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UPOV

C/VIII/11

ORIGINAL: English

DATE: September 19, 1974

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

**Eighth Ordinary Session
Geneva, October 24 to 26, 1974**

JOINT TRIAL ARRANGEMENTS

Memorandum prepared by the Office of the Union

SUMMARY

This document contains information on the testing facilities made available by some member States to other member States, and on the intention of some member States to accept test results obtained in the official testing stations of other member States.

1. Under Article 30(2) of the Convention, special agreements may be concluded among member States with a view to the joint utilization of authorities entrusted with the examination of new varieties which must be carried out under Article 7.
2. The Council of UPOV noted during its seventh session (October 1973) that for certain species the authorities of member States had offered to make their testing facilities for the prescribed examination available to other member States (see document UPOV/C/VII/24). The Council further agreed that the list of those species would be reviewed at each ordinary session.
3. On a proposal made during a meeting of the Editorial Committee of the Technical Steering Committee (June 19, 1974), the Office of the Union has asked member States if, besides updating the information on the testing facilities they are prepared to make available to other member States, they would also inform the Office of the Union of the species for which they would agree to accept the results of tests performed in the official testing stations of another member State.
4. In Annex 1 to this document, the Office has collated the information received on these two subjects. Annexes 2 to 5 contain the full texts of the answers given by the member States, namely, Annex 2 the reply from France, Annex 3 the reply from the Federal Republic of Germany, Annex 4 the reply from the Netherlands and Annex 5 the reply from Sweden.

5. When studying the list of species contained in Annex 1, the reader should take into account certain remarks contained in Annexes 2 to 5. The most important are mentioned below.

6. In France the establishment of a list of species for which member States accept test results obtained in other member States is considered premature.*

7. In the Federal Republic of Germany a list of species for which test results obtained in other member States would be acceptable has been established. Such test results are only acceptable, however, if official UPOV Test Guidelines exist for the species in question.

8. In addition, the Federal Republic of Germany would be willing to grant protection to a number of fruit and ornamental species, if it could be assured that the testing could be carried out in another member State.

9. The Federal Republic of Germany has further asked for a discussion of the possibility of having tests carried out in two different member States for important agricultural or horticultural species.

10. The Netherlands has proposed several additional species for which it would offer testing facilities, but it considers this proposal to be only an initial contribution to the discussion, not a definite proposal.

11. Sweden has indicated that it is ready to accept the results of tests performed in other member States on the basis of joint trial arrangements for ornamentals, fruit crops and glasshouse vegetables if they satisfy Swedish requirements.

12. The Council is invited to discuss the remarks and proposals made.

* See also document UPOV/C/VIII/6 Add.

[Five Annexes follow]

ANNEX 1

List of species for which member States make available testing facilities to other member States or for which they accept test results obtained in official testing stations of other member States.

Latin Name of Species	Member States Making Testing Facilities Available (F) or Accepting Test Results (R)					
	D	DK	F	NL	S	UK
Agrostis canina L.				F		
Agrostis gigantea Roth				F		
Agrostis stolonifera L.				F		
Agrostis tenuis Sibth.				F		
Allium porrum L.	R			R		
Alstroemeria L.				F		
Anethum graveolens L.					F	
Anthriscus cerefolium Hoffm.				R		
Apium graveolens L.				R		
Apium graveolens L. var. rapaceum (Mill.) Gand	F					
Arrhenatherum elatius (L.) Presl.				R		
Asparagus officinalis L.	R			R		
Begonia L. (begonia elatior hybrids)				R		
Begonia - Elatior hybrids	F					
Beta vulgaris L. var. cicla L.	R					
Beta vulgaris L. var. cicla (L.) Ulrich.				R		
Brassica campestris L.				(F)		
Brassica campestris L. var. rapa (L.) Hartm.				R		
Brassica napus L. var. napobrassica (L.)				R		
Brassica oleracea L. var. botrytis L.	R					
Brassica oleracea L. var. bullata DC. subvar. gemmifera (DC.) Schulz	R					
Brassica oleracea L. var. cymosa Duch.				R		
Brassica oleracea L. var. gongylodes L.				R		
Brassica oleracea L. var. medullosa Thell.				R		
Capsicum annuum L.				R		
Carum carvi L.				R		
Chamaecyparis	R					
Chrysanthemum morifolium Ram.				R		
Chrysanthemums (Perennial) mainly derived from C. morifolium Ram., C. Indicum Anct. non L. C. hortorum W. Mill, but conforming to the genus bendranthema (DC.) Des Moul.						F
Cichorium endivia L.	R			R		
Cichorium intybus L.	R					
Cucumis melo L.				R		

Latin Names of Species	D	DK	F	NL	S	UK
Cucumis sativus (only for glasshouse)	R					
Cucurbita	R					
Cucurbita pepo L.	R					
Cynosurus cristatus L.				R		
Dactylis glomerata L.				R		
Daucus carota L. var. sativus (Hoffm.) Hayek	R					
Dianthus caryophyllus L. (in glasshouses)				F		
Dianthus caryophyllus L. (in the open)			F			
Euphorbia fulgens Karw.		F		R		
Euphorbia pulcherrima Willd. ex. Klotzsch		F		R		
Festuca arundinacea Schreb.				R		
Festuca ovina L.				(F)		
Festuca pratensis Huds.				R		
Festuca rubra L.				(F)		
Fragaria L.				R		
Fragaria ananassa Duch.	F					
Freesia Klatt				F		
Glycine soja Sieb. et Zucc.	R					
Helianthus annuus L.	R					
Hyacinthus orientalis L.				F		
Juniperus	R					
Lactuca sativa L. (in glasshouses)				(F)		
Lactuca sativa L. var. acephala Alef.	R					
Lactuca sativa L. var. capitata L.						
Lens culinaris Medik.	R					
Lepidium savitum L.				R		
Linum usitatissimum L.	R			(F)		
Lolium multiflorum Lam.				R		
Lupinus albus L.				R		
Lupinus angustifolius L.				R		
Lupinus luteus L.				R		
Malus Mill. (except ornamentals).				R		
Malus species (except ornamentals)						F
Medicago falcata L.	R					
Medicago lupulina	R					
Medicago sativa L.	R			R		
Medicago x varia Martyn	R			R		
Ornithopus sativus Brot.				R		
Papaver somniferum L.				(F)		
Petroselinum Hill.	R					
Petroselinum crispum (Mill.) Airy-Shaw				R		

Latin Names of Species	D	DK	F	NL	S	UK
Petroselinum crispum (Mill.) Nym. ex A.W.Hill	F					
Phalaris canariensis L.				R		
Phaseolus coccineus L.	R					F
Phaseolus vulgaris L. var. nanus (L) Aschers						
Phleum pratense L.				R		
Pisum sativum L.						
Poa annua L.				F		
Poa compressa				F		
Poa nemoralis L.				F		
Poa palustris L.				F		
Poa pratensis L.				F		
Poa trivialis L.				F		
Prunus armeniaca L.			F			
Prunus avium L.		F		R		
Prunus cerasus L.		F		R		
Prunus domestica L.		F		R		
Prunus persica (L.) Batsch			F			
Prunus salicina Lindl.				R		
Pyrus communis L.			F	R		
Raphanus sativus L.				R		
Raphanus sativus L. var. niger (Mill.) Stok				R		
Rheum L.						F
Rheum rhabarbarum L.				R		
Rhododendron L. (azalea, rododendron)				R		
Rhododendron spec. (incl. Azaleas in pots)	F					
Ribes L.				R		
Ribes nigrum L.	F			R		
Ribes niveum Lindl.	F					
Ribes sylvestre (Lam.) Mert. et W.D.J. Koch	F					
Ribes uva-crispa L.	F			R		
Rubus L. subg. Eubatus Focke	F					
Saintpaulia H. Wendl.				R		
Saintpaulia ionantha H. Wendl.	F					
Scorzonera hispanica L.	R			R		
Secale cereale L.				R		
Setaria italica L.P. Beauv.	R					
Sinapis alba L.				R		
Solanum melongena L.				R		
Solanum tuberosum L.				(F)		
Sorghum saccharatum Moench.	R					
Sorghum technikum Koern.	R					
Spinacia oleracea L.	R			(F)		

Latin Names of Species	D	DK	F	NL	S	UK
Streptocarpus Ldl.				F		
Streptocarpus x hybridus Voss						
Thuja L.	R					
Trifolium alexandrinum L.				R		
Trifolium pratense L.	R			R		
Trifolium repens L.	R					
Tulipa L.				F		
Valerianella locusta (L.) Betcke.				R		
Vicia articulata Horneman	R					
Vicia faba L. var. major Harz	R					
Vicia faba L. var. minor Harz	R					
Vicia pannonica Crantz	R					
Vicia sativa L.	R			R		
Vicia sepium L.	R					
Vicia villosa Roth	R					

Explanation of the letters used inside the columns

- F testing facilities available to other member States
 (F) proposal to offer testing facilities, not definite
 R acceptance of results obtained in official testing stations of other member States

Explanation of the letters used in the headings of the columns

- D Federal Republic of Germany
 DK Denmark
 F France
 NL Netherlands
 S Sweden
 UK United Kingdom

ANNEX 2

Original: French

Letter from Mr. B. Laclavière, President of the French Ministry of
Agriculture and Rural Development Committee for the
Protection of New Plant Varieties, to the Secretary General,
Dated, July 23, 1974

Subject: Joint trial arrangements

In your letter dated July 15, 1974, you asked members of the Council to specify each member State's position with regard to the possibility of carrying out the examination of new species on behalf of other member States.

I have the honor to inform you that, as far as France is concerned, the list appearing in document UPOV/C/VII/24 has not undergone any change.

Moreover, in a letter sent to members of the Technical Steering Committee you indicated your intention to draw up a second list, containing species in respect of which member States would accept results obtained in the testing stations of other member States. In my opinion the preparation of such a list is premature.

You will shortly be receiving a proposal by France, on the same lines as the United Kingdom proposal, but in a different form, with a view to advancing the examination of this problem (see document UPOV/C/VIII/6 Add.).

[Annex 3 follows]

Letter from the President of the Plant Varieties Office of
the Federal Republic of Germany, to the Vice-Secretary
General of UPOV, Dated August 28, 1974

Subject: Joint Trial Arrangements

Re: Your letter of June 27, 1974

In my opinion, the extension and intensification of work on joint trial arrangements should be discussed in the Steering Committee or, even better, in a special working group. Owing to the complicated relationships, I do not consider it right that these matters should be finally discussed in the respective Technical Working Parties.

With this reservation, I submit to you the following list of species in respect of which we would be prepared to accept the test results of another member State. In any event, before any test results are accepted, UPOV Guidelines should be available for the respective species.

1. Agricultural Species

Lucerne	Medicago falcata L. Medicago sativa L. Medicago varia Martyn
Vetch	Vicia pannonica Crantz Vicia sativa L. Vicia sepium L. Vicia villosa Roth
Lentils	Lens culinaris Medik. Vicia articulata Horneman
Black Medik	Medicago lupulina L.
Sunflower	Helianthus annuus L.
Millet	Setaria italica L. P. Beauv. Sorghum saccharatum Moench. Sorghum technikum Koern.
Soya Beans	Glycine soja Sieb. et Zucc.
Flax	Linum usitatissimum L.
Vegetable Marrow	Cucurbita pepo L.
Tick Beans	Vicia faba L. var. Minor Harz
White Clover	Trifolium repens L.
Red Clover	Trifolium pratense L.

2. Forest Species

Thuja (Arborvitae)	Thuja L.
Juniper	Juniperus
Chamaecyparis (Cypress)	Chamaecyparis

3. Vegetable Species

Cucumber, Gherkins	<i>Cucumis sativus</i> (only for glasshouse)
Leeks	<i>Allium porrum</i> L.
Spinach Beets, Swiss Chervil	<i>Beta vulgaris</i> L. var. <i>cicla</i> L.
Cutting Lettuce and Stem Lettuce	<i>Lactuca sativa</i> L. var. <i>acephala</i> Alef.
Parsley	<i>Petroselinum</i> Hill.
Endive	<i>Cichorium endivia</i> L.
Chicory	<i>Cichorium intybus</i> L.
Squash	<i>Cucurbita</i>
Black Salsify	<i>Scorzonera hispanica</i> L.
Brussels Sprouts	<i>Brassica oleracea</i> L. var. <i>bullata</i> DC. subvar. <i>gemmifera</i> (DC.) Schulz
Asparagus	<i>Asparagus officinalis</i> L.
Cauliflower	<i>Brassica oleracea</i> L. var. <i>botrytis</i> L.
Carrots	<i>Daucus carota</i> L. var. <i>sativus</i> (Hoffm.) Hayek
Runner Beans	<i>Phaseolus coccineus</i> L.
Broad Beans	<i>Vicia faba</i> L. var. <i>major</i> Harz
Spinach	<i>Spinacia oleracea</i> L.

4. Fruit Species

We would be prepared to grant variety protection in respect of a number of fruit species, such as cherries and plums, if it could be ensured that the testing of varieties of those species could be carried out by another member State.

5. Ornamentals

The remarks under 4 above apply accordingly.

*

* *

With regard to some species of considerable agricultural or horticultural significance, some thought should be given to whether, as an interim measure, tests might not be undertaken in a minimum of two member States, according to the same methods and principles. In our opinion this matter should be considered with reference to the following species.

Garden Peas	<i>Pisum sativum</i> L.
Dwarf French Beans	<i>Phaseolus vulgaris</i> L. var. <i>nanus</i> (L) Aschers
Head Lettuce	<i>Lactuca sativa</i> L. var. <i>capitata</i> L.
Potatoes	<i>Solanum tuberosum</i> L.

--as well as the more important species of grasses.

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UPOV/C/VIII/11

ANNEX 4

Original: English

RAAD VOOR HET KWEKERSRECHT

Postbus 104
WAGENINGEN
Nudestraat 11 - Postgiro nr. 198113
Telefoonnummer 08370 - 19031

Mr. H. Mast,
Vice-Secretary General,
U.P.O.V.
32 Chemin des Colombettes,
1211 Geneve 20
Switzerland.

Uw kenmerk

Uw brief van

Ons kenmerk

Datum 27 August 1974

Onderwerp

B36/

Bijlage(n)

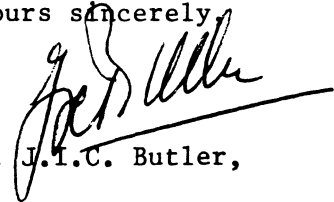
joint trial arrangements

Dear Mr. Mast,

In reply to your letter of 27 June 1974 concerning joint trial arrangements, I send you enclosed a list of species for which the Netherlands will make testing facilities available to other Member States and a list of species for which the Netherlands will accept results obtained in test stations of other Member States.

The new proposals for the first list have to be considered as a first contribution to a discussion of a possible extension of the existing list (UPOV/C/VII/24) and not as a definite proposal.

Yours sincerely,


Ir. J.I.C. Butler,

I. Species for which the Netherlands will make testing facilities available to other Member States.

A. Already proposed species:

Agricultural crops:

1. *Agrostis canina* L. (heidestruisgras, kruipend struisgras)
2. *Agrostis gigantea* Roth (hoog struisgras)
3. *Agrostis stolonifera* L. (wit struisgras)
4. *Agrostis tenuis* Sibth. (gewoon struisgras)
5. *Poa annua* L. (straatgras)
6. *Poa compressa* (plathalmig beemdgras)
7. *Poa nemoralis* L. (bosbeemdgras)
8. *Poa palustris* L. (moerasbeemdgras)
9. *Poa pratensis* L. (veldbeemdgras)
10. *Poa trivialis* L. (ruw beemdgras)

Ornamentals

1. *Alstroemeria* L. (incalelie)
2. *Dianthus caryophyllus* L. (anjer) (in glasshouses)
3. *Freesia Klatt* (freesia)
4. *Hyacinthus orientalis* L. (hyacint)
5. *Streptocarpus* Ldl. (streptocarpus)
6. *Tulipa* L. (tulp)

B. New proposals.

Agricultural crops:

1. *Brassica campestris* L. (stoppelknol)
2. *Festuca ovina* L. (hardzwenkgras, schapegras)
3. *Festuca rubra* L. (rood zwenkgras)
4. *Linum usitatissimum* L. (vlas)
5. *Papaver somniferum* L. (blauw maanzaad)
6. *Solanum tuberosum* L. (aardappel)

Vegetables:

1. *Lactuca sativa* L. (sla) (in glasshouses)
2. *Spinacia oleracea* L. (spinazie)

II. Species for which the Netherlands will accept results obtained in test stations of other Member-States.

Agricultural crops.

1. *Arrhenatherum elatius* (L.) Presl. (frans raaigras)
2. *Brassica oleracea* L. var. *medullosa* Thell. (morgkool)
3. *Carum carvi* L. (karwij)
4. *Cynosurus cristatus* L. (kamgras)

5. *Dactylis glomerata* L. (kropaar)
6. *Festuca arundinacea* Schreb. (rietzwenkgras)
7. *Festuca pratensis* Huds. (beemdlangbloem)
8. *Lolium multiflorum* Lam. (italiaans raaigras, westerwolds raaigras)
9. *Lupinus albus* L. (witte lupine)
10. *Lupinus angustifolius* L. (blauwe lupine)
11. *Lupinus luteus* L. (gele lupine)
12. *Medicago sativa* L.
and *Medicago x varia* Martyn (lucerne)
13. *Ornithopus sativus* Brot. (serradelle)
14. *Phalaris canariensis* L. (kanariezaad)
15. *Phleum pratense* L. (timothee)
16. *Raphanus sativus* L. (bladramenas)
17. *Secale cereale* L. (rogge)
18. *Sinapis alba* L. (gele mosterd)
19. *Trifolium alexandrinum* L. (alexandrijnse klaver)
20. *Trifolium pratense* L. (rode klaver)
21. *Vicia sativa* L. (wikke)

Vegetables.

1. *Allium porrum* L. (prei)
2. *Anthriscus cerefolium* Hoffm. (kervel)
3. *Apium graveolens* L. (selderij)
4. *Asparagus officinalis* L. (asperge)
5. *Beta vulgaris* L. var. *cicla* (L.) Ulrich. (snijbiet)
6. *Brassica campestris* L. var. *rapa* (L.) Hartm. (raap)
7. *Brassica napus* L. var. *napobrassica* (L.) Rchb. (koolraap)
8. *Brassica oleracea* L. var. *gongylodes* L. (koolrabi)
9. *Brassica oleracea* L. var. *cymosa* Duch. (broccoli)
10. *Capsicum annuum* L. (paprika)
11. *Cichorium endivia* L. (andijvie)
12. *Cucumis melo* L. (meloen)
13. *Lepidium savitum* L. (tuinkers)
14. *Petroselinum crispum* (Mill.) Airy-Shaw (peterselie)
15. *Raphanus sativus* L. var. *niger* (Mill.) Stok (ramenas)
16. *Rheum rhabarbarum* L. (rabarber)
17. *Scorzonera hispanica* L. (schorseneer)
18. *Solanum melongena* L. (aubergine)
19. *Valerianella locusta* (L.) Betcke. (veldsla)

Fruit crops.

1. *Fragaria* L. (aardbei)
2. *Malus* Mill. (appel) (except ornamentals).
3. *Prunus avium* L.
and *Prunus cerasus* L. (kers)
4. *Prunus domestica* L.
and *Prunus salicina* Lindl. (pruim)
5. *Pyrus communis* L. (peer)
6. *Ribes* L. (rode bes)
7. *Ribes nigrum* L. (zwarte bes)
8. *Ribes uva-crispa* L. (kruisbes)

Ornamentals.

1. *Begonia* L. (*begonia elatior* hybriden)
2. *Chrysanthemum morifolium* Ram. (chrysant)
3. *Euphorbia fulgens* Karw. (euphorbia)
4. *Euphorbia pulcherrima* Willd. ex. Klotzsch (poinsettia)
5. *Rhododendron* L. (azalea, rododendron)
6. *Saintpaulia* H. Wendl. (kaaps viooltje)

[Annex 5 follows]

Datum

September 17, 1974

Mr H Mast
Vice-Secretary General
UPOV
32, chemin des Colombettes
1211 GENEVE 20 Schweiz

Dear Mr Mast,

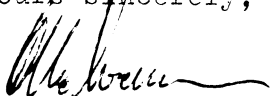
Joint Trial Arrangements

Please be informed there is no change as far as Sweden is concerned in the List Document UPOV/C/VII/24.

With regard to establish a list of species for which member states would accept results obtained in test stations of other member states of UPOV we would like to give the following answer.

Sweden is interested in utilizing the Joint Trial Arrangements for ornamentals, fruit crops and glasshouse vegetables. To the extent the arrangement is applied to applications in Sweden, test results obtained in other member states and satisfying Swedish requirements will be accepted.

Yours sincerely,



Olle Svensson

[End of Annex 5
and of document]