

**Technical Working Party on Automation and Computer Programs TWC/36/11****Thirty-Sixth Session  
Hanover, Germany, July 2 to 6, 2018****Original:** English  
**Date:** June 29, 2018

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**REPORT ON DEVELOPMENTS WITHIN UPOV***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

The Annex to this document contains a copy of a presentation "Reports on developments within UPOV" to be made by the Office of the Union at the thirty-sixth session of the Technical Working Party on Automation and Computer Programs (TWC).

[Annex follows]

TECHNICAL WORKING PARTY FOR  
AUTOMATION AND COMPUTER PROGRAMS  
Thirty-Sixth Session

REPORT ON DEVELOPMENTS IN UPOV

Office of the Union

*Hanover, Germany, July 2, 2018*

**UPOV**

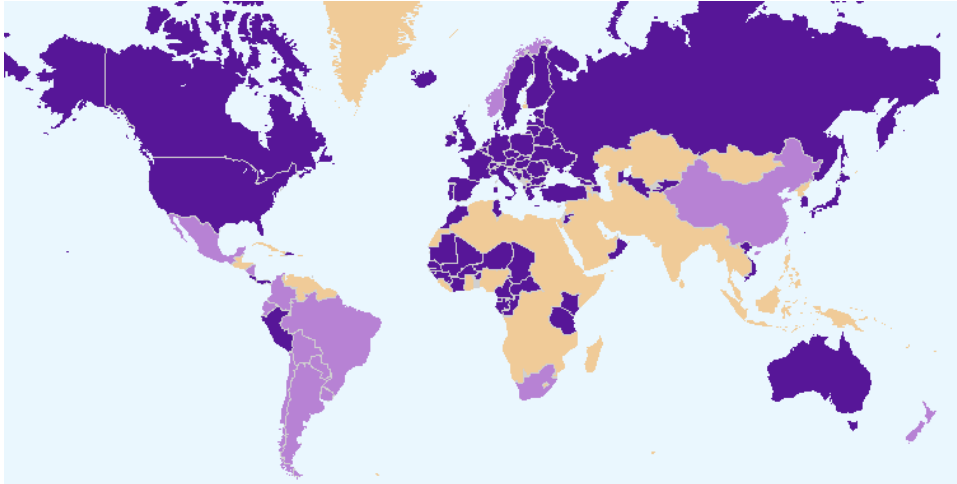
International Union for the Protection of New Varieties of Plants

## Preview

- Membership
- Topics for discussion in CAJ (October 2018)
  - EDV
  - Propagating material
  - Provisional protection
  - Minimum distance
- Communicating the benefits of UPOV
- UPOV PRISMA PBR Application Tool
- Approval of Test Guidelines by correspondence

**UPOV**

### UPOV Membership



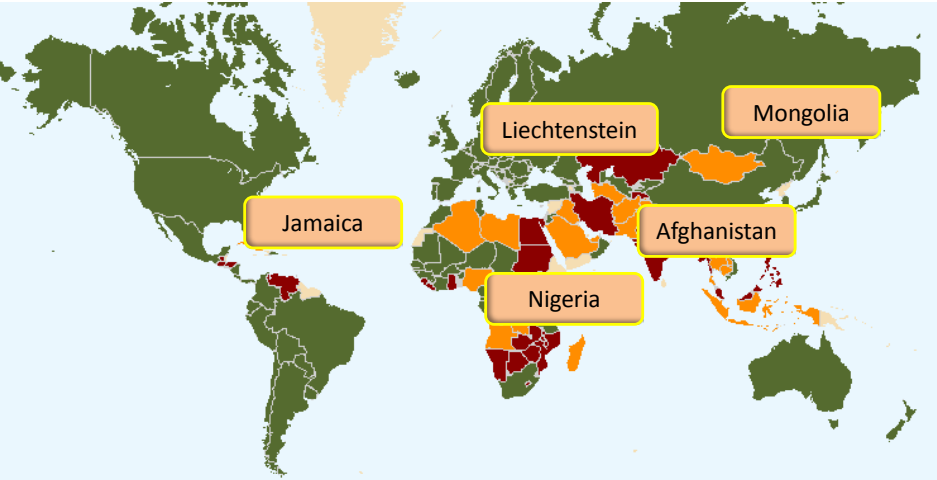
**1991 Act: 57 members – Other Acts: 18 members**

The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory



### UPOV status

April 13, 2018



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- Members of UPOV (75) covering 94 States**
- Initiating States (16) and Organization (1)**
- States (26) and Organization (1) in contact with the UPOV Office**

<i>Reference</i>	<i>Explanatory Notes on:</i>	<i>Timetable</i>
UPOV/EXN/EDV/2 (revision)	Essentially Derived Varieties	Adopted by <b>Council in April 2017</b>

**Administrative and Legal Committee (CAJ): October 31, 2018**

members and observers to share their perspectives on :

**Essentially Derived Varieties**

- (i) **essential characteristics**
- (ii) **predominantly derived**
- (iii) indirect derivation, including in relation to parent lines and hybrids
- (iv) **assessment of essentially derived varieties**

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<i>Reference</i>	<i>Explanatory Notes on:</i>	<i>Timetable</i>
UPOV/EXN/PPM/1	Propagating Material	Adopted by <b>Council in April 2017</b>

**Administrative and Legal Committee (CAJ): October 31, 2018**

members and observers to share their perspectives on :

(b) Conditions and Limitations Concerning the Breeder's Authorization in Respect of **Propagating Material**  
- **suitable examples of conditions and limitations**

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<i>Reference</i>	<i>Explanatory Notes on:</i>	<i>Timetable</i>
UPOV/EXN/PRP/2 (revision)	Provisional Protection	Adopted by <b>Council in October 2015</b>

**Administrative and Legal Committee (CAJ): October 31, 2018**

members and observers to share their perspectives on :

(c) **Scope of Provisional Protection**

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## Preview

- Membership & statistics
- **Topics for discussion in CAJ (October 2018)**
  - EDV
  - Propagating material
  - Provisional protection
  - **Minimum distance**
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**UPOV**

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**TECHNICAL COMMITTEE**

October 29 and 30, 2018, Geneva

**Discussion on: minimum distance between varieties**

**Administrative and Legal Committee (CAJ): October 31, 2018**  
Program

In response to a suggestion by CIOPORA and AIPH for the CAJ to consider the matter of minimum distance, the CAJ agreed to invite **CIOPORA and AIPH to make a joint presentation on minimum distance** at its seventy-fifth session. The CAJ noted that the matter was under consideration by the TC and that a report on the conclusions of the TC would be provided under agenda item 3 “Report on developments in the Technical Committee” at the seventy-fifth session of the CAJ.

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**Technical Working Party for Agricultural Crops (TWA)**

May 21 to 25, 2018, Naivasha, Kenya

**Minimum distance between varieties**

(document by the European Union)

**Technical Working Party for Vegetables (TWV)**

September 17 to 21, 2018, Beijing, China

No discussion on minimum distance

**Technical Working Party for Fruit Crops (TWF)**

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

No discussion on minimum distance

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

February 18 to 22, 2019, Christchurch, New Zealand

**Minimum distances between vegetatively reproduced ornamental and fruit varieties**

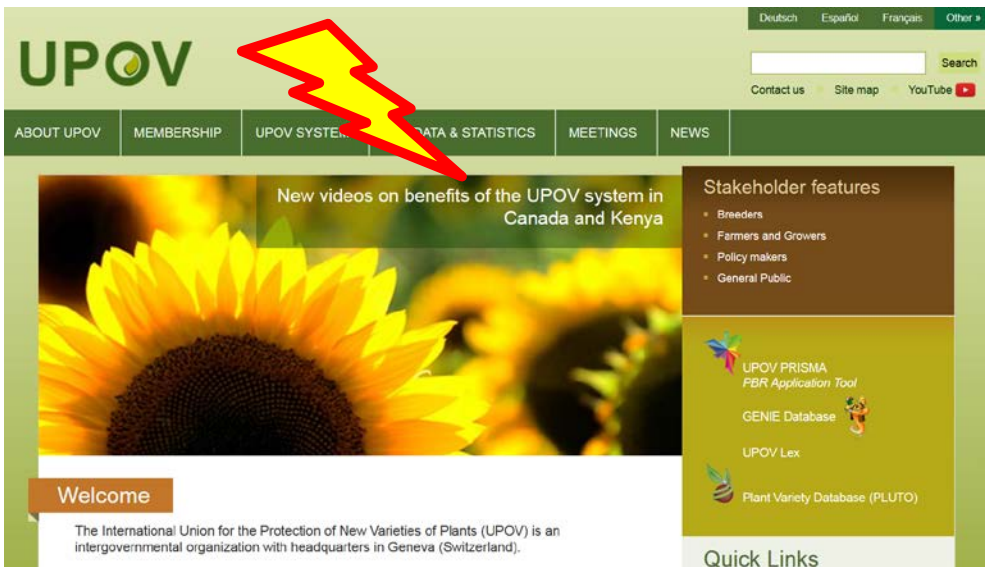
(documents invited)

## Preview

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UPOV

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The screenshot shows the UPOV website homepage. At the top left is the UPOV logo. To the right are language options: Deutsch, Español, Français, and Other. Below the logo is a search bar and links for Contact us, Site map, and YouTube. A navigation menu includes ABOUT UPOV, MEMBERSHIP, UPOV SYSTEM, DATA & STATISTICS, MEETINGS, and NEWS. A red lightning bolt points to the 'UPOV SYSTEM' menu item. The main content area features a large image of sunflowers with the text 'New videos on benefits of the UPOV system in Canada and Kenya'. To the right is a 'Stakeholder features' section with links for Breeders, Farmers and Growers, Policy makers, and General Public. Below this is a 'Quick Links' section with links for UPOV PRISMA PBR Application Tool, GENIE Database, UPOV Lex, and Plant Variety Database (PLUTO). At the bottom left is a 'Welcome' section with the text: 'The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization with headquarters in Geneva (Switzerland)'. The UPOV logo is also at the bottom left, and the page number 12 is at the bottom right.

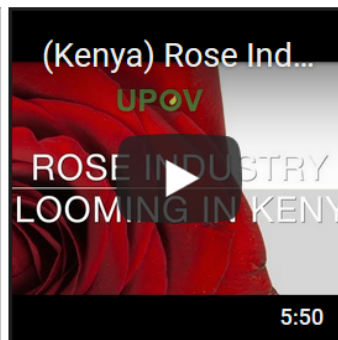
## Benefits of the UPOV System

### VIDEOS



#### Canadian cherry growers benefit from government policy

See how the Government of Canada uses PVP to improve the livelihood of Canadian cherry growers



#### Rose industry blooming in Kenya

Discover how the UPOV system enabled Kenya to develop a \$500 million cut-flower industry that employs 500,000 Kenyans

**UPOV** ([Long version](#))

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## Preview

- Membership
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**UPOV**

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## New PBR Application Tool

# UPOV PRISMA



Version 2 released **early February 2018**

## UPOV PRISMA



### **Overview - what is it and how does it work?**



UPOV

# UPOV PRISMA

Online PBR Application Tool


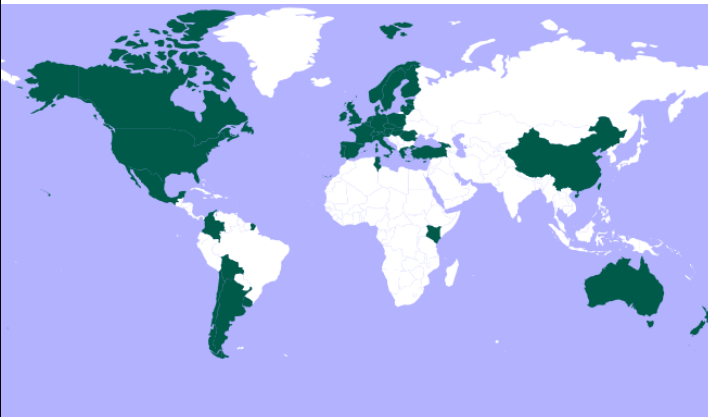


The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory.

- Online application tool to submit application data to participating PVP Offices in required format
- Easy access to PVP application forms, which can be displayed in a range of languages
- Much of the information provided in the Technical Questionnaire will be automatically translated
- Relevant data can be re-used in subsequent applications
- Different user roles can be specified (e.g. drafter, signatory, translator, agent)
- Controlled access, secure and confidential

# UPOV PRISMA

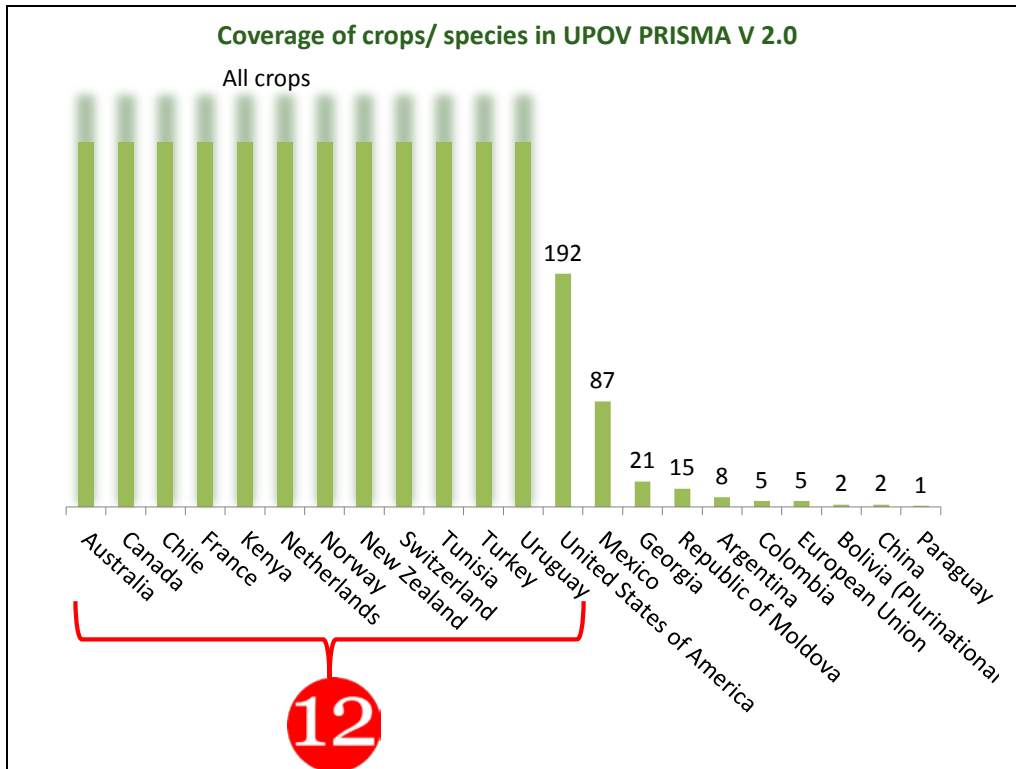
## Coverage- 22 Members (including CPVO)



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- Argentina
- Australia
- Bolivia (Plurinational State of)
- Canada
- Chile
- China
- Colombia
- European Union
- France
- Georgia
- Kenya
- Mexico
- Netherlands
- New Zealand
- Norway
- Paraguay
- Republic of Moldova
- Switzerland
- Tunisia
- Turkey
- United States of America
- Uruguay

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## UPOV PRISMA

### Navigation languages

The screenshot shows the UPOV PRISMA Electronic Application Form interface. At the top right, there is a language selection dropdown menu currently set to 'English'. The dropdown menu is open, showing the following options: English, Français, Deutsch, Español, 中文, and 日本語. Below the language menu, there is a table titled 'Your Applications' with columns for International Reference Number, Created On, Modified On, Date of Submission, Crop, Proposed Variety Denomination, Breeder's Variety Reference, and Submitter's Own Variety Reference. Two application entries are visible in the table.

## Output form languages

### Georgian

საქართველოს ბრენდების (XU\_30201600000035)

საპატენტაციო სახელი:  / სახელი: L. (Cecilia) / საპატენტაციო სახელი:

საპატენტაციო სახელი:  / სახელი:

საპატენტაციო სახელი:  / სახელი:

საპატენტაციო სახელი:  / სახელი:

საპატენტაციო სახელი:  / სახელი:

### Romanian

Se completează de către A G E P I

Registratura A G E P I	Registrul Național de cereri de brevet
intrare	pentru solicitările de patent
Nr.	(22) Număr depozit
Data	(22) Data depozit

Søknad (XU\_30201600001742)

### Turkish

Türler: **Turkish** / Soya fasulye: **TR** / Art: **Land / myndighet**

Yetki: **TR** / Salat: **NO**

Her sorunun yanındaki gri metin, içinde tanımlanan ka [UPOV Model Form for the Application for Plant Breed](#)

**Uygulama Formu**  
**BAŞVURU SAHİBİ**

Başvuru Sahibinin Adı 1(a)(i)

Başvuru Sahibinin Adresi 1(a)(ii)

Ülkesi

Telefon 1(a)(iii)

Faks 1(a)(iv)

e-Posta 1(a)(v)

### Norwegian

Teksten i grått bak hvert spørsmål angir korresponderende standard UPOV referanse slik den er definert i [TGP/5/Section 2: UPOV Model Form for the Application for Plant Breeder's Rights](#)

**Søknadsskjema**  
**Søker (sortseier)**

Navn 1(a)(i)	Hend Madhour
Adresse 1(a)(ii)	Chemin de folieu
Postnummer	
Land	Switzerland
E-post 1(a)(v)	hend.madhour@upov.int
Telefon 1(a)(iii)	
Fax 1(a)(iv)	

## Where to find UPOV PRISMA on the UPOV Website

The screenshot shows the UPOV website homepage. A navigation bar at the top includes links for ABOUT UPOV, MEMBERSHIP, UPOV SYSTEM, PVP DATA & STATISTICS, MEETINGS, and NEWS. The main content area features a large banner for "Get started now and use UPOV PRISMA for FREE until DECEMBER 2018!". Below the banner, there are several sections:

- Stakeholder features:** A list of stakeholders including Breeders, Farmers and Growers, Policy makers, and General Public.
- UPOV PRISMA PBR Application Tool:** A callout box points to this tool in the main content area.
- GENIE Database:** A link to the GENIE Database.
- UPOV Lex:** A link to UPOV Lex.
- Plant Variety Database (PLUTO):** A link to the Plant Variety Database (PLUTO).
- Quick Links:** A list of quick links including Introduction to UPOV, Benefits of UPOV, UPOV Collection, and UPOV PRISMA (Information).
- Information:** A callout box points to the "Information" section in the main content area.

# UPOV PRISMA

## Search functionality (by crop & country)



UPOV PRISMA 

HOME » UPOV PRISMA PBR APPLICATION TOOL » UPOV PRISMA » UPOV PRISMA PBR Application Tool

What are the features of UPOV PRISMA?

- Online application tool to submit application data to participating PVP Offices in required format.
- Easy access to PVP application forms, which can be displayed in a range of languages.
- Much of the information provided in the Technical Questionnaire will be automatically translated.
- Relevant data can be reused in subsequent applications.
- Different user roles can be assigned e.g. Staff, signatory, translator, agent.
- Controlled access, secure and confidential.

UPOV members and crops/species currently covered by UPOV PRISMA

[Global overview Search by Crop/Species](#) [Search by UPOV member](#)

Search by crop/species:

Apple (apple)

UPOV MEMBERS COVERING APPLE: (APPLE)

Australia
Canada
China
France
Germany
Netherlands
New Zealand
Norway
Switzerland
Turkey
Uruguay

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## New authorities which could be included in UPOV PRISMA Version 2.1 (September 2018)

- Costa Rica
- OAPI
- Republic of Korea
- Serbia
- South Africa
- Sweden
- United Kingdom
- Viet Nam

Total number of authorities : **30**

Total number of countries: **69**

UPOV



## New features for Version 2.1

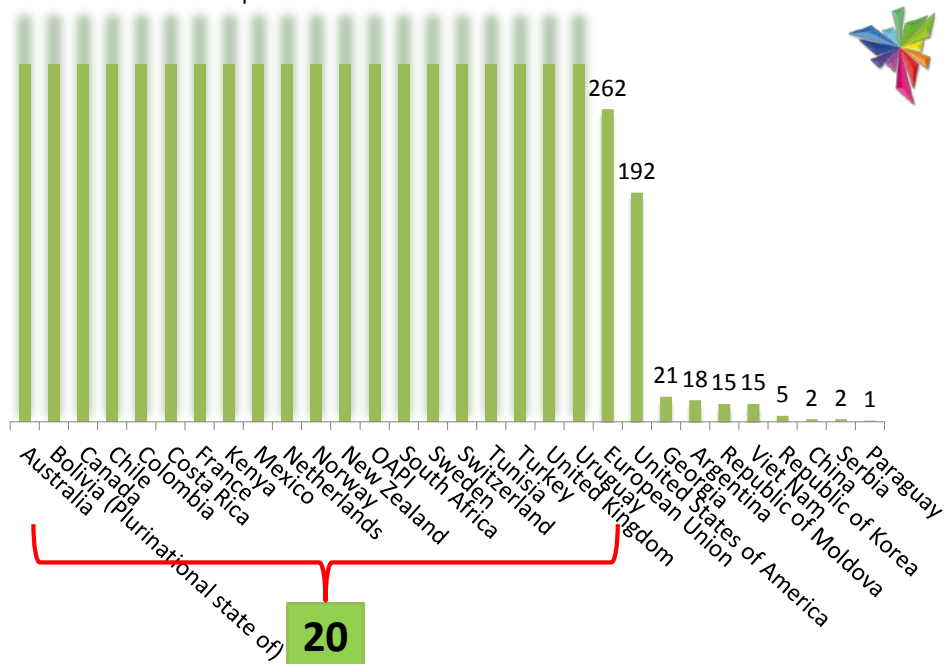
- New languages
    - Navigation language: Vietnamese/ Korean
    - Output form language: Serbian/ Swedish
  - Crops/ species coverage expansion
    - Colombia : from 5 to all crops and species
    - European Union:
      - Ornamentals
      - Fruits
      - Vegetables
- With Test Guidelines/  
CPVO Protocols

UPOV




### Anticipated Coverage of crops/ species in PRISMA\_EAF Version 2.1

All crops



# UPOV PRISMA

## Testimony



The screenshot shows the UPOV PRISMA website interface. At the top, there is a navigation bar with links for 'ABOUT UPOV', 'MEMBERSHIP', 'UPOV SYSTEM', 'PVP DATA & STATISTICS', 'MEETINGS', and 'NEWS'. Below this is a secondary navigation bar with 'UPOV PRISMA' and 'GET STARTED NOW AND USE UPOV PRISMA FOR FREE UNTIL DECE'. A search bar and 'Contact us', 'Site map', and 'YouTube' links are also present. The main content area is titled 'Testimonials' and features four video thumbnails. A yellow arrow points to the 'Testimonials' link in the left sidebar.

- Go to UPOV PRISMA
- How to Access UPOV PRISMA
- Terms of Use
- Testimonials**
- Tutorials
- User Guides
- PVP XML
- Payment of fees
- Web Services
- Contact Us


HOME • UPOV PRISMA PVP APPLICATION TOOL • UPOV PRISMA

### Testimonials

- Breeder Testimony
- Experience of breeders
- Experience of a PVP Office – Australia
- Experience of a PVP Office – New Zealand

# UPOV PRISMA

## Tutorials & Videos



The screenshot shows the UPOV PRISMA website interface. At the top, there is a navigation bar with links for 'ABOUT UPOV', 'MEMBERSHIP', 'UPOV SYSTEM', 'PVP DATA & STATISTICS', 'MEETINGS', and 'NEWS'. Below this is a secondary navigation bar with 'UPOV PRISMA' and 'GET STARTED NOW AND USE UPOV PRISMA FOR FREE UNTIL DECE'. A search bar and 'Contact us', 'Site map', and 'YouTube' links are also present. The main content area is titled 'Tutorials' and features four video thumbnails. A yellow arrow points to the 'Tutorials' link in the left sidebar.

- Go to UPOV PRISMA
- How to Access UPOV PRISMA
- Terms of Use
- Testimonials
- Tutorials**
- User Guides
- PVP XML
- Payment of fees
- Web Services
- Contact Us

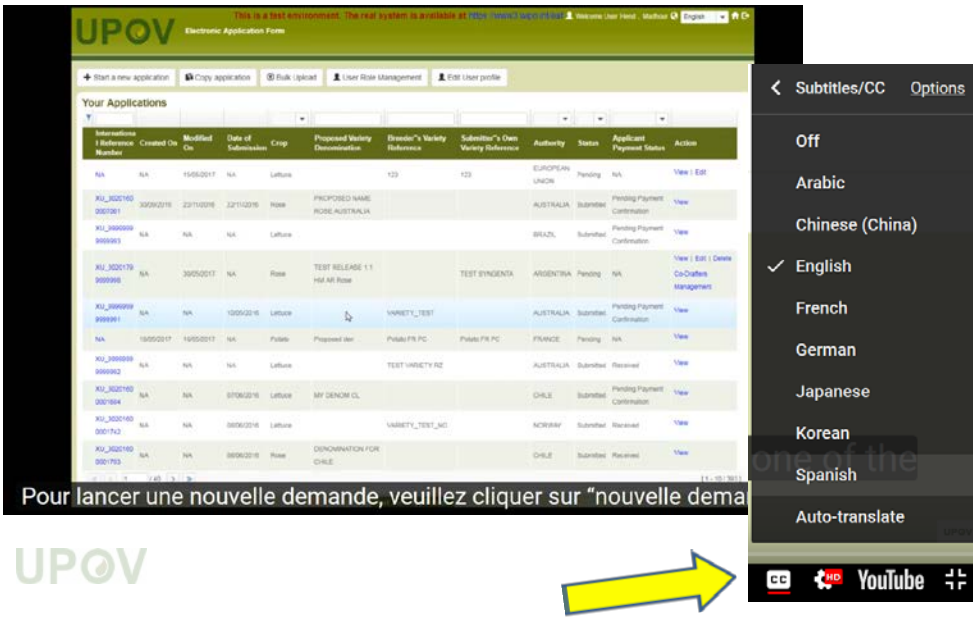
HOME • UPOV PRISMA PVP APPLICATION TOOL • UPOV PRISMA

### Tutorials

- Start an application
- Copy an application  
(Applying for the same variety with another authority)
- UPOV PRISMA Overview - what is it and how does it work?
- UPOV PRISMA - How to get started

# UPOV PRISMA

## Tutorials



The screenshot shows the UPOV PRISMA Electronic Application Form interface. At the top, there are navigation buttons: '+ Start a new application', 'Copy Application', 'Bulk Upload', 'User Role Management', and 'Edit User profile'. Below this is a table titled 'Your Applications' with columns for 'Application Reference Number', 'Created On', 'Modified On', 'Date of Submission', 'Crop', 'Proposed Variety Designation', 'Breeder's Variety Reference', 'Submitter's Own Variety Reference', 'Authority', 'Status', 'Applicant Payment Status', and 'Action'.

Application Reference Number	Created On	Modified On	Date of Submission	Crop	Proposed Variety Designation	Breeder's Variety Reference	Submitter's Own Variety Reference	Authority	Status	Applicant Payment Status	Action
NA	NA	14/05/2017	NA	Lettuce		123	123	EUROPEAN UNION	Pending	NA	View   Edit
AU_302140	30/02/16	22/10/2016	22/10/2016	Rose	PROPOSED NAME ROSE AUSTRALIA			AUSTRALIA	Submitted	Pending Payment Contribution	View
AU_300009	NA	NA	NA	Lettuce				BRAZIL	Submitted	Pending Payment Contribution	View
AU_302179	30/02/16	30/02/17	NA	Rose	TEST RELEASE 1.1 H&M Rose		TEST EYGENIXA	ARGENTINA	Pending	NA	View   Edit   Delete
AU_300009	30/02/16	NA	12/02/2016	Lettuce		VARIETY_TEST		AUSTRALIA	Submitted	Pending Payment Contribution	View
NA	10/05/2017	10/05/2017	NA	Peas	Proposed var: Pilsu/P/PC		Pilsu/P/PC	FRANCE	Pending	NA	View
AU_300009	30/02/16	NA	NA	Lettuce		TEST VARIETY RD		AUSTRALIA	Submitted	Received	View
AU_302140	30/02/16	NA	07/02/2016	Lettuce	MF DENOM CL			CHILE	Submitted	Pending Payment Contribution	View
AU_302140	30/02/16	NA	08/02/2016	Lettuce		VARIETY_TEST_MD		NORWAY	Submitted	Received	View
AU_302140	30/02/16	NA	08/02/2016	Rose	DISONINATION FOR CHILE			CHILE	Submitted	Received	View

Below the table, there is a text box: 'Pour lancer une nouvelle demande, veuillez cliquer sur "nouvelle dema'.

On the right side, there is a language selection menu with the following options: Off, Arabic, Chinese (China), English (checked), French, German, Japanese, Korean, Spanish, and Auto-translate. At the bottom right, there are icons for CC, YouTube, and a window management icon.

A yellow arrow points from the bottom right towards the table area.

# UPOV PRISMA

## News Feed



Deutsch English Español Français 中文



The new release of UPOV PRISMA PBR Application Tool is here. More PVP Offices and more crops/species covered!

Get started now and use UPOV PRISMA for FREE until June 2018!

**WHAT IS IT?**  
An on-line tool to help you obtain protection for your varieties at home and around the World

**WHY USE IT?**  
Quick and easy transmission of application data for Plant Breeders' Rights

Relevant: data can be re-used in subsequent applications

Different user roles can be specified (e.g. drafter, signatory, translator, agent)

Controlled access, secure and confidential

Find out more

Keep me posted





**UPOV PRISMA**   
on Social Media **LinkedIn**



**twitter**  
#upovprisma

**UPOV PRISMA**  
UPOV PRISMA: UPOV PRISMA PBR Application Tool  
Quick and easy online tool for  
submission of application data for Plant  
Breeder's Rights

3 Tweets 75 Retweets 12 Likes 4



UPOV's PBR Application Tool (EAF)

Copy Application...

For example, to apply for the same variety but with  
another authority, so how do I do that?

UPOV's PBR Application Tool (EAF)

A series of Demos have been created in English and submitted in French, Spanish,  
German, Chinese, Russian and Japanese.

UPOV's PBR Application Tool (EAF)

Webinar EAF Demo

**UPOV - PBR Application Tool  
(Electronic Application Form (EAF))**

UPOV Office  
July 10, 2017

UPOV  
UPOV's PBR Application Tool EAF - July's webinar

**UPOV**

**UPOV PRISMA**



**SPECIAL  
OFFER**





**SPECIAL  
OFFER**

**Get started now and  
use UPOV PRISMA for FREE  
until December 2018!**

## FUTURE STEPS (2019 and beyond)

- Expansion
  - **Members**
  - **Crops/species**
  - **More PVP offices/ breeders with machine-to-machine links/ communication to UPOV PRISMA**
- Potential New functionalities (to be assessed and agreed)
  - **List of local accredited agents/ procedural representatives**
  - **Information on DUS cooperation**
  - **Information on next steps required after submission**
  - **Novelty alerts**
  - **Alerts for deadline applications/submission**
  - **Machine translation ...**

## Next Steps (Version 2.2 and +) How to join UPOV PRISMA?

- **Get in contact with the UPOV PRISMA Team**
- Applications forms and other application information requirements for PVP Offices;
- Technical Questionnaire information for supported crops if different from UPOV TQ;
- Payment procedures;
- Application authorization procedures;
- Security requirements for data transfer and receipt;
- Communication protocols for those PVP Offices that wish:
  - to receive application data from the EAF system;
  - to enable breeders to retrieve data from their PVP Offices via the EAF system.

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UPOV

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## Change of TC meetings from March to October

-TC-EDC meetings to be held in March/April and  
October/November

- new procedure for approval of TGs by correspondence  
(additional opportunity for approval of TGs: March/April and  
October/November)

## Timeline for approval of TGs

- first analysis by TC-EDC at March/April meeting
- if editorial recommendations agreed by TC-EDC or in case of no further recommendations: TG circulated for adoption by correspondence on the basis of TC-EDC recommendations
- if editorial clarifications required: Leading Expert should provide clarification at least 3 weeks before the TC session, to be validated by TC-EDC at October/November meeting (along with TC session)

## Timeline for approval of TGs

If technical issues to be resolved:

- if respective TWP takes place **before** TC session: issues to be agreed at TWP session (for example TWA and TWV in 2018) and submitted (at least 3 weeks before the TC session) to TC-EDC session in Oct/Nov. Only the technical issues raised would be re-discussed at the TWPs
- if respective TWP takes place **after** TC session: issues to be agreed at TWP session and considered by TC-EDC at March/April session (to be submitted at least 3 weeks before the TC-EDC meeting; e.g. TWF). Only the technical issues raised would be re-discussed at the TWPs

## Procedure:

- Discussion on the basis of comments received
- Editorial comments (grammar, spelling, translations) **will all be incorporated**: no discussion required
- to discuss only comments on clarifications for understanding and compliance with TGP documents
- Raise the cases when changes to guidance may need to be considered;
- not to discuss technical matters
- refer back to TWPs to address any technical matters

## PROCEDURE FOR ADOPTION BY CORRESPONDENCE:

Draft Test Guidelines and comments by TC-EDC circulated to TC for adoption by correspondence:

- draft Test Guidelines considered as adopted if no comments received within six weeks
- if comments received, draft Test Guidelines referred to TWP

## TEST GUIDELINES CONSIDERED AT THE TC-EDC MARCH/APRIL MEETING

- TWPs up to 14 weeks prior to the TC-EDC meeting
- Three potential outcomes:

**1. no changes required or strictly editorial changes on which recommendations agreed by the TC-EDC**

**2. editorial clarifications required**

**3. technical issues to be resolved**

## TEST GUIDELINES CONSIDERED AT THE TC-EDC MARCH/APRIL MEETING

**1. no changes required or strictly editorial changes on which recommendations agreed by the TC-EDC**

- Test Guidelines adopted by correspondence
- E.g. **Oncidium; Barley; Japanese Plum; Grevillea; Pepino; Elytrigia; Coleus; Artichoke; Spinach; Guzmania**

## TEST GUIDELINES CONSIDERED AT THE TC-EDC MARCH/APRIL MEETING

### 2. editorial clarifications required

- request for clarifications transmitted to Leading Expert
- clarifications to be provided within four weeks
- if clarifications agreed, TC-EDC recommends adoption at its meeting in conjunction with the TC session
- Test Guidelines adopted at TC session
- **E.g. Pepper; Hardy Geranium; Broccoli; [Tomato; Tomato rootstock]**

## TEST GUIDELINES CONSIDERED AT THE TC-EDC MARCH/APRIL MEETING

### 3. technical issues to be resolved

- issues transmitted to Leading Expert
- technical issues to be addressed at the respective Technical Working Party by means of a TWP document prepared by Leading Expert at least four weeks before TWP session (not as new draft TG)
- resolution of issues to be provided to UPOV Office at least seven weeks before the TC-EDC session
- if agreed, TC-EDC recommends adoption
- Test Guidelines adopted at TC session
- **E.g. Cotton; Pea; [Tomato; Tomato rootstock]**

## **TEST GUIDELINES CONSIDERED AT THE TC-EDC MEETING IN CONJUNCTION WITH TC SESSION**

- TWPs up to 14 weeks prior to the TC session
- Three potential outcomes:

**1. no changes required or strictly editorial changes on which recommendations agreed by the TC-EDC**

**2. editorial clarifications required**

**3. technical issues to be resolved**

## **TEST GUIDELINES CONSIDERED AT THE TC-EDC MEETING IN CONJUNCTION WITH TC SESSION**

**1. no changes required or strictly editorial changes on which recommendations agreed by the TC-EDC**

- TC-EDC recommends adoption
- Test Guidelines adopted at TC session



## TEST GUIDELINES CONSIDERED AT THE TC-EDC MEETING IN CONJUNCTION WITH TC SESSION

### 2. editorial clarifications required

- recommendations transmitted to Leading Expert
- clarifications to be provided within four weeks
- if agreed, TC-EDC recommends adoption by correspondence at its March/April meeting
- Test Guidelines adopted by correspondence

## TEST GUIDELINES CONSIDERED AT THE TC-EDC MEETING IN CONJUNCTION WITH TC SESSION

### 3. technical issues to be resolved

- issues transmitted to Leading Expert
- technical issues to be addressed at the respective Technical Working Party by means of a TWP document prepared by Leading Expert at least four weeks before TWP session (not as new draft TG)
- resolution of issues to be provided to TC-EDC at least seven weeks before its subsequent meeting (March/April or October/November)
- if agreed, TC-EDC recommends adoption by correspondence (March/April) or at TC session (October/November), as appropriate