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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 provide an overview of the development of UPOV guidance and information materials, including documents proposed for adoption by the Council.
2. Document UPOV/INF/13 “Guidance on how to become a member of UPOV”, Section B “Advice of the Council”, is proposed for revision as part of the measures to increase the efficiency and effectiveness of the UPOV sessions. The revision proposed for adoption by the Council is aimed at streamlining the process after a positive advice of the Council was provided on the conformity of a law or draft law with the provisions of the UPOV Convention. The proposal provided in paragraph 16 of this document would clarify that purely editorial modifications that would not alter the substance of the law would not require a new assessment by the Council. It is also proposed to revise Section E “Notification of the representative and alternate to the Council”, to reflect the discontinuation of the restricted area of the UPOV website and the removal of document UPOV/INF/20 “Rules Governing Access to UPOV Documents” in 2024.
3. Documents UPOV/INF/16 “Exchangeable Software” and UPOV/INF/22 “Software and equipment used by members of the Union” are also proposed for revision as part of the measures to increase the efficiency and effectiveness of the UPOV sessions. The periodic inclusion of information provided by UPOV members on software and equipment used for plant variety protection (PVP) purposes currently requires a formal decision by the Council. The proposals provided in this document would enable the Technical Committee to recommend the inclusion of software and equipment in these documents.
4. Document TGP/5 “Experience and cooperation in DUS testing”, Section 11 “Examples of policies and contracts for material submitted by the breeder” is proposed for revision to replace the example provided by the European Union “CPVO policy on the status of plant material submitted for DUS purposes” by an updated version of that document. The updated version was provided upon a request from the Technical Committee for UPOV members to report on their policies ensuring the confidentiality of molecular information. The updated version is provided in document TGP/5, Section 11/2 Draft 1.
5. Document TGP/7 “Development of Test Guidelines” is proposed to be updated following discussions on the standard wording used in Test Guidelines to harmonize the number of growing cycles to be conducted for variety examination. The objective is to ensure sufficient flexibility for authorities to conclude examination when the outcome of the test can be determined with certainty, whilst maintaining a harmonized approach in relation to the number of growing cycles to be carried out as provided for in the Test Guidelines (e.g. “the minimum duration of tests should normally be two independent growing cycles”). The Technical Working Party for Fruit Crops (TWF) will consider this matter at its session to be held in Leipzig, Germany, from September 7 to 10, 2026 and the comments provided will be reported as an addendum to this document.

6. A new proposal for revision of document TGP/12 “Guidance on Certain Physiological Characteristics” is presented to avoid the need to revise Test Guidelines due to the frequent changes in nomenclature of pests and diseases. The proposal introduces a disclaimer to state that the names of the pests and diseases were correct at the date of adopting the Test Guidelines and that latest nomenclature should be consulted at the International Seed Federation’s (ISF) system of codes for pest organisms.

7. Document TGP/15 “Guidance on the use of biochemical and molecular markers in the examination of distinctness, uniformity and stability (DUS)” is proposed for revision. The Council will be invited to adopt a new section providing “Guidelines for the validation of a new characteristic-specific molecular marker protocol as an alternative method for observation.” Document TGP/15 provides that molecular markers can be used as a method of examining DUS characteristics, on the basis that there is a reliable link between the marker and the expression of the characteristic. The new guidelines describe a methodology for the validation of a molecular marker, as well as a standard template to describe in the Test Guidelines how it should be used as an alternative method for the assessment of a characteristic. The new guidelines are provided in document TGP/15/4 Draft 1.

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9. The following abbreviations are used in this document:

BMT Review Group:	<i>Ad Hoc</i> Subgroup of Technical and Legal Experts on Biochemical and Molecular Techniques
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

BACKGROUND

10. The approved guidance and information materials are published on the [UPOV website](#).

DOCUMENT UPOV/INF/13 “GUIDANCE ON HOW TO BECOME A MEMBER OF UPOV” (REVISION)

11. At its fifty-eighth ordinary session, the Council¹ endorsed the proposal that, starting in 2025, the Office of the Union would implement a more efficient way to collect and present priority information from UPOV members and observers. The revision of document UPOV/INF/13/2 “Guidance on How to Become a Member of UPOV” is one of the measures to increase efficiency of the UPOV sessions.

12. Section B of document UPOV/INF/13/2 relates to the request from a State or intergovernmental organization for the advice of the Council in respect of the conformity of its law with the provisions of the UPOV Convention.

13. Paragraphs 9 and 19 of document UPOV/INF/13/2 clarify that a law or draft law that has been submitted to the Council and has received a positive advice, can provide the basis for a positive decision of the Council on accession to the UPOV Convention, provided that no modifications are introduced in the draft law or law subsequent to the date of the positive advice of the Council.

14. The requirement that “no modifications” be introduced is quite stringent. It implies that even minor changes, regardless of their nature, would necessitate a new Council decision regarding the conformity of the law with the UPOV Convention. This means that even purely editorial amendments or non-substantive changes would trigger a repeated assessment by the Council.

15. The Council’s review process is resource intensive and requires significant effort from the candidate member, UPOV members at the Council and the Office of the Union. To streamline this process, it is proposed that modifications which are purely editorial and do not alter the substance of the law or draft law should not require a new Council assessment.

16. The proposals for revision of document UPOV/INF/13/2 “Guidance on How to Become a Member of UPOV” are as follows:

9. A State or intergovernmental organization may submit to the Council an adopted law or, alternatively, may submit a draft law as presented to its parliament or relevant legislative body. The draft law can provide the basis for a positive decision of the Council on accession to the UPOV Convention, provided that no modifications (except modifications that are strictly editorial in nature; no substantive changes shall be accepted) are introduced in the draft law during the parliamentary procedure other than any modification proposed by the Council in its decision (see below subsection (e) “Decision embodying the advice of the Council”).

[...]

19. Some possible scenarios concerning the decisions of the Council are summarized below:

(i) The decision of the Council embodying the advice concerning an adopted law is positive: the instrument of accession may be deposited (Article 34(3) of the UPOV Convention) (see Section C. “Implementation of the Convention”), provided that the law is not amended in the meantime; no modifications (except modifications that are strictly editorial in nature; no substantive changes shall be accepted) have been introduced in the law in the meantime;

(ii) The decision of the Council embodying the advice concerning a draft law is positive: if the draft law is adopted with no changes/modifications (except modifications that are strictly editorial in nature; no substantive changes shall be accepted), and in force, the State or intergovernmental organization may deposit its instrument of accession to the UPOV Convention (see section C “Implementation of the Convention”);

[...]

¹ Council, fifty-eighth ordinary session, held in Geneva on October 25, 2024. See document C/58/19 “Report” paragraph 62.

(iv) The decision of the Council embodying the advice concerning a draft law is positive, subject to modifications: reference to those modifications will be made in the decision of the Council embodying the positive advice. Once the required modifications are made to the draft law and that law is adopted with no other changes-modifications (except modifications that are strictly editorial in nature; no substantive changes shall be accepted), and in force, the State or intergovernmental organization may deposit its instrument of accession to the UPOV Convention (see section C “Implementation of the Convention);

17. Section E of document UPOV/INF/13/2 concerns the “Notification of the representative and alternate to the Council”. To reflect the discontinuation of the restricted area of the UPOV website and the removal of document UPOV/INF/20 “Rules Governing Access to UPOV Documents” in 2024 (see document C/58/19 “Report”, paragraph 40), it is proposed to modify Section E as follows:

Section E. Notification of the representative and alternate to the Council

Relevant article

Article 26

The Council

(1) [Composition] The Council shall consist of the representatives of the members of the Union. Each member of the Union shall appoint one representative to the Council and one alternate. Representatives or alternates may be accompanied by assistants or advisers.

31. Members of the Union are required to notify the Office of the Union the names, titles and contact details of the representative and alternate to the Council. One of the responsibilities of the representative to the Council is to appoint persons to the relevant UPOV bodies (see document [UPOV/INF/15](#) “Guidance for members of UPOV”), ~~and to decide on persons to be given access to UPOV documents in the first and second restricted areas of the UPOV website (see Rules governing access to UPOV documents: <https://www.upov.int/en/about-upov/members/>).~~

18. The Council is invited to adopt a revision of document UPOV/INF/13 “Guidance on How to Become a Member of UPOV”, as provided in paragraphs 16 and 17 of this document, and reflected in document UPOV/INF/13/3 Draft 1.

DOCUMENTS UPOV/INF/16 “EXCHANGEABLE SOFTWARE” AND UPOV/INF/22 “SOFTWARE AND EQUIPMENT USED BY MEMBERS OF THE UNION” (REVISION)

Procedure for inclusion of software and/or equipment in documents UPOV/INF/16 and UPOV/INF/22

19. The Consultative Committee, at its session in 2025², agreed to the proposals on re-organization of agenda items and documents to focus on key matters and create more space for discussions and events on emerging topics. The Consultative Committee agreed that documents UPOV/INF/16 “Exchangeable Software” and UPOV/INF/22 “Software and Equipment Used by Members of the Union” be updated by the Office of the Union without requiring a formal decision by the Council. The documents would be published on the UPOV website and made available online for consultation by interested parties. Matters relating to these documents could be presented to the TWPs, TC and/or CAJ and/or Council on a need-to basis.

20. Documents UPOV/INF/16/13 and UPOV/INF/22/11, are compiled based on information provided to the Office of the Union. The Office of the Union includes the information in the relevant documents and monitors that there are no inconsistencies in the data provided. At present, the Council is taking a formal decision to revise the documents in question, subject to the agreement by the TC and the CAJ.

² Consultative Committee, hundred and third session, held in Geneva on October 24, 2025. See document CC/103/12 “Report”, paragraph 65.

Proposals

21. Based on the recommendations of the Consultative Committee, the Council is invited to consider amending the “Procedure for inclusion of the software” in document UPOV/INF/16, so that future inclusions of software will not require formal adoption by the Council, as follows:

“2. Procedure for inclusion of software

“Software proposed for inclusion in document UPOV/INF/16 by members of the Union is, in the first instance, presented for review by the Technical Working Party on Testing Methods and Techniques (TWM). On the basis of such presentations and the experience of members of the Union, the TWM makes a recommendation to the Technical Committee (TC) on whether to include that software in document UPOV/INF/16. In the case of a positive recommendation by the TC and by the Administrative and Legal Committee (CAJ), the software will be listed in a draft a revised version of document UPOV/INF/16, to be considered for adoption by the Council. Document UPOV/INF/16 is adopted by the Council and published on the UPOV website.”

22. Based on the recommendations of the Consultative Committee, the Council is invited to consider amending the “Procedure for inclusion of the software/equipment” in document UPOV/INF/22, so that future inclusions of software or equipment will not require formal adoption of a revised version of the document by the Council:

“2. Procedure for inclusion of software/equipment

“2.1 Software/equipment proposed for inclusion in this document by members of the Union is, in the first instance, presented to the Technical Committee (TC).

“2.2 The TC will decide whether to:

- (a) propose to include the information in the document;
- (b) request further guidance from other relevant bodies (e.g. the Administrative and Legal Committee (CAJ) and the Technical Working Parties (TWPs)); or
- (c) propose not to include the information in the document.

“2.3 In the case of a positive recommendation by the TC and, subsequently by the CAJ, the software/equipment will be listed in a revised version draft of the document, to be considered for adoption by the Council and published on the UPOV website.”

23. The Council is invited to amend the procedure for inclusion of the software and/or equipment in documents UPOV/INF/16 and UPOV/INF/22, so that future inclusions of software or equipment will not require formal adoption of a revised version of the documents by the Council, as set out in paragraphs 21 and 22 of this document, and reflected in documents UPOV/INF/16/14 Draft 1 and UPOV/INF/22/13 Draft 1.

Software proposed for inclusion in document UPOV/INF/16 in 2026

24. On January 19, 2026, the Office of the Union issued Circular E-26/004 to all UPOV bodies inviting them to provide information on software that had been developed by PVP authorities they would wish to make available to other UPOV members in document UPOV/INF/16.

25. In response to Circular E-26/004, the Office of the Union received a proposal from Italy to include in document UPOV/INF/16 the software “KORA”, with the following information:

Program name	Programming language	Function (brief summary)	Source & contact details
KORA	Python	Computes comparisons of varieties for management of reference collections	Italy Ms. Anna Giuliani Mr. Gabriele Mongiano

26. In accordance with the procedure in document UPOV/INF/16, the software “KORA” was presented for review by the TWM³, at its fourth session, by Mr. Gabriele Mongiano (Italy) as provided in document [TWM/4/14](#) “Kora: Digital management of variety collections”.

27. The TWM noted that the software was currently being tested in Italy and expected to be released during the next months. The TWM discussed different aspects of the software, including the programming language, database features and particular use cases, such as selection of similar varieties. The TWM noted that a user guide was being developed and agreed to invite UPOV members to test the software and provide comments to Italy.

28. At its fifth session, to be held in 2027, the TWM will be invited to make a recommendation for consideration by the TC, at its sixty-third session, on whether to include the proposed software in document UPOV/INF/16.

Software and equipment proposed for inclusion in document UPOV/INF/22 in 2026

29. On January 19, 2026, the Office of the Union issued Circular E-26/004 to all UPOV bodies inviting them to provide information on software and equipment used by members of the Union for PVP purposes.

30. In response to Circular E-26/004, the Office of the Union received proposals for the inclusion or deletion of information on software and equipment used by: China, Kingdom of the Netherlands, Sweden and Ukraine. The information received is provided in document UPOV/INF/22/13 Draft 1.

31. Subject to agreement by the TC, at its sixty-second session, and the CAJ, at its eighty-third session, an agreed revision of document UPOV/INF/22/12 “Software and equipment used by members of the Union”, would be put forward for adoption by the Council, at its sixtieth ordinary session, on the basis of the proposed revisions presented in document UPOV/INF/22/13 Draft 1.

32. The Council is invited to adopt a revision of document UPOV/INF/22/12 “Software and equipment used by members of the Union”, on the basis of document UPOV/INF/22/13 Draft 1, subject to agreement by the TC and the CAJ, at their sessions in 2026.

DOCUMENT TGP/5 “EXPERIENCE AND COOPERATION IN DUS TESTING”

Section 11 “Examples of Policies and Contracts for Material Submitted by the Breeder” (Revision)

33. Examples of policies and contracts for material submitted by the breeder for variety examination are provided in document TGP/5 “Experience and Cooperation in DUS Testing”, Section 11 “Examples of Policies and Contracts for Material Submitted by the Breeder”.

34. At its session in 2025, the TC⁴ noted that the European Union had updated the document “CPVO Policy on the status of plant material submitted for DUS testing purposes”. The former version of this policy is provided in TGP/5, Section 11. It is proposed to revise document TGP/5, Section 11, so that the latest version of the mentioned policy is included in the document as an example. The proposal to the Council is subject to the agreement by the CAJ, at its eighty-third session. The proposal is reflected in document TGP/5, Section 11/2 Draft 1.

³ TWM, fourth session, held in Cambridge, United Kingdom, from June 2 to 5, 2026. See document TWM/4/31 “Report”, paragraphs 20 and 21.

⁴ TC, sixty-first session, held in Geneva on October 20 and 21, 2025. See document TC/61/8 “Report”, paragraph 60.

35. *The Council is invited to adopt a revision of document TGP/5, Section 11 “Examples of Policies and Contracts for Material Submitted by the Breeder”, on the basis of document TGP/5, Section 11/2 Draft 1, subject to agreement by the CAJ, at its eighty-third session.*

DOCUMENT TGP/7 “DEVELOPMENT OF TEST GUIDELINES”

Number of growing cycles and concluding examination (Revision)

Background

36. UPOV Test Guidelines are prepared or revised according to the structure and universal standard wording that is appropriate for all Test Guidelines, as provided in document TGP/7.

37. At its session in 2024, the TWF⁵ considered the standard wording in Test Guidelines that “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.”

38. The TWF⁶ agreed 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. The TWF also agreed to propose amending the Additional Standard Wording (ASW 3) “Growing Cycle for Fruit Species.”

39. At its session in 2025, the TC⁷ agreed to invite the TWPs, at their sessions in 2026, to consider the proposals for the revision of document TGP/7 put forward by the TWF, as provided in the following section of this document.

40. The complete background to this matter is provided in the Annex to this document.

Comments from the TWV, TWA and TWO at their sessions in 2026

41. At their sessions in 2026, the TWV⁸, and TWO⁹ agreed with the proposal to amend the universal standard wording of Test Guidelines for “number of growing cycles” to read as follows:

Test Guidelines Structure and Universal Standard Wording

“3. Method of Examination

“3.1 Number of Growing Cycles

“(a) Single growing cycle:

“The **minimum** duration of tests should **normally** **generally** be a single growing cycle. The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”

⁵ TWF, fifty-fifth session, held via virtual means, from June 3 to 6, 2025. See document TWF/55/9 “Report”, paragraphs 33 to 37.

⁶ TWF, fifty-sixth session, held at Bursa, Türkiye, from June 23 to 26, 2025. See document TWF/56/3 “Report”, paragraphs 10 to 19.

⁷ TC, sixty-first session, held in Geneva on October 20 and 21, 2025. See document TC/61/8 “Report”, paragraphs 23 to 25.

⁸ TWV, sixtieth session, held in Pacific Grove, California, United States of America, from May 18 to May 21, 2026. See document TWV/60/8 “Report”, paragraphs 8 to 10

⁹ TWO, fifty-eighth session, held via electronic means, from July 6 to 9, 2026. See document TWO/58/8 “Report”, paragraphs 6 to 8.

“(b) Two independent growing cycles:

“The minimum duration of tests should normally generally be two independent growing cycles. The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”

42. The TWA¹⁰ agreed that the word “minimum” in relation to the duration of tests should be retained to ensure a clear understanding of the harmonized approach provided in Test Guidelines. The TWA agreed that the word “generally” in the same sentence would ensure sufficient flexibility for authorities to address particular cases.

43. The complete extract from the TWV, TWA and TWO reports is provided in the Annex to this document.

44. The TWF will hold its fifty-seventh session from September 7 to 10, 2026 and comments on this matter will be provided as an addendum to this document.

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

45. At its session in 2026, the TWO agreed with the proposal to amend the additional standard wording on explanation of growing cycle for fruit species to read as follows (ASW 3):

“(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.”

46. *The TC is invited to consider:*

(a) *the proposed amendments to document TGP/7 “Development of Test Guidelines”, to amend the universal standard wording for “number of growing cycles” and “explanation of the growing cycle for fruit species,” as set out in paragraphs 41 to 45 of this document;*

(b) *whether to propose to the Council to adopt a revision of document TGP/7, subject to agreement by the CAJ, at its eighty-third session.*

DOCUMENT TGP/12 “GUIDANCE ON CERTAIN PHYSIOLOGICAL CHARACTERISTICS”

Nomenclature of pathogens: new disclaimer

47. The TWV, at its sixtieth session¹¹, noted that the UPOV office had received the following request for updating the nomenclature of pathogens in the Test Guidelines for Pea, Pepper, Tomato and Tomato Rootstock and agreed that the nomenclature should be updated on the ongoing or future revisions of those Test Guidelines:

¹⁰ TWA, fifty-fifth session, held in Seoul, Republic of Korea, from June 15 to 18, 2026. See document TWA/55/11 “Report”, paragraphs 7 to 9

¹¹ TWV, sixtieth session, see document TWV/60/8 “Report”, paragraphs 34 to 36

Test Guidelines	Resistance char.	Name in adopted TG	New name (from 2026)	Proposal
Pepper: TG/76/9	63, 64, 65 - Pathotypes 1, 2, 3	<i>Xanthomonas</i> spp (ex <i>Xanthomonas campestris</i> pv. <i>vesicatoria</i>) (X spp (ex Xcv))	<i>Xanthomonas</i> spp (X spp)	To change in future revision
Pea: TG/7/10 Rev. 3	58	<i>Fusarium oxysporum</i> f. sp. <i>pisi</i>	Addition of (Fop) behind name	Inclusion in partial revision (TQ 4.2) adopted in October 2025
	59	<i>Erysiphe pisi</i> Syd.	Addition of (Ep) behind name	
	60	<i>Ascochyta pisi</i>	<i>Didymella pisi</i> (Dp)	
Tomato: TG/44/12 Rev.	64	<i>Pseudopyrenochaeta lycopersici</i> (ex <i>Pyrenochaeta lycopersici</i> (Pl))	<i>Pseudopyrenochaeta lycopersici</i> (Pl)	To change in future revision
	71	<i>Pseudoidium neolyopersici</i> (ex <i>Oidium eolyopersici</i>) (Pn) (ex On)	<i>Pseudoidium neolyopersici</i> (Pn)	
Tomato rootstocks: TG/294/1 Rev. 5	28	<i>Pyrenochaeta lycopersici</i> (Pl)	<i>Pseudopyrenochaeta lycopersici</i> (Pl)	To change in current partial revision
	32	<i>Oidium neolyopersici</i> (On)	<i>Pseudoidium neolyopersici</i> (Pn)	

48. The TWV noted that the nomenclature of pathogens in UPOV Test Guidelines were based on the International Seed Federation's (ISF) system of codes, as set out in document TGP/12 "Guidance on certain physiological characteristics", Section I, Chapter 2.5 "The nomenclature of pathogens".

49. The TWV noted the ISF codes for pest organisms in vegetables were subject to annual review and agreed to propose a disclaimer to avoid revising Test Guidelines only for updating the nomenclature of pathogens, to read as follows:

"The names of pests and diseases were correct at the time of the introduction of these Test Guidelines but may be revised or updated. Readers are advised to consult the 'Recommended Codes for Pest Organisms in Vegetable Crops', which can be found on the ISF Website (<https://worldseed.org/>), for the latest information."

Proposal

50. The TC may wish to consider the proposal from the TWV for a disclaimer to clarify that Test Guidelines would not be revised for the sole purpose of updating the nomenclature of pathogens.

51. The TC is invited to:

(a) consider the proposal from the TWV for a disclaimer on the names of pests and diseases in Test Guidelines; and

(b) invite the TWPs, at their at their sessions in 2027, to consider the proposed amendment to document TGP/12 "Guidance on certain physiological characteristics", Section I, Chapter 2.5 "The nomenclature of pathogens" to include the disclaimer proposed by the TWF, as set out in paragraph 49 of this document.

DOCUMENT TGP/15 “GUIDANCE ON THE USE OF BIOCHEMICAL AND MOLECULAR MARKERS IN THE EXAMINATION OF DISTINCTNESS, UNIFORMITY AND STABILITY (DUS)” (REVISION)

New section: “Guidelines for the validation of a new characteristic-specific molecular marker protocol as an alternative method for observation”

52. Document TGP/15 provides guidance on the use of biochemical and molecular markers in the examination of Distinctness, Uniformity and Stability (DUS), based on the two models that have received a positive assessment from the assessment of the BMT Review Group, TC and CAJ, and for which accepted examples have been provided.

53. At its session in 2025, the TC¹² considered draft guidance on how to validate “characteristic-specific” molecular markers for DUS examination and a standard template to describe their use to assess characteristics in Test Guidelines. The TC considered the methodology proposed and agreed on the importance of harmonized validation for new molecular markers proposed for inclusion in Test Guidelines as alternative methods. The TC agreed that guidance should allow for other methods that achieve the same result, provided they are also validated.

54. The TC agreed to propose to the Council adopting the guidance for the validation of characteristic specific molecular markers as alternative methods for the assessment of characteristics in Test Guidelines, as set out in the Annex to document SESSIONS/2025/6, subject to linguistic checking by the Enlarged Editorial Committee (TC-EDC).

55. The TC-EDC, at its meetings held on January 13 and 15, 2026, considered the draft guidance and recommended for adoption by the Council, at its sixtieth session, to be held in Geneva on October 23, 2026, as provided in document TGP/15/4 Draft 1.

56. Subject to agreement by the TC, at its sixty-second session, and the CAJ, at its eighty-third session, an agreed revision of document TGP/15 would be put forward for adoption by the Council, at its sixtieth ordinary session, on the basis of the proposed revisions presented in document TGP/15/4 Draft 1 (available in two versions: in “revision-mode” and as a “clean” document).

57. The Council is invited to adopt a revision of document TGP/15/3 “Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS),” on the basis of document TGP/15/4 Draft 1, subject to agreement by the TC and the CAJ, at their sessions in 2026.

[Annex follows]

¹² TC, sixty-first session, held in Geneva, from October 20 to 21, 2025. See document TC/61/8 “Report”, paragraphs 54 to 56

ANNEX

DOCUMENT TGP/7 “DEVELOPMENT OF TEST GUIDELINES”

BACKGROUND TO PROPOSAL ON “NUMBER OF GROWING CYCLES AND CONCLUDING EXAMINATION OF FRUIT CROPS”

Developments in 2024

1. At its session in 2024, the TWF¹³ 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”.

Developments in 2025

6. The TWF¹⁴ 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:

¹³ TWF, fifty-fifth session, held by virtual means, from June 3 to 6, 2024.

¹⁴ 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.”

Developments in 2026

16. At their sessions in 2026, the TWV¹⁵, TWA¹⁶ and TWO¹⁷ considered the proposed amendments to document TGP/7 “Development of Test Guidelines”, on the universal standard wording for “number of growing cycles” and when the testing of a variety may be concluded, as set out in document TWP/10/1, paragraphs 12 to 14.

17. The TWV noted the comment from France on whether the term “generally” could lead to different interpretations on duration of tests to be conducted as two growing cycles. The TWV agreed that the wording for number of growing cycles should provide flexibility for authorities to conclude examination while maintaining harmonized procedures as much as possible.

18. The TWO discussed whether clarification should be provided on situations when the general number of growing cycles would not be observed. The TWO agreed that the proposed wording provided sufficient flexibility for shorter or longer duration of trials and no further clarification would be required at this stage.

19. The TWV and TWO agreed with the proposal to amend the additional standard wording of Test Guidelines, as set out in document TWP/10/1, to read as follows:

“(a) Single growing cycle:

“The ~~minimum~~ duration of tests should ~~normally~~ generally be a single growing cycle. The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”

“(b) Two independent growing cycles:

“The ~~minimum~~ duration of tests should ~~normally~~ generally be two independent growing cycles. The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”

20. The TWA agreed that the word “minimum” in relation to the duration of tests should be retained to ensure a clear understanding of the harmonized approach provided in Test Guidelines. The TWA agreed that the word “generally” in the same sentence would ensure sufficient flexibility for authorities to address particular cases.

¹⁵ TWV, sixtieth session, held in Pacific Grove, California, United States of America, from May 18 to May 21, 2026. See document TWV/60/8 “Report”, paragraphs 8 to 10

¹⁶ TWA, fifty-fifth session, held in Seoul, Republic of Korea, from June 15 to 18, 2026. See document TWA/55/11 “Report”, paragraphs 7 to 9

¹⁷ TWO, fifty-eighth session, held via electronic means, from July 6 to 9, 2026. See document TWO/58/8 “Report”, paragraphs 6 to 8.

21. The TWA agreed that the standard wording should amend to read as follows:

“(a) Single growing cycle:

“The minimum duration of tests should ~~normally~~ generally be a single growing cycle. The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”

“(b) Two independent growing cycles:

“The minimum duration of tests should ~~normally~~ generally be two independent growing cycles. The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test”

22. The TWO agreed with the proposal to amend the additional standard wording (ASW 3) on growing cycle for fruit species, as set out in document TWP/10/1, to read as follows:

“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 and of document]