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DEVELOPMENT OF GUIDANCE AND DOCUMENTS PROPOSED FOR ADOPTION BY THE COUNCIL
Document prepared by the Office of the Union
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EXECUTIVE SUMMARY

1. The purpose of this document is to invite the Council to adopt the revision of the following documents, subject to agreement by the Technical Committee (TC) and the Administrative and Legal Committee (CAJ):

(a) Information document: *UPOV/INF/22 “Software and Equipment Used by Members of the Union”*.

The proposed revision brings new information on the use of commercially available software for the administration of applications for plant variety protection; online application systems; checking variety denominations; and plant variety trial design and data collection and analysis.

(b) TGP documents:

(i) *TGP/5: Experience and Cooperation in DUS Testing: Section 6 “UPOV Report on Technical Examination and UPOV Variety Description”* (Revision):

Section 6 of document TGP/5 provides a standard model to report on the examination of a plant variety for distinctness, uniformity and stability (DUS). The proposed revision is aimed at increasing the takeover of DUS test reports through providing information on similar variety(ies) and the basis to distinguish the candidate variety from these variety(ies).

(ii) *TGP/7: Development of Test Guidelines: Guidance Note 28 “Example Varieties”* (Revision):

Example varieties are used to clarify the states of expression of characteristics in UPOV Test Guidelines. The revision of Guidance Note 28 brings new text to clarify the situations where diagrams and illustrations could be used to replace example varieties for that purpose.

2. This document is presented in two sections:

“I. Documents proposed for adoption by the Council in 2025”, subject to agreement by the TC and the CAJ; and

“II. Matters for consideration by the Technical Committee”. This section reports on developments and possible future revisions of guidance and information materials under discussion at the TC.

3. The Council is invited to note developments, and the TC is invited to consider possible future revisions of guidance under discussion at the Technical Working Parties, as set out in section II, paragraphs 21 to 28, namely:

- (a) Number of growing cycles and concluding examination of fruit crops

This item reports on discussions and presents a proposal to amend the standard wording in UPOV Test Guidelines to clarify that certain characteristics could be assessed in one growing cycle only and the testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.

- (b) Guidelines for the validation of characteristic-specific molecular marker protocol as an alternative method of observation (see document SESSIONS/2025/6 “Molecular Techniques”)

4. The following abbreviations are used in this document:

CAJ:	Administrative and Legal Committee
TC:	Technical Committee
TWA:	Technical Working Party for Agricultural Crops
TWF:	Technical Working Party for Fruit Crops
TWM:	Technical Working Party on Testing Methods and Techniques
TWO:	Technical Working Party for Ornamental Plants and Forest Trees
TWV:	Technical Working Party for Vegetables
TWPs:	Technical Working Parties

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BACKGROUND

6. The approved guidance and information materials are published on the UPOV website.

I. DOCUMENTS PROPOSED FOR ADOPTION BY THE COUNCIL IN 2025

7. The following documents are proposed for adoption by the Council in 2025, subject to approval by the TC and the CAJ, at their sessions in 2025.

UPOV/INF/22: Software and Equipment Used by Members of the Union (Revision) (document UPOV/INF/22/12 Draft 1)

8. The Office of the Union issued circular E-25/003 on January 27, 2025, to the designated persons of the members of the Union in all UPOV bodies, inviting them to provide or update information on their use of existing software and equipment for DUS purposes in document UPOV/INF/22/11 "Software used by members of the Union". Replies were received from Argentina, Germany, Hungary, Peru, South Africa and Sweden. Information provided or updated by members, in case any, is indicated in document UPOV/INF/22/12 Draft 1.

9. Subject to agreement by the TC, at its sixty-first session, and the CAJ, at its eighty-second session, an agreed revision of document UPOV/INF/22/11 "Software and equipment used by members of the Union", would be put forward for adoption by the Council, at its fifty-ninth ordinary session, on the basis of the proposed revisions presented in document UPOV/INF/22/12 Draft 1.

10. The Council is invited to adopt a revision of document UPOV/INF/22/11 "Software and equipment used by members of the Union", on the basis of document UPOV/INF/22/12 Draft 1, subject to agreement by the TC and the CAJ, at their sessions in 2025.

TGP/5: Experience and Cooperation in DUS Testing – Section 6 "UPOV Report on Technical Examination and UPOV Variety Description" (Revision) (document TGP/5, Section 6/5 Draft 2)

Additional explanations for "UPOV report on technical examination and UPOV variety description"

11. The background to this matter is provided in Annex I to this document.

12. At their sessions in 2025, the TWO, TWV, TWA and TWF agreed¹ with the revision of document TGP/5 "Experience and Cooperation in DUS Testing", Section 6 "UPOV Report on Technical Examination and UPOV Variety Description", on the basis of document TGP/5, Section 6/5 Draft 1, with the following proposed amendment by the TWA to the explanation in item 16:

"(i) A ~~s~~Similar variety(ies) should be indicated. If no similar variety was identified, "none" should be stated."

13. Subject to agreement by the TC, at its sixty-first session, and the CAJ, at its eighty-second session, an agreed version of document TGP/5 "Experience and Cooperation in DUS Testing", Section 6 "UPOV Report on Technical Examination and UPOV Variety Description" would be put forward for adoption by the Council, at its fifty-ninth ordinary session, on the basis of document TGP/5, Section 6/5 Draft 2.

14. The Council is invited to adopt a revision of document TGP/5 "Experience and Cooperation in DUS Testing", Section 6 "UPOV Report on Technical Examination and UPOV Variety Description", on the basis of TGP/5, Section 6/5 Draft 2, subject to agreement by the TC and the CAJ, at their sessions in 2025.

¹ see documents TWO/57/10 "Report", paragraphs 7 to 10; TWV/59/19 "Report", paragraph 5; TWA/54/7 "Report", paragraph 7; and TWF/56/7 "Report", paragraph 6.

TGP/7: Development of Test Guidelines (Revision)

Guidance Note 36 “Example Varieties” (revision): Situations where illustrations could complement or replace example varieties

15. The background to this matter is provided in Annex II to this document.

16. At their sessions in 2025, the TWO, TWV, TWA and TWF agreed² with the proposal to amend document TGP/7, Guidance Note (GN) 28 “Example Varieties”, as provided in Annex II to this document. Additional amendments were proposed to paragraph 2.1 by the TWA and TWF, and to paragraph 3.2.2 by the TWA, as set out in Annex II, paragraph 4.

17. The proposed amendments to Guidance Note (GN) 28 “Example Varieties” are presented in Annex II, section “Proposal”, in revision mode. A version with all changes incorporated is presented in the Appendix to Annex II.

18. Subject to agreement by the TC, at its sixty-first session, and the CAJ, at its eighty-second session, an agreed version of document TGP/7 “Development of Test Guidelines” would be put forward for adoption by the Council, at its fifty-ninth ordinary session, on the basis of the proposed amendments presented in the Appendix to Annex II.

19. The Council is invited to adopt a revision of document TGP/7 “Development of Test Guidelines”, on the basis of the proposed amendments presented in the Appendix to Annex II, subject to agreement by the TC and the CAJ, at their sessions in 2025.

II. MATTERS FOR CONSIDERATION BY THE TECHNICAL COMMITTEE

20. This section presents matters for consideration only by the Technical Committee.

TGP/7: Development of Test Guidelines (Revision)*Number of growing cycles and concluding examination of fruit crops*Background:

21. The relevant extract of the TWF/56 Report is provided in Annex III to this document. Further background information is provided in document [TWF/56/3](#) “Number of growing cycles and concluding examination of fruit crops”.

Proposals:*TG Structure and Universal Standard Wording*

22. At its session in 2025, the TWF agreed³ to propose amending the Test Guidelines structure and universal standard wording, to replace the term “normally” by “generally” in the Additional Standard Wording (ASW) 2 on “Number of growing cycles”; and to present consecutively ASW 2 and the sentence “The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”, as follows :

² see documents TWO/57/10 “Report”, paragraphs 11 to 13; TWV/59/19 “Report”, paragraphs 6 and 7; TWA/54/7 “Report”, paragraph 8; and TWF/56/7 “Report”, paragraph 7.

³ TWF, fifty-sixth session, held at Bursa, Türkiye, from June 23 to 26, 2025. See [document TWF/56/3 “Report”, paragraphs 10 to 19](#)

“ANNEX 1: TG STRUCTURE AND UNIVERSAL STANDARD WORDING

“3. Method of Examination

“3.1 Number of Growing Cycles

“The minimum duration of tests should ~~normally~~ generally be:

“{ **ASW 2** (Chapter 3.1(.1)) – number of growing cycles }

“The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.”

“{ **GN 8** (Chapter 3.1.2) – explanation of the growing cycle }

“{ **ASW 3** (Chapter 3.1.2) – explanation of the growing cycle }

~~“The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.”~~

ASW 2 “Number of growing cycles”

23. The TWF agreed to propose considering whether the provision on “concluding testing” should be added to the different standard wording options in ASW 2 “Number of growing cycles” to ensure that the basic principles contained in the General Introduction could be used, rather than following the detailed recommendations of the Test Guidelines.

ASW 3 “Explanation of the Growing Cycle”: (d) “Fruit species”

24. The TWF agreed to propose amending guidance in ASW 3 (d) “Fruit species” to read as follows (see Annex III, paragraph 14) :

“ASW 3 (Chapter 3.1.2) – Explanation of the growing cycle

[...]

“(d) *Fruit species*

“In the case of Test Guidelines covering fruit species, the following sentence may be added in Chapter 3.1:

“In particular, it is essential that the [trees] / [plants] produce a ~~satisfactory crop~~ sufficient quantity and quality of fruit for testing purposes and are representative of the variety in any in each of the ~~two~~ growing cycles.”

25. *The TC may wish to invite the TWP, at their sessions in 2026, to consider the proposed amendments to document TGP/7 “Development of Test Guidelines (Revision)” in relation to the number of growing cycles and concluding examination, as set out in paragraphs 22 to 24 of this document.*

Guidelines for the validation of a new characteristic-specific molecular marker protocol as an alternative method for observation

26. The TC⁴, at its sixtieth session, agreed to request the TWPs, at their sessions in 2025, to consider a proposal for guidelines for the validation of characteristic-specific molecular marker protocols for DUS examination (see document TC/60/8 “Report”, paragraphs 51).

⁴ TC, sixtieth session, held in Geneva, from October 21 to 22, 2024.

27. The proposal and the comments made by the TWPs at their sessions in 2025 are presented in document SESSIONS/2025/6 "Molecular Techniques".

28. The TC is invited to note that a proposal for guidelines for validating characteristic-specific molecular marker protocol for DUS examination is provided in document SESSIONS/2025/6 "Molecular Techniques".

[Annexes follow]

ANNEX I

DOCUMENT TGP/5 “EXPERIENCE AND COOPERATION IN DUS TESTING”, SECTION 6
“UPOV REPORT ON TECHNICAL EXAMINATION AND UPOV VARIETY DESCRIPTION” (REVISION)ADDITIONAL EXPLANATIONS FOR
“UPOV REPORT ON TECHNICAL EXAMINATION AND UPOV VARIETY DESCRIPTION”*Background*Subsection “UPOV Variety Description”, item 16 “Similar varieties and differences from these varieties”

1. The TC¹ agreed with the proposal to include additional explanations for document TGP/5, Section 6, item 16 “Similar varieties and differences from these varieties”, reproduced as follows:

“16. Similar Varieties and Differences from These Varieties

Denomination(s) of variety(ies) similar to the candidate variety	Characteristic(s) in which the candidate variety differs from the similar variety(ies)1)	State of expression of the characteristic(s) for the similar variety(ies) 2)	State of expression of the characteristic(s) for the candidate variety2)
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[...]

18. Explanatory Notes to the Annex: UPOV Variety Description

[...]

“(d) Ad Number 16 (Annex: UPOV Variety Description)

“1) A similar variety(ies) should be indicated. If no similar variety was identified, ‘none’ should be stated.

“2) In the case of identical states of expression of both varieties, please indicate the size of the difference.

“3) The state of expression of the candidate variety and similar variety(ies) relate to the DUS examination conducted at the testing station/place facility and period of testing indicated in 11 and 12.

“4) Only those characteristics that show sufficient differences to establish distinctness should be given. Information on differences between two varieties should always contain the states of expression with their notes for both varieties; if possible, in columns if more varieties are mentioned.”

Subsection “UPOV Variety Description”, item 17 “Additional Information”

2. The TC agreed with the proposal to amend document TGP/5, Section 6, item 17 “Additional information” as follows:

“Ad. Number 17 (Annex: UPOV Variety Description)

“Further situations and type of additional information to be provided may be agreed bilaterally, according to the crop type and variety examined.”

Structure of document TGP/5, Section 6 “UPOV Report on Technical Examination and UPOV Variety Description”

3. The TC agreed to invite the Office of the Union to revise the structure of document TGP/5, Section 6, to clarify that the “UPOV Variety Description” was an Annex to the “UPOV Report on Technical Examination” and item 18 “Explanatory Notes to the Annex: UPOV Variety Description” was another separate section of the guidance.

¹ TC, sixtieth session, held in Geneva on October 21 and 22, 2024.

Comments of the Technical Working Parties in 2025

4. At their sessions in 2025, the TWO, TWV, TWA and TWF considered document TWP/9/1 “Procedures for DUS examination” (paragraphs 7 to 10) in conjunction with Draft 1 of document TGP/5 “Experience and Cooperation in DUS Testing”, Section 6/5 “UPOV Report on Technical Examination and UPOV Variety Description”.

5. The TWO, TWV, TWA and TWF agreed² with the revision of document TGP/5, Section 6, on the basis of document TGP/5, Section 6/5 Draft 1, with the following proposed amendment by the TWA to the explanation in item 16:

“(i) ~~A s~~ Similar variety(ies) should be indicated. If no similar variety was identified, “none” should be stated.”

6. The TWO considered how to provide information in the “UPOV Report on Technical Examination” regarding the “Reporting Authority” and agreed that it should normally be the authority that had conducted the technical examination.

7. The TWO agreed to invite the European Union to consider whether to develop proposals to address situations when further information should be provided in the “UPOV Report on Technical Examination”, such as to indicate when the authority providing the report on technical examination was different than the authority that conducted the examination.

8. The TWO considered how to provide information on differences between the candidate and similar varieties when the difference was based on a characteristic that was only available in the “Reporting Authority’s test guidelines” and not in the UPOV Test Guidelines. The TWO recalled the requirements for characteristics to be used in DUS examination, set out in document TG/1 “General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants”, and agreed that it should be indicated when the characteristic in which the candidate differed from the similar variety was only included in the Reporting Authority’s test guidelines.

Proposal

9. On the basis of the amendments agreed by the TWP’s, at their sessions in 2025 (see paragraphs 4 and 5 above), the TC and the CAJ are invited to consider Draft 2 of document TGP/5 “Experience and Cooperation in DUS Testing”, Section 6/5 “UPOV Report on Technical Examination and UPOV Variety Description”, to be put forward for adoption by the Council, at its fifty-ninth ordinary session, subject to agreement by the TC and the CAJ at their sessions in 2025.

[Annex II follows]

² see documents TWO/57/10 “Report”, paragraphs 7 to 10; TWV/59/19 “Report”, paragraph 5; TWA/54/7 “Report”, paragraph 7; and TWF/56/7 “Report”, paragraph 6.

ANNEX II

DOCUMENT TGP/7 "DEVELOPMENT OF TEST GUIDELINES" (REVISION)

GUIDANCE NOTE 36 "EXAMPLE VARIETIES" (REVISION):
SITUATIONS WHERE ILLUSTRATIONS COULD COMPLEMENT OR REPLACE EXAMPLE VARIETIES*Background*

1. The TC¹ noted the discussions on a proposal to amend document TGP/7, Guidance Note (GN) 28 "Example Varieties" to address situations where illustrations could replace example varieties, as reported in document SESSIONS/2024/2, Annex IV, paragraphs 16 to 25.

2. The TC noted the invitation for the drafter from Germany to provide further explanations on the criteria for decision and examples when illustrations could replace example varieties.

Comments of the Technical Working Parties in 2025

3. At their sessions in 2025, the TWO, TWV, TWA and TWF considered document TGP/9/1 "Procedures for DUS examination" (paragraphs 11 and 12) in conjunction with document TWP/9/5 "Proposal for a revision of document TGP/7 'Development of Test Guidelines', Guidance Note 28 - Example Varieties".

4. The TWO, TWV, TWA and TWF agreed¹ with the proposal to amend document TGP/7, Guidance Note (GN) 28 "Example Varieties", as provided in document TWP/9/5. Additional amendments were proposed to paragraph 2.1 by the TWA and TWF, and to paragraph 3.2.2 by the TWA, to read as follows:

"2.1 Example varieties enable examiners to see a characteristic in "real life". Specifically, example varieties are required for characteristics ~~when the characteristic is identified as which~~ are important for international harmonization of variety descriptions (asterisked characteristics), ~~is that are~~ influenced by the environment and when a diagram or illustration is not effective in demonstrating the states of expression."

"3.2.2 [...] Even if example varieties are not obligatory, or cannot be provided for all states of expression, the indication of example varieties for some states of expression can be a of benefit ~~for~~ to examiners, in particular when the same example varieties have already been indicated for other characteristics."

5. The TWO and TWV noted that example varieties would not be needed to clarify the states of expression when these were self-explanatory or could be effectively demonstrated by a diagram or illustration.

Proposal

6. On the basis of the amendments agreed by the TWP, at their sessions in 2025 (see paragraphs 3 and 4 above), the TC and the CAJ are invited to consider the following amendments to document TGP/7, Guidance Note 28 "Example Varieties", to be put forward for adoption by the Council, at its fifty-ninth ordinary session, subject to agreement by the TC and the CAJ at their sessions in 2025.

¹ see documents TWO/57/10 "Report", paragraphs 11 to 13; TWV/59/19 "Report", paragraphs 6 and 7; TWA/54/7 "Report", paragraph 8; and TWF/56/7 "Report", paragraph 7.

PROPOSAL² TO REVISE GUIDANCE NOTE 28 “EXAMPLE VARIETIES”

Underline (highlighted) indicates insertion to the text and
~~strikethrough~~ (highlighted) indicates deletion from the text of document [TGP/7/10](#)

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

1. ~~Deciding where Purpose of example varieties are needed for a characteristic~~

~~1.1~~ The General Introduction (Chapter 4.3) states that “example varieties are provided in the Test Guidelines to clarify the states of expression of a characteristic.” This clarification of the states of expression is required with respect to two aspects:

(a) to illustrate the characteristic and/or

(b) to provide the basis for ascribing the appropriate state of expression to each variety and, thereby, to develop internationally harmonized variety descriptions. ~~(Further information on these two aspects is provided in Section 4 “Purpose of Example Varieties”).~~

~~1.2~~ UPOV has, in particular, identified “Asterisked Characteristics” as those which are important for the international harmonization of variety descriptions.

~~1.3~~ The decision on whether example varieties are required for a characteristic can be summarized as follows:

~~(i) If a characteristic is not important for the international harmonization of variety descriptions (non-asterisked characteristic) and example varieties are not necessary for illustration of the characteristic (see Section 3.1), there is no requirement for example varieties to be provided.~~

~~(ii) If a characteristic which is important for the international harmonization of variety descriptions (asterisked characteristic) is not influenced by the year or environment (e.g. qualitative characteristics) and example varieties are not necessary for illustration of the characteristic (see Section 1.1), it may not be necessary to provide example varieties.~~

~~(iii) If a characteristic is important for the international harmonization of variety descriptions (asterisked characteristics) and is influenced by the environment (most quantitative and pseudo-qualitative characteristics) or example varieties are necessary for illustration of the characteristic (see Section 3.1) it is necessary to provide example varieties.~~

~~(iv) If example varieties are considered necessary according to (i) to (iii) above, but it is not appropriate to seek to develop a universal set of example varieties that is applicable for all UPOV members, the development of regional sets of example varieties should be considered.~~

~~1.4~~ The process for deciding if example varieties need to be provided for a characteristic is illustrated in the following Flow Diagram 1. Flow Diagram 2 indicates where example varieties should be provided in the case of regional sets of example varieties (see Section 4).

1.1 Illustration of a characteristic

Example varieties have the benefit of enabling examiners to see a characteristic in “real life”. However, in many cases, the illustration of a characteristic by photographs or drawings (to be provided in chapter 8 of the Test Guidelines) may provide a clearer illustration of the characteristic. Therefore, photographs or drawings are an important addition or alternative to example varieties as a means of illustrating characteristics. Test Guidelines should have as much information as possible, including both example varieties and illustrations. Illustrations are of particular importance when a limited number of example varieties are available which fulfill the criteria in Section 3.

² The Appendix to Annex II presents a clean version of the text, with all changes accepted.

1.2 Harmonization of Variety Descriptions

1.2.1 The main reason why example varieties are used in place of, for example, actual measurements is that expression can be influenced by the environment, i.e. by location and year.

(a) Example varieties in the Test Guidelines

1.2.2 Example varieties are important to adjust the description of the characteristics for the year and location effects, as far as possible. Thus, using the relative scale provided by the example varieties, it can be seen that if the example variety Beta measured 13 cm in Environment A and 16 cm in Environment B, then in both environments the state of expression is “medium”. On this basis, a candidate variety X with leaf length equal to the example variety Beta would also be considered to have a medium leaf length in both Environments A and B.

	Example Varieties	Note
Leaf: length of blade		
very short		<u>1</u>
very short to short		<u>2</u>
short	Alpha	<u>3</u>
short to medium		<u>4</u>
medium	Beta	<u>5</u>
medium to long		<u>6</u>
long	Gamma	<u>7</u>
long to very long		<u>8</u>
very long		<u>9</u>

(b) Actual measured values in the Test Guidelines

1.2.3 If actual measured values were to be indicated in the Test Guidelines and the Test Guidelines were drafted in Environment A on the basis of the data from section 1.2.2, the Table of Characteristics could show, for example, the following:

	Length	Note
Leaf: length of blade		
very short	≤5 cm	<u>1</u>
very short to short	6-7 cm	<u>2</u>
short	8-9 cm	<u>3</u>
short to medium	10-11 cm	<u>4</u>
medium	12-13 cm	<u>5</u>
medium to long	14-15 cm	<u>6</u>
long	16-17 cm	<u>7</u>
long to very long	18-19 cm	<u>8</u>
very long	≥20 cm	<u>9</u>

1.2.4 Because there is no “relative scale” provided by the example varieties, the same actual measured values would lead to the following descriptions:

	Environment A	Environment B
Variety X	13 cm (medium: note 5)	16 cm (long: note 7)

1.2.5 Thus, if actual measured values were be used in the Test Guidelines, variety X, when grown in Environment A, would be described as “medium (note 5)”, but if grown in Environment B, would be described as “long (note 7)”. This case demonstrates that it could be very misleading to compare descriptions from different test cycles or locations on the basis of actual measured values, without the adjustment for test cycles and/or location effects provided by example varieties.

1.2.6 Example varieties provided in Test Guidelines are of particular importance for international harmonization of variety descriptions. Nevertheless, because of the possibility of particular interactions between the variety genotype and location (e.g. influence of photoperiod or climate), it should not be assumed that descriptions developed in different countries or locations using the same set of example varieties will be the same. Guidance on the scope for comparison of varieties on the basis of descriptions produced in different locations is provided in document TGP/9, Examining Distinctness.

2. *Deciding where example varieties should be provided*

2.1 Example varieties enable examiners to see a characteristic in “real life”. Specifically, example varieties are required for characteristics which are important for international harmonization of variety descriptions (asterisked characteristics), that are influenced by the environment and when a diagram or illustration is not effective in demonstrating the states of expression.

2.2 For characteristics that are important for international harmonization of variety descriptions (asterisked characteristic) and example varieties are not necessary to clarify the states of expression of the characteristic (see Section 1 (a)), example varieties are not normally required, but should be included if they are considered to be of benefit. For instance, example varieties would not be needed to clarify the states of expression in the following situations:

- The states of expression are self-explanatory:

TG/13/11 Rev. 3 – Lettuce: (*) 1. Seed: color (PQ)

1 – white, 2 – yellow, 3 – brown, 4 – black

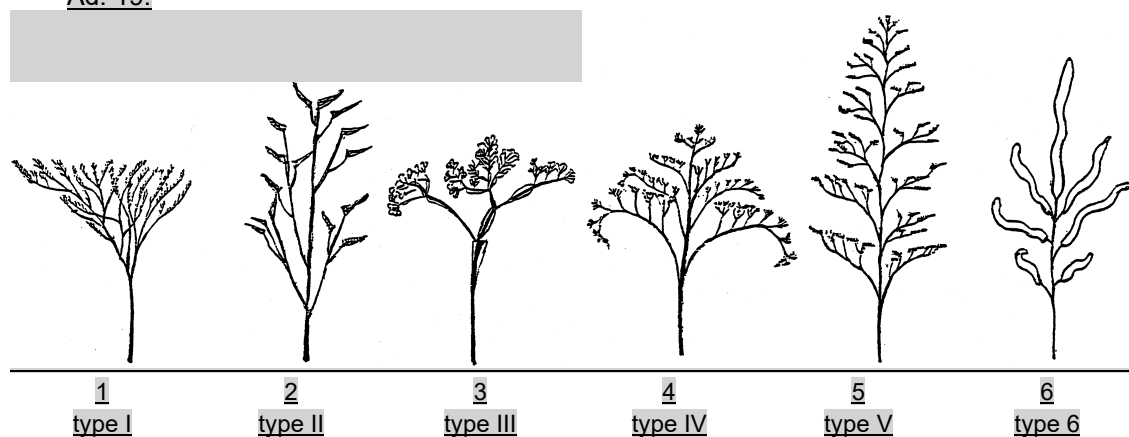
TG/36/7 – Oilseed Rape: (*) 17. Production of pollen (QL)

1 – absent, 9 – present

- The states of expression can be effectively demonstrated by a diagram or illustration

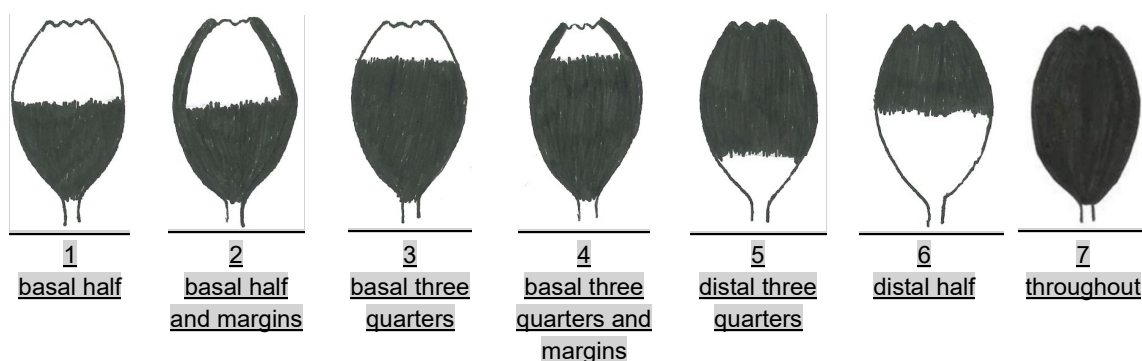
TG/168/4 – Statice: (*) 19. Inflorescence: type (PQ)

Ad. 19:



TG/336/1 – Coreopsis: (*) 29. Ray floret: distribution of main color (PQ)

Ad. 29:



2.3 For characteristics that are less important for international harmonization of variety descriptions (non-asterisked characteristic) and example varieties are not necessary to clarify the states of expression of the characteristic (see Section 1 (a)), example varieties are not normally required, but should be included if they are considered to be of benefit. For instance, example varieties might not be needed to clarify the states of expression in the following situations:

- The states of expression are self-explanatory:

TG/35/8 – Sweet Cherry: 15. Leaf: predominant number of nectaries (QL)

1 – two, 2 – more than two

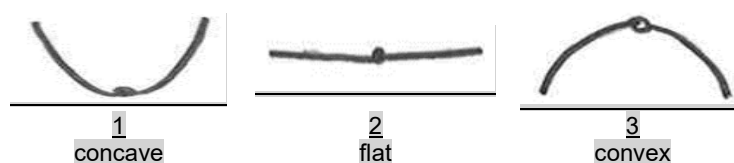
TG/148/3 – Weigelia: 2. Plant height in relation to width (QN)

1 – taller than broad, 2 – as tall as broad, 3 – broader than tall

- The states of expression can be effectively demonstrated by a diagram or illustration

TG/148/3 – Weigelia: 11. Leaf blade: shape in cross section (QN)

Ad. 11:



2.4 If example varieties are considered necessary, but it is not appropriate to develop a universal set of example varieties that is applicable for all UPOV members, then consideration should be given to the development of regional sets of example varieties.

2.3. Criteria for Example Varieties

2.3.1 Availability

Authorities responsible for DUS testing and breeders need to be able to obtain plant material of example varieties and therefore, in general, example varieties should be widely and readily available for the coverage of the Test Guidelines or, in case of regional sets of example varieties, for the region concerned. For this reason, at the point of starting to draft Test Guidelines, drafters are encouraged to seek lists of varieties from interested parties in order to identify example varieties with the widest availability.

2.3.2 Minimizing the number

3.2.1 “For practical reasons it is recommended to choose the overall set of example varieties for the Test Guidelines in a way that all the desired characteristics and states of expression are covered by the minimum total number of example varieties. This means that, if possible, each example variety should be

used for as many characteristics as possible and example varieties should not be used only for one or very few characteristics.

3.2.2 Where appropriate, example varieties which are required according to Section 2.1. should also be used to illustrate characteristics where example varieties may not be compulsory (see Section 2.2 and 2.3). In any case, example varieties enable examiners to see a characteristic in “real life”. Even if example varieties are not obligatory, or cannot be provided for all states of expression, the indication of example varieties for some states of expression can be of benefit to examiners, in particular when the same example varieties have already been indicated for other characteristics.

2.3.3 Agreement of interested experts

2.3.3.1 The set of example varieties proposed by the Leading Expert in the preparation of the Test Guidelines should be prepared in cooperation with all the interested experts. If one or more expert(s) consider(s) that certain example varieties are not suitable for their conditions, a new example variety should, if possible, be found (see also Section 3 “Multiple sets of example varieties”).

2.3.3.2 It is important that the set of example varieties for a particular characteristic is developed by one expert in order to ensure that the set of example varieties for that characteristic represents the same scale. Example varieties proposed by other experts, for the same characteristic, should be known to represent the same scale before they are accepted in Test Guidelines. In cases where it is necessary to develop a separate scale for different types of variety, or different regions, multiple sets of example varieties may need to be developed (see Section 3 “Multiple sets of example varieties”).

2.3.4 ~~Illustration~~ Demonstration of the range of expression within the variety collection

3.4.1 The set of example varieties for a given characteristic should provide information on the range of expression of the characteristic in the collection of varieties covered by the Test Guidelines. Thus, in general, it is necessary to provide example varieties for more than one state of expression and in the case of:

Quantitative characteristics:

- (i) “1-9” scale: to provide example varieties for at least three states of expression (e.g. (3), (5) and (7)), although, in exceptional cases, example varieties for only two states of expression may be accepted;
- (ii) “1-5” / “1-4” / “1-3” scales: to provide example varieties for at least two states of expression.

Pseudo-qualitative characteristics: to provide a set of example varieties to cover the different types of variation within the range of expression of the characteristics.

3.4.2 Consideration should be given to the use of illustrations to demonstrate the range of expression of characteristics where suitable example varieties do not fulfil the criteria in Section 3.

2.5.4. Regional sets of example varieties

2.5.4.1 Basis for regional sets of example varieties

UPOV Test Guidelines need to cover all the different countries, regions and environments where the DUS examinations are conducted and, as far as possible, they provide universal sets of example varieties in order to maximize harmonization of variety descriptions. However, the regional adaptation of varieties in some genera and species may mean that it is inappropriate to seek to harmonize variety descriptions on a global basis and, therefore, inappropriate to seek to develop a universal set of example varieties. Nevertheless, in such cases, regional harmonization is important and is facilitated by providing regional sets of example varieties as summarized in Flow Diagram 2 in section 3.4. The rationale for identifying regional types will be explained in the Test Guidelines and, where appropriate, correlation between the different regional sets of example varieties may be established.

2.5.4.2 Procedure for developing regional sets

For the purposes of developing regional sets of example varieties for Test Guidelines:

- ~~(a) a “region” should be comprised of more than one country;~~

~~(b) the TWP responsible for the Test Guidelines should decide on the need and determine the basis on which the region would be established for a regional set of example varieties;~~

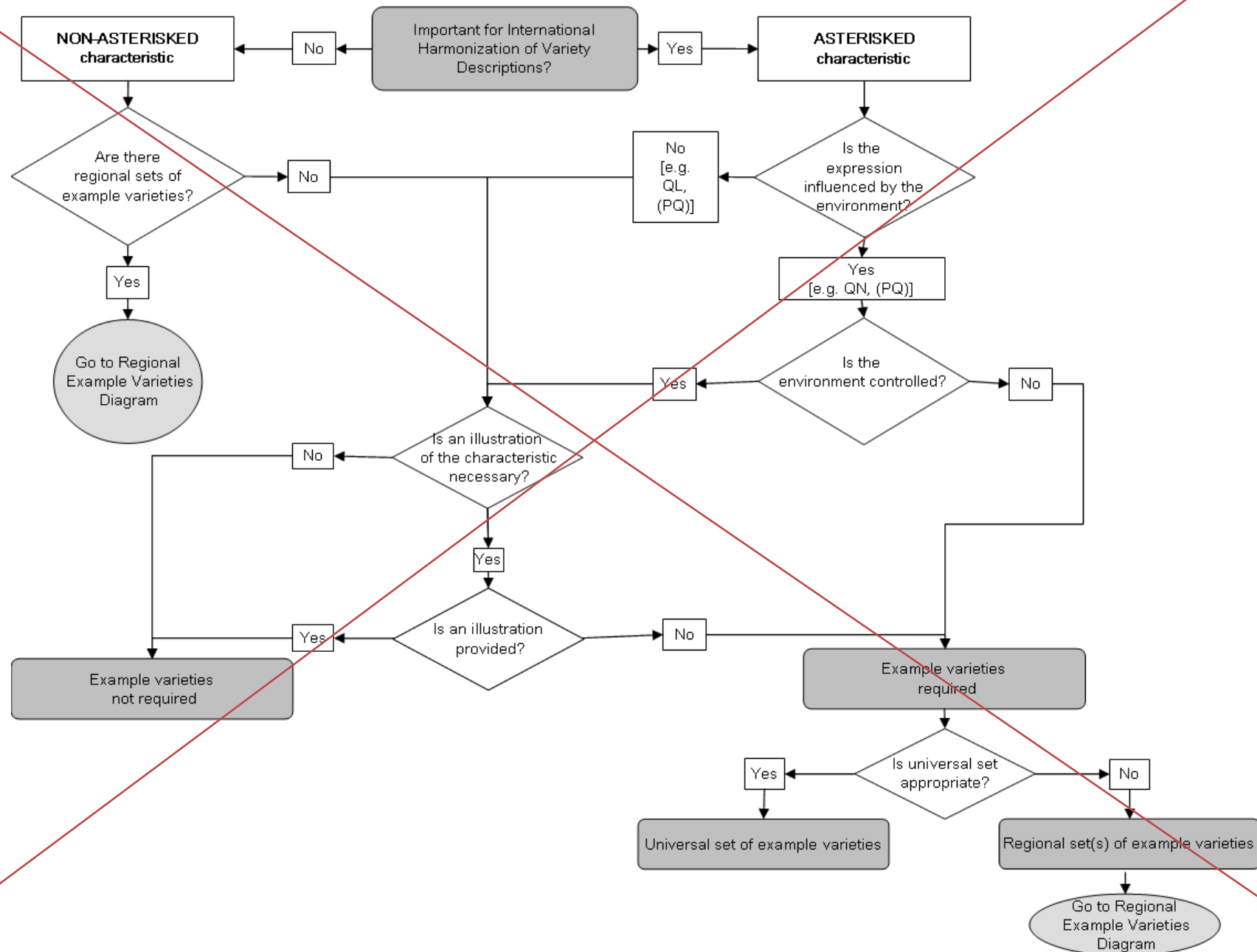
~~(c) the procedure for the development of sets of example varieties for a region would be determined by the TWP concerned and could, for example, be coordinated by a leading expert for the region concerned; and~~

~~(d) example varieties would need to be agreed by all UPOV members in the region concerned.~~

4.2.1 In cases where the relevant TWP agrees to the development of regional sets of example varieties, the TWP concerned will determine the regions and the contributors of regional lists of varieties.

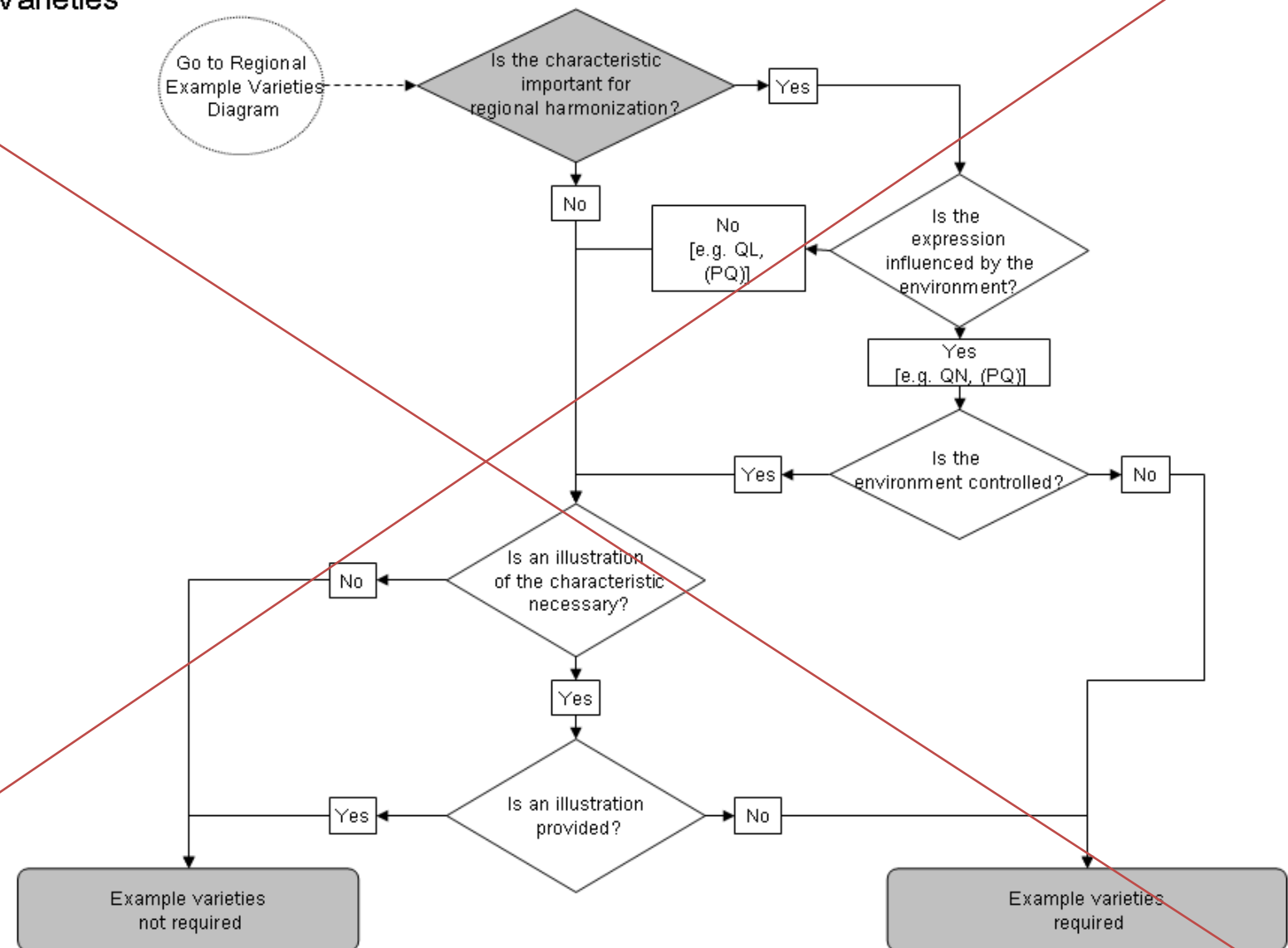
4.2.2 In cases where it is known by the relevant TWP that regional sets of example varieties are to be developed, this will be stated in the Test Guidelines.

Flow Diagram 1 — **Deciding if Example Varieties are needed for a characteristic**



Flow Diagram 2

Deciding if Example Varieties are needed for a characteristic: Regional Sets of Example Varieties



3.5. Multiple sets of example varieties**3.5.1 Presentation of Regional Sets of Example Varieties**

3.5.1.1 The existence of multiple sets of example varieties means that, for some or all characteristics, no example varieties are presented in the Table of Characteristics and the multiple sets of example varieties are presented in an annex available on the UPOV Website which is presented as follows:

	Region A					
Example varieties	Ch. 1	Ch. 2	Ch. 3	Ch. 4	Ch. 5	etc.
Variety A	3	1	3		3	
Variety B	5	2	7	1	1	
Variety C	7	3	5	9	2	
Variety D		4			4	
etc.						

	Region B					
Example varieties	Ch. 1	Ch. 2	Ch. 3	Ch. 4	Ch. 5	etc.
Variety I	3	4	5		1	
Variety II	5	2	3	1	2	
Variety III	7	1	7	9	3	
Variety IV		3			4	
etc.						

3.5.1.2 Even where the “example variety” column is empty (i.e. there are no universal example varieties for any characteristic), the column is retained in the Table of Characteristics to allow users to complete this with the appropriate example varieties.

3.5.2 Different types of variety

3.5.2.1 If it is not possible, with a single set of example varieties, to describe all the types of varieties (e.g. winter-types and spring-types) covered by the same Test Guidelines, they may be subdivided to create different sets of example varieties.

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

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

	Stage/ Stade/ Stadium/ Estado	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielssorten/ Variedades ejemplo	Note/ Nota
13 (*)	QN-MG B	(+)-75-92					
7. (*) (+)	75-92 MG/MS	Plant: length	Plante: longueur	Pflanze: Länge	Planta: longitud		
		<u>very short</u>	<u>très courte</u>	<u>sehr kurz</u>	<u>muy corta</u>		1
		<u>very short to short</u>	<u>très courte à courte</u>	<u>sehr kurz bis kurz</u>	<u>muy corta a corta</u>		2
		short	courte	kurz	corta	(w) Variety A, (w) Variety B, <u>Variety C</u> ; (s) Alpha	3
		<u>short to medium</u>	<u>courte à moyenne</u>	<u>kurz bis mittel</u>	<u>corta a media</u>		4
		medium	moyenne	mittel	media	(w) <u>Variety C</u> ; (w) <u>Variety B</u> ; (s) Beta	5
		<u>medium to long</u>	<u>moyenne à longue</u>	<u>mittel bis lang</u>	<u>media a larga</u>		6
		long	longue	lang	larga	(w) <u>Variety D</u> -(s) <u>Gamma</u>	7
		<u>long to very long</u>	<u>longue à très longue</u>	<u>lang bis sehr lang</u>	<u>larga a muy larga</u>		8
		<u>very long</u>	<u>très longue</u>	<u>sehr lang</u>	<u>muy larga</u>		9

4. Purpose of example varieties

The General Introduction (Chapter 4.3) states that “example varieties are provided in the Test Guidelines to clarify the states of expression of a characteristic.” This clarification of the states of expression is required with respect to two aspects:

(a) to illustrate the characteristic and/or

(b) to provide the basis for ascribing the appropriate state of expression to each variety and, thereby, to develop internationally harmonized variety descriptions.

4.1 Illustration of a characteristic

Although example varieties have the benefit of enabling examiners to see a characteristic in “real life”, in many cases, the illustration of a characteristic by photographs or drawings (to be provided in chapter 8 of the Test Guidelines) may provide a clearer illustration of the characteristic. Furthermore, the difficulty in selecting suitable example varieties, which satisfy all the requirements in Section 4.2 below, means that photographs or drawings are an important alternative or addition to example varieties as a means of illustrating characteristics.

4.2 International Harmonization of Variety Descriptions

4.2.1 The main reason why example varieties are used in place of, for example, actual measurements is that measurements can be influenced by the environment.

(a) Example varieties in the Test Guidelines

4.2.2 Example varieties are important to adjust the description of the characteristics for the year and location effects, as far as possible. Thus, using the relative scale provided by the example varieties, it can be seen that the example variety Beta measured 10 cm in Country A and 15 cm in Country B, but in both locations

demonstrates the state of expression “medium”. On this basis, candidate variety X would be considered to have a medium length leaf in both Countries A and B.

	Example Varieties	Note
Leaf: length of blade		
short	Alpha	3
medium	Beta	5
long	Gamma	7

(b) Fixed measurements in the Test Guidelines

4.2.3 If absolute measurements were to be indicated in the Test Guidelines and the Test Guidelines were drafted in Country A on the basis of the data from section 4.2.2, the Table of Characteristics would show the following:

	Length	Note
Leaf: length of blade		
short	5 cm	3
medium	10 cm	5
long	15 cm	7

4.2.4 Because there is no “relative scale” provided by the example varieties, the same data would lead to the following descriptions:

	Country A	Country B
Variety X	10 cm (medium: note 5)	15 cm (long: note 7)

4.2.5 Thus, if absolute measurements were used in the Test Guidelines, variety X, when grown in Country A, would be described as “medium (note 5)”, but if grown in Country B, would be described as “long (note 7)”. This demonstrates that it could be very misleading to compare descriptions from different locations on the basis of absolute measurements, without the adjustment for year or location effects provided by example varieties.

4.2.6 Nevertheless, because of the possibility of particular interactions between the variety genotype and location (e.g. influence of photoperiod), it should not be assumed that descriptions developed in different countries or locations using the same set of example varieties will be the same (see also section 2.2). Guidance on the scope for comparison of varieties on the basis of descriptions produced in different locations is provided in document TGP/9, Examining Distinctness.

[Appendix to Annex II follows]

APPENDIX TO ANNEX II

PROPOSAL TO REVISE GUIDANCE NOTE 28 "EXAMPLE VARIETIES"

(version without track changes)

GN 28 (TG Template: Chapter 6.4) – Example varieties*1. Purpose of example varieties*

The General Introduction (Chapter 4.3) states that "example varieties are provided in the Test Guidelines to clarify the states of expression of a characteristic." This clarification of the states of expression is required with respect to two aspects:

(a) to illustrate the characteristic and/or

(b) to provide the basis for ascribing the appropriate state of expression to each variety and, thereby, to develop internationally harmonized variety descriptions.

1.1 Illustration of a characteristic

Example varieties have the benefit of enabling examiners to see a characteristic in "real life". However, in many cases, the illustration of a characteristic by photographs or drawings (to be provided in chapter 8 of the Test Guidelines) may provide a clearer illustration of the characteristic. Therefore, photographs or drawings are an important addition or alternative to example varieties as a means of illustrating characteristics. Test Guidelines should have as much information as possible, including both example varieties and illustrations. Illustrations are of particular importance when a limited number of example varieties are available which fulfill the criteria in Section 3.

1.2 Harmonization of Variety Descriptions

1.2.1 The main reason why example varieties are used in place of, for example, actual measurements is that expression can be influenced by the environment, i.e. by location and year.

(a) Example varieties in the Test Guidelines

1.2.2 Example varieties are important to adjust the description of the characteristics for the year and location effects, as far as possible. Thus, using the relative scale provided by the example varieties, it can be seen that if the example variety Beta measured 13 cm in Environment A and 16 cm in Environment B, then in both environments the state of expression is "medium". On this basis, a candidate variety X with leaf length equal to the example variety Beta would also be considered to have a medium leaf length in both Environments A and B.

	Example Varieties	Note
Leaf: length of blade		
very short		1
very short to short		2
short	Alpha	3
short to medium		4
medium	Beta	5
medium to long		6
long	Gamma	7
long to very long		8
very long		9

(b) Actual measured values in the Test Guidelines

1.2.3 If actual measured values were to be indicated in the Test Guidelines and the Test Guidelines were drafted in Environment A on the basis of the data from section 1.2.2, the Table of Characteristics could show, for example, the following:

	Length	Note
Leaf: length of blade		
very short	≤5 cm	1
very short to short	6-7 cm	2
short	8-9 cm	3
short to medium	10-11 cm	4
medium	12-13 cm	5
medium to long	14-15 cm	6
long	16-17 cm	7
long to very long	18-19 cm	8
very long	≥20 cm	9

1.2.4 Because there is no “relative scale” provided by the example varieties, the same actual measured values would lead to the following descriptions:

	Environment A	Environment B
Variety X	13 cm (medium: note 5)	16 cm (long: note 7)

1.2.5 Thus, if actual measured values were to be used in the Test Guidelines, variety X, when grown in Environment A, would be described as “medium (note 5)”, but if grown in Environment B, would be described as “long (note 7)”. This case demonstrates that it could be very misleading to compare descriptions from different test cycles or locations on the basis of actual measured values, without the adjustment for test cycles and/or location effects provided by example varieties.

1.2.6 Example varieties provided in Test Guidelines are of particular importance for international harmonization of variety descriptions. Nevertheless, because of the possibility of particular interactions between the variety genotype and location (e.g. influence of photoperiod or climate), it should not be assumed that descriptions developed in different countries or locations using the same set of example varieties will be the same. Guidance on the scope for comparison of varieties on the basis of descriptions produced in different locations is provided in document TGP/9, Examining Distinctness.

2. Deciding where example varieties should be provided

2.1 Example varieties enable examiners to see a characteristic in “real life”. Specifically, example varieties are required for characteristics which are important for international harmonization of variety descriptions (asterisked characteristics), that are influenced by the environment and when a diagram or illustration is not effective in demonstrating the states of expression.

2.2 For characteristics that are important for international harmonization of variety descriptions (asterisked characteristic) and example varieties are not necessary to clarify the states of expression of the characteristic (see Section 1 (a)), example varieties are not normally required, but should be included if they are considered to be of benefit. For instance, example varieties would not be needed to clarify the states of expression in the following situations:

- The states of expression are self-explanatory:

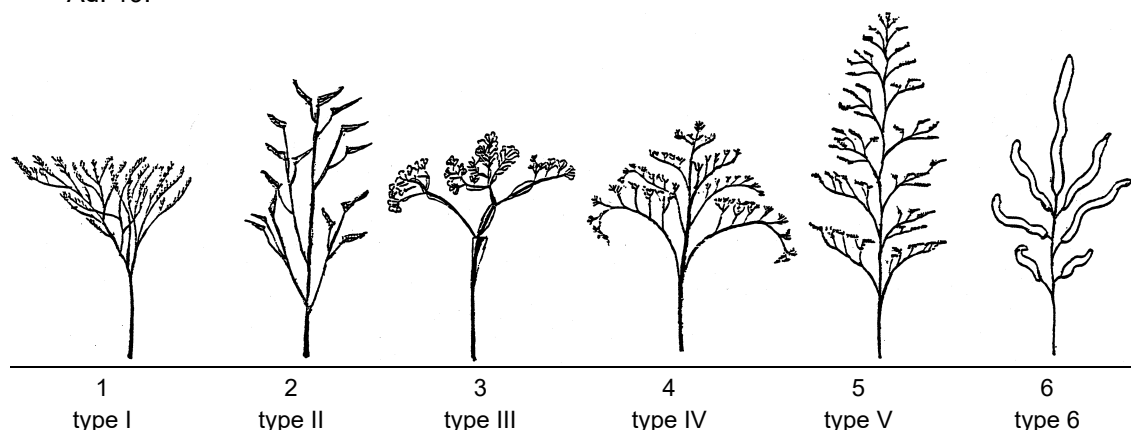
TG/13/11 Rev. 3 – Lettuce: (*) 1. Seed: color (PQ)
1 – white, 2 – yellow, 3 – brown, 4 – black

TG/36/7 – Oilseed Rape: (*) 17. Production of pollen (QL)
1 – absent, 9 – present

- The states of expression can be effectively demonstrated by a diagram or illustration

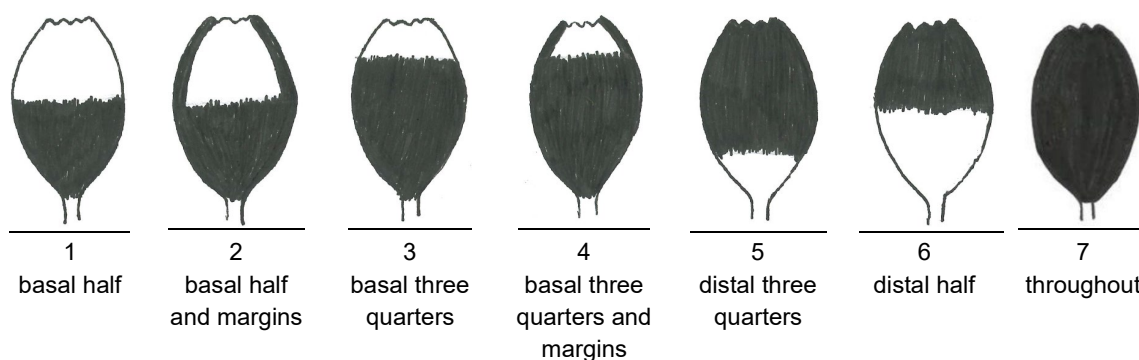
TG/168/4 – *Statice*: (*) 19. Inflorescence: type (PQ)

Ad. 19:



TG/336/1 – *Coreopsis*: (*) 29. Ray floret: distribution of main color (PQ)

Ad. 29:



2.3 For characteristics that are less important for international harmonization of variety descriptions (non-asterisked characteristic) and example varieties are not necessary to clarify the states of expression of the characteristic (see Section 1 (a)), example varieties are not normally required, but should be included if they are considered to be of benefit. For instance, example varieties might not be needed to clarify the states of expression in the following situations:

- The states of expression are self-explanatory:

TG/35/8 – *Sweet Cherry*: 15. Leaf: predominant number of nectaries (QL)

1 – two, 2 – more than two

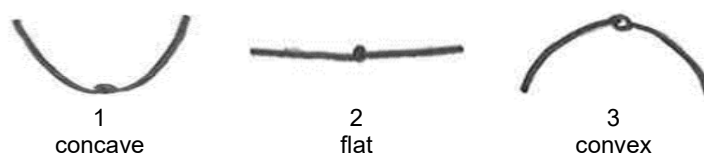
TG/148/3 – *Weigelia*: 2. Plant height in relation to width (QN)

1 – taller than broad, 2 – as tall as broad, 3 – broader than tall

- The states of expression can be effectively demonstrated by a diagram or illustration

TG/148/3 – *Weigelia*: 11. Leaf blade: shape in cross section (QN)

Ad. 11:



2.4 If example varieties are considered necessary, but it is not appropriate to develop a universal set of example varieties that is applicable for all UPOV members, then consideration should be given to the development of regional sets of example varieties.

3. *Criteria for Example Varieties*

3.1 *Availability*

Authorities responsible for DUS testing and breeders need to be able to obtain plant material of example varieties and therefore, in general, example varieties should be widely and readily available for the coverage of the Test Guidelines or, in case of regional sets of example varieties, for the region concerned. For this reason, at the point of starting to draft Test Guidelines, drafters are encouraged to seek lists of varieties from interested parties in order to identify example varieties with the widest availability.

3.2 *Minimizing the number*

3.2.1 “For practical reasons it is recommended to choose the overall set of example varieties for the Test Guidelines in a way that all the desired characteristics and states of expression are covered by the minimum total number of example varieties. This means that, if possible, each example variety should be used for as many characteristics as possible and example varieties should not be used only for one or very few characteristics.

3.2.2 Where appropriate, example varieties which are required according to Section 2.1. should also be used to illustrate characteristics where example varieties may not be compulsory (see Section 2.2 and 2.3). In any case, example varieties enable examiners to see a characteristic in “real life”. Even if example varieties are not obligatory, or cannot be provided for all states of expression, the indication of example varieties for some states of expression can be of benefit to examiners, in particular when the same example varieties have already been indicated for other characteristics.

3.3 *Agreement of interested experts*

3.3.1 The set of example varieties proposed by the Leading Expert in the preparation of the Test Guidelines should be prepared in cooperation with all the interested experts. If one or more expert(s) consider(s) that certain example varieties are not suitable for their conditions, a new example variety should, if possible, be found (see also Section 3 “Multiple sets of example varieties”).

3.3.2 It is important that the set of example varieties for a particular characteristic is developed by one expert in order to ensure that the set of example varieties for that characteristic represents the same scale. Example varieties proposed by other experts, for the same characteristic, should be known to represent the same scale before they are accepted in Test Guidelines. In cases where it is necessary to develop a separate scale for different types of variety, or different regions, multiple sets of example varieties may need to be developed (see Section 3 “Multiple sets of example varieties”).

3.4 *Demonstration of the range of expression within the variety collection*

3.4.1 The set of example varieties for a given characteristic should provide information on the range of expression of the characteristic in the collection of varieties covered by the Test Guidelines. Thus, in general, it is necessary to provide example varieties for more than one state of expression and in the case of:

Quantitative characteristics:

- (i) “1-9” scale: to provide example varieties for at least three states of expression (e.g. (3), (5) and (7)), although, in exceptional cases, example varieties for only two states of expression may be accepted;
- (ii) “1-5” / “1-4” / “1-3” scales: to provide example varieties for at least two states of expression.

Pseudo-qualitative characteristics: to provide a set of example varieties to cover the different types of variation within the range of expression of the characteristics.

3.4.2 Consideration should be given to the use of illustrations to demonstrate the range of expression of characteristics where suitable example varieties do not fulfil the criteria in Section 3

4. *Regional sets of example varieties*

4.1 *Basis for regional sets of example varieties*

UPOV Test Guidelines need to cover all the different countries, regions and environments where the DUS examinations are conducted and, as far as possible, they provide universal sets of example varieties in order to maximize harmonization of variety descriptions. However, the regional adaptation of varieties in some genera and species may mean that it is inappropriate to seek to harmonize variety descriptions on a global basis and, therefore, inappropriate to seek to develop a universal set of example varieties. Nevertheless, in such cases, regional harmonization is important and is facilitated by providing regional sets of example varieties. The rationale for identifying regional types will be explained in the Test Guidelines and, where appropriate, correlation between the different regional sets of example varieties may be established.

4.2 *Procedure for developing regional sets*

4.2.1 In cases where the relevant TWP agrees to the development of regional sets of example varieties, the TWP concerned will determine the regions and the contributors of regional lists of varieties.

4.2.2 In cases where it is known by the relevant TWP that regional sets of example varieties are to be developed, this will be stated in the Test Guidelines.

5. *Multiple sets of example varieties*

5.1 *Presentation of Regional Sets of Example Varieties*

5.1.1 The existence of multiple sets of example varieties means that, for some or all characteristics, no example varieties are presented in the Table of Characteristics and the multiple sets of example varieties are presented in an annex available on the UPOV Website which is presented as follows:

	Region A					
Example varieties	Ch. 1	Ch. 2	Ch. 3	Ch. 4	Ch. 5	etc.
Variety A	3	1	3		3	
Variety B	5	2	7	1	1	
Variety C	7	3	5	9	2	
Variety D		4			4	
etc.						

	Region B					
Example varieties	Ch. 1	Ch. 2	Ch. 3	Ch. 4	Ch. 5	etc.
Variety I	3	4	5		1	
Variety II	5	2	3	1	2	
Variety III	7	1	7	9	3	
Variety IV		3			4	
etc.						

5.1.2 Even where the “example variety” column is empty (i.e. there are no universal example varieties for any characteristic), the column is retained in the Table of Characteristics to allow users to complete this with the appropriate example varieties.

5.2 *Different types of variety*

5.2.1 If it is not possible, with a single set of example varieties, to describe all the types of varieties (e.g. winter-types and spring-types) covered by the same Test Guidelines, they may be subdivided to create different sets of example varieties.

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

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

	Stage/ Stade/ Stadium/ Estado	English	français	deutsch	español	Example Varieties/ Exemples/ Beispielssorten/ Variedades ejemplo	Note/ Nota
7. (*) (+)	75-92 MG/MS	Plant: length	Plante: longueur	Pflanze: Länge	Planta: longitud		
		very short	très courte	sehr kurz	muy corta		1
		very short to short	très courte à courte	sehr kurz bis kurz	muy corta a corta		2
		short	courte	kurz	corta	(w) Variety A, Variety C; (s) Alpha	3
		short to medium	courte à moyenne	kurz bis mittel	corta a media		4
		medium	moyenne	mittel	media	(w) Variety B; (s) Beta	5
		medium to long	moyenne à longue	mittel bis lang	media a larga		6
		long	longue	lang	larga	(s) Gamma	7
		long to very long	longue à très longue	lang bis sehr lang	larga a muy larga		8
		very long	très longue	sehr lang	muy larga		9

[Annex III follows]

ANNEX III

NUMBER OF GROWING CYCLES AND CONCLUDING EXAMINATION OF FRUIT CROPS

Background

1. At its session in 2024, the TWF¹ received a presentation on “Number of growing cycles and concluding examination of fruit crops” from an expert from the European Union. A copy of the presentation is provided in document TWF/55/4 (see document TWF/55/9 “Report”, paragraphs 33 to 37).
2. The TWF noted that the number of growing cycles in Test Guidelines for fruit crops was usually two. The TWF noted that the standard wording for such cases stated that “the minimum duration of tests should normally be two independent growing cycles.”
3. The TWF noted that the choice of number of growing cycles for fruit crops was a subject of discussion by the interested experts and the TWF. The TWF noted the experiences reported by Canada and France on assessments conducted after one satisfactory crop of fruits.
4. The TWF considered the standard wording “the testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test” and whether it could be contradictory to the standard wording that “the minimum duration of tests should normally be two independent growing cycles.”
5. The TWF agreed to invite the experts from France with the support of Canada, European Union, France, Germany, New Zealand, Republic of Korea and CIOPORA to develop proposals on the number of growing cycles for fruit crops, such as reducing the duration of tests to one growing cycle for fruit crops and the meaning of “a satisfactory crop of fruit”.

Comments of the TWF in 2025

6. The TWF² considered document TWF/56/3, as presented by an expert from Canada (see document TWF/56/7 “Report”, paragraphs 10 to 19).
7. The TWF discussed situations when two growing cycles would be required for the expression of characteristics to be sufficiently consistent and clear, according to UPOV guidance, and to generate reliable variety descriptions.
8. The TWF noted the comments from Japan and the Republic of Korea on how UPOV guidance was interpreted in those countries providing flexibility for authorities to decide when two growing cycles would be required, or examination could be concluded when the authority could determine with certainty the outcome of the test.
9. The TWF considered the standard wording for number of growing cycles in Test Guidelines, in particular the sentences on “number of growing cycles” and that “The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.” The TWF agreed that the guidance in Test Guidelines could be improved to further clarify that authorities could conclude the examination of fruit crops earlier than two growing cycles, when that was recommended in Test Guidelines.
10. The TWF considered the use of the terms “minimum” and “normally” in relation to the minimum duration of tests and agreed to propose amending document TGP/7, Additional Standard Wording (ASW) 2 to replace the term “normally” by “generally”, as follows:

¹ TWF, fifty-fifth session, held by virtual means, from June 3 to 6, 2024.

² TWF, fifth-sixth session, held in Bursa, Türkiye, from June 23 to 26, 2025.

ASW 2 (Chapter 3.1) – Number of growing cycles

(a) *Single growing cycle*

“The minimum duration of tests should ~~normally~~ generally be a single growing cycle.”

(b) *Two independent growing cycles*

“The minimum duration of tests should ~~normally~~ generally be two independent growing cycles.”

11. The TWF noted that the sequence of standard wording in Test Guidelines presented the explanation on “number of growing cycles” separated from the explanation that “The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”. The TWF agreed that the latter sentence was an important explanation of the number of growing cycles and agreed to propose amending the “TG Structure and Universal Standard Wording” to present consecutively both sentences, as follows:

ANNEX 1: TG STRUCTURE AND UNIVERSAL STANDARD WORDING

3. Method of Examination

3.1 Number of Growing Cycles

The minimum duration of tests should ~~normally~~ generally be:

{ **ASW 2** (Chapter 3.1(.1)) – number of growing cycles }

The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.

{ **GN 8** (Chapter 3.1.2) – explanation of the growing cycle }

{ **ASW 3** (Chapter 3.1.2) – explanation of the growing cycle }

~~The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.~~

12. The TWF noted the comment from the European Union that the standard sentence on “concluding testing” should not be interpreted as contradictory to the standard wording on number of growing cycles, in particular that the testing of a variety may be concluded earlier.

13. The TWF agreed to propose considering whether the provision on “concluding testing” should be added to the different standard wording options in ASW 2 “Number of growing cycles” to ensure that the basic principles contained in the General Introduction could be used, rather than following the detailed recommendations of the Test Guidelines.

14. The TWF considered a proposal to amend Additional Standard Wording 3 (ASW 3) for fruit species to clarify the notion of “satisfactory crop of fruit”, as provided in document TWF/56/3, as follows:

“In particular, it is essential that the [trees] / [plants] produce a ~~satisfactory crop~~ sufficient quantity of fruit for testing purposes and are representative of the variety in any in each of the two growing cycles. Testing of a variety should begin in the following growing cycle after trial trees have had at least one crop of fruit.”

15. The TWF agreed there was no need to provide guidance to avoid examining plants / trees in juvenile stage, as this was already covered by the word “representative”. The TWF agreed that the term “satisfactory” could be defined in relation to quantity, quality and representativeness of a crop of fruit of the variety. The TWF agreed to propose amending guidance in document TGP/7, ASW 3 (d) “Fruit species” to read as follows:

“ASW 3 (Chapter 3.1.2) – Explanation of the growing cycle

[...]

“(d) Fruit species

“In the case of Test Guidelines covering fruit species, the following sentence may be added in Chapter 3.1:

“In particular, it is essential that the [trees] / [plants] produce a ~~satisfactory crop~~ sufficient quantity and quality of fruit for testing purposes and are representative of the variety in any in each of the ~~two~~ growing cycles.”

[End of Annex III and of document]