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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

Twenty-sixth Ordinary Session

Geneva, October 29, 1992

SECOND ADDENDUM TO THE
REPORT ON THE PROGRESS OF WORK OF THE TECHNICAL COMMITTEE
AND THE TECHNICAL WORKING PARTIES

Document prepared by the Office of the Union

TECHNICAL COMMITTEE

1. The Technical Committee (hereinafter referred to as "the Committee") held its twenty-eighth session from October 21 to 23, 1992, under the chairmanship of Dr. G. Fuchs (Germany). The detailed report on the session will appear in document TC/28/6. The main results achieved during the session are set forth below.

Test Guidelines

2. During the session, the Committee adopted for publication the Test Guidelines for the following species:

TG/44/6(proj.)	Tomato/Tomate/Tomate (Revision)
TG/48/5(proj.)	Cabbage/Chou pommé/Kopfkohl (Revision)
TG/132/3(proj.)	Dieffenbachia/Dieffenbachia/Dieffenbachia
TG/141/2(proj.)	Aster/Aster/Aster

Report on the Preparation of Translations of Technical Documents into Spanish

3. The Committee noted the report on the preparation of translations of technical documents into Spanish, given by the Office of UPOV, and the plans for the translation of Test Guidelines into Spanish.

Progress Reports and Questions Submitted to the Committee by the Technical Working Parties

4. The Committee noted the usual reports on the progress of the work of the Technical Working Parties, answered or addressed the various questions that individual Working Parties had submitted to it in documents TC/28/3 and TC/28/3 Add., and approved their programs for the coming year. The Council's attention is drawn to the following items:

(i) Combined Over-Years Analysis.- The Committee noted the rather slow introduction of the COYD- and COYU-analysis and asked the Technical Working Parties to encourage their members to apply the new criteria. It reconfirmed its recommendation to invite experts from the Technical Working Party on Automation and Computer Programs of the country hosting a Technical Working Party session to that session, in order to explain the methods in more detail at the session and subsequently to present any problems that arose to the Technical Working Party on Automation and Computer Programs.

(ii) Different Categories of Characteristics.- The Committee discussed at length the criteria for the attribution of an asterisk to characteristics as well as the criteria for the inclusion or exclusion of a characteristic from the UPOV Test Guidelines. It rejected the idea of having a third category of characteristics included in the UPOV Test Guidelines.

(iii) Tissue Culture.- The Committee noted the development in propagation by tissue culture and the effect of that method of propagation on the expression of certain morphological characteristics and confirmed that the best way to avoid any resultant disparities in testing would be if all comparable varieties in the test were propagated by the same method.

(iv) Statistical Documents.- The Technical Working Party on Computer Programs will prepare an updated document on the work achieved so far. It would contain a simplified explanation of the methods developed, able to be understood by a layman, together with a detailed description of these methods in order to enable their application without the need for access to a computer program.

(v) Balance of Risks.- The Committee discussed, and will further discuss, the balance of the risks of wrongly rejecting a homogeneous variety as heterogeneous and of wrongly accepting a heterogeneous variety as homogeneous, as well as the influence of the sample size on these risks.

(vi) Example Varieties.- The Committee discussed at length the role of example varieties within UPOV Test Guidelines. It concluded that their main role was to indicate what the experts understood as the characteristic in question at the time of preparing the document. Thus a set of example varieties valid for one region only would not be a problem.

(vii) Single Versus Combined Characteristics.- The Committee discussed and will further discuss the question whether two varieties need to be clearly distinct in at least one characteristic or whether smaller differences in

several characteristics could be combined thus enabling varieties to be compared with each other as a whole.

New Methods, Techniques and Equipment

5. The Committee noted an introduction to the use of DNA Profiling Techniques (reproduced in document TC/28/4) and the consequences of the introduction of new techniques in the testing of distinctness (reproduced in document TC/28/5). As a result of the observations on DNA profiling techniques the Committee recommended to the Council that a Working Group or Working Groups be formed to study DNA profiling in connection with plant breeders' rights and to coordinate the development and harmonization of DNA analysis in the UPOV member States. The Committee expressed the wish to involve breeders in the work of the Working Group(s) as well as registration authorities for the admission of varieties for marketing. The meetings of such Group(s) should be organized without interpretation and the first meeting could, under the chairmanship of the Chairman of the Technical Committee, be held in the week of the planned sessions of the Administrative and Legal Committee and the Consultative Committee in April 1993 (e.g. on April 19 and 20, 1993).

UPOV Central Computerized Data Base

6. The Committee noted the history of the discussions on the establishment of a UPOV Central Computerized Data Base and the wish and desire of all the Technical Working Parties to recommend the establishment of such a data base to the Council. It noted the information collected and the proposals for a minimum list of information to be included as well as the proposed structure of the data to be stored and the preliminary figure for the costs of a prototype disc (SF 70,000) and for a periodical disc (SF 6,000 for 100 copies). Having noted all the above information as well as having had the chance to receive answers on detailed questions on the possibilities of the envisaged system from an expert from the World Intellectual Property Organization (WIPO), the Committee recommended to the Council that it seek for the necessary funds and decide to prepare a prototype for such a data base.

Cooperation with Breeders, Definition of Hybrids, Minimum Distances, Essentially Derived Varieties

7. The Committee, due to lack of time, had to postpone its discussions on the following items: cooperation with breeders in the testing of varieties, definition and examination of hybrid varieties, minimum distances between varieties and essentially derived varieties, to a later date.

Proposal for a new Chairman and Vice-Chairman

8. The Committee proposed to the Council that it elect as Chairman for the Technical Committee for the coming three years Miss Jutta Rasmussen from Denmark and as Vice-Chairman Mr. Joël Guiard from France.

Program for the Next Session of the Committee

9. The following business is planned for the next session of the Committee: to hear progress reports on the work of the Technical Working Parties; to discuss questions presented by the Technical Working Parties; to adopt Test Guidelines prepared by the Technical Working Parties; to continue discussions on new methods, techniques and equipment in the examination of varieties (including a report on the work of the proposed Working Group on DNA Profiling), on the establishment of a UPOV Central Computerized Data Base, on cooperation with breeders in the testing of varieties, on the definition and examination of hybrid varieties and on essentially derived varieties.

10. The Council is invited to

(i) note and approve the above information and the program of the Committee;

(ii) note and approve the program of the Technical Working Parties as reproduced in documents C/26/10 and C/26/10 Add.;

(iii) note and approve the proposals for a new Chairman and Vice-Chairman as specified in paragraph 8;

(iv) set up a Working Group to study DNA profiling in connection with plant breeders' rights as specified in paragraph 5;

(v) make DNA profiling the subject of the next UPOV symposium;

(vi) decide to prepare a prototype for a central computerized data base as specified in paragraph 6.

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