



Developing DUS testing in the absence of UPOV test guidelines

Seminar on DUS testing
Session 5(b): Guidance for DUS testing

UPOV, Geneva, 19 March 2010

Sergio SEMON
Community Plant Variety Office

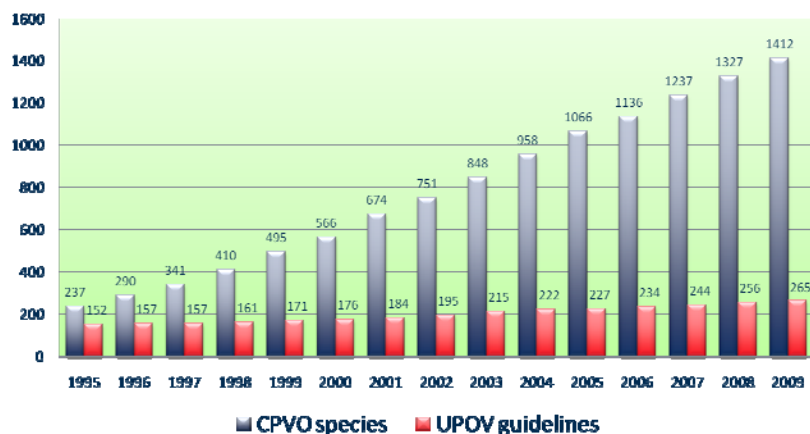
CPVO Situation in the absence of UPOV guidelines

- Gradual evolution in number of species being applied for Community plant variety rights (CPVR):
 - ➡ First year of operation of CPVO (1995): 237 species.
 - ✓ 150 UPOV guidelines existed at the time
 - ➡ Up until end of 2009 CPVO had received over **1400** species
 - However, present number of UPOV guidelines available: 265

CPVO faced with substantial shortfall in internationally agreed DUS testing documents!



Evolution of the number for species for which the CPVO received applications for Community PVR and number of UPOV guidelines



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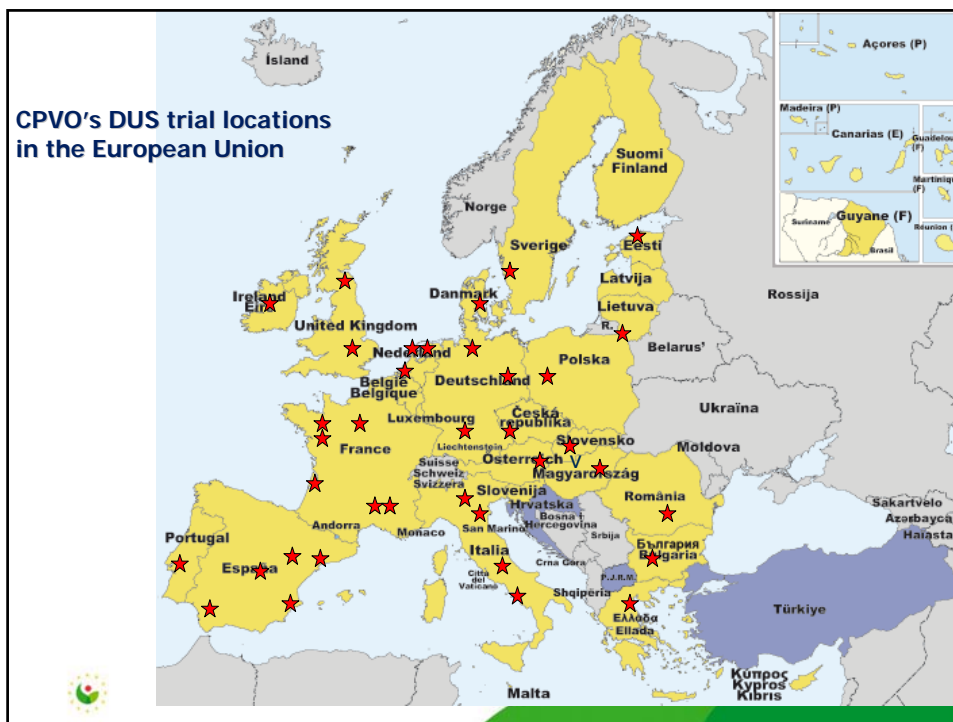
Species without a UPOV guideline and identification of « new » species

- Majority of species filed to CPVO and not being the subject of a UPOV guideline have less than 10 applications (varieties) per species. These are termed internally as « minor species »
 - about 90% of these species concern ornamental varieties
- On average, CPVO receives applications for 2 « new species »¹ per week. Correct botanical nomenclature created in CPVO database and corresponding UPOV code allocated to new species
- CPVO has the obligation to find a suitable examination office for each of these new species and the varieties coming under it, but:
 - *matter complicated in that CPVO works with 27 examination offices having over 40 testing locations throughout the European Union*



¹ : for a full description of a « new species » please refer to TGP/13/1 section 2.1

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CPVO « New species » procedure

- Those botanical taxa having been identified as « new species » are put out to tender amongst the CPVO examination offices two to three times a year via the *New species procedure*
- In accordance with TGP/13/1 section 2.2, CPVO distributes amongst examination offices the technical details of the varieties for which a « new species » has been received to see who would be interested in carrying out the DUS testing
- Details received back from interested examination offices outlining whether they are qualified in DUS testing the “new” or related species
- CPVO checks whether a certain level of knowledge/competence exists at interested examination offices and subsequently proposes a list for entrustment to its Administrative Council
 - ☁ However, sometimes draw a blank and CPVO has to look for alternative possibilities (DUS testing outside EU, at breeders’ premises, etc)



Example of a New species procedure: Eucalyptus



CPVO proposal number	Species	Country of origin of application	Description	Method of reproduction	Remarks	Botanical origin	Proposed fee group
2009011	<i>Eucalyptus globulus</i> Labill.	ES	Myrtaceae, evergreen tree for cellulose production	cuttings	Grows up to 35 meter high, suitable for warm climates with up to 600 mm rainfall. Growing temperature between 4° and 40° (can bare frost up to -4]° C). 6 applications received	Australia	1470 (group 15)



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Example of a New species procedure: Interspecific avens



CPVO proposal number	Species	Country of origin of application	Description	Method of reproduction	Remarks	Botanical origin	Proposed fee group
2009020	<i>Geum quellyon</i> Sweet x <i>Geum rivale</i> L.	UK	Rosaceae. Seedling. Perennial plant with orange flowers. Flowering period: mid spring to late autumn	In vitro, division	Plant height - ca. 130cm, tolerates - 20° C.	<i>Geum quellyon</i> Sweet - Chile, G. Rivale L. - Asia, Europe, Northern America	1470 (group 16)



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Organising the DUS test for « new species »

- If no UPOV guideline exists, DUS test will have to be carried out based on an existing national guideline; but if this is not available, entrusted examination office will have to create a guideline for the species in question based upon a *CPVO Simplified Standard Protocol*
- CPVO encourages close collaboration between entrusted examination office and applicant of candidate variety covered by the new species (TGP/13/1 section 2.3), in order to best prepare the DUS trial and the submission of appropriate plant material
- Most appropriate varieties of common knowledge to grow alongside candidate variety of new species acquired via literature search and with assistance from applicant or another plant supplier (e.g. botanic garden)



CPVO Simplified Standard Protocol

- **Simplified standard protocol *):**
- Botanical taxon:
- Common Name (when known):
- Date of preparation of the Simplified Standard Protocol:
- Simplified Standard Protocol data prepared by:
- Way of propagation of the plants to be examined SEED/VEGETATIVE
- Number of growing cycles: 1 / 2 / other (specify)
- Closing date for applications:
- Submission of plant material date/period:
- Seed/Plant Quantity
- Seed /Plant Quality
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- Special conditions of the sample:
-
- Test station address:
- Name/Email/Tel./Contact person
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CPVO Simplified Standard Protocol (cont.)

- List of grouping characteristics YES/NO, if yes put as annex
- Minimum number of plants in trial vegetative: seed:
- Minimum number of plants observed
- by measuring or counting: vegetative: seed:
- Give description of when observations on the flower should take place
- Give description of when/where observations on the leaf should take place
- Give description of when/where the other observations should take place
- Test will take place IN THE GREENHOUSE / IN THE OPEN / OTHER: specify
- Uniformity: Population Standard used: 1% / 2% / OTHER: specify
- Table of characteristics PRESENT / NOT AVAILABLE
- (if present, please enclose the table of characteristics and explanations)
- Reference collection PRESENT / NOT AVAILABLE
- (if present, please enclose information about the reference collection)
- Literature PRESENT / ABSENT
- (when present, please annex to this document)
- *) Further information about the preparation of Technical Protocols can be obtained from UPOV TGP/7: 'Development of test guidelines', available on the UPOV website.



Development and conclusion of the DUS test

- Particularities of the candidate variety taken into account based on the fact that it belongs to a new species:
 - Distinctness aspects
 - Uniformity standards to apply
 - Potentially different type of propagation
 - Possible interspecific/generic hybrid
- In keeping with TGP/13/1 section 2.7, variety description based upon qualitative characteristics (absolute values) using similar structure/order to that found in UPOV guidelines.
 - As more varieties received within same species, content of table of characteristics expanded and refined (e.g. *Euphorbia hypericifolia*).
 - CPVO foresees publishing resulting national protocol
 - If popularity of species increases (e.g. *Lonicera caerulea* L. –Blue honeyberry) CPVO protocol drawn up and proposal made to create UPOV guideline to improve international harmonisation





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THANK YOU FOR YOUR
ATTENTION

