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 UPOV is the international system
 for plant variety protection,
 which aims to encourage
 the development of new
 varieties of plants,
 for the benefit of society."

TECHNICAL WORKING PARTY FOR FRUIT CROPS

*Thirty-seventh Session
Salvador, Bahia State, Brazil*

PREPARATORY WORKSHOP

August 20, 2006

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WHAT IS UPOV?

The International **Convention** for the
Protection of New Varieties of Plants
established
The International **Union** for the Protection of
New Varieties of Plants

Union internationale pour la
protection des **o**btentions **v**égétales

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PROGRAM

1. Introduction to the International Union for the Protection of New Varieties of Plants (UPOV)
2. Introduction to the UPOV Technical Working Parties:
The DUS Examination
3. **Guidance for DUS Examination:**
Overview of the General Introduction (document TG/1/3 and TGP Documents)
4. **Test Guidelines (document TGP/7)**
 - (a) Introduction
 - (b) **Guidance on drafting characteristics**
 - types of expression (QL, QN, PQ)
 - example varieties
 - asterisked, TQ, grouping
5. The UPOV Website
6. Agenda for the TWP Meeting
7. Feedback from Participants

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UPOV Mission Statement:

*"To provide and promote an effective system
of plant variety protection, with the aim of
encouraging the development of new
varieties of plants, for the benefit of
society"*

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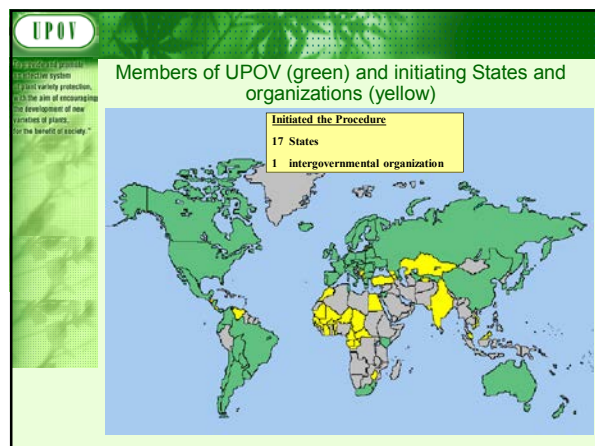
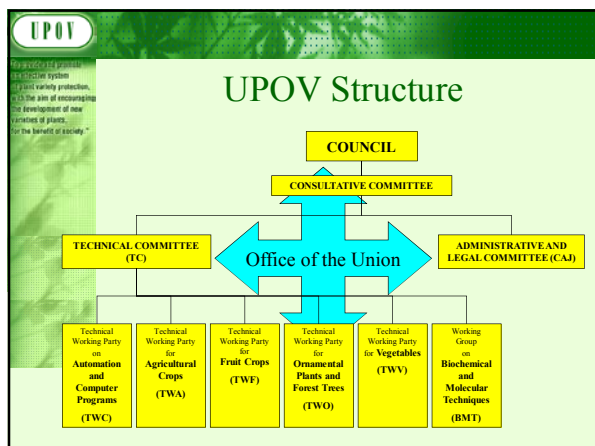
INTRODUCTION TO UPOV

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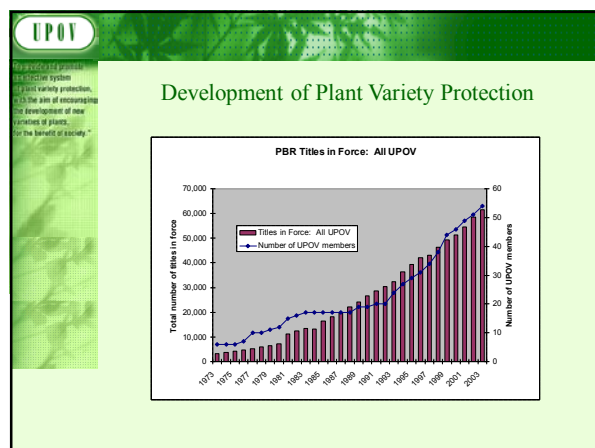
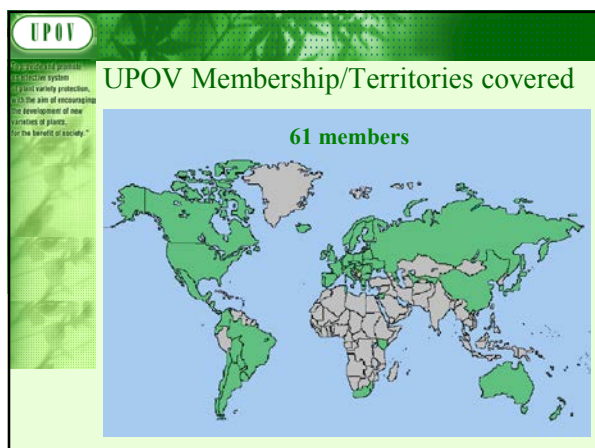
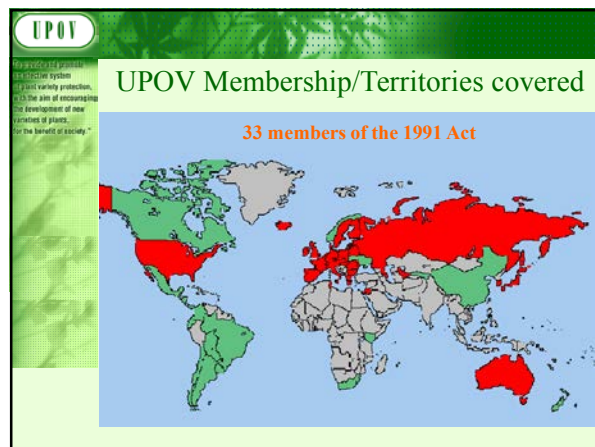
THE UNION

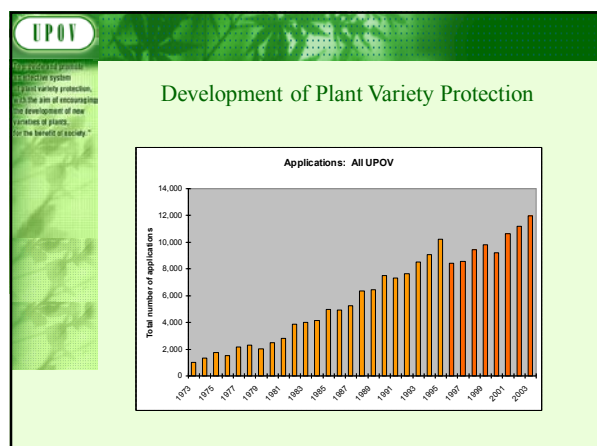
- Members of the Union
 - States or Intergovernmental Organizations
- Permanent Organs of the Union
 - The Council - consisting of the representatives of the members of the Union
 - The Office of the Union - carries out all the duties and tasks entrusted to it by the Council



PLANT VARIETY PROTECTION SITUATION

- 61 members of the Union
- 17 States have initiated the procedure for becoming members of the Union
- 1 intergovernmental organization has initiated the procedure for becoming members of the Union:
 - OAPI (16 countries)
- 47 States have contacted the Office of the Union for assistance in the development of legislation on plant variety protection





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Reproductive rights
Protection system
Plant variety protection,
to the aim of encouraging
the development of new
varieties of plants,
for the benefit of society."

Kamil Idris (Secretary-General of UPOV)

"...some very clear messages have emerged from this study, perhaps the most important being that the introduction of the **UPOV system of plant variety protection and membership of the International Union for the Protection of New Varieties of Plants (UPOV)** can open a door to economic development, particularly in the rural sector..."

"... an important conclusion is that the **UPOV system of plant variety protection provides an effective incentive for plant breeding in many different situations and in various sectors, and results in the development of new, improved varieties of benefit for farmers, growers and**

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Executive summary available at: www.upov.int "News & Events"

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Ing. Enriqueta Molina Macías
(Director, National Service for Inspection and Seed Certification (SNICS), Mexico and President of the UPOV Council)

"It is perhaps worthwhile at the same time as reviewing those benefits to reflect on the importance of the plant genetic resources which form the raw material for the breeders' work.**Under the UPOV system, a breeding cycle of progression can continue to maximize the benefits of plant variety protection and plant breeding for the future.**"

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SECTION II. DEVELOPMENT OF THE UPOV SYSTEM OF PLANT VARIETY PROTECTION

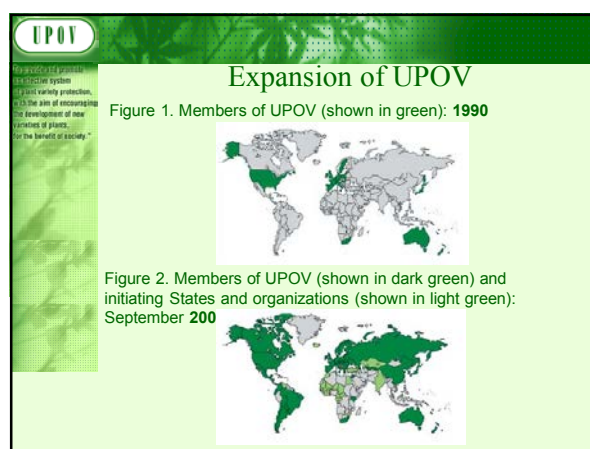
UPOV MEMBERSHIP
EXPANDING THE PROTECTION A CROSS PLANT GENERA AND SPECIES
IMPLEMENTATION OF PLANT VARIETY PROTECTION
EXPANSION OF UPOV: A BENEFIT FOR NEW AND OLD UPOV MEMBERS
Older UPOV Members: the European Community Countries
Older UPOV Members: Other Countries
Newer UPOV Members

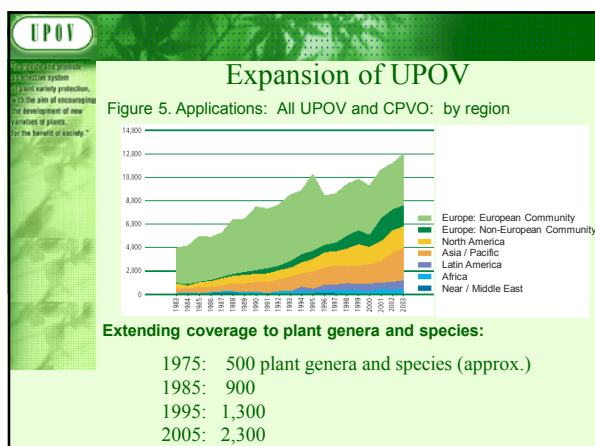
SECTION III. REPORTS ON STUDIES CONDUCTED IN INDIVIDUAL COUNTRIES

ARGENTINA

1. GENERAL VIEW OF AGRICULTURE IN THE COUNTRY
2. SHORT DESCRIPTION OF THE SEED INDUSTRY
3. PLANT VARIETY PROTECTION SYSTEM
4. IMPACT OF PLANT VARIETY PROTECTION
 - (a) Overall Trends of Varieties Available in the Country
 - (i) Number of Varieties
 - (ii) Improvement of Varieties
 - (b) Foreign Investment / International Dimension
 - (i) Introduction of Foreign Varieties
 - (ii) Development of Foreign Markets
 - (c) Domestic breeding
 - (i) Number of Varieties
 - (ii) Number of Breeders / Investment in Breeding
 - (iii) Structure of the Breeding Industry
 - (d) Summary

CHINA





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Regulatory system
variety protection
the aim of encouraging
the development of new
varieties of plants
for the benefit of society

SECTION III.

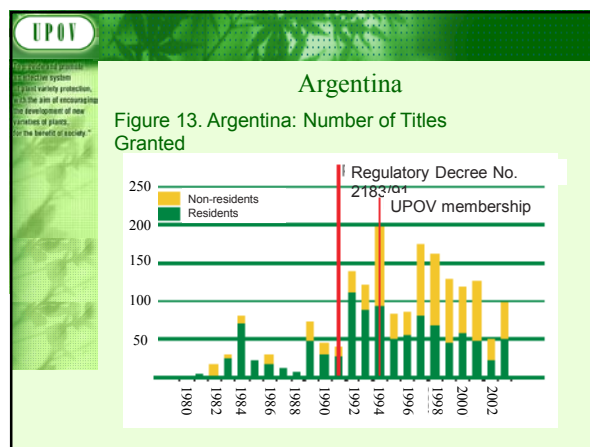
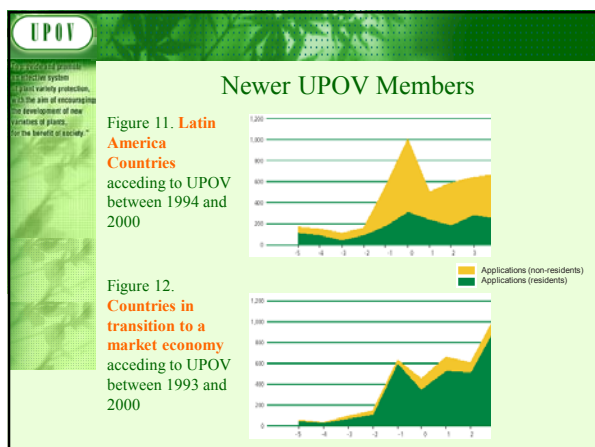
Reports on Studies Conducted in Individual Countries:

Chairman
Evans O. Sikinyi (Kenya)

Country Study Representatives
Argentina: Marcelo Labarta
China: Lin Xiangming and Lu Bo (Ministry of Agriculture); Zhou Jianren (State Forestry Administration)
Kenya: Evans O. Sikinyi
Poland: Edward S. Gacek and Julia Borys
Republic of Korea: Choi Keun-Jin

Advisors / Consultants
Chris M.M. van Winden and Arnold J.P. van Wijk (Netherlands)

Coordinator
Makoto Tabata (UPOV)



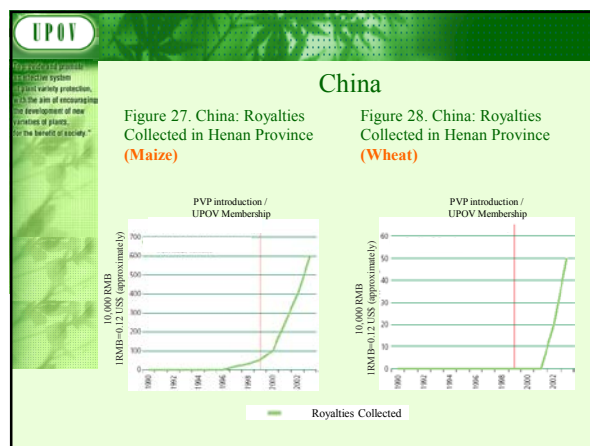
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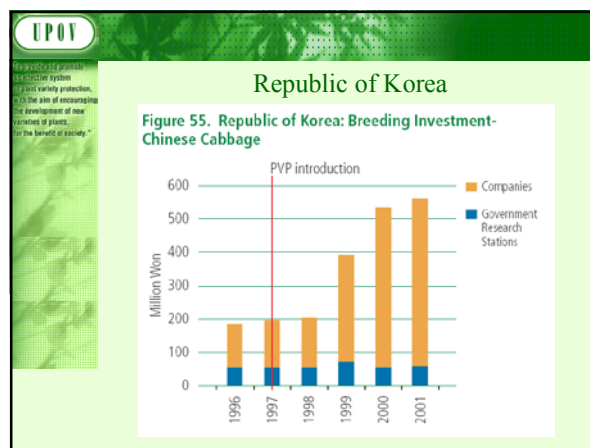
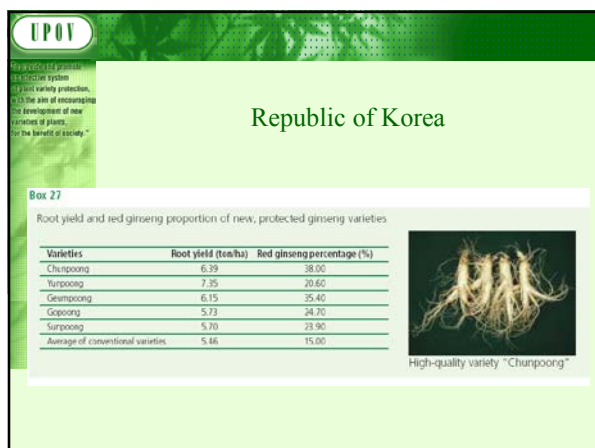
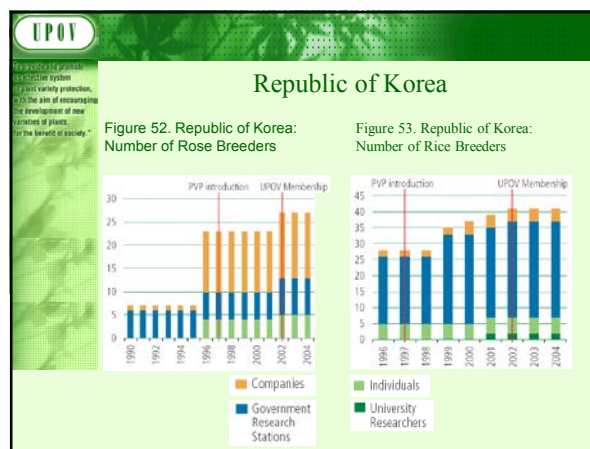
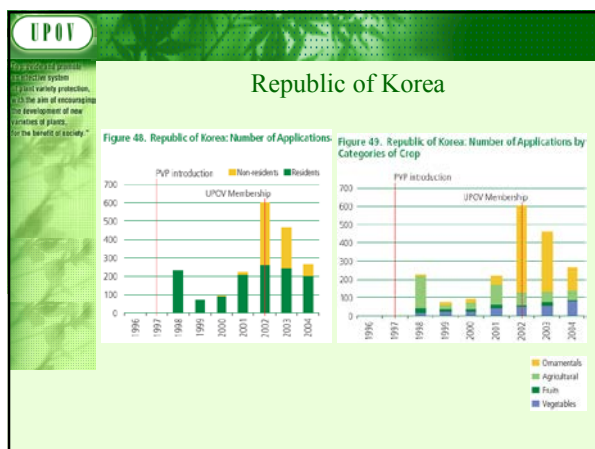
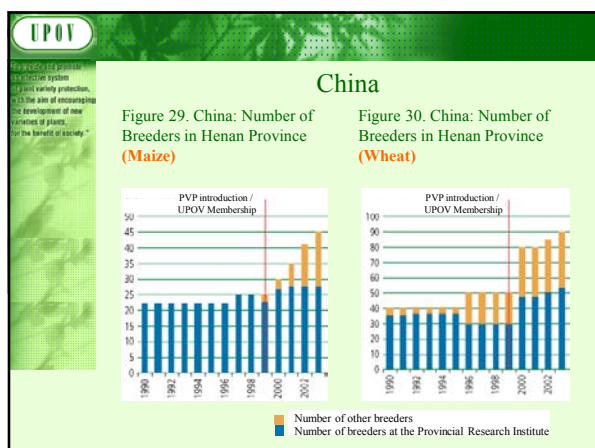
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SECTION III.

Reports on Studies Conducted in Individual Countries:

Argentina
China
Kenya
Poland
Republic of Korea





Représenter le principe
d'un système
d'obtention de nouvelles
variétés végétales
dans l'intérêt de la société

UPOV in the Americas

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The 1991 Act of the UPOV Convention in Latin-America

	BO	CO	EC	NI	AR	BR	CL	MX	PA	PY	TT	UY
Definitions	X	X	X	X	X		X		X		X	X
Provisional protection	X	X	X	X		X	X	X				X
Extension of the PBR to the harvested product	X	X	X									
All genera and species	X	X	X	X	X		X	X	X	X		X
Limited farmers privilege	X	X	X	X								
Duration: 20-25 years	X	X	X	X					X			
Exhaustion of PBR	X	X	X	X								X
E.D.V.	X	X	X	X		*						

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Americas

Members of the Union

Argentina
Bolivia
Brazil
Canada
Chile
Colombia
Ecuador
Mexico

Nicaragua
Panama
Paraguay
Trinidad and Tobago
United States of America
Uruguay

Initiated the Procedure

Costa Rica
Honduras
Venezuela

Contacted the Office

Barbados
Cuba
Dominica
Dominican Republic
El Salvador
Guatemala
Guyana
Jamaica
Peru
Suriname

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TWP Venues

	TWA	TWC	TWF	TWO	TWV	BMF
1994	Spain	Israel	New Zealand	Australia	UK	France
1995	Germany	Poland	UK	Netherlands	Netherlands	Netherlands
1996	Greece	Germany	Israel	Israel	Czech Rep.	
1997	Uruguay	Hungary	Netherlands	Denmark	Spain	United Kingdom
1998	France	Belgium	Australia	New Zealand	Poland	USA
1999	Canada	Finland	Slovakia	Czech Rep.	Germany	
2000	Sweden	Ukraine	Hungary	Hungary	France	France
2001	Mexico	Czech Rep.	Spain	Japan	Italy	Germany
2002	Brazil	Mexico	Argentina	Ecuador	Japan	
2003	Japan	Denmark	Canada	Canada	Netherlands	Japan
2004	Poland	Japan	China (workshop)	Germany	Germany	Rep. of Korea
2005	New Zealand	Canada	Japan	Rep. of Korea	Slovakia	USA
2006	China	Kenya	Brazil	Brazil	Mexico	Rep. of Korea

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The 1991 Act of the UPOV Convention in the Americas

Members of the Union

1991 Act:
United States of America

1978 Act:
Argentina
Bolivia
Brazil
Canada
Chile
Colombia
Ecuador
Mexico
Nicaragua
Panama
Paraguay
Trinidad and Tobago
Uruguay

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Introduction to the UPOV Technical Working Parties: The DUS Examination

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UPOV Convention (1991 act):

- Chapter I - Definitions (breeders and varieties)
- Chapter II - General Obligations
 - Genera and species to be protected
 - National treatment
- Chapter III - Conditions for the Grant of the Breeder's Right
- Chapter IV - Application for the Grant of the Breeder's Right (examination)
- Chapters V-VII - The Rights of the Breeder (scope, exceptions, etc.)
- Chapters VIII - X - About the Union and the Convention

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Examination of the Application

(Article 12 of the 1991 Act of the UPOV Convention)

Any decision to grant a breeder's right shall require an **examination for compliance with the conditions under Articles 5 to 9***. In the course of the examination, the authority may grow the variety or carry out other necessary tests, cause the growing of the variety or the carrying out of other necessary tests, or take into account the results of growing tests or other trials which have already been carried out. For the purposes of examination, the authority may require the breeder to furnish all the necessary information, documents or material.

***Article 7, 8, 9 = Distinctness, Uniformity, Stability**

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THE CONDITIONS FOR GRANTING A BREEDER'S RIGHT

Criteria to be satisfied

- NOVELTY
- DISTINCTNESS
- UNIFORMITY
- STABILITY

} **"DUS" (DHS)**

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THE DUS EXAMINATION

- The meaning of "DUS"
- Nature of the DUS Examination
- Characteristics
- UPOV Guidance for Examination

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THE CONDITIONS FOR GRANTING A BREEDER'S RIGHT

Other conditions

- VARIETY DENOMINATION
- FORMALITIES
- PAYMENT OF FEES

NO OTHER CONDITIONS!

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Nature of the DUS Examination

The "DUS Test" (field trial)

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DISTINCTNESS

Must be clearly distinguishable from any other variety whose existence is a matter of common knowledge

>>> CHARACTERISTICS <<<

which

- may have direct *commercial relevance*
e.g. Flower color (ornamental); Fruit color
- but *commercial relevance* NOT required - often no commercial value
e.g. Leaf shape

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DISTINCTNESS

Apple: Flower bud color



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DISTINCTNESS

Apple: Fruit color



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DISTINCTNESS

Apple: Calyx



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DISTINCTNESS

Apple: Fruit color

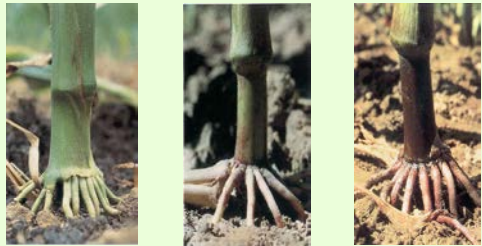


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DISTINCTNESS

Maize: Stem base color



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DISTINCTNESS

UNIFORMITY

– Must be *sufficiently* uniform in its relevant characteristics, *subject to the variation that may be expected from the particular features of its propagation*

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Off-types

According to the size of the sample examined, statistical tables give the maximum number of off-types tolerated in that given samples

e.g.: population standard = 1% and
 acceptance probability = 95%


Sample size	Number of off-types allowed
1-5	0
6-35	1
36-82	2
83-137	3
138-198	4
199-262	5

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UNIFORMITY

Wheat: (Self-pollinated)




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UNIFORMITY

Ryegrass: Spaced plants (Cross-pollinated)



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Off-types

How many off-types should we accept?

The individual Test Guidelines fix for each crop:

- the **population standard** (percentage of off-types to be accepted if all individuals of the variety could be examined)
- the **acceptance probability** (probability of correctly accepting that a variety is uniform)

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Relative Tolerance Limits

Cross-pollinated varieties, including mainly cross-pollinated and synthetic varieties, generally exhibit wider variations within the variety than vegetatively propagated or self-pollinated varieties and inbred lines of hybrid varieties, and it is more difficult to determine off-types.

Therefore, **relative tolerance limits**, for the range of variation, are set by comparison with comparable varieties, or types, already known.

The candidate variety should not be significantly less uniform than the comparable varieties.

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- **DISTINCTNESS**
- **UNIFORMITY**
- **STABILITY**
 - Relevant characteristics must remain unchanged after repeated propagation or, in the case of a particular cycle of propagation, at the end of each such cycle

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Selection of Characteristics

- Yield ???
- Straw strength ???

Etc.

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TESTING STABILITY

- In practice, it is **not usual to perform tests of stability** that produce results as certain as those of the testing of distinctness and uniformity.
- However, for many types of variety, **when a variety has been shown to be uniform, it can also be considered to be stable.**
- Furthermore, **if the variety is not stable, material produced will not conform to the characteristics of the variety**, and where the breeder is unable to provide material conforming to the characteristics of the variety, the breeder's right may be cancelled.
- Where appropriate, or in cases of doubt, **stability may be tested, either by growing a further generation, or by testing a new seed or plant stock** to ensure that it exhibits the same characteristics as those shown by the previous material supplied.

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Selection of Characteristics

Criteria	Fruit: color	Ear: glaucosity	Yield	Straw strength
(a) results from a given genotype or combination of genotypes	Yes	Yes	Yes	Yes
(b) sufficiently consistent and repeatable in a particular environment	Yes	Yes	(No)	(No)
(c) exhibits sufficient variation between varieties to be able to establish distinctness	Yes	Yes	???	???
(d) is capable of precise definition and recognition	Yes	Yes	(No)	???
(e) allows uniformity requirements to be fulfilled	Yes	Yes	???	???
(f) allows stability requirements to be fulfilled	Yes	Yes	???	???
Commercial value	Yes	No	Yes	Yes
ACCEPTABILITY	Yes	Yes	No	No

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Selecting characteristics

The basic requirements that a characteristic should fulfill before it is used for DUS testing or producing a variety description are that its expression (TG/1/3: Section 4.2.1):

- results from a given genotype** or combination of genotypes;
- is sufficiently **consistent and repeatable** in a **particular environment**;
- exhibits sufficient **variation between varieties** to be able to establish distinctness;
- is capable of **precise definition and recognition**;
- allows **uniformity requirements** to be fulfilled;
- allows **stability requirements** to be fulfilled, meaning that it produces consistent and repeatable results after repeated propagation or, where appropriate, at the end of each cycle of propagation.


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Special Characteristics: Disease Resistance

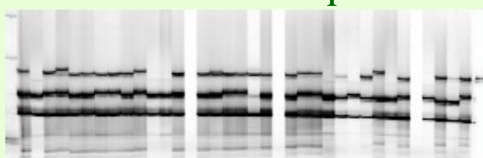
Criteria	Disease Resistance
(a) results from a given genotype or combination of genotypes	*Knowledge of nature of genetic control of resistance is important
(b) sufficiently consistent and repeatable in a particular environment	*Standardize conditions (greenhouse / laboratory) & methodology *Standardize inoculum *Ring-test
(c) exhibits sufficient variation between varieties to be able to establish distinctness	*Susceptible / Resistant OR varying degrees of resistance?
(d) is capable of precise definition and recognition	*Define and recognize races and strains
(e) allows uniformity requirements to be fulfilled	see above
(f) allows stability requirements to be fulfilled	see above
	Difficult and expensive

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Molecular Techniques?



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UPOV provides guidance by:

- The "General Introduction" (TG/1/3)
 - General technical principles
 - Organization of DUS Testing
 - Associated "TGP" Documents (e.g. statistical methods)

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GUIDANCE FOR EXAMINATION

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TG/1/3 General Introduction

↓

"Associated" TGP Documents

Ref.	Title
TG/00	List of TGP Documents and Latest Issue Dates
TG/01	General Introduction With Explanations
TG/02	List of Test Guidelines Adopted by UPOV
TG/03	Varieties of Common Knowledge
*TGP/4	Constitution and Management of Variety Collections
TGP/5	Experience and Cooperation in DUS testing
TGP/6	Arrangements for DUS testing
TGP/7	Development of Test Guidelines
TGP/8	Trial Design and Techniques Used in the Examination of DUS
*TGP/9	Examining Distinctness
*TGP/10	Examining Uniformity
TGP/11	Examining Stability
TGP/12	Special Characteristics
TGP/13	Guidance for New Types and Species
TGP/14	Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents
TGP/15	New Types of Characteristics

*Priority

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Guidance for Examination

facilitates:

BEST PRACTICE (based on experience)

- => good decisions
- => good definition of the object of protection (strong protection)
- => efficiency in method of examination (learn from the best)

HARMONIZATION

- => efficiency
 - mutual acceptance of DUS reports (minimize cost of examination for individual authorities)
 - mutual recognition of variety descriptions (all parties speak the same "language")
 - simple and cheap system for applicants (minimize cost for breeders)

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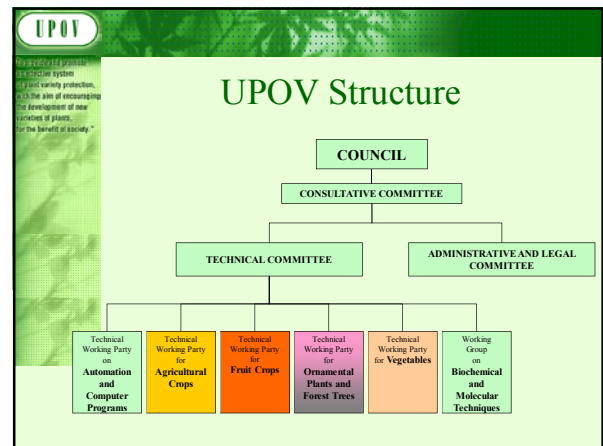
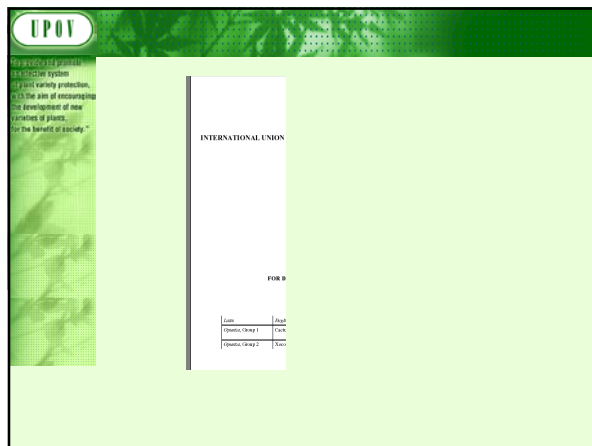
Reproductive rights
protection system
to plant variety protection,
with the aim of encouraging
the development of new
varieties of plants,
for the benefit of society."

UPOV provides guidance by:

- The "General Introduction" (TG/1/3)
 - General technical principles
 - Organization of DUS Testing
 - Associated "TGP" Documents (e.g. statistical methods)

AND

- "Test Guidelines"
 - Species/Crop-specific recommendations developed by crop experts
 - TGP/7 "Development of Test Guidelines" adopted



Test Guidelines

- **228 Test Guidelines** adopted
- Further **63 to be discussed** in 2006 (25 revisions / 38 new Test Guidelines)

UPOV provides guidance by:

- The “General Introduction” (TG/1/3)
 - General technical principles
 - Organization of DUS Testing
 - Associated “TGP” Documents (e.g. statistical methods)

AND

- “Test Guidelines”
 - Species/Crop-specific recommendations developed by crop experts
 - TGP/7 “Development of Test Guidelines” adopted

UPOV Test Guidelines (“Test Guidelines”) are developed for individual species / variety groupings

- Basis for internationally **harmonized examination of DUS** testing through guidance on the features of DUS Testing e.g.
 - growing cycles of testing (usually one or two)
 - number of plants (6 to 600)
 - material to be tested
 - **characteristics to be examined** (around 30 - 100)
 - **example varieties**
 - uniformity standards

and facilitating **harmonized variety descriptions** on the basis of selected characteristics

- Drafted by Members’ Experts (Technical Working Parties)

TGP/7

“Development of Test Guidelines”

UPOV

Reproductive rights
Intellectual system
Plant variety protection,
to the aim of encouraging
the development of new
varieties of plants,
for the benefit of society."

1. Introduction

Purpose of document TGP/7:

- ♣ to provide guidance on the development of UPOV Test Guidelines
 - ♣ Procedure for the introduction and revision
 - ♣ Guidance for drafting
 - ♣ Standard format (template)
 - ♣ Standard wording
- ♣ to provide guidance on the development of individual authorities' test guidelines, in the absence of UPOV Test Guidelines

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2. Procedure for the Introduction and Revision of UPOV Test Guidelines

Step 1: Proposals for the Commissioning of Work
Step 2: Approval of the Proposal
Step 3: Allocation of Drafting Work
Step 4: Preparation of Draft TGs for the TWP
Step 5: Consideration of the Draft TGs by the TWPs
Step 6: Submission of Draft TGs by the TWP
Step 7: Consideration of Draft TGs by the Editorial Committee
Step 8: Adoption of Draft TGs, by the Technical Committee

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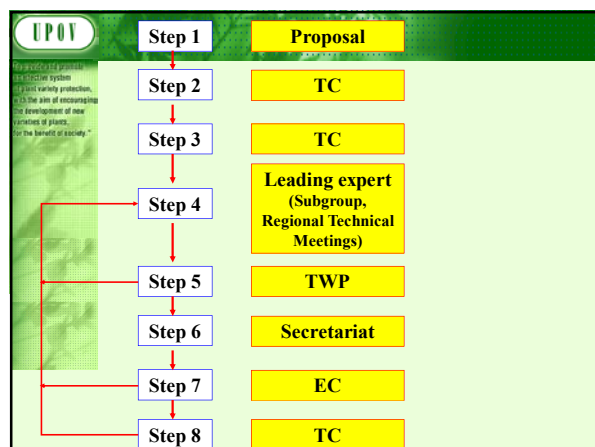
1. Introduction

2. Procedure for the Introduction and Revision of UPOV Test Guidelines

3. Guidance for Drafting Test Guidelines

- The TG Template
- Additional Standard Wording for the TG Template
- Guidance Notes for the TG Template

Annex 1: The TG Template
Annex 2: Additional Standard Wording for the TG Template
Annex 3: Guidance Notes for the TG Template
Annex 4: Collection of Approved Characteristics



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2. Procedure for the Introduction and Revision of UPOV Test Guidelines

Rationale for the Procedure:

- ♣ Transparency
- ♣ Clear responsibility at each step

Who prepares the draft

- ♣ Leading expert, interested experts to prepare a draft
- ♣ Technical Working Party to establish a final draft
- ♣ Technical Committee to adopt

Participation

- ♣ International non-governmental organizations, invited to sessions of Technical Working Parties and Technical Committee as observers
- ♣ UPOV regional Technical Meetings

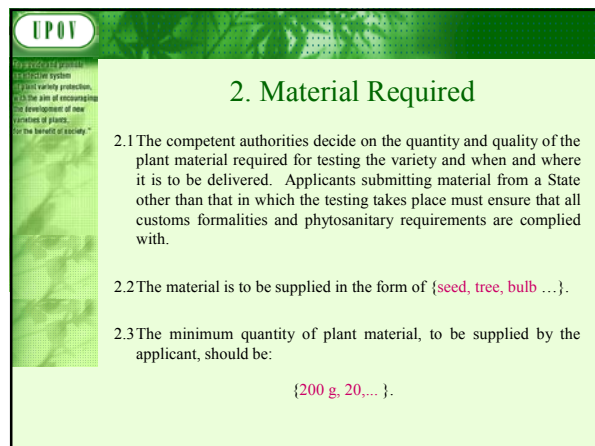
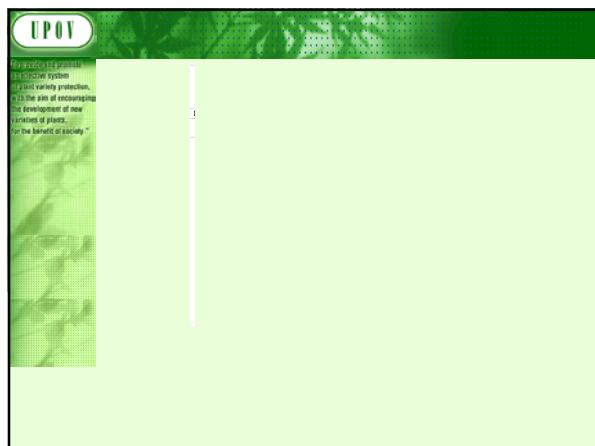
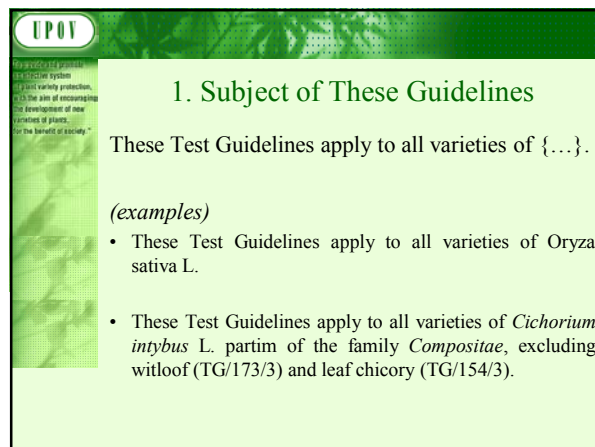
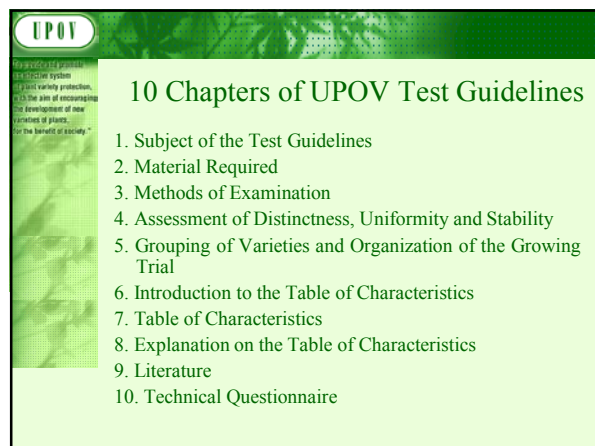
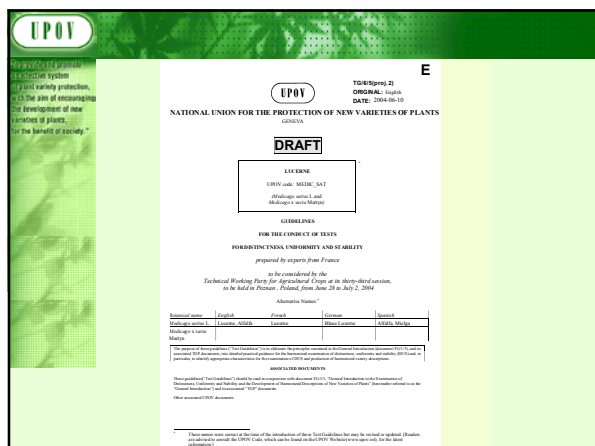
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The TG Template

(Annex I of document TGP/7)

- Format of the cover page,
- Universal Standard wording of 10 Chapters,
- Format of the Table of Characteristic (Chapter 7),
- Format of the Technical Questionnaire (Chapter 10)



Reproduced from the UPOV 1991 Act, Chapter I, Article 1.1. The aim of encouraging the development of new varieties of plants, for the benefit of society."

3. Methods of Examination

3.1 Duration of Tests

3.2 Testing Place

3.3 Conditions for Conducting the Examination

[3.3.x Stage of development for the assessment]

[3.3.x Type of observation – visual or measurement]

3.4 Test Design

3.5 Number of Plants / Parts of Plants to be Examined

3.6 Additional Tests

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4. Assessment of Distinctness, Uniformity and Stability

Counting the number of Off-types

According to the size of the sample examined, statistical tables give the maximum number of off-types tolerated in that give samples

e.g.: population standard = 1% and
 acceptance probability = 95%

Sample size	Number of off-types allowed
1-5	0
6-35	1
36-82	2
83-137	3
138-198	4
199-262	5

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4. Assessment of Distinctness, Uniformity and Stability

Assessment of Uniformity in general:

- It is necessary to take into account:
 - features of propagation of the variety
- Methods for Examination of Uniformity
 - the number of "off-types" (mainly for vegetatively propagated varieties, self-pollinated varieties)
 - overall range of variation (mainly for cross-pollinated varieties)

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5. Grouping of Varieties and Organization of the Growing Trial

5.1

5.2 Grouping characteristics.... can be used,..... :

- (a) to select varieties of common knowledge that can be excluded from the growing trial used for examination of distinctness; and
- (b) to organize the growing trial so that similar varieties are grouped together.

5.3 The following have been agreed as useful grouping characteristics:

_____ {...}

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4. Assessment of Distinctness, Uniformity and Stability

4.2 Uniformity

[4.2.1] It is of particular importance for users of these Test Guidelines to consult the General Introduction prior to making decisions regarding uniformity. However, the following points are provided for elaboration or emphasis in these Test Guidelines:

[4.2.x] Standard wording for cross-pollinated, hybrid, self-pollinated, vegetatively propagated varieties.

- [4.2.x] [For the assessment of uniformity, a population standard of { x } % and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed.]

Reproduced from the UPOV 1991 Act, Chapter I, Article 1.1. The aim of encouraging the development of new varieties of plants, for the benefit of society."

6. Introduction to the Table of Characteristics

6.1 Categories of Characteristics

6.1.1 Standard Test Guidelines Characteristics

6.1.2 Asterisked Characteristics (denoted by *)

6.2 States of Expression and Corresponding Notes

6.3 Types of Expression

An explanation of the types of expression of characteristics (qualitative, quantitative and pseudo-qualitative) is provided in the General Introduction.

6.4 Example Varieties

6.5 Legend

(*) Asterisked characteristic – see Section 6.1.2
(QL) Qualitative characteristic – see Section 6.3
(QN) Quantitative characteristic – see Section 6.3
(PQ) Pseudo-qualitative characteristic – see Section 6.3

Format of the Table of Characteristic (Section 7)							
Char. No. (*) (QL/QN/PQ)	English	Français	Deutsch	Español	Example/ Varieties/ Beispielvarietäten/ Ejemplos	Note/ Nota	
Order of characteristics in the Table of Characteristic (a)	Heading of a characteristic	Heading of a characteristic	Heading of a characteristic	Heading of a characteristic			
Anteriority characteristic	Recommendation for conducting the examination	States of expression of a characteristic	States of expression of a characteristic	States of expression of a characteristic	States of expression of a characteristic	Example varieties	Notes
States of expression of the characteristic	Growth stage	States of expression of a characteristic	States of expression of a characteristic	States of expression of a characteristic	States of expression of a characteristic	Example varieties	Notes
Type of expression of the characteristic	Other	States of expression of a characteristic	States of expression of a characteristic	States of expression of a characteristic	States of expression of a characteristic	Example varieties	Notes

TYPE OF EXPRESSION OF CHARACTERISTICS (QL, QN, PQ)

Order of Characteristics	
(a) Botanical order	
(i) The botanical order is as follows:	
<ul style="list-style-type: none"> seed (for characteristics examined on seed submitted) seedling plant (e.g. growth habit) root root system or other subterranean organs, stem leaf (blade, petiole, stipule) inflorescence flower (calyx, sepal, corolla, petal, stamen, pistil) fruit seed (for characteristics examined on seed harvested from the growing trial). 	
(ii) with the characteristics of the whole organ followed by those of its parts, from large to small, outer/lower parts to inner/higher parts	

Qualitative Characteristics

“Qualitative characteristics” are those that are **expressed in discontinuous states** (e.g. sex of plant: dioecious female (1), dioecious male (2), monoecious unisexual (3), monoecious hermaphrodite (4)).

These states are self-explanatory and independently meaningful. All states are necessary to describe the full range of the characteristic, and every form of expression can be described by a single state. The order of states is not important. As a rule, the **characteristics are not influenced by environment**.

Order of Characteristics	
or	
(b) Chronological order;	
followed by	
(c) Characteristic order	
<ul style="list-style-type: none"> attitude height length width size shape color 	
other details (such as surface, etc., and individual parts of the organ such as base, apex and margin).	

Qualitative Characteristics

In qualitative characteristics, **the difference between two varieties may be considered clear if one or more characteristics have expressions that fall into two different states in the Test Guidelines**. Varieties should not be considered distinct for a qualitative characteristic if they have the same state of expression.

(e.g. sex of plant: dioecious female (1), dioecious male (2), monoecious unisexual (3), monoecious hermaphrodite (4)).

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Reproduce all possible
 characteristics system
 (1) Plant variety protection,
 (2) The aim of encouraging
 the development of new
 varieties of plants,
 for the benefit of society

Quantitative Characteristics

“Quantitative characteristics” are those where the expression covers the full range of variation from one extreme to the other. The **expression can be recorded on a one-dimensional, continuous or discrete, linear scale**. The range of expression is divided into a number of states for the purpose of description (e.g. length of stem: very short (1), short (3), medium (5), long (7), very long (9)). The division seeks to provide, as far as is practical, an even distribution across the scale. The Test Guidelines do not specify the difference needed for distinctness. The states of expression should, however, be meaningful for DUS assessment.

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Pseudo-Qualitative Characteristics

36. (*)	VG	Fruit: ground color of skin
PQ	(e)	not visible
		whitish yellow
		yellow
		whitish green
		yellow green
		green

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Quantitative Characteristics

Quantitative characteristics are considered for distinctness according to the method of observation and the features of propagation of the variety concerned.

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Pseudo-Qualitative Characteristics

A different state in the Test Guidelines may not be sufficient to establish distinctness (see also section 5.5.2.3). However, in certain circumstances, varieties described by the same state of expression may be clearly distinguishable.

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Pseudo-Qualitative Characteristics

In the case of “pseudo-qualitative characteristics,” the **range of expression is at least partly continuous, but varies in more than one dimension** (e.g. shape: ovate (1), elliptic (2), circular (3), obovate (4)) and cannot be adequately described by just defining two ends of a linear range. In a similar way to qualitative (discontinuous) characteristics – hence the term “pseudo-qualitative” – each individual state of expression needs to be identified to adequately describe the range of the characteristic.

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7. Table of Characteristics

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Regulation of plants
in the UPOV system
to protect variety protection,
to the aim of encouraging
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varieties of plants,
for the benefit of society."

Pseudo-qualitative Characteristics

Qualitative characteristic

Color: green (1), yellow (2), red (3)

Pseudo-qualitative characteristic:

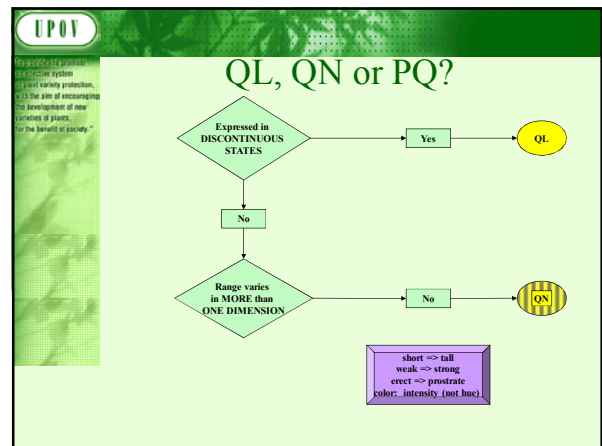
Color: green (1), yellow green (2), green yellow (3), yellow (4), orange (5), red (6)

Shape: round (1), broad elliptic (2), elliptic (3), elliptic to ovate (4), ovate (5)

Not: Shape: round (1), intermediate (2), elliptic (3), intermediate (4), ovate (5)

Color: light green (1), medium green (2), dark green (3), purple green (4)

Not: Color: light green (1), green (2), dark green (3), purple green (4)



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Pseudo-qualitative Characteristics

Shape: broad elliptic (1), medium elliptic (2), narrow elliptic (3), ovate (4)

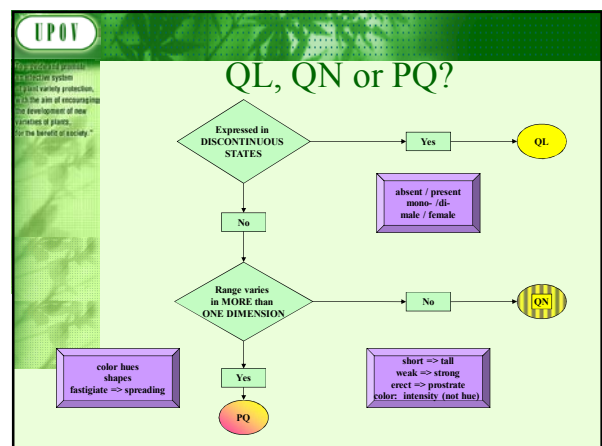
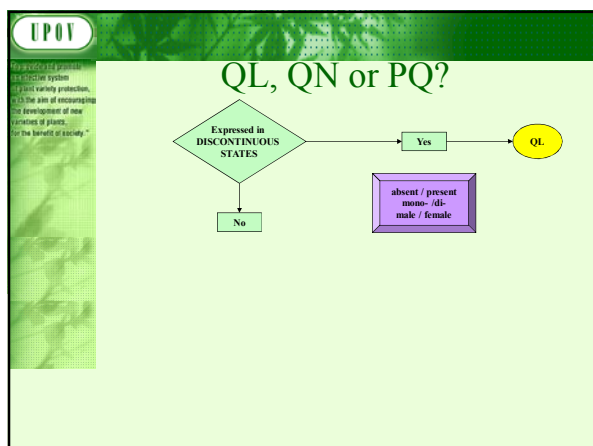
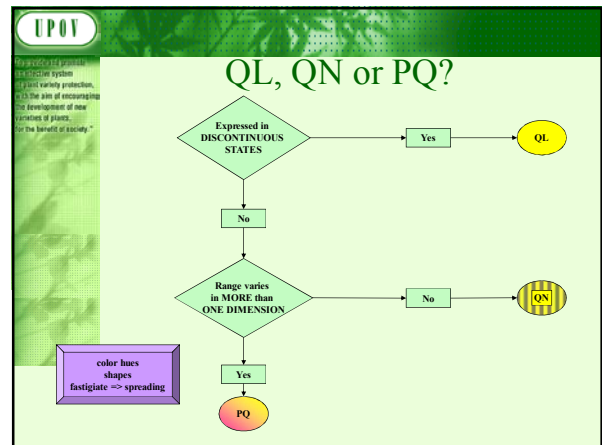
Not: Shape: broad elliptic (1), elliptic (2), narrow elliptic (3), ovate (4)

Color of spots: only green (1); green and purple (2); only purple (3)

Type of mottling: only diffuse (1);
diffuse and in patches (2);
diffuse, in patches and linear bands (3);
diffuse and in linear bands (4).

Width: narrow (3), medium (5), broad (7)

Not: Shape: narrow ovate (1), ovate (2), broad ovate (3)



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EXERCISE

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Reproduce all graphics
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1.

Leaf sheath: anthocyanin coloration

absent or very weak

1

weak

3

medium

5

strong

7

very strong

9

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Types of Expression

QL: Qualitative

QN: Quantitative

PQ: Pseudo-qualitative

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1.

Leaf blade: folding

closed

1

open

2

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1.

Plant: ploidy

diploid

2

tetraploid

4

hexaploid

6

octoploid

8

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 varieties of plants,
 for the benefit of society.

1.

Plant: rhizomes

absent

1

present

9

20

<div>UPOV</div> <div> Reproduce all possible distinctive system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Plant: growth habit	
	erect	1
	semi erect	3
	medium	5
	semi prostrate	7
	prostrate	9

<div>UPOV</div> <div> Reproduce all possible distinctive system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Tree: distribution of flower buds	
	predominantly on spurs	1
	equally on spurs and on one-year-old shoots	2
	predominantly on one-year-old shoots	3

<div>UPOV</div> <div> Reproduce all possible distinctive system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Leaf: length	
	very short	1
	short	3
	medium	5
	long	7
	very long	9

<div>UPOV</div> <div> Reproduce all possible distinctive system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Leaf blade: ratio length/width	
	very small	1
	small	3
	medium	5
	large	7
	very large	9

<div>UPOV</div> <div> Reproduce all possible distinctive system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Lemma: hairiness	
	absent	1
	present	9

<div>UPOV</div> <div> Reproduce all possible distinctive system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Leaf blade: intensity of green color of upper side	
	light	3
	medium	5
	dark	7

<div> <div>UPOV</div> <div> Reproduction of plants by asexual system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div> </div>		
<hr/>		
1.	Leaf blade: shape of base	
	acute	1
	obtuse	2
	truncate	3
	cordate	4
<hr/>		

<div> <div>UPOV</div> <div> Reproduction of plants by asexual system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div> </div>		
<hr/>		
1.	Petal: shape (excluding claw)	
	broad elliptic	1
	circular	2
	oblate	3
<hr/>		

<div> <div>UPOV</div> <div> Reproduction of plants by asexual system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div> </div>		
<hr/>		
1.	Leaf blade: profile in cross section	
	straight or weakly concave	1
	moderately concave	2
	strongly concave	3
<hr/>		

<div> <div>UPOV</div> <div> Reproduction of plants by asexual system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div> </div>		
<hr/>		
1.	Petal: color on lower side	
	white	1
	light pink	2
	dark pink	3
<hr/>		

<div> <div>UPOV</div> <div> Reproduction of plants by asexual system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div> </div>		
<hr/>		
1.	Flower: position of stigma relative to anthers	
	below	1
	same level	2
	above	3
<hr/>		

<div> <div>UPOV</div> <div> Reproduction of plants by asexual system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div> </div>		
<hr/>		
EXAMPLE VARIETIES		
<hr/>		

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DUS system
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Example Varieties – the need

NEED {

- in characteristics USED TO HARMONIZE descriptions
- and WHICH ARE influenced by the environment

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Example Varieties Fluctuation

Maintain the expression for the characteristic in relation to the other varieties in the collection

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Example Varieties - availability

widely and freely available {

- National Authority
- DUS examiners
- Breeders

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Example Varieties number

All desired characteristics covered with the **MINIMUM** number of example varieties

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Example Varieties within the collection

must show the range of expression in the collection {

- QN {
 - 3 : short
 - 5 : medium
 - 7 : long
- PQ: {
 - cover the whole range

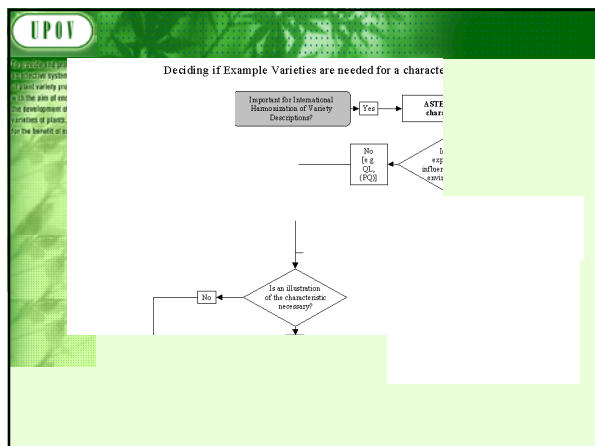
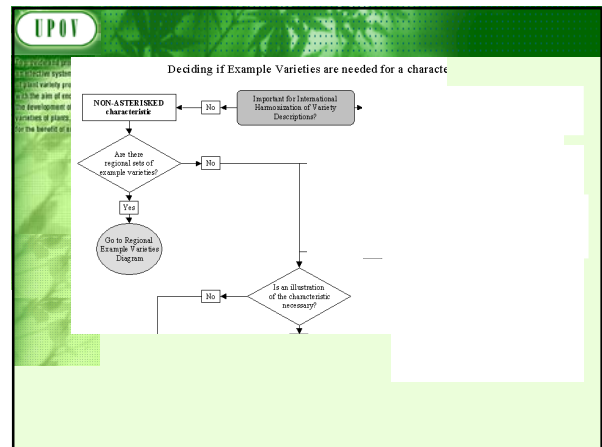
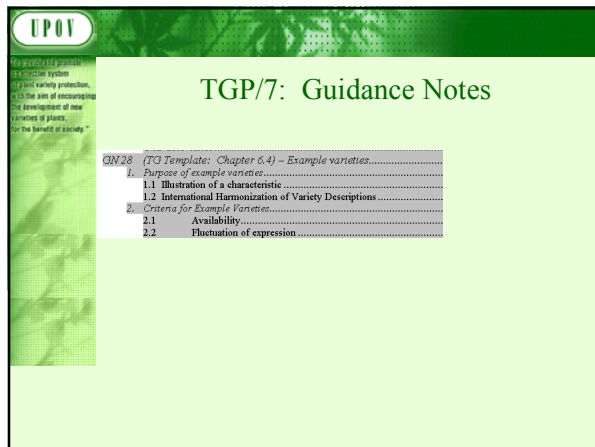
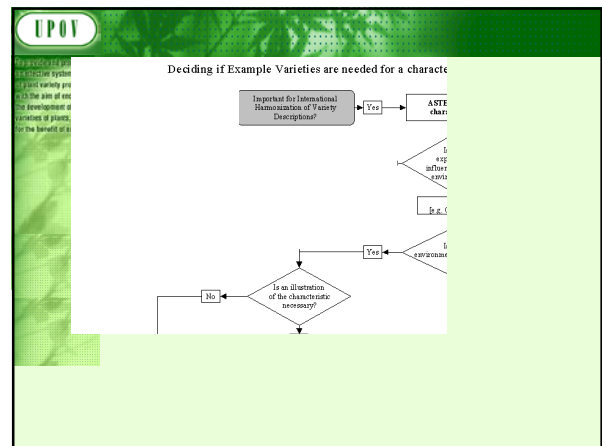
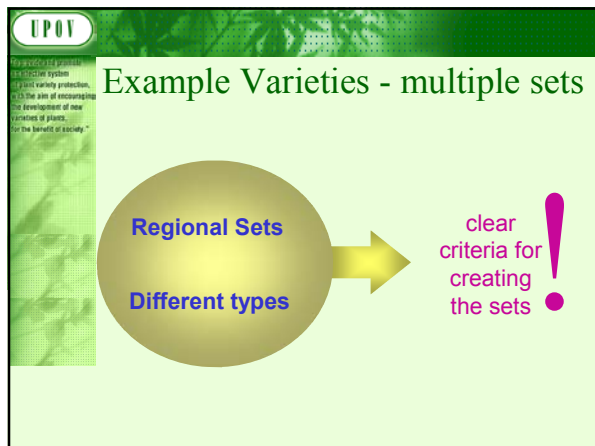
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Example Varieties - agreement

Proposed by the leading expert of the TG

Accepted if no objections are presented



UPOV						
Reproducible plants patent system (1) plant variety protection, (2) the aim of encouraging the development of new varieties of plants, for the benefit of society."						
	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota
4. (*) (+)	Plant: height including flowers	Plante: hauteur, fleurs comprises	Pflanze: Höhe; einschließlich Blüten	Planta: altura, incluidas las flores	?	
QN (a)	short	basse	niedrig	corta		3
	medium	moyenne	mittel	media		5
	tall	élevée	hoch	larga		7

UPOV						
Reproducible plants patent system (1) plant variety protection, (2) the aim of encouraging the development of new varieties of plants, for the benefit of society."						
	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota
5. (*) (+)	Plant: width including flowers	Plante: largeur, fleurs comprises	Pflanze: Breite einschließlich Blüten	Planta: anchura, incluidas las flores	?	
QN (a)	narrow	étroite	schmal	estrecha		3
	medium	moyenne	mittel	media		5
	broad	large	breit	ancha		7

UPOV						
Reproducible plants patent system (1) plant variety protection, (2) the aim of encouraging the development of new varieties of plants, for the benefit of society."						
	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota
1. (*) (+)	Plant: growth type	Plante: type de croissance	Pflanze: Wuchstyp	Planta: tipo de crecimiento	?	
QL (a)	basal clusters	en amas à la base	basale Büschel	en racimos basales		1
	bushy	buissonnant	buschig	arborescente		2

UPOV						
Reproducible plants patent system (1) plant variety protection, (2) the aim of encouraging the development of new varieties of plants, for the benefit of society."						
	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota
9. (*) (+)	Leaf: margins	Feuille: bords	Blatt: Ränder	Hoja: borde del limbo	?	
QL (a)	entire	entiers	ganzrandig	entero		1
(b)	divided	découpés	eingeschnitten	dividido		2

UPOV						
Reproducible plants patent system (1) plant variety protection, (2) the aim of encouraging the development of new varieties of plants, for the benefit of society."						
	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota
2. (*) (+)	Only varieties with bushy growth type: Plant: predominant attitude of stems	Variétés à type de croissance buissonnant uniquement: Plante: port le plus fréquent des tiges	Nur Sorten mit buschigem Wachstum: Pflanze: vorwiegende Haltung der Triebe	Sólo variedades con tipo de crecimiento arborescente: Planta: porte predominante de los tallos	?	
QN (a)	upright	dressées	aufrecht	erecto		1
	semi upright	demi-dressées	halbaufrecht	semierecto		3
	horizontal	horizontales	wagerecht	horizontal		5

UPOV						
Reproducible plants patent system (1) plant variety protection, (2) the aim of encouraging the development of new varieties of plants, for the benefit of society."						
	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Note/ Nota
7. (*) (+)	Leaf: length	Feuille: longueur	Blatt: Länge	Hoja: longitud	?	
QN (a)	short	courte	kurz	corta		3
(b)	medium	moyenne	mittel	media		5
	long	longue	lang	larga		7
	very long	très longue	sehr lang	muy larga		9

UPOV					
Regulation of plant variety protection system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society."					
English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Nota/ Nota
20. (*) PQ	Flower: bud color (c) RHS Colour Chart (indicate reference number)	Fleur: couleur du bouton Code RHS des couleurs (indiquer le numéro de référence)	Blüte: Farbe der Knospe RHS-Farbkarte: (Nummer angeben)	Flor: color del botón floral Carta de colores RHS (indicarse el número de referencia)	?

Standard Test Guidelines Characteristic	
Function	Criteria
1.Characteristics that are accepted by UPOV for examination of DUS and from which members of the Union can select those suitable for their particular circumstances.	1. Must satisfy the criteria for use of any characteristic for DUS as set out in Chapter 4, section 4.2. 2. Must have been used to develop a variety description by at least one member of the Union. 3. Where there is a long list of such characteristics and, where considered appropriate, there may be an indication of the extent of use of each characteristic.

UPOV					
Regulation of plant variety protection system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society."					
English	français	deutsch	español	Example Varieties/ Exemples/ Beispielsorten/ Variedades ejemplo	Nota/ Nota
10. (*) (*) PQ	Only varieties with entire leaf margins: Leaf-shape	Variétés à bords des feuilles entières auvergament: Feuille: forme	Nur Sorten mit ganzzrandigen Blättern: Blatt: Form	Solo variedades con borde de limbo entero: Hoja: forma	?
(a)	ovate	ovale	eiförmig	oval	1
(b)	linear	linéaire	linear	lineal	2
	oblong	oblongue	länglich	oblonga	3
	elliptic	elliptique	elliptisch	elíptica	4
	circular	circulaire	kreisförmig	circular	5
	oblanccolate	oblanccolée	verkehrt lanzettlich	oblanccolada	6
	obovate	obovale	verkehrt eiförmig	oboval	7
	spatulate	spatulée	spatelförmig	espatulada	8
	obtriangular	obtriangulaire	verkehrt dreieckig	obtriangular	9

Asterisked Characteristic	
Function	Criteria
1.Characteristics that are important for the international harmonization of variety descriptions.	1. Must be a characteristic included in the Test Guidelines. 2. Should always be examined for DUS and included in the variety description by all members of the Union except when the state of expression of a preceding characteristic or regional environmental conditions render this inappropriate. 3. Must be useful for function 1. 4. Particular care should be taken before selection of disease resistance characteristics.

UPOV					
Regulation of plant variety protection system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society."					
FUNCTIONAL CATEGORIES OF CHARACTERISTICS					

Grouping Characteristic	
Function	Criteria
characteristics in which the documented states of expression, even where recorded at different locations, can be used either individually or in combination with other such characteristics: (a) to select varieties of common knowledge that can be excluded from the growing trial used for examination of distinctness, and/or (b) to organize the growing trial so that similar varieties are grouped together	1. (a) Qualitative characteristics or (b) Quantitative or pseudo-qualitative characteristics which provide useful discrimination between the varieties of common knowledge from documented states of expression recorded at different locations. 2. Must be useful for functions 1 and 2. 3. Should be an asterisked characteristic and/or included in the Technical Questionnaire or application form.

UPOV

Reproduce all possible
 characteristics
 of plant variety protection,
 to the aim of encouraging
 the development of new
 varieties of plants,
 for the benefit of society.

Relationship between functions

(a) **GROUPING CHARACTERISTICS** selected from the Table of Characteristics should, in general, **receive an asterisk** in the Table of Characteristics and be **included in the Technical Questionnaire**.

(b) **TQ CHARACTERISTICS** selected from the Table of Characteristics should, in general, **receive an asterisk** in the Table of Characteristics and be **used as grouping characteristics**. TQ characteristics are **not restricted** to those characteristics used as **grouping characteristics**;

(c) **ASTERISKED CHARACTERISTICS** are **not restricted** to those characteristics selected as **grouping** or **TQ characteristics**.

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 for the benefit of society.

1.	Plant: time of flowering	
	early 60 - 70 days	3
	medium 70 - 80 days	5
	late >80 days	7

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 varieties of plants,
 for the benefit of society.

Test Guidelines characteristics

Asterisked characteristics

TQ characteristics

Grouping characteristics

UPOV

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 of plant variety protection,
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 varieties of plants,
 for the benefit of society.

1.	Cotyledon: surface	
	smooth	1
	slightly wrinkled	2
	wrinkled	3

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 the development of new
 varieties of plants,
 for the benefit of society.

WHAT IS WRONG?

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 characteristics
 of plant variety protection,
 to the aim of encouraging
 the development of new
 varieties of plants,
 for the benefit of society.

1.	Leaf blade: symmetry between the sides	
	symmetric	1
	intermediate	2
	asymmetric	3

<div>UPOV</div> <div> Reproduction of plants classification system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Fruit bunch: uniformity	
	low	3
	medium	5
	high	7

<div>UPOV</div> <div> Reproduction of plants classification system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Petiole: anthocyanin pigmentation	
	absent	1
	present	2

<div>UPOV</div> <div> Reproduction of plants classification system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Plant: natural height <u>at inflorescence emergence</u>	
	very short	1
	short	2
	medium	3
	tall	4
	very tall	5

<div>UPOV</div> <div> Reproduction of plants classification system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Leaf: shape of base	
	acute	1
	obtuse	2
	cordate	3
	asymmetric	4

<div>UPOV</div> <div> Reproduction of plants classification system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Plant: growth habit (at beginning of flowering)	
	erect	3
	semi-erect	5
	prostrate	7

<div>UPOV</div> <div> Reproduction of plants classification system (1) Plant variety protection, (2) The aim of encouraging the development of new varieties of plants, for the benefit of society. </div>		
1.	Fruit: covering of calyx	
	uncovered	3
	partially covered	5
	covered	7

UPOV		
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1.	Fruit: ratio length/diameter	
	very small	1
	very small to small	2
	small	3
	small to medium	4
	medium	5
	medium to large	6
	large	7
	large to very large	8
	very large	9

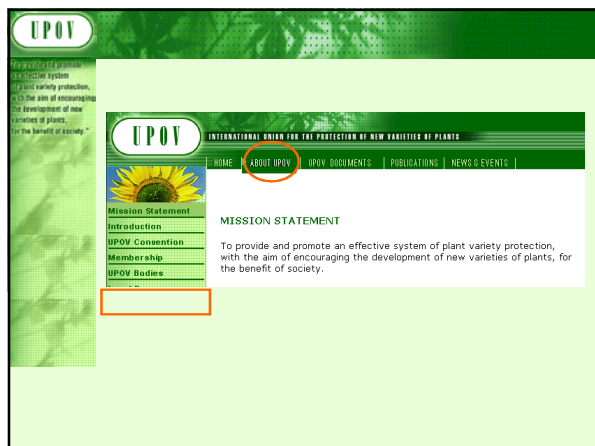
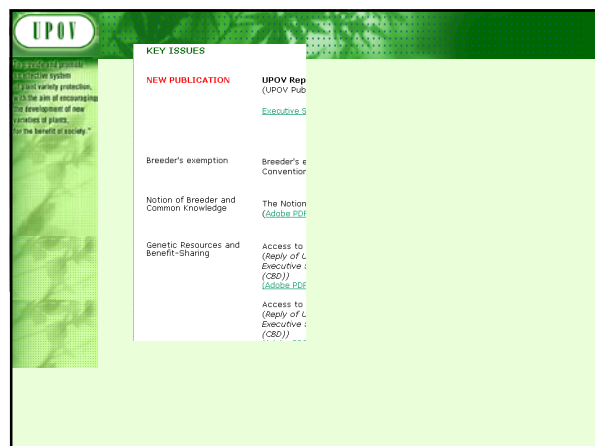
UPOV		
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1.	Leaf blade: folding	
	absent (flat or slightly concave)	1
	concave	2
	asymmetrically folded	3
	twisted	4

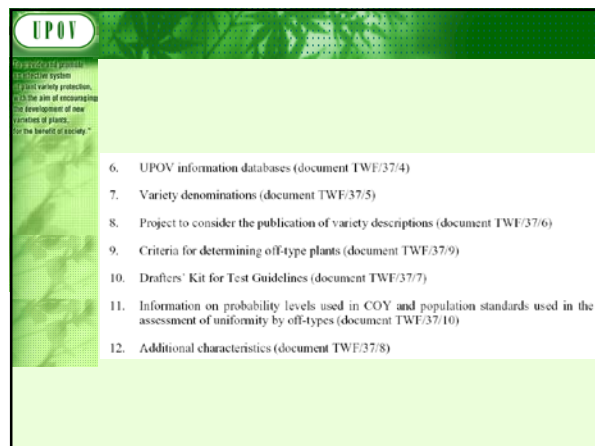
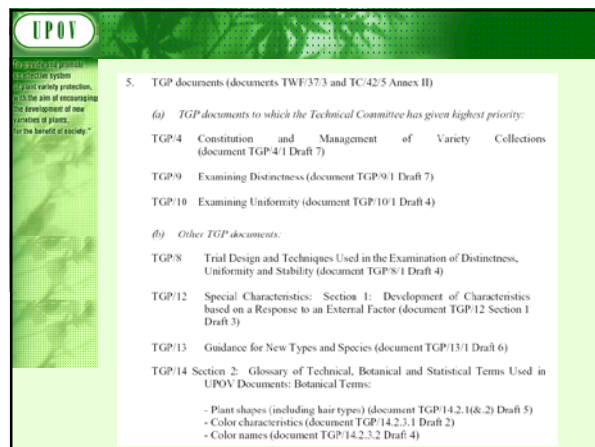
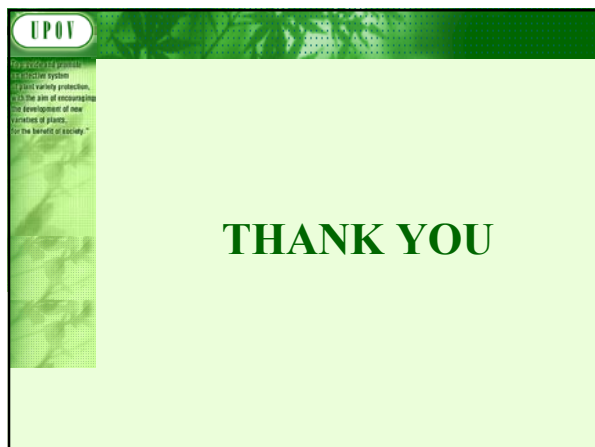
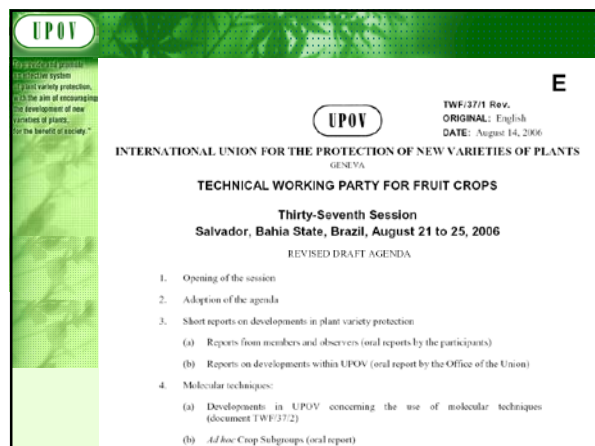
UPOV		
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1.	Fruit: grooves	
	absent or very weak	1
	present	9


UPOV		
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1.	Corolla: length	
QN	short	3
	medium	5
	long	7
2.	Only varieties with long corolla: Corolla: curvature	
QN	curved upwards	3
	straight	5
	curved downwards	7

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1.	Tree: distribution of flower buds	
	predominantly on spurs	1
	predominantly on one-year old shoots	2
	equally on spurs and on one-year old shoots	3

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13. Discussion on draft Test Guidelines

- Apricot (Partial Revision) (document TWF/37/12)
- Banana (*Musa* L.) (Revision) (document TG/123/4(proj.4))
- Black Currant* (Revision) (document TG/40/7(proj.2))
- Blueberry* (Revision) (document TG/137/4(proj.2))
- Coffee (documents TG/COFFEE(proj.4Rev.) and TWF/37/11)
- Fig (*Ficus carica* L.) (document TG/FIG(proj.1))
- Grapevine (*Vitis* L.) (document TWF/37/13)
- Hawthorn (*Crataegus* L.)* (document TG/HAWTH(proj.3))
- Papaya (*Carica papaya* L.) (document TG/PAPAYA(proj.2))
- Passion Fruit (Fruit species) (document TG/PASSI(proj.2))
- Peach (Partial Revision) (document TG/53.6 Rev.(proj.1))
- Pecan nut* (document TG/PECAN(proj.4))
- Pineapple (*Ananas comosus* (L.) Merr.) (document TG/PINEAP(proj.3))
- Sea Buckthorn (*Hippophae* L.) (document TG/HIPPH(proj.2))
- Strawberry (Revision) (document TG/22/10(proj.1))



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14. Recommendations on draft Test Guidelines

15. Date and place of the next session

16. Future program

17. Adoption of report (if time permits)

18. Closing of the session