

Technical Working Party for Agricultural Crops

Forty-Seventh Session

Naivasha, Kenya, May 21 to 25, 2018

TWP/2/1

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Thirty-Sixth Session

Hanover, Germany, July 2 to 6, 2018

Technical Working Party for Vegetables

Fifty-Second Session

Beijing, China, September 17 to 21, 2018

Technical Working Party for Fruit Crops

Forty-Ninth Session

Santiago de Chile, Chile, November 19 to 23, 2018

Technical Working Party for Ornamental Plants and Forest Trees

Fifty-First Session

Christchurch, New Zealand, February 18 to 22, 2019

TGP DOCUMENTS*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 provide an overview of revisions of TGP documents.
2. The TWPs are invited to note:
 - (a) the revisions of TGP documents previously agreed by the TC, as set out in paragraphs 11 to 17 of this document;
 - (b) that subject to approval by the TC and the CAJ, the proposed guidance on confidentiality of molecular information will be put forward for adoption by the Council, at its session in 2018;
 - (c) that the following matters concerning a possible revision of TGP documents, will be considered by the TC, at its fifty-fourth session:
 - (i) Characteristics which only apply to certain varieties;
 - (ii) The Combined-Over-Years Uniformity Criterion (COYU);
 - (iii) Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions;
 - (iv) Assessing Uniformity by Off-Types on Basis of More than One Growing Cycle or on the Basis of Sub-Samples.
 - (d) that the following matters concerning a possible revision of TGP documents are considered under separate documents:
 - (i) Duration of DUS tests in the fruit sector;
 - (ii) Method for more than one single test (year);
 - (iii) Illustrations for shape and ratio characteristics;
 - (iv) UPOV color groups.
 - (e) the recommendation by the TC-EDC for implementing the procedure for adoption of Test Guidelines by correspondence, as set out in paragraphs 46 to 52 of this document.

(f) that the TC-EDC recommended that the TC consider the possibility to accept the use of any other method, including alternative markers for the DNA marker test, where validated by the testing authorities in UPOV members.

(g) that the TC-EDC agreed to recommend to the TC to consider a situation where existing Test Guidelines characteristics did not meet the requirements set out in document TGP/7.

(h) that the TC-EDC:

- (i) agreed to invite the TC to consider whether to provide further guidance on elements that would not need to be completed in explanations for disease resistance characteristics in Test Guidelines using the Standard Resistance Protocol provided in document TGP/12 "Guidance on certain physiological characteristics"; and
- (ii) recommended that the TC considered providing training at relevant TWPs on providing explanations for disease resistance characteristics in Test Guidelines.

(i) that the BMT agreed to propose a revision to document TGP/15 in order to:

- (i) reflect the refinements that had been made in France on the basis of its experience in the application of the Model "Combining Phenotypic and Molecular Distances in the Management of Variety Collections"; and
- (ii) to include the approach presented by the Netherlands in documents BMT/16/19 "Genetic selection of similar varieties for the first growing cycle: example French bean" and BMT/16/19 Add., for consideration by the Technical Committee at its fifty-fourth session;

(j) that the BMT agreed that it would be advantageous if the draft revision of document TGP/15 could be published sufficiently before the forty-seventh session of the TWA and the fifty-second session of the TWV, in order that any comments of the TWA and TWV on the proposed revisions could be reported to the TC at its fifty-fourth session.

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

3. The TWC is invited to consider the following matters:

- (i) The Combined-Over-Years Uniformity Criterion (COYU);
- (ii) Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions;
- (iii) Assessing Uniformity by Off-Types on Basis of More than One Growing Cycle or on the Basis of Sub-Samples.

4. The TWA and TWV are invited to note that further information on the proposals by the BMT for the revision of document TGP/15 will be presented under document TWP/2/7 "Molecular techniques".

5. The following abbreviations are used in this document:

BMT	Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular
TC:	Technical Committee
TC-EDC:	Enlarged Editorial Committee
TWA:	Technical Working Party for Agricultural Crops
TWC:	Technical Working Party on Automation and Computer Programs
TWF:	Technical Working Party for Fruit Crops
TWO:	Technical Working Party for Ornamental Plants and Forest Trees
TWV:	Technical Working Party for Vegetables
TWPs:	Technical Working Parties

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BACKGROUND

7. The TC, at its fifty-third session, and the CAJ, at its seventy-fourth session, approved the program for the development of TGP documents, as set out in the Annex to documents TC/53/5 and CAJ/74/7, respectively (see document TC/53/31 “Report”, paragraph 145, and document CAJ/74/10 “Report”, paragraph 39, respectively).

8. The approved TGP documents are published on the UPOV website at http://www.upov.int/upov_collection/en/.

9. The Council, at its thirty-fourth extraordinary session, held in Geneva on April 6, 2017, decided to organize a single set of sessions from 2018, in the period of October/November (see document C(Extr.)/34/6 "Report on the decisions", paragraphs 12 to 14). From 2018, the meetings of the TC would take place on October/November instead of March/April. The TC-EDC would meet twice a year; once in the period of March/April and once in conjunction with the TC sessions later in the year.

10. Based on the recommendation of the Consultative Committee, the Council decided to adopt the proposals of the TC, at its fifty-third session, to use contingency measures in the transitional period until the fifty-fourth session of the TC, to be held in October 2018; for TGP documents, the TC-EDC would consolidate comments made by the TWPs at their sessions in 2017 and, in the absence of consensus between the TWPs, to formulate proposals for further consideration by the TWPs at their sessions in 2018 (see document C(Extr.)/34/6 "Report on the decisions", paragraphs 12 to 14).

MATTERS FOR ADOPTION BY THE COUNCIL IN 2018

Matters previously agreed by the Technical Committee

11. The following revisions of TGP documents were agreed by the Technical Committee, at its fifty-third session, held in Geneva from April 3 to 5, 2017, to be proposed for adoption by the Council at its fifty-second ordinary session, to be held in Geneva on November 2, 2018, subject to approval by the CAJ, at its seventy-fifth session, to be held in Geneva on October 31, 2018:

TGP/7: Development of Test Guidelines

(i) Drafter's Kit for Test Guidelines

12. The TC, at its fifty-third session, agreed the proposed revisions of document TGP/7 "Development of Test Guidelines" to reflect the introduction of the web-based TG template, as set out in Annex I to this document, and agreed that a revised version of document TGP/7 should be presented for adoption by the Council in 2018 on that basis, subject to approval by the Administrative and Legal Committee (CAJ).

13. The revisions to the Drafter's Kit for Test Guidelines agreed by the TC at its fifty-third session are contained in document TGP/7/6 draft 1.

(ii) Presentation of different types of example varieties

14. The TC, at its fifty-third session, agreed that the guidance in document TGP/7 "Development of Test Guidelines", GN 28, Section 3.2: "Different types of variety" should be revised to indicate the type before the denomination of each example variety (e.g. (w) winter 1, (w) winter 2, (s) spring 1, (s) spring 2) (see document TC/53/31 "Report", paragraphs 107 to 110).

15. The revision to Guidance Note (GN) 28, Section 3.2: "Different types of variety" agreed by the TC, at its fifty-third session, are set out in Annex I to this document and are contained in document TGP/7/6 draft 1.

TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability

(iii) Examining DUS in Bulk Samples

16. The TC, at fifty-third session, agreed a list of criteria as the basis for the development of guidance for inclusion in a future revision of document TGP/8, as set out in Annex II to this document (see document TC/53/31 "Report", paragraphs 113 to 116).

TGP/14: Glossary of Terms Used in UPOV Documents

(iv) Illustrations for shape and ratio characteristics

17. The TC, at its fifty-third session, agreed to revise document TGP/14: Section 2: Subsection 2: Shapes and structures to amend the grid for position of broadest part and width/ratio presented in Example 5, Alternative 2, to remove the wording on "ratio" and to display "relative width" in a separate column from the scale of "broad to narrow", as presented in Annex III to this document (see document TC/53/31 "Report", paragraph 141).

18. *The TWPs are invited to note the revisions of TGP documents previously agreed by the TC, as set out in paragraphs 11 to 17 of this document.*

Matters to be considered by the Technical Committee

TGP/5: Section 1: “Model administrative agreement for international cooperation in the testing of varieties”

19. The TC agreed that the guidance on plant material provided in document TGP/5: “Experience and cooperation in DUS testing”, Section 1: “Model administrative agreement for international cooperation in the testing of varieties” would be a suitable basis also for molecular data and requested the Office of the Union to propose guidance on confidentiality of molecular information for inclusion in document TGP/5, Section 1, on that basis (see document TC/53/31 “Report”, paragraph 182).

20. The TWA, TWV, TWO, TWF and TWC considered document TWP/1/9 “Confidentiality of molecular information” and agreed to propose that Articles 4 and 6 of document TGP/5, Section 1 be revised to read as follows (see documents TWA/46/10 “Report”, paragraphs 18 and 19; TWV/51/16, paragraphs 22 to 25; TWO/50/14 “Report”, paragraphs 19 to 21; TWF/48/13 “Report”, paragraphs 22 to 25; and TWC/35/21 “Report”, paragraphs 32 to 35) (proposed insertion of text indicated by highlighting and underlining):

“Article 4

“(1) The Authorities shall take all necessary steps to safeguard the rights of the applicant.

“(2) Except with the specific authorization of the Receiving Authority and the applicant, the Executing Authority shall refrain from passing on to a third person any material, including DNA, or molecular information, of the varieties for which testing has been requested.”

[...]

“Article 6

“Practical details arising out of this Agreement –regarding in particular the provisions relating to the considerations, application forms, technical questionnaires and requirements as to propagating material, testing methods, exchange of reference samples, exchange of molecular information, maintenance of reference collections and the presentation of the results– shall be specified in this Agreement or settled between the Authorities by correspondence.”

21. The TWV recalled the decision by the TC at its fifty-third session (see document TC/53/31 “Report”, paragraphs 180 and 182), and invited the TC to clarify its view in relation to inviting members to make molecular information available for inclusion in publicly available databases (e.g. GENIE) and, on the other hand, requesting to review existing guidance to increase the confidentiality of molecular information.

22. The TWC agreed with the TWF that certain information provided by the applicant might not be available due to trade secret agreement signed between the authority in charge of DUS and the applicant. In contrast, national legislation regarding official information may require passing other information to a third person.

23. The proposed revisions of document TGP/5, Section 1: “Model administrative agreement for international cooperation in the testing of varieties” are presented in document TGP/5: Section 1/3 draft 1.

24. *The TWPs are invited to note that, subject to approval by the TC and the CAJ, the proposed guidance on confidentiality of molecular information would be put forward for adoption by the Council, at its session in 2018.*

FUTURE REVISIONS OF TGP DOCUMENTS

25. The TC, at its fifty-third session, agreed the matters for possible future revision of TGP documents to be considered by the TWPs at their sessions in 2017 (see document TC/53/31 “Report”, paragraphs 107 to 145).

26. In accordance with the contingency measures in the transitional period until the fifty-fourth session of the TC, to be held in October 2018 (see paragraphs 9 and 10), the TC-EDC, at its meeting held in Geneva, on March 26 and 27, 2018, consolidated the comments made by the TWPs at their sessions in 2017 and, where appropriate, formulated proposals for further consideration by the TWPs at their sessions in 2018 as indicated below:

TGP/7: Development of Test Guidelines

(i) *Duration of DUS tests in the fruit sector*
See document TWP/2/9

(ii) *Characteristics which only apply to certain varieties*

27. The TC-EDC considered document TC-EDC/Mar18/13 "Characteristics which only apply to certain varieties".

28. The TC-EDC noted that the TWA, TWV, TWO, TWF and TWC had agreed with the possibility to exclude varieties from observation on the basis of a preceding pseudo-qualitative or quantitative characteristic under particular circumstances.

29. The TC-EDC recommended that a proposal to amend guidance in document TGP/7 be considered by the Technical Committee, at its fifty-fourth session, e.g. to read: "In some cases, the state of expression of a preceding ~~qualitative~~ characteristic determines that a subsequent characteristic is not applicable [...]".

30. The TC-EDC recommended the inclusion of a warning on the consequences of using the approach to exclude varieties from observation on the basis of a preceding pseudo-qualitative or quantitative characteristic, such as for grouping characteristics and asterisked characteristics.

TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability

(iii) *The Combined-Over-Years Uniformity Criterion (COYU)*

31. The TC-EDC considered document TC-EDC/Mar18/14 "The combined-over-years uniformity criterion (COYU)".

32. The TC-EDC noted that the TWF had suggested the conducting of a survey among members of the Union to assess the number of authorities using the COYU method for each crop sector, in order to assess how best to present information in relation to COYU to the TWPs.

33. The TC-EDC noted that the TWC had agreed to invite the expert from the United Kingdom to report on further improving the software using the new method of calculation of COYU, at its thirty-sixth session.

34. The TC-EDC agreed to propose to the TWC to formulate a proposal for consideration by the TC, at its fifty-fourth session, on the new method of calculation of COYU.

35. The TC-EDC agreed that the improved method of calculation of COYU should only be discussed by the TWC and the TC, at their sessions in 2018.

(iv) *Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions*

36. The TC-EDC considered document TC-EDC/Mar18/15 "Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions".

37. The TC-EDC noted the developments at the TWC, at its thirty-fifth session, and that a document compiling the descriptions of methods to transform measurements into notes would be presented to the TWC, at its thirty-sixth session, using the same format and clarifying the differences between the methods.

38. The TC-EDC agreed that summary information on developments concerning the possible development of new guidance for document TGP/8 on "Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions" should be reported to the TWPs, at their sessions in 2018, under document "TGP documents". The TC-EDC agreed that developments on this matter should be considered by the TC, at its fifty-fourth session.

- (v) *Method for more than one single test (year)*
See document TWP/2/10

TGP/10: Examining uniformity

- (vi) *Assessing Uniformity by Off-Types on Basis of More than One Growing Cycle or on the Basis of Sub-Samples*

39. The TC-EDC considered document TC-EDC/Mar18/17 “Assessing uniformity by off-types on the basis of more than one growing cycle or on the basis of sub-samples”.

40. The TC-EDC noted that the TWC had agreed to invite the experts from Germany, the United Kingdom and other members of the Union to submit papers on the analysis of risks associated with each approach for assessing uniformity by off-types on basis of more than one growing cycle, to be considered at its thirty-sixth session.

41. The TC-EDC considered the comments made by the TWPs, at their sessions in 2017, and on that basis agreed to recommend the draft guidance for consideration by the TC, at its fifty-fourth session, with the following amendments:

“[...] It is important to identify whether differences in number of off-types between growing cycles were ~~not~~ due to environmental reasons or sampling variation.

42. The TC-EDC noted the invitation by the TC for the TWPs, at their sessions in 2017, to consider whether a more general criteria should be used for a variety to be rejected after a single growing cycle rather than the specific case of having exceeded the allowed number of off types in two growing cycles. The TC-EDC noted the preference expressed by the TWPs, at their sessions in 2017, to retain the criteria for a variety to be rejected after a single growing cycle previously considered by the TC, as follows:

“Furthermore, if in the first growing cycle a variety exceeds a predefined upper limit of off-types the variety may be rejected after a single growing cycle.”

43. The TC-EDC agreed that the proposal above should be considered by the TC.

TGP/14: Glossary of Terms Used in UPOV Documents

- (vii) *Illustrations for shape and ratio characteristics*
See document TWP/2/11

- (viii) *UPOV color groups*
See document TWP/2/12

44. *The TWPs are invited note that:*

(a) *the following matters concerning a possible revision of TGP documents, will be considered by the TC, at its fifty-fourth session:*

(i) *Characteristics which only apply to certain varieties;*

(ii) *The Combined-Over-Years Uniformity Criterion (COYU);*

(iii) *Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions;*

(iv) *Assessing Uniformity by Off-Types on Basis of More than One Growing Cycle or on the Basis of Sub-Samples.*

(b) *the following matters concerning a possible revision of TGP documents are considered under separate documents:*

(i) *Duration of DUS tests in the fruit sector;*

- (ii) *Method for more than one single test (year);*
- (iii) *Illustrations for shape and ratio characteristics;*
- (iv) *UPOV color groups.*

45. *The TWC is invited to consider the following matters:*

- (i) *The Combined-Over-Years Uniformity Criterion (COYU);*
- (ii) *Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions;*
- (iii) *Assessing Uniformity by Off-Types on Basis of More than One Growing Cycle or on the Basis of Sub-Samples.*

POSSIBLE FUTURE REVISIONS OF TGP DOCUMENTS

TGP/7: Development of Test Guidelines

Procedure for the adoption of draft Test Guidelines

46. The TC-EDC, at its meeting held in March, 2018, noted the procedure for adoption of Test Guidelines by correspondence in accordance with the decision by the Council, at its thirty-fourth extraordinary session. In that regard the TC-EDC noted that further amendments to document TGP/7 Section 2.2.8 "Adoption of Draft Test Guidelines by the Technical Committee" would be required for the procedure for the adoption of Test Guidelines by correspondence.

47. The TC-EDC agreed to recommend that the procedure for adoption of Test Guidelines by correspondence be implemented as follows:

- The draft Test Guidelines would be circulated to TC for adoption by correspondence along with the recommendations by the TC-EDC;
- The draft Test Guidelines would be considered as adopted if no comments were received within six weeks;
- In case any comments were received, the draft Test Guidelines would be referred to the relevant TWP to address those comments.

48. The TC-EDC agreed to propose that for Test Guidelines to be considered at the March/April meeting, they would need to be submitted by the Technical Working Parties at least 14 weeks prior to the TC-EDC meeting.

49. The TC-EDC agreed that three potential outcomes could be expected from Test Guidelines considered at the March/April meeting:

- (a) no changes required to the Test Guidelines or strictly editorial changes on which recommendations were agreed by the TC-EDC;
- (b) editorial clarifications required;
- (c) technical issues to be resolved.

50. The TC-EDC agreed that in cases where no changes were required to the Test Guidelines or strictly editorial changes on which recommendations were agreed by the TC-EDC, the Test Guidelines could be circulated for adoption by correspondence.

51. The TC-EDC agreed to propose the following procedure for Test Guidelines when editorial clarifications were required:

- request for clarifications to be transmitted to the Leading Expert
- clarifications to be provided within four weeks

- if clarifications agreed by the TC-EDC, the Test Guidelines would be recommended for adoption at the TC-EDC meeting in conjunction with the TC session in October/November
- the Test Guidelines would be adopted at the TC session

52. The TC-EDC agreed to propose the following procedure for Test Guidelines with technical issues to be resolved:

- issues to be transmitted to the Leading Expert
- technical issues to be addressed at the respective Technical Working Party by means of a TWP document prepared by the Leading Expert at least four weeks before TWP session (new draft Test Guidelines should not be prepared)
- resolution of issues to be provided to TC-EDC at least seven weeks before the TC session
- if agreed by the TC-EDC, the Test Guidelines would be recommended for adoption at the TC-EDC meeting in conjunction with the TC session in October/November
- Test Guidelines adopted at the TC session

53. The TWPs are invited to note the recommendation by the TC-EDC for implementing the procedure for adoption of Test Guidelines by correspondence, as set out in paragraphs 46 to 52 of this document.

Proprietary method of assessment for male sterility

54. The TC-EDC considered the draft Test Guidelines for Broccoli and the methodology for the assessment of male sterility in a DNA marker test. The TC-EDC noted that the DNA marker test could be used as an alternative test to the field trial.

55. The TC-EDC noted the following disclaimer:

"The description of the method to test male sterility for *Brassica* (CMS marker) is covered by a trade secret. The owner of the trade secret, Syngenta Seeds B.V., has given its consent for the use of the CMS marker solely for the purposes of examination of Distinctness, Uniformity and Stability (DUS) and for the development of variety descriptions by UPOV and authorities of UPOV members. Syngenta Seeds B.V. declares that neither UPOV, nor authorities of UPOV members that use the CMS marker for the above purposes will be held accountable for possible (mis)use of the CMS marker by third parties. Please contact Naktuinbouw, Netherlands, to obtain the method and information on the CMS marker for the purposes mentioned above."

56. The TC-EDC recommended that the TC consider the possibility to accept the use of any other method, including alternative markers for the DNA marker test, where validated by the testing authorities in UPOV members.

57. The TWPs are invited to note that the TC-EDC recommended that the TC consider the possibility to accept the use of any other method, including alternative markers for the DNA marker test, where validated by the testing authorities in UPOV members.

Suitability of characteristics in previous versions of Test Guidelines

58. The TC-EDC considered the draft Test Guidelines for Cotton and the use of characteristics, such as fiber length, fiber strength, fiber elongation, fiber fineness and fiber length uniformity. The TC-EDC noted that these characteristics had been introduced in the first Test Guidelines for Cotton adopted in 1985 or in the revised version in 2001. The TC-EDC recommended to request the leading expert of the Test Guidelines for Cotton to provide further information on how characteristics 30 to 34 are assessed, in Chapter 8.

59. The TC-EDC agreed to recommend to the TC to consider a situation where existing Test Guidelines characteristics did not meet the requirements set out in document TGP/7.

60. *The TWPs are invited to note that the TC-EDC agreed to recommend to the TC to consider a situation where existing Test Guidelines characteristics did not meet the requirements set out in document TGP/7.*

TGP/12: Guidance on Certain Physiological Characteristics

Explanations on disease resistance characteristics

61. The TC-EDC agreed to invite the TC to consider whether to provide further guidance on elements that would not need to be completed in explanations for disease resistance characteristics in Test Guidelines using the Standard Resistance Protocol provided in document TGP/12 “Guidance on certain physiological characteristics”. The TC-EDC recommended that the TC considered providing training at relevant TWPs on providing explanations for disease resistance characteristics in Test Guidelines.

62. *The TWPs are invited to note that the TC-EDC:*

(a) agreed to invite the TC to consider whether to provide further guidance on elements that would not need to be completed in explanations for disease resistance characteristics in Test Guidelines using the Standard Resistance Protocol provided in document TGP/12 “Guidance on certain physiological characteristics”; and

(b) recommended that the TC considered providing training at relevant TWPs on providing explanations for disease resistance characteristics in Test Guidelines.

TGP/15: Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)

63. The Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), at its sixteenth session, held in La Rochelle, France, from November 7 to 10, 2017, considered documents BMT/16/8 “The use of molecular markers (SNP) for maize DUS testing in France (2013 to 2016)” and BMT/16/8 Add. and received a presentation by Mr. Jehan-Baptiste Mauroux (France) (see document BMT/16/29 “Report”, paragraphs 8 to 10).

64. The BMT agreed that France should propose a revision to document TGP/15 “Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)”, Annex II, “Example: Parent Lines in Maize”, to reflect the refinements that had been made in France on the basis of its experience in the application of the Model “Combining Phenotypic and Molecular Distances in the Management of Variety Collections”, for consideration by the Technical Committee at its fifty-fourth session.

65. The BMT agreed that it would be advantageous if the draft revision of document TGP/15, to be considered by the TC at its fifty-fourth session, could be published sufficiently before the forty-seventh session of the Technical Working Party for Agricultural Crops (TWA), to be held in Naivasha, Kenya, from May 21 to 25, 2018, and before the seventeenth session of the BMT, in order that any comments of the TWA and BMT on the draft revision could be reported to the TC at its fifty-fourth session.

66. The BMT, at its sixteenth session, considered documents BMT/16/19 “Genetic selection of similar varieties for the first growing cycle: example French bean” and BMT/16/19 Add., and received a presentation by Ms. Amanda van Dijk-Veldhuizen (Netherlands) (see document BMT/16/29 “Report”, paragraphs 18 to 20).

67. The BMT agreed that the approach presented in document BMT/16/19 and BMT/16/19 Add. was a suitable use of molecular techniques in the examination of DUS and should be proposed for inclusion in document TGP/15. Therefore, it was agreed that the Netherlands should prepare an explanation of the method as a basis for a revision of document TGP/15 to be considered by the Technical Committee at its fifty-fourth session.

68. The BMT agreed that it would be advantageous if the draft revision of document TGP/15, to be considered by the TC at its fifty-fourth session, could be published sufficiently before the fifty-second session of the Technical Working Party for Vegetables (TWV), to be held in Beijing, China, from September 17 to 21, 2018, and before the seventeenth session of the BMT, in order that any comments of the TWV and BMT on the draft revision could be reported to the TC at its fifty-fourth session.

69. The proposed revisions by France and the Netherlands to document TGP/15 will be considered by the TWA and the TWV, respectively, at their sessions in 2018, and by the TC, at its fifty-fourth session. The comments of the TWA and TWV will be reported to the TC, at its fifty-fourth session.

70. *The TWPs are invited to note that:*

(a) the BMT agreed to propose a revision to document TGP/15 in order to:

(i) reflect the refinements that had been made in France on the basis of its experience in the application of the Model "Combining Phenotypic and Molecular Distances in the Management of Variety Collections"; and

(ii) to include the approach presented by the Netherlands in documents BMT/16/19 "Genetic selection of similar varieties for the first growing cycle: example French bean" and BMT/16/19 Add., for consideration by the Technical Committee at its fifty-fourth session; and

(b) the BMT agreed that it would be advantageous if the draft revision of document TGP/15 could be published sufficiently before the forty-seventh session of the TWA and the fifty-second session of the TWV, in order that any comments of the TWA and TWV on the proposed revisions could be reported to the TC at its fifty-fourth session.

71. *The TWA and TWV are invited to note that further information on the proposals by the BMT for the revision of document TGP/15 will be presented under document TWP/2/7 "Molecular techniques".*

PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

72. Annex IV to this document presents the program for the development of TGP documents as amended on the basis of the comments by the TWPs at their sessions in 2017 and the recommendations by the TC-EDC at its meeting held on March 26 and 27, 2018.

73. *The TWPs are invited to note the program for the development of TGP documents, as set out in Annex IV to this document.*

[Annexes follow]

REVISIONS OF DOCUMENT TGP/7 "DEVELOPMENT OF TEST GUIDELINES"
PREVIOUSLY AGREED BY THE TC

~~Strikethrough~~ highlighted indicates deletion from the text and
underlining highlighted indicates insertion to the text.

Section 1: Introduction

1.3 Structure of TGP/7

[...]

3.1 The TG ~~Template~~ Structure and Universal Standard Wording

"This section introduces the "TG Template" which provides the basic Test Guidelines structure and ~~also~~ the universal standard wording which ~~that~~ is currently considered to be appropriate for all Test Guidelines. as provided ~~The TG Template itself is provided~~ in Annex 1 of this document."

3.2 Additional Standard Wording (ASW)

~~The 'TG Template'~~ Annex I contains the universal standard wording which ~~that~~ is currently considered to be appropriate for all Test Guidelines. However, this section explains that UPOV has developed additional standard wording (ASW) which should be used, where appropriate, for the Test Guidelines concerned. The additional standard wording is provided in Annex 2 of this document."

3.3 Guidance Notes (GN) ~~for the TG Template~~

"There are many aspects of the Test Guidelines where the individual drafter's experience and knowledge are needed for preparing the Test Guidelines. This includes, for example, the selection of appropriate ASW, trial design, the identification of characteristics and selection of example varieties. The purpose of this section is to provide guidance notes on how to proceed in a harmonized way for such aspects. These guidance notes are presented in Annex 3 of this document and include guidance on the use of ~~the~~ Collection of Approved Characteristics which have been included in adopted Test Guidelines [after the adoption of document TGP/7] ("approved characteristics") ~~presented in Annex 4 (see GN 17).~~"

[...]

Section 2: Procedure for the Introduction and revision of UPOV Test Guidelines

[...]

2.2.4.4 Preparation of the Draft(s) by the Leading Expert with the Subgroup

The web-based TG Template is to be used for preparing draft UPOV Test Guidelines (see: <https://www3.wipo.int/upovtg/>).

"In advance of the TWP session, the Leading Expert should prepare a preliminary draft of the Test Guidelines ("Subgroup draft") for comments by the subgroup using the web-based TG Template. ~~In the case of Test Guidelines being developed by more than one TWP, the subgroup draft should be circulated at the same time to the interested experts in all relevant TWPs.~~

The subgroup of interested experts participating in the drafting of the Test Guidelines will be invited to provide comments to the Leading Expert using the web-based TG template.

On the basis of the comments received from the subgroup, the Leading Expert should establish a first draft for the TWP(s). This draft is ~~sent~~ provided to the Office, which will produce a document for distribution to the members of the TWP(s) concerned for discussion at their session(s). Prior to the TWP session, the Office will make a preliminary check that the draft has been prepared according to the guidance provided in document TGP/7 and, in particular, that it conforms with the TG Template (Annex 1). A result of that check will be provided to the Leading Expert at least one week before the session.

In the case of Test Guidelines which have been considered by the relevant TWP(s) (Step 5) and where the responsible TWP has requested amendment of the draft, the Leading Expert should, after consulting the members of the subgroup, establish a further draft for consideration at the following TWP meeting in the manner explained above. To assist Leading Experts in preparing draft Test Guidelines the following Guidance information and materials to assist Leading Experts in preparing draft Test Guidelines is provided on the UPOV web site: (see: http://www.upov.int/resource/en/dus_guidance.html), in an area of the UPOV website restricted to Leading Experts of Test Guidelines (TG-Drafters' Webpage). ~~The~~

TG Drafters' Webpage includes the following information, some elements of which are included in the TG Drafter's Kit (see Section 4.3):

“(a) General information:

- “(i) Practical guide for drafters of Test Guidelines (“Practical Guide”) General introduction to DUS;
- “(ii) The electronic TG Template (TGP/7: Annex 4) TGP documents;
- “(iii) Collection of Approved Characteristics (TGP/7: Annex 4) Test Guidelines;
- “(iv) Adopted Test Guidelines in Word format Practical Technical Knowledge;
- “(v) TGP/14 “Glossary of Terms Used in UPOV Documents” Cooperation in examination;

“(b) TWP specific information:

- “(vi) Leading Expert and dates for the preparation of draft Test Guidelines Web-based TG template;
- “(vii) E-mail addresses of Subgroup of interested experts Additional characteristics;
- “(viii) Word versions of draft Test Guidelines presented at the previous TWP session (where appropriate); Test Guidelines under development (TC/xx/2) and
- “(ix) TWP comments (extracted from the TWP report) on the draft Test Guidelines presented at the previous TWP session (where appropriate). Summary information on quantity of plant material required on adopted Test Guidelines; and
- “(x) TGP/14 “Glossary of Terms Used in UPOV Documents”

[...]

2.2.5.3 Requirements for draft Test Guidelines to be considered by the Technical Working Parties

“Unless otherwise agreed at the TWP session, or thereafter by the TWP Chairperson, the timetable for the consideration of draft Test Guidelines by the Technical Working Parties is as follows:

Action	Latest date before the TWP session
Circulation of Subgroup draft by Leading Expert:	14 weeks
Comments to be received from Subgroup:	10 weeks
Sending Provision of draft to the Office by the Leading Expert:	6 weeks
Posting of draft on the website by the Office:	4 weeks

“In cases where *either* of the deadlines for circulation of the Subgroup draft or for the ~~sending provision~~ of the draft to the Office by the Leading Expert is not met, the Test Guidelines would be withdrawn from the TWP agenda and the Office would inform the TWP accordingly at the earliest opportunity (i.e. not later than 4 weeks before the TWP session). In those cases where draft Test Guidelines are withdrawn from the TWP agenda because of failure by the Leading Expert to meet the relevant dates, it would be possible for specific matters concerning those Test Guidelines to be discussed at the TWP session. However, to consider specific matters it would be necessary for a document to be provided to the Office at least 6 weeks before the TWP session.”

[...]

Section 3 Guidance for Drafting Test Guidelines

3.1 The TG ~~Template~~ Structure and Universal Standard Wording

“3.1.1 UPOV has developed a ~~template~~ (the “TG Template”) containing the standard structure and universal standard wording which ~~that~~ is appropriate for all UPOV Test Guidelines (“Test Guidelines”) and which is prepared in the appropriate format. ~~The TG Template~~ This is presented in Annex 1 and should be used as the starting point for the development or revision of all Test Guidelines.

“3.1.2 ~~In addition to the TG Template, f~~urther guidance is provided for drafters of Test Guidelines ~~on how to develop individual Test Guidelines from the TG Template. This is provided~~ is provided by means of additional standard wording (ASW) and guidance notes (GN), and indications are provided ~~within the TG Template in Annex I~~ on where this further guidance is available (see Sections 3.2 and 3.3).”

3.2 Additional Standard Wording (ASW) ~~for the TG Template~~

“3.2.1 ~~As explained above, the TG Template contains the universal standard wording which is appropriate for all Test Guidelines. However,~~ In addition to the universal standard wording, UPOV has developed additional standard wording which should be used, where appropriate, for the Test Guidelines concerned. For example, for Test Guidelines where the material is supplied in the form of seed, there is standard wording concerning the quality of the seed to be supplied. Of course, this standard wording for seed should not be included in Test Guidelines where, for example, the material is to be provided as tubers and

for this reason such additional standard wording is not included ~~in the TG Template~~ as universal standard wording. The additional standard wording is presented in Annex 2, Additional Standard Wording (ASW) for the TG Template.

“3.2.2 Where such additional standard wording is available, an insert is highlighted in ~~the TG Template Annex I~~ at the appropriate location, e.g.

“{**ASW 1** (TG Template: Chapter 2.3) – seed quality requirements}”

3.3 Guidance Notes (GN) ~~for the TG Template~~

“3.3.1 There are many aspects of the Test Guidelines where the individual drafter’s experience and knowledge are needed for preparing the Test Guidelines. This includes, for example, the selection of appropriate ASW, trial design, the identification of characteristics and the selection of example varieties. In such situations general guidance on how to proceed in a harmonized way, in line with the experience accumulated by UPOV through the crop experts, is provided by a series of guidance notes presented in Annex 3, Guidance Notes (GN) ~~for the TG Template~~.

“3.3.2 Where such guidance is available for drafters, an insert is highlighted in ~~the TG Template Annex I~~ at the appropriate location, e.g.

“{**GN 5** (TG Template: Chapter 1.1) – Subject of the Test Guidelines: Family Name}”

3.4 [Web-based TG Template]

3.4.1 UPOV has developed the Web-based TG Template (see: <https://www3.wipo.int/upovtg/>) to implement the guidance for drafting Test Guidelines provided in document TGP/7.

Section 4: Development of individual authorities’ test guidelines

[...]

4.3 ~~Drafter’s Kit for the Test Guidelines~~ Guidance for drafters of individual authorities test guidelines

“To assist individual authorities’ in the drafting of their test guidelines, UPOV has provided certain practical information on ~~the restricted area of~~ the UPOV website (http://www.upov.int/restricted_temporary/twptg/en/drafters_kit.html http://www.upov.int/resource/en/dus_guidance.html) in the form of a “TG Drafter’s Kit”. ~~To assist individual authorities in converting the Test Guidelines into a suitable form for their own use, the TG Drafter’s Kit includes~~ including all adopted Test Guidelines in Word format. Additional characteristics and states of expression notified to the Office of the Union in accordance with document TGP/5 Section 10 “Notification of Additional Characteristics and States of Expression are also provided. To provide assistance for the development of individual authorities’ test guidelines in the absence of Test Guidelines, the TG Drafter’s Kit webpage includes, for example, an electronic version of the TG Template (document TGP/7, Annex 1 and the “Collection of Approved Characteristics”, document TGP/7, Annex 4).”

Annex 1: TG ~~Template~~ Structure and Universal Standard Wording

[...]

4.1.5 Method of Observation

“The recommended method of observing the characteristic for the purposes of distinctness is indicated by the following key in ~~the second column of the~~ Table of Characteristics (see document TGP/9 “Examining Distinctness”, Section 4 “Observation of characteristics”):”

[...]

		English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota	
Char. No.	{ GN 24 } Growth stage }	{ GN 18 } Presentation of Characteristics: Heading of a characteristic }						
{ GN 13.1, 13.4 } Asterisked characteristics }	{ GN 25 } Recommendations for conducting the examination }							
{ GN 22 } Explanation for individual characteristics }								
{ GN 21 } Type of expression of the characteristic }	{ GN 23 } Explanations covering several characteristics }	{ GN 19 } Presentation of characteristics: General presentation of states of expression }		{ GN 28 } Example varieties }				
		{ GN 20 } Presentation of characteristics: States of expression according to type of expression of a characteristic }						

		English		français		deutsch	español	Example Varieties Exemples Beispielssorten Variedades ejemplo	Note/ Nota
1	2	3	4	5	6	7			
		Name of characteristics in English { GN 18 Presentation of Characteristics: Heading of a characteristic}		Nom du caractère en français		Name des Merkmals auf Deutsch	Nombre del carácter en español		
		states of expression { GN 19 Presentation of characteristics: General presentation of states of expression} { GN 20 Presentation of characteristics: States of expression according to type of expression of a characteristic		types d'expression		Ausprägungsstufen	tipos de expresión	{ GN 28 Example varieties}	

Legend

- 1 Characteristic number
- 2 (*) Asterisked characteristic – see Chapter 6.1.2
{ GN 13.1, 13.4 } Asterisked characteristics)
- 3 Type of expression
QL Qualitative characteristic – see Chapter 6.3
QN Quantitative characteristic – see Chapter 6.3
PQ Pseudo-qualitative characteristic – see Chapter 6.3
{ GN 21 } Type of expression of the characteristic)
- 4 Method of observation (and type of plot, if applicable)
MG, MS, VG, VS – see Chapter 4.1.5
{ GN 25 } Recommendations for conducting the examination)
- 5 (+) See Explanations on the Table of Characteristics in Chapter 8.2
{ GN 22 } Explanation for individual characteristics)
- 6 (a)-{x} See Explanations on the Table of Characteristics in Chapter 8.1
{ GN 23 } Explanations covering several characteristics)
- 7 Growth stage key
{ GN 24 } Growth stage)

Annex 2: Additional Standard Wording (ASW) ~~for the TG Template~~

“This section presents the additional standard wording (ASW) which can be added to the universal standard wording within ~~the TG Template~~ (Annex 1). The numbering refers to the numbering in ~~the TG Template Annex I~~.”

74. The header of all additional standard wording should be amended to delete references to “TG Template”, as follows:

Example:

“ASW 0 (~~TG Template~~ Chapter 1.1) – Coverage of types of varieties in Test Guidelines”

“ASW 4 (~~TG Template~~ Chapter 3.3) – Conditions for conducting the examination

“Information for conducting the examination of particular characteristics

“(a) *Stage of development for the assessment*

“The optimum stage of development for the assessment of each characteristic is indicated by a reference in ~~the second column of~~ the Table of Characteristics. The stages of development denoted by each reference are described in Chapter 8 [...].”

“(b) *Type of plot for observation*

“The following text may, for example, be added to appropriate Test Guidelines:

“The recommended type of plot in which to observe the characteristic is indicated by the following key in the ~~second column of the~~ Table of Characteristics:

“A: spaced plants
“B: row plot
“C: special test

[...]

ASW 12.1 (~~TG Template~~ Chapter 8) – Explanations covering several characteristics

“8.1 Explanations covering several characteristics

“Characteristics containing the following key ~~in the second column of the Table of Characteristics~~ should be examined as indicated below:

(a)
(b) etc.”

[...]

Annex 3: Guidance Notes (GN) for the TG Template

“This section presents guidance notes (GN) for drafters of Test Guidelines for use when developing ~~the TG Template (Annex 1) into~~ specific Test Guidelines. The numbering refers to the numbering in ~~the TG Template Annex I.~~”

75. The header of all Guidance notes should be amended to delete references to “TG Template”, as follows:

Example:

“GN 0 (~~TG Template~~ Cover page; Chapter 8) – Use of proprietary text, photographs and illustrations in Test Guidelines”

[...]

“GN 13 Characteristics with specific functions”

“1. Asterisked characteristics (~~TG Template~~ Chapter 7: ~~column 1, header row 2~~)”

“1.1 The General Introduction (Chapter 4.8: Table: Functional Categories of Characteristics) states that asterisked characteristics are “characteristics that are important for the international harmonization of variety descriptions.” The criteria for selecting a characteristic as an asterisked characteristic are that: [...].”

“GN 17 (~~TG Template~~ Chapter 7) – Presentation of Characteristics: Approved characteristics”

“A collection of characteristics, with their corresponding states of expression, which have already been approved for inclusion in existing Test Guidelines ~~[after the adoption of document TGP/7] (“approved characteristics”)~~, is ~~presented in Annex 4: “Collection of Approved Characteristics” provided in the web-based TG template.~~ There are two main purposes for developing this collection: Firstly, it helps to ensure that the states of expression used for the same or similar characteristics included in Test Guidelines, are harmonized as far as possible; Secondly, the characteristics presented in the collection have already been translated into the UPOV languages. Thus, Test Guidelines utilizing approved characteristics ~~from Annex 4~~ will cost UPOV less and are less likely to experience delays in presentation for adoption.

“Drafters of Test Guidelines are invited to search ~~the collection~~ the approved characteristics for the characteristic which they wish to use. If the appropriate characteristic, and its corresponding states of expression, are found this can be ~~copied directly into~~ selected for the new Test Guidelines. However, it should be remembered that what may appear to be very similar characteristics in different types of plant,

or different organs of the same plant, may in fact be under different types of genetic control. Thus, for example, in one type of plant, or one organ, the characteristic “profile” might be a qualitative characteristic e.g. straight (1), curved (2) but in another type of plant, or organ, it might be a quantitative characteristic e.g. straight or slightly curved (1), moderately curved (2), strongly curved (3).

“In cases where the required characteristic is not ~~present in the collection~~ an approved characteristic, guidance is provided in GN 18, GN 19 and GN 20.”

“GN 18 (~~TG Template: Chapter 7: column 3~~) – Presentation of Characteristics: Heading of a characteristic”

[...]

“GN 19 (~~TG Template: Chapter 7: column 3~~) – Presentation of characteristics: General presentation of states of expression”

“GN 20 (~~TG Template: Chapter 7: column 3~~) – Presentation of characteristics: States of expression according to type of expression of a characteristic”

“GN 21 (~~TG Template: Chapter 7: column 1, state of expression row 4~~) – Type of expression of the characteristic”

“GN 22 (~~TG Template: Chapter 7: column 1, header row 3~~) – Explanations for individual characteristics”

“GN 23 (~~TG Template: Chapter 7: column 2, state of expression row 4~~) – Explanations covering several characteristics

“In cases where an explanation applies to several characteristics (e.g. part of the plant on which to observe particular characteristics, illustration of plant parts, etc.), particularly for characteristics that are not immediately consecutive in the Table of Characteristics, a note is placed ~~in column 2 above the characteristic header~~ and the explanation provided in Chapter 8.1, according to ASW 11. In the case of indications of the stage of observation, those indications should be made according to GN 24 “Growth stage”.”

“GN 24 (~~TG Template: Chapter 7: column 2, header row 4~~) – Growth stage”

“GN 25 (~~TG Template: Chapter 7: column 2, header row 1 or 2~~) – Recommendations for conducting the examination”

“This box provides the key for guidance on conducting the examination. For example, recommendations on the method of observation (e.g.: visual assessment or measurement; observation of single plants or a group of plants) ~~or and~~ type of plot (e.g.: spaced plants; row plot; drilled plot; special test) may be provided. ASW 4(b) provides possible standard wording.”

“GN 26 (~~TG Template: Chapter 7: column 4~~) – Order of characteristics in the Table of Characteristics”

“GN 28 (TG Template: Chapter 6.4) – Example varieties

“3.2 *Different types of variety*

“3.2.2 Where different sets of example varieties are provided for different types of varieties covered by the same Test Guidelines, they are placed in the Table of Characteristics in the same column as normal. The sets of example varieties (e.g. winter and spring) are ~~separated by a semicolon, and/or~~ indicated by a key which is provided for each set and an explanation for the option chosen should be included in the legend of Chapter 6 of the Test Guidelines.

“Example: For certain characteristics, different example varieties are indicated for winter type and spring type varieties. ~~These types are separated by a semicolon, with the winter types placed before the semicolon and~~ The winter type varieties are prefixed by ‘(w)’ and the spring types ~~placed after the semicolon and~~ prefixed by ‘(s)’.”

13.	(*)	QN	MG B	(+)	75-92			
		Plant: length		Plante : longueur	Pflanze: Länge	Planta: longitud		
		short		courte	kurz	corta	(w) Variety A, (w) Variety B, (s) Alpha	3
		medium		moyenne	mittel	media	(w) Variety C, (s) Beta	5
		long		longue	lang	larga	(w) Variety D	7

76. Annex 4 to document TGP/7 "Collection of approved characteristics should be deleted as the database of characteristics in UPOV Test Guidelines is included in the web-based TG Template.

Annex 4: Collection of approved characteristics

~~"1. The Collection of Approved Characteristics ("Collection") presents characteristics, with their corresponding states of expression, which have already been approved for inclusion in existing Test Guidelines. Drafters are invited to search this collection for the characteristic which they wish to use. If the appropriate characteristic and its corresponding states of expression are found, this can be copied directly into the new Test Guidelines. However, it should be remembered that what may appear to be very similar characteristics in different types of plant, or different organs of the same plant, may in fact be under different types of genetic control. Thus, for example, in one type of plant, or one organ, the characteristic "profile" might be a qualitative characteristic e.g. straight (1), curved (2) but in another type of plant, or organ, it might be a quantitative characteristic e.g. straight or slightly curved (1), moderately curved (2), strongly curved (3).~~

~~"2. The Collection presents the characteristic as it is included in the relevant Test Guidelines. In addition, for certain characteristics, it provides information on the Test Guidelines from which it has been taken. This information is placed in the blank "header" space in the column for example varieties since this entire column is likely to be "cleared" by the drafter after pasting into his new draft because the example varieties will not be relevant.~~

~~"3. Certain characteristics contained in adopted UPOV Test Guidelines may be omitted from the Collection where considered appropriate by the Technical Committee, in particular on the basis of recommendations by the Enlarged Editorial Committee (TC-EDC).~~

**~~"The Collection of Approved Characteristics is published on the UPOV Website:
http://www.upov.int/restricted_temporary/twptg/en/collection.doc"~~**

[Annex II follows]

REVISION OF DOCUMENT TGP/8 PREVIOUSLY AGREED BY THE TC

Examining DUS in Bulk Samples

The following list of criteria was agreed by the TC as a basis for the development of future guidance:











- (a) “the characteristic should fulfill the requirements of a characteristic, as set out in the “General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of new Varieties of Plants” (see document TG/1/3, Section 4.2.1);
- (b) “there should be knowledge of the genetic control of the characteristic;
- (c) “the suitability of the characteristic should be validated through an initial assessment of uniformity on individual plants;
- (d) “information on plant-by-plant variation and differences between growing cycles should be provided (data from routine measurement of the characteristic from different years);
- (e) “a full description of the method of assessment should be provided;
- (f) “states of expression should be based on existing variation between varieties considering environmental influence.”

[Annex III follows]

REVISION OF DOCUMENT TGP/14 PREVIOUSLY AGREED BY THE TC

Illustrations for shape and ratio characteristics

The TC agreed that the table in document TGP/14: Section 2: Subsection 2: Shapes and structures (Alternative 2) should be amended to read as follows (~~highlighting and strikethrough~~ for deletions and highlighting and underline for addition):

		← broadest part →				
		(below middle)	at middle	(above middle)		
relative width → ←	narrow (high) → narrow (high)		 6 linear			
	width (ratio-length/width)		 5 oblong	 8 oblanceolate	 9 spatulate	
	broad (low) ←	 1 triangular	 2 ovate	 4 elliptic	 7 obovate	 10 obtriangular
	width (ratio-length/width)		 3 circular			

[Annex IV follows]

