



CAJ/73/8

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**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**

Geneva

**ADMINISTRATIVE AND LEGAL COMMITTEE****Seventy-Third Session  
Geneva, October 25, 2016**

## TGP DOCUMENTS

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## EXECUTIVE SUMMARY

1. The purpose of this document is to report on developments concerning TGP documents and to provide information to assist the CAJ in its consideration of documents TGP/7/5 Draft 1 "Development of Test Guidelines" and TGP/8/3 Draft 1 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability", as the basis for their adoption by the Council, at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, and to present a tentative program for the development of TGP documents.

2. The CAJ is invited to:

(a) consider the proposed revisions to document TGP/7 "Development of Test Guidelines", as presented in document TGP/7/5 Draft 1, and document TGP/8 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability", as presented in document TGP/8/3 Draft 1;

(b) note that the Council will be invited to consider the proposed revisions to documents TGP/7 and TGP/8, as presented in documents TGP/7/5 Draft 1 and TGP/8/3 Draft 1, respectively, for adoption at its fiftieth ordinary session and that the comments made by the CAJ on those documents, at its seventy-third session, will be reported to the Council at its fiftieth ordinary session;

(c) note that in conjunction with the adoption of the revised TGP documents at the fiftieth ordinary session of the Council, the Council will be invited to adopt a revision of document TGP/0 "List of TGP documents and latest issue dates" (document TGP/0/9) on the basis of document TGP/0/9 Draft 1; and

(d) consider the program for the development of TGP documents, as set out in the Annex to this document.

3. The following abbreviations are used in this document:

CAJ: Administrative and Legal Committee  
TC: Technical Committee  
TC-EDC: Enlarged Editorial Committee  
TWPs: Technical Working Parties

4. The structure of this document is as follows:

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#### DOCUMENTS TO BE CONSIDERED BY THE CAJ

##### TGP/7: Development of Test Guidelines (Revision) (document TGP/7/5 Draft 1)

5. The TC, at its fifty-second session, held in Geneva from March 14 to 16, 2016, noted the new section on “Coverage of the Test Guidelines” already agreed by the TC and agreed the proposals for new guidance on “Use of Proprietary text, photographs and illustrations in Test Guidelines” and “Regional sets of example varieties” to be included in a revision of document TGP/7 “Development of Test Guidelines”, as presented in document TGP/7/5 Draft 1 (see document TC/52/29 Rev. “Revised Report”, paragraphs 86 to 91).

6. On the above basis, the TC agreed that the revision of document TGP/7 (document TGP/7/5 Draft 1) should be put forward for adoption by the Council at its fiftieth ordinary session, subject to the approval of the CAJ at its seventy-third session, to be held in Geneva on October 25, 2016.

7. The TC noted that the French, German and Spanish translations of the original English text would be checked by the relevant members of the Editorial Committee prior to submission of the draft of document TGP/7/5 to the Council. Document TGP/7/5 Draft 1 incorporates the amendments agreed by the TC, as set out in paragraphs 5 and 6, and the linguistic changes made by the relevant members of the Editorial Committee.

8. Document TGP/7/5 Draft 1 will be considered for adoption by the Council at its fiftieth ordinary session. Comments made by the CAJ at its seventy-third session will be reported to the Council at its fiftieth ordinary session.

##### TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Revision) (document TGP/8/3 Draft 1)

9. The TC, at its fifty-second session, held in Geneva from March 14 to 16, 2016, noted the new section on “Examining characteristics using image analysis” already agreed by the TC and agreed the proposals for new guidance on “Minimizing the variation due to different observers of the same trial” to be included in a revision of document TGP/8 “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”, as presented in document TGP/8/3 Draft 1 (see document TC/52/29 Rev. “Revised Report”, paragraphs 92 to 94).

10. On the above basis, the TC agreed that the revision of document TGP/8 (document TGP/8/3 Draft 1) should be put forward for adoption by the Council at its fiftieth ordinary session, subject to the approval of the CAJ at its seventy-third session.

11. The TC noted that the French, German and Spanish translations of the original English text would be checked by the relevant members of the Editorial Committee prior to submission of the draft of document TGP/8/3 to the Council. Document TGP/8/3 Draft 1 incorporates the amendments agreed by the TC, as set out in paragraphs 8 and 9, and the linguistic changes made by the relevant members of the Editorial Committee.

12. Document TGP/8/3 Draft 1 will be considered for adoption by the Council at its fiftieth ordinary session. Comments made by the CAJ at its seventy-third session will be reported to the Council at its fiftieth ordinary session.

TGP/0: List of TGP documents and latest issue dates (Revision) (document TGP/0/9 Draft 1)

13. In conjunction with the adoption of the revised TGP documents at the fiftieth ordinary session of the Council, the Council will be invited to adopt document TGP/0/9 on the basis of document TGP/0/9 Draft 1 (see document TC/52/29 Rev. "Revised Report", paragraph 95).

14. *The CAJ is invited to:*

*(a) consider the proposed revisions to document TGP/7 "Development of Test Guidelines", as presented in document TGP/7/5 Draft 1, and document TGP/8 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability", as presented in document TGP/8/3 Draft 1;*

*(b) note that the Council will be invited to consider the proposed revisions to documents TGP/7 and TGP/8, as presented in documents TGP/7/5 Draft 1 and TGP/8/3 Draft 1, respectively, for adoption at its fiftieth ordinary session and that the comments made by the CAJ on those documents, at its seventy-third session, will be reported to the Council at its fiftieth ordinary session; and*

*(c) note that in conjunction with the adoption of the revised TGP documents at the fiftieth ordinary session of the Council, the Council will be invited to adopt a revision of document TGP/0 "List of TGP documents and latest issue dates" (document TGP/0/9) on the basis of document TGP/0/9 Draft 1.*

PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

15. The Annex to this document proposes a program for the development of TGP documents on the basis of the conclusions by the TC, at its fiftieth-second session.

*16. The CAJ is invited to consider the program for the development of TGP documents, as set out in the Annex to this document.*

[Annex follows]

## PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

	Title of document	Current approved documents	2016					2017					2018						
			TC-EDC	TC/52	TWPs	CAJ/72	C/50	TC-EDC	TC/53	CAJ/73	TWPs	CAJ/74	C/51	TC-EDC	TC/54	CAJ/75	TWPs	CAJ/76	C/52
TGP/0	List of TGP Documents and Latest Issue Dates	TGP/0/8 ADOPTED																	TGP/0/10 Adopt
TGP/1	General Introduction with Explanations	-	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
TGP/2	List of Test Guidelines Adopted by UPOV	TGP/2/2 ADOPTED																	
TGP/3	Varieties of Common Knowledge	C(Extr.)/19/2 Rev.																	
TGP/4	Constitution and Maintenance of Variety Collections	TGP/4/1 ADOPTED																	
TGP/5	Experience and Cooperation in DUS Testing	ADOPTED																	
TGP/6	Arrangements for DUS Testing	ADOPTED																	
TGP/7	Development of Test Guidelines	TGP/7/4 ADOPTED																	
	Drafter's Kit for Test Guidelines (Drafter: Office of the Union)			TC/52/28	TWP/[xx]/9			x	x					x	x	x			TGP/7/6 Adopt
	Coverage of the Test Guidelines (Drafter: Office of the Union)		TC-EDC/Jan16/2	TC/52/15		CAJ/73/8	TGP/7/5 Adopt												
	Use of Proprietary Text, Photographs and Illustrations in Test Guidelines (Drafter: Office of the Union)		TC-EDC/Jan16/3	TC/52/14		CAJ/73/8	TGP/7/5 Adopt												
	Regional Sets of Example Varieties (Drafter: Office of the Union)		TC-EDC/Jan16/4	TC/52/15		CAJ/73/8	TGP/7/5 Adopt												
TGP/8	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability	TGP/8/2 ADOPTED																	
	Examining characteristics using image analysis (document TC-EDC/Jan16/2 Annex I)		TC-EDC/Jan16/2	TC/52/5		CAJ/73/8	TGP/8/3 Adopt												
	Minimizing variation due to different observers (Drafter: Nik Hulse (Australia))		TC-EDC/Jan16/5	TC/52/16		CAJ/73/8	TGP/8/3 Adopt												
	Method of Calculation of COYU (Drafter: Adrian Roberts (United Kingdom))			TC/52/17	TWP/[xx]/10				x		x		x	x	x				TGP/8/4 Adopt
	Examining DUS in Bulk Samples (Drafter: Office of the Union)			TC/52/18	TWP/[xx]/11				x		x		x	x	x				TGP/8/4 Adopt
	Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions (Drafter: Office of the Union)			TC/52/19	TWP/[xx]/12				x		x		x	x	x				TGP/8/4 Adopt
TGP/9	Examining Distinctness	TGP/9/2 ADOPTED																	
TGP/10	Examining Uniformity	TGP/10/1 ADOPTED																	
	Assessing Uniformity by Off-types on the Basis of More than One Growing Cycle or on the Basis of Sub-Samples (Drafter: Office of the Union)			TC/52/20	TWP/[xx]/13				x		x		x	x	x				TGP/10/2 Adopt
TGP/11	Examining Stability	TGP/11/2 ADOPTED																	
TGP/12	Guidance on Certain Physiological Characteristics	TGP/12/2 ADOPTED																	
TGP/13	Guidance for New Types and Species	TGP/13/1 ADOPTED																	
TGP/14	Glossary of Terms Used in UPOV Documents	TGP/14/3 ADOPTED																	
TGP/15	Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)	TGP/15/1 ADOPTED																	