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**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**  
GENEVA

**ADMINISTRATIVE AND LEGAL COMMITTEE**

**Forty-Second Session**  
**Geneva, October 23 and 24, 2000**

ADDENDUM TO DOCUMENT CAJ/42/4

NEW GENERAL INTRODUCTION TO THE ASSESSMENT OF DISTINCTNESS,  
UNIFORMITY AND STABILITY IN NEW VARIETIES OF PLANTS

*Document prepared by the Office of the Union*

1. In preparation for consideration of the revision of the General Introduction, the Office of the Union has circulated two documents to the Administrative and Legal Committee (hereinafter referred to as "the Committee"). Document TC/36/9 is the latest draft version of the General Introduction, and document CAJ/42/4 summarizes the main issues which are still under discussion within the Technical Committee and the Technical Working Parties.
2. The General Introduction is a document mainly concerned with technical procedures for implementing the UPOV Convention and many of the issues still under discussion, as outlined in document CAJ/42/4, are technical in nature. However, there are specific aspects which may be of particular interest to the Committee.
3. In particular, the Committee is invited to:

<b>Consider and Advise:</b>	<p><i>If the concept of a “Supporting Evidence” characteristic is contrary to the UPOV Convention Article 1(vi) which requires that a variety can be distinguished from any other plant grouping by the expression of <u>at least one</u> of the said characteristics.</i></p> <p><i>(CAJ/42/4, Section 2 (d))</i></p>
<b>Note:</b>	<p><i>The General Introduction will not preclude the possible future development of non-morphological/non-physiological characteristics (e.g. molecular markers) if satisfactory technical procedures can be developed within the terms of the UPOV Convention.</i></p> <p><i>(CAJ/42/4, Section 2 (a))</i></p>
	<p><i>The General Introduction will not preclude the possible future development of “multivariate analysis” methodology if satisfactory technical procedures can be developed and the approach is considered to be within the terms of the UPOV Convention.</i></p> <p><i>(CAJ/42/4, Section 2 (b))</i></p>
	<p><i>The General Introduction, through an associated TGP document, will facilitate the development of guidelines for the use of the parent formula for distinctness in hybrid varieties.</i></p> <p><i>(CAJ/42/4, Section 2 (c))</i></p>
	<p><i>The General Introduction will not preclude, in principle, the selection of new varieties from within existing varieties. However, it will clarify that distinctness can only be established between two varieties by use of a characteristic which is sufficiently uniform in both varieties. In practice this will mean that selection and protection of a new variety from within an existing variety will be very difficult.</i></p> <p><i>Furthermore, it places great importance on setting sufficiently high levels of uniformity in the first varieties of a new species or type to ensure that future breeding progress is not inhibited. The General Introduction will provide guidance in the form of an associated TGP document.</i></p> <p><i>(CAJ/42/4, Section 2 (e))</i></p>

[End of document]

