

Technical Working Party for Agricultural Crops

Forty-Sixth Session

Hanover, Germany, June 19 to 23, 2017

TWP/1/20

Original: English

Date: June 9, 2017

Technical Working Party for Vegetables

Fifty-First Session

Roelofarendsveen, Netherlands, July 3 to 7, 2017

Technical Working Party for Ornamental Plants and Forest Trees

Fiftieth Session

Victoria, Canada, September 11 to 15, 2017

Technical Working Party for Fruit Crops

Forty-Eighth Session

Kelowna, Canada, September 18 to 22, 2017

Technical Working Party on Automation and Computer Programs

Thirty-Fifth Session

Buenos Aires, Argentina, November 14 to 17, 2017

PROCEDURE FOR PARTIAL REVISION OF UPOV TEST GUIDELINES

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

EXECUTIVE SUMMARY

1. The purpose of this document is to present the procedures and invite Authorities to notify the use of new characteristics or states expression using the procedure established in document TGP/5, Section 10: "Notification of additional characteristics and states of expression".
2. The Technical Working Parties (TWPs) are invited to note:
 - (a) the procedures for notification of new characteristics or states expression in document TGP/5, Section 10: "Notification of additional characteristics and states of expression"; and
 - (b) that the TC encouraged Authorities to notify the use of new characteristics or states expression using the procedure established in document TGP/5, Section 10.
3. The structure of this document is as follows:

BACKGROUND2

 TECHNICAL WORKING PARTY FOR VEGETABLES2

 TECHNICAL COMMITTEE2

ADDITIONAL CHARACTERISTICS AND STATES OF EXPRESSION IN INDIVIDUAL AUTHORITIES' TEST GUIDELINES2

- ANNEX I: Notification of additional characteristics
- ANNEX II: Notification of additional states of expression

4. The following abbreviations are used in this document:

TC: Technical Committee

TWPs: Technical Working Parties

TWV: Technical Working Party for Vegetables

BACKGROUND

Technical Working Party for Vegetables

5. The TWV, at its fiftieth session, held in Brno, Czech Republic, from June 27 to July 1, 2016, expressed some concerns about the speed for making partial revisions of Test Guidelines, especially in relation to disease characteristics, which are particularly relevant in the vegetable sector. The TWV considered the guidance provided in document “TGP/7/4 – Section 2: Procedure for the Introduction and Revision of UPOV Test Guidelines” and invited the TC to consider whether a revision of this existing guidance could be envisaged to allow more flexibility to add new proposals for partial revision at any time in the course of the year (see document TWV/50/25 “Report”, paragraphs 59 and 60):

6. The TWV agreed that it would be important for examination offices and DUS experts to have opportunity to make a proposal for a partial revision of existing UPOV Test Guidelines, in the period after the TC but before the TWP. It further agreed that sufficient time would be given to inform all relevant experts and members of UPOV and for the relevant experts to be able to check the proposal, if necessary.

Technical Committee

7. The TC, at its fifty-third session, held in Geneva from April 3 to 5, 2017, considered whether to amend document TGP/7 to allow the addition of new proposals for partial revisions of Test Guidelines at any time during the year, subject to the provision of sufficient time for checking of the proposals by relevant experts and UPOV members (see document TC/53/31 “Report”, paragraphs 136 to 139).

8. The TC noted the role of UPOV for harmonization of Test Guidelines and recalled that UPOV members could amend their own test guidelines before changes were made to UPOV Test Guidelines. However, it recalled that it was important for authorities to report on such developments in order that the UPOV Test Guidelines could be revised, if appropriate.

9. The TC agreed that it would not be appropriate to develop proposals for partial revisions to UPOV Test Guidelines at any time in the course of the year. The TC agreed that Authorities should be invited to notify the use of new characteristics or states expression using the procedure established in document TGP/5, Section 10: “Notification of additional characteristics and states of expression”.

10. The TC agreed to request the Office of the Union to encourage the notification of additional characteristics and states of expression by making a presentation to the TWPs, at their sessions in 2017, on the procedures established in document TGP/5, Section 10.

ADDITIONAL CHARACTERISTICS AND STATES OF EXPRESSION IN INDIVIDUAL AUTHORITIES' TEST GUIDELINES

11. Document TG/1/3 “General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants [General Introduction]” states in section 4.2.3 that “The characteristics included in the individual Test Guidelines are not necessarily exhaustive and may be expanded with additional characteristics if that proves to be useful and the characteristics meet the conditions set out [in section 4.2.1]”. In addition, document TGP/7/2, Chapter 4.1.9, states that “It may become necessary for a characteristic in individual authorities’ test guidelines to be changed over time, e.g. to create new states of expression arising from breeding developments.”.

12. In order to retain internationally harmonized variety descriptions, document TGP/5, Section 10 ‘Notification of Additional Characteristics’ provides a basis for such differences between the Test Guidelines and individual authorities’ test guidelines to be notified to all members of the Union. In that regard, it should be clarified that the notification of additional characteristics and states of expression in document TGP/5 Section 10 is not a requirement before a characteristic can be used by a member of the Union.

13. Document TGP/5 Section 10: paragraph 4.2 states that “proposals for additional characteristics and states of expression notified to the Office of the Union by means of document TGP/5 Section 10, will be presented to the relevant Technical Working Party(ies) (TWP(s)) at the earliest opportunity with information on the extent of use of the characteristic. The characteristics will then, as appropriate, be posted on the TG Drafters’ webpage of the UPOV website (http://www.upov.int/restricted_temporary/tg/index.html) on the basis of comments made by the relevant TWP(s), and/or the TWP(s) may initiate a revision or a partial revision of the Test Guidelines concerned.”

14. The tables in Annexes I and II to this document have been developed for the notification of additional characteristics and additional states of expression, respectively, by a member of the Union (see document TGP/5 Section 10, paragraph 4.1).

15. *The TWPs are invited to note:*

(a) the procedures for notification of new characteristics or states expression in document TGP/5, Section 10: "Notification of additional characteristics and states of expression"; and

(b) that the TC encouraged Authorities to notify the use of new characteristics or states expression using the procedure established in document TGP/5, Section 10.

[Annexes follow]

NOTIFICATION OF ADDITIONAL CHARACTERISTICS

**Test Guidelines for [.....]: TG/[...]/[...]
Additional Characteristic(s)**

Submitting Authority: Contact Expert: Name:

Date: Organization:

Tel.:

E-mail:

	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	[iii] Note/ Nota
New 1.	[ii]					
[i]	[state]	[état]	[Stufe]	[nivel]		[]
	[state]	[état]	[Stufe]	[nivel]		[]
	[state]	[état]	[Stufe]	[nivel]		[]
New 2.						

- [i] indicate type of expression (QL, PQ, QN)
- [ii] indicate method of observation (VG, VS, MG, MS)
- [iii] example varieties to be provided for at least 2 states.

Explanation / Illustration (including extent of the use of the characteristic(s)):

[Annex II follows]

NOTIFICATION OF ADDITIONAL STATES OF EXPRESSION

Test Guidelines for [.....]: TG/[...]/[...]
Additional State(s) of Expression

Submitting Authority:

Contact Expert:

Name:

Date:

Organization:

Tel.:

E-mail:

	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota
--	---------	----------	---------	---------	---	---------------

[Existing characteristic: to be reproduced in full from UPOV Test Guidelines (including characteristic number, type of expression, method of observation, states, example varieties and notes)]

[Characteristic with new state(s) of expression (including all information as above)]

Explanation / Illustration (including extent of the use of the characteristic(s)):