to provide their comments to the Office of the Union by December 1, 2003.

TGP documents

52. The TWA discussed a number of draft TGP documents, with priority being given to TGP/7 “Development of Test Guidelines” and to document TC/39/6 Add. “Project for the development of TGP documents”. It also discussed TGP/12.1.2 Draft 1 “Characteristics expressed in response to external factors: chemical response”, TGP/12.1.3 Draft 1 “Characteristics expressed in response to external factors: insect resistance” and TGP/13 Draft 1 “General guidance for new types and species”.

Test Guidelines

53. The TWA finalized the draft Test Guidelines for Lupins, Potato and Rice for submission to the TC. In relation to the Test Guidelines for Rice, the TWA agreed that the Test Guidelines should be submitted to the Technical Committee for adoption on the basis of a minimal set of example varieties which had been verified by the leading expert and on the basis that regional sets of example varieties would be incorporated as these became available. The TWA planned to continue discussion on Test Guidelines for Coffee, Ginseng, Grain Amaranth, Lotus, Lucerne (Revision), Medicago (excluding *M. sativa* L.) and Sesame. It decided to begin work on Test Guidelines for Hop, Ryegrass (Revision), Sheep and Red Fescue (Revision) and Tea and noted that the TWV planned to discuss the Test Guidelines for French Bean and Pea.

Date and place of next session

54. At the invitation of Poland, the TWA agreed to hold its thirty-third session in Słupia Wielka, Poland, from June 28 to July 2, 2004.

55. The TWA noted that it had received interest to host future meetings from: South Africa (2005); New Zealand (2006) and heard that Hungary had made an offer to host the thirty-sixth session of the TWA in 2007. China, Kenya and the Republic of Korea expressed their interest in hosting a future session of the TWA.

Program for the next session

56. The TWA proposed to discuss the following items at its next session: Short reports on developments in plant variety protection from members and observers; Report on

developments within UPOV; Developments on molecular techniques; Project to consider the publication of variety descriptions; Project for exchanging seed of selected varieties between interested countries; Review of UPOV information databases; TGP documents; Discussions on draft Test Guidelines; Recommendations on draft Test Guidelines; Date and place of next session; Future program.

Technical Working Party on Automation and Computer Programs (TWC)

57. The TWC held its twenty-first session in Tjele, Denmark, from June 10 to 13, 2003, under the chairmanship of Mr. Uwe Meyer (Germany). The Report on the Conclusions is contained in document TWC/21/9 and the detailed Report appears in document TWC/21/10.

Participation

58. The session was attended by 27 participants from 17 members of the Union and one observer organization. The TWC was welcomed by Mr. Ole Olsen, Director of the Danish Institute of Agricultural Science, who gave a report on the activities of the Institute. The TWC noted that the preparatory workshop held during the afternoon of June 9, 2003, prior to the TWA meeting, was attended by 12 participants from ten members of the Union and one international organization.

59. The TWC received short reports on plant variety protection from a number of countries. The TWC also received an oral report from the Office of the Union on the latest developments in UPOV, including a summary of developments in the Council, the Committees and the other Technical Working Parties.

Project to consider the publication of variety descriptions

60. The TWC discussed the project to consider the publication of variety descriptions and made the following recommendations:

(a) where practically possible, the study should be conducted on all characteristics included in the UPOV Test Guidelines;

(b) contributors of variety descriptions should be requested to provide their “official” descriptions of the varieties concerned, i.e. the description resulting from the DUS examination of the variety. In making this recommendation it noted that the description may have been re-calibrated in the meantime, but considered that if such changes could not be accommodated in the comparison of variety descriptions the aims of the project could not be met;

(c) in the case of authorities wishing to contribute variety descriptions for which they did not have “official” descriptions, e.g. for varieties which had been acquired for their reference collections, the description to be provided should be that produced at the end of the first complete cycle of testing in which the variety was included;

(d) contributors should be requested to specify the reference of the UPOV Test Guidelines on which the description had been developed; and

(e) contributors should be requested to provide the variety denomination, breeder's reference, breeder and applicant for each variety to verify, as far as possible, whether varieties were the same or different.

61. It also agreed that the Chairman of the TWC should, after consultation with the members of the TWC, develop guidance on how to present the variation in the states of expression between different descriptions of the same variety.

UPOV information databases

62. The TWC discussed the review of UPOV information databases based upon documents TC/39/13 and TC/39/14–CAJ/47/5. With regard to the UPOV code proposed in document TC/39/13, the TWC agreed with the structure of the code and the proposed program for its introduction. It recommended that the database should indicate which Technical Working Party would be responsible for checking the validity of each code; that, where appropriate, the database should indicate the relevant Test Guidelines for each code and, furthermore, that the third element of the code should be used to generate different codes for different types of varieties of the same species or sub-species, which were covered by different Test Guidelines. The TWC agreed that new codes created by the Office of the Union could be used immediately. With regard to document TC/39/14–CAJ/47/5, on the review of the UPOV-ROM plant variety database, the TWC agreed that consideration should be given to the creation of a field to indicate whether the variety denomination is in the form of a “code”, rather than a “fancy name”.

TGP documents

63. The TWC discussed a number of draft TGP documents, with priority being given to TGP/7 Draft 3 “Development of Test Guidelines” and to document TC/39/6 Add. “Project for the development of TGP documents”. With regard to other TGP documents, the TWC discussed TGP/8.2 Draft 2 “Validation of Data and Assumptions”; TGP/8.4 Draft 2 “Types of Characteristics and their Scale Levels” and TGP/8.5 Draft 2 “Statistical Methods for DUS Examination”. In relation to the organization of TGP/8, the TWC agreed to restructure the content of the document. The TWC also discussed TGP/9.4.1 Draft 2 “Examining Distinctness in Different Types of Varieties: General”; TGP/9.7 Draft 2 “Recommended Statistical Methods-COYD”; TGP/10.2 Draft 2 “Assessing Uniformity According to the Features of Propagation”; TGP/10.3.1 Draft 2 “Recommended Statistical Methods: COYU”; TGP/10.3.2 Draft 2 “Recommended Statistical Methods: Off-Types” and TGP/14.3 Draft 1 “Statistical Terms”.

Statistical methods for data produced by biochemical and molecular methods

64. The TWC discussed the use of statistical methods, based on document TWC/21/3 presenting the software package PREDIP. It agreed that the methods used in PREDIP were to be viewed as methods under development.

Incomplete block designs in DUS

65. The TWC discussed the use of incomplete block designs in DUS. It focused on the efficiency and limitations of α -designs, especially for grouping purposes, and considered an

example of the use of incomplete block designs in DUS herbage trials. The TWC agreed that further studies were necessary to make a more detailed recommendation.

Phenotypic distance

66. The TWC discussed the use of the Chi square distribution for DUS testing and the calculation of phenotypic distances. With regard to the calculation of phenotypic distances, the TWC agreed that methods used in GAÏA were to be viewed as methods under development.

Probability standards for COY

67. The TWC agreed that a new survey on the probability standards for COY should be prepared.

Statistical documents

68. The TWC agreed that the list of statistical documents be posted on the TWC section of the UPOV Website.

Date and place of next session

69. At the invitation of the expert from Japan, the TWC agreed to hold its twenty-second session in Tsukuba, Japan, from June 14 to 17, 2004.

Program for the next session

70. During the twenty-second session, the TWC planned to discuss or re-discuss the following items: Reports from members and observers; Reports on developments within UPOV; Molecular techniques; Project to Consider the Publication of Variety Descriptions; UPOV Databases; TGP documents; Assessment of distinctness for segregating characteristics; Incomplete block design in DUS trials; Efficiency of incomplete block designs in DUS herbage trials; Generalized linear models; Standard probability levels for COY; selection of the optimum number of plants for COY; COYU Methodology; COYU: moving average; Calculation of phenotypic distances; Image analysis in peas; Date and place of the next session; Future program and the Report on the Conclusions of the Session.

Technical Working Party for Fruit Crops (TWF)

71. The TWF held its thirty-fourth session in Niagara Falls, Canada, from September 29 to October 3, 2003. The TWF was welcomed by Mr. Glyn Chancey, Director of the Plant Production Division of the Canadian Food Inspection Agency (CFIA), and Ms. Valerie Sisson, Commissioner of the Plant Breeders' Rights Office, Canada. The Report on the Conclusions is contained in document TWF/34/6 and the detailed Report appears in document TWF/34/7.

Participation

72. The session was attended by 24 participants from 15 members of the Union and one observer organization. The TWF noted that the preparatory workshop held during the

afternoon of September 28, 2003, prior to the TWF meeting, was attended by four participants from four members of the Union.

73. The TWF received a presentation on plant breeders' rights in Canada and received oral reports on developments in plant variety protection from participants and from the Office of the Union on the latest developments within UPOV.

Determination of off-types

74. The TWF received a report from the Technical Working Party for Ornamental Plants and Forest Trees (TWO) on the preparation and issuing of a questionnaire seeking information on the determination of off-types with particular regard to variegated varieties. The TWF agreed that this questionnaire should also be sent to members of the TWF to obtain information on how the matter is handled for fruit crops and that the results of the survey would be presented at the TWO and the TWF sessions in 2004.

Project to consider the publication of variety descriptions

75. The TWF received reports from the coordinators on the model studies for Apple and for Strawberry within the project to consider the publication of variety descriptions. In the case of Apple, the TWF agreed that the model study should proceed with ten varieties, using all the characteristics included in the Test Guidelines for Apple. The TWF noted that the varieties might be known by different names in different countries, and agreed that the requests for descriptions should also indicate other names of the variety to ensure that as many descriptions of a variety as possible could be obtained. It was agreed to invite all interested parties to contribute descriptions. It was also agreed that descriptions other than official ones, and based upon different versions of the Test Guidelines, could be submitted for the study.

76. In the case of Strawberry, the TWF was informed that around 20 varieties occurred in more than one territory. On the basis of a proposal of the Coordinator and comments from the TWF, a list of ten varieties would be finalized, and the Office of the Union would issue a request for descriptions to all interested parties.

UPOV information databases

77. The TWF discussed the review of UPOV information databases and, in particular, the development of the UPOV code system. It was agreed that all experts should check species in which they had particular expertise and, in addition, selected experts would check the proposed codes provided in the Annexes to document TWF/34/3.

TGP documents

78. The TWF discussed a number of draft TGP documents, with priority being given to TGP/7 "Development of Test Guidelines" and to document TC/39/6 Add. "Project for the development of TGP documents". In relation to TGP/7, the TWF discussed and agreed a new ASW for an explanation for the growing cycle in fruit crops. It also discussed TGP/4.2 Draft 1 "Variety Collections for Tree and Perennial Species", TGP/13 Draft 1 "Guidelines for New Types and Species", TGP/14.2.1 Draft 2 Rev. "Botanical Terms: Plant Shapes", TGP/14.2.2 Draft 1 "Botanical Terms: Hair Types" and TGP/14.2.3 Draft 1 "Botanical Terms: Color".

Test Guidelines

79. The TWF finalized the draft Test Guidelines for Apricot (Revision), Cactus Pear and Persimmon (Revision) for submission to the TC. However, subsequent to the meeting, it was agreed that the Test Guidelines for Apricot should be rediscussed at the thirty-fifth session of the TWF. The TWF planned to continue discussion on Test Guidelines for Apple (Revision), Avocado (Revision), Blackberry and Hybrid berries (Revision), Coffee, Mango (Revision), Pecan Nut and decided to discuss new draft Test Guidelines for Banana (*Musa* spp.) (Revision), Cherry (Revision), *Crataegus* spp. (Hawthorn), Fig, Hop, Passion Fruit (edible species) and Pineapple. It also decided to discuss new draft Test Guidelines for Blackcurrant (Revision) during its session in 2005.

Date and place of next session

80. At the invitation of the expert from Germany, the TWF agreed to hold its thirty-fifth session in Marquardt (Potsdam), Germany, from July 19 to 23, 2004.

Program for the next session

81. During the thirty-fifth session, the TWF planned to discuss or re-discuss the following items: Short reports on developments in plant variety protection from members and observers; as well as within UPOV; Developments on molecular techniques; Project to consider the publication of variety descriptions; Review of UPOV information databases; Criteria for determining off-type plants; Definition of Maturity of Fruit; TGP documents; and Discussions and Recommendations on draft Test Guidelines.

Technical Working Party for Ornamental Plants and Forest Trees (TWO)

82. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its thirty-sixth session in Niagara Falls, Canada, from September 22 to 26, 2003, under the chairmanship of Mr. Chris Barnaby (New Zealand). The TWO was welcomed by Ms. Valerie Sisson, Commissioner, Plant Breeders' Rights Office, Canada, on behalf of the Plant Breeders' Rights Office of the Canadian Food Inspection Agency (CFIA). The Report on the Conclusions is contained in document TWO/36/6 and the detailed Report appears in document TWO/36/7.

Participation

83. The session was attended by 27 participants from 13 members of the Union and three observer organizations. The TWO noted that the preparatory workshop held during the afternoon of September 21, 2003, prior to the TWO meeting, was attended by 12 participants from five members of the Union and three international organizations.

84. The TWO received a presentation on plant breeders' rights in Canada from Ms. Sandy Marshall and short oral reports on developments in plant variety protection from participants. The TWO received an oral report from the Office of the Union on the latest developments within UPOV.

Variety denominations

85. The TWO noted the report on the work of the *Ad hoc* Working Group on Variety Denominations (WG-VD) and agreed to propose that the Chairman of the TWO should participate in the WG-VD.

Molecular techniques

86. The TWO received an oral report from the Office of the Union on the latest developments concerning the use of molecular techniques in DUS Testing within UPOV, based on document TC/38/14 Add.-CAJ/45/5 Add. and an oral report from the Chairman of the Rose Crop Subgroup who reported that the meeting of the Rose Crop Subgroup, planned to take place prior to the meeting of the TWO, had been postponed because of a lack of papers. The TWO noted that a suitable date for a future meeting would be arranged when sufficient papers were available.

Project to consider the publication of variety descriptions

87. The TWO discussed the project to consider the publication of variety descriptions presented in document TWO/36/2 and received an oral report from Ms. Andrea Menne, Coordinator of the model study on Petunia. The TWO noted that the first phase of the model study on Petunia had been based on the characteristics included in the Technical Questionnaire of the Test Guidelines. It noted that there was a high degree of harmonization in the variety descriptions for the selected characteristics, despite the fact that the varieties were described before the Test Guidelines were introduced. With regard to the next phase of the study, the TWO agreed that descriptions should be sought for the same varieties and characteristics, including a request for color photographs, from further countries. Concerning the possibility of a model study on Rose, it was confirmed that there was an insufficient number of countries conducting DUS trials on rose to make this a useful study, and the TWO agreed to propose a study on *Alstroemeria* instead, with Mr. Joost Barendrecht (Netherlands) as Coordinator.

UPOV information databases

88. The TWO discussed the review of UPOV information databases and, in particular, the development of the UPOV code system. It was agreed that all experts should check species in which they had particular expertise and, in addition, selected experts would check the proposed codes provided in the Annexes to document TWO/36/3.

Seed-propagated ornamental varieties

89. The TWO noted the result of the survey on testing seed-propagating ornamental varieties presented in document TWO/36/4. It agreed that the survey should not be repeated in 2004, but that participants should report on relevant future developments.

Determination of off-types

90. The uniformity requirements for variegated varieties was the subject of discussion and it was agreed that this raised general questions concerning the determination of off-types. Therefore, the TWO decided that a questionnaire, seeking information on the proportion of plants which would need to be affected by a mutation or variation to be considered an

off-type, should be issued. It also agreed that, subject to the agreement of the TWF, it should also be sent to members of the TWF to obtain information on how the matter is handled for fruit crops.

TGP documents

91. The TWO discussed a number of draft TGP documents, with priority being given to TGP/7 “Development of Test Guidelines” and to document TC/39/6 Add. “Project for the development of TGP documents”. It also discussed TGP/4.2 Draft 1 “Variety Collections for Tree and Perennial Species”, TGP/13 Draft 1 “Guidelines for New Types and Species” and TGP/14.2.3 Draft 1 “Botanical Terms: Color”.

Test Guidelines

92. The TWO finalized the draft Test Guidelines for Alstroemeria (Revision), Catharanthus roseus, Clematis, Hypericum, Impatiens walleriana, and Verbena for submission to the TC. However, it was later agreed that the Test Guidelines for Alstroemeria should be rediscussed at the 2005 session of the TWO. The TWO planned to continue discussion on Test Guidelines for Amaranth, Argyranthemum, Brachyscome, Dahlia, Poinsettia (Revision), Rose (Revision), Tagetes, and Waxflower and decided to discuss new draft Test Guidelines for Antirrhinum, Chrysanthemum (Revision), Eucalyptus (part of genus only), Gypsophila, Hibiscus, Phlox, and Tulip (Revision). It also decided to discuss new draft Test Guidelines for Diascia and Hevea during its session in 2005.

Date and place of next session

93. At the invitation of the expert from Germany, the TWO agreed to hold its thirty-seventh session in Hanover, from July 12 to 16, 2004.

Program for the next session

94. During the thirty-seventh session, the TWO planned to discuss or re-discuss the following items: Short reports on developments in plant variety protection from members and observers; Report on developments within UPOV; Developments on molecular techniques; Project to consider the publication of variety descriptions; Review of UPOV information databases; TGP documents; Criteria for determining off-type plants, Discussions on draft Test Guidelines; Recommendations on draft Test Guidelines; Date and place of next session; Future program.

Technical Working Party for Vegetables (TWV)

95. The Technical Working Party for Vegetables (TWV) held its thirty-seventh session in Roelofarendsveen, Netherlands, from June 23 to 27, 2003, under the chairmanship of Mr. Kees van Ettehoven, Naktuinbouw (Netherlands). The Report on the Conclusions is contained in document TWV/37/8 and the detailed Report appears as document TWV/37/9.

Participation

96. The session was attended by 39 experts from 16 member States, one observer State and three observer organizations. The TWV noted that the Preparatory Workshop was attended by 11 participants.

97. The TWV received oral reports from the participants on developments in plant variety protection (PVP) in their respective countries. The TWV noted in particular a presentation on a proposal developed in the Netherlands for the involvement of breeders' trials in its DUS examination for plant breeders' rights purposes. It was further reported that a study was underway in the Netherlands, on the use of molecular techniques in the management of reference varieties, where 90 tomato varieties would be used to compare results obtained from morphological characteristics with those obtained from molecular markers. The TWV noted further that a pre-accession process for joining the European Union (EU) was underway in the Czech Republic, Hungary, Poland and in Slovakia.

98. The TWV received an oral report from the Office of the Union on the latest developments on plant variety protection within UPOV and, in particular, those developments concerning the Technical Committee and the Technical Working Parties.

Molecular techniques

99. The TWV received an oral report from the Office of the Union on the latest developments in molecular techniques on the basis of document TC/38/14 Add.–CAJ/45/5 Add.

100. The TWV received an oral report from the Chairman of the *Ad hoc* Crop Subgroup for Mushroom (Mushroom Crop Subgroup). The TWV noted that many so-called "varieties" could not be distinguished using morphological characteristics and agreed that the use of molecular techniques to examine distinctness of such varieties would not be in accordance with the agreed UPOV position.

Project to consider the publication of variety descriptions

101. With respect to the Project to Consider the Publication of Variety Descriptions, the TWV noted reports from the Coordinators for Chinese Cabbage and for Lettuce. The TWV agreed that the study on Chinese Cabbage should proceed on all 25 varieties appearing in the lists of two or more countries and that the study on Lettuce should proceed on the basis of 104 varieties which were included by three or more contributors and that a further 28 varieties be selected from the varieties included in the lists of two contributors to ensure involvement of all contributors. The TWV agreed further with the recommendations in document TWV/37/5 and, in particular, that the study should be based on all characteristics in the UPOV Test Guidelines.

UPOV information databases

102. The TWV received an oral report from the Office of the Union on the plans for the development of UPOV codes and the GENIE database on the basis of document TC/39/13. It also received a report on the plans for improvements to the UPOV-ROM Plant Variety Database on the basis of document TC/39/14–CAJ/47/5. With regard to the development of

UPOV codes, the TWV was invited to consider the proposed UPOV codes, relevant to the TWV, as presented in document TWV/37/6.

TGP documents

103. The TWV examined document TGP/7 Draft 3 with its Annexes and made several proposals for amendments. The TWV agreed with the proposals for the development of TGP documents set out in Annexes I to III of document TC/39/6, with the exception that TGP/12.4 (Examination of Scent and Flavor Characteristics) should be deleted from Annex III. The TWV examined document TGP/12.1.1 (Characteristics Expressed in Response to External Factors: Disease Resistance) and agreed that proposals for dealing with a “partial resistance” state should be developed in a future draft.

Test Guidelines

104. The TWV agreed that Test Guidelines for Industrial Chicory, adopted by the Technical Committee at its thirty-seventh session in April 2001, should be partially revised on the basis of comments made by experts from Belgium. It also agreed that the Test Guidelines for Lettuce, adopted by the Technical Committee at its thirty-ninth session in April 2003, should be partially revised with respect to the characteristics concerning resistance to downy mildew. The TWV agreed that document TG/90/6(proj.1), Test Guidelines for Vegetable Kale, should be revised to cover only Curly Kale.

105. The TWV agreed to send draft Test Guidelines for Brussels Sprout (Revision), Cabbage (Revision), Carrot (Revision), Chard/Leaf Beet (Revision), Lettuce (Revision), Parsnip, Perilla, Curly Kale (Revision) and Watermelon (Revision) for adoption by the TC at its fortieth session.

106. The TWV agreed to rediscuss draft Test Guidelines for Ginseng, Husk Tomato, Industrial Chicory (Revision), Melon (Revision), Mushroom and Rosemary. The TWV agreed to start, at its thirty-eighth session, discussions on draft Test Guidelines for Chickpea (Revision), French Bean (Revision), Parsley (Revision), Pea (Revision), Pepper (Revision) and Sweetcorn. It was agreed that the TWA should be invited to notify interested experts who would wish to contribute to the development of the draft Test Guidelines for French Bean and Pea.

Date and place of next session

107. At the invitation of the expert from the Republic of Korea, the TWV agreed to hold its thirty-eighth session in the Republic of Korea from June 7 to 11, 2004.

Program for the next session

108. During the thirty-eighth session, the TWV planned to discuss or re-discuss: Short reports on developments in plant variety protection, Molecular Techniques, Project to consider the Publication of Variety Descriptions, Review of UPOV Information Databases, TGP Documents, Discussion on draft Test Guidelines for Chickpea (Revision), French Bean (Revision), Ginseng, Husk Tomato, Industrial Chicory (Revision), Melon (Revision), Mushroom, Parsley (Revision), Pea (Revision), Pepper (Revision), Rosemary, Sweetcorn, Date and place of next session, Future program, Report on the conclusions of the session.

109. The Council is invited:

(a) to note the work of the TC and that of the TWPs and BMT reported to the TC, as provided in this document, and

(b) to approve the work program of the TC and the work programs of the TWPs and BMT reported to the TC, as provided in this document.

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