INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

ADMINISTRATIVE AND LEGAL COMMITTEE

Sixty-Second Session
October 19, 2010

VARIETY DENOMINATIONS

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1.   The purpose of this document is to report on developments with regard to a proposed revision of document UPOV/INF/12/2 Annex I, Part I "Classes within a genus" (reproduced in the Annex to this document), with regard to Class 4.1 *Solanum tuberosum* L. / Class 4.2 *Solanum* other than Class 4.1.

BACKGROUND

2.   At its sixty-first session, held in Geneva on March 25, 2010, the Administrative and Legal Committee (CAJ) proposed the revision of document UPOV/INF/12/2 Annex I, Part I "Classes within a genus", Class 4, in accordance with the proposals of the Technical Committee (TC) contained in paragraphs 23 and 24 of document CAJ/61/10, as follows (see document CAJ/61/11 "Report on the Conclusions", paragraph 39):

(a)   The CAJ noted that there might be advantages in retaining Tomato rootstock species in the same variety denomination class as Tomato, but agreed with the TC conclusion that the Technical Working Party for Vegetables (TWV) should be invited to consider that matter, on the basis of the following two alternatives for an amendment to document UPOV/INF/12/2 Annex I, Part I "Classes within a genus", Class 4:

Alternative 1

	Botanical names	UPOV codes
Class 4.1	*Solanum tuberosum* L.	SOLAN_TUB
Class 4.2	*Solanum lycopersicum* var. *lycopersicum*	SOLAN_LYC_LYC
Class 4.3	*Solanum melongena* L.	SOLAN_MEL
Class 4.4	*Solanum* other than classes 4.1, 4.2 and 4.3	other than classes 4.1, 4.2 and 4.3

Alternative 2

	Botanical names	UPOV codes
Class 4.1	*Solanum tuberosum* L.	SOLAN_TUB
Class 4.2	*Solanum melongena* L.	SOLAN_MEL
Class 4.3	*Solanum* other than classes 4.1 and 4.2	other than classes 4.1 and 4.2

(b)   The CAJ agreed that the alternative endorsed by the TWV be put forward as a revision of document UPOV/INF/12/2 for adoption by the Council at its forty-fourth ordinary session, to be held in Geneva on October 21, 2010.

3.   The CAJ took note that the TC had agreed to the amendment of the UPOV codes for the relevant taxa, simultaneously with any revision of the "Explanatory Notes on Variety Denominations under the UPOV Convention", document UPOV/INF/12/2, in accordance with the TC proposals, contained in paragraph 25 of document CAJ/61/10 (see document CAJ/61/11 "Report on the Conclusions", paragraph 40).

PROPOSAL OF THE TECHNICAL WORKING PARTY FOR VEGETABLES (TWV)

4.   At its forty-fourth session, held in Veliko Tarnovo, Bulgaria, from July 5 to 9, 2010, the TWV agreed to the following structure for document UPOV/INF/12, Class 4:

	Botanical names	UPOV codes	Current UPOV codes
Class 4.1	Solanum tuberosum L.	SOLAN_TUB	SOLAN_TUB
Class 4.2	Tomato & Tomato rootstocks		
	Solanum lycopersicum L. (synonym: Lycopersicon esculentum Mill.)	SOLAN_LYC	LYCOP_ESC
	Solanum cheesmaniae (L. Ridley) Fosberg (Lycopersicon cheesmaniae L. Riley)	SOLAN_CHE	-
	Solanum chilense (Dunal) Reiche (Lycopersicon chilense Dunal)	SOLAN_CHI	-
	Solanum chmielewskii (C.M. Rick et al.) D.M. Spooner et al. (Lycopersicon chmielewskii C. M. Rick et al.)	SOLAN_CHM	-
	Solanum galapagense S.C. Darwin & Peralta (Lycopersicon cheesmaniae f. minor (Hook. f.) C. H. Müll.) (Lycopersicon cheesmaniae var. minor (Hook. f.) D. M. Porter)	SOLAN_GAL	-
	Solanum habrochaites S. Knapp & D.M. Spooner (Lycopersicon agrimoniifolium Dunal) (Lycopersicon hirsutum Dunal) (Lycopersicon hirsutum f. glabratum C. H. Müll.)	SOLAN_HAB	LYCOP_HIR
	Solanum pennellii Correll (Lycopersicon pennellii (Correll) D'Arcy)	SOLAN_PEN	-
	Solanum peruvianum L. (Lycopersicon dentatum Dunal) (Lycopersicon peruvianum (L.) Mill.)	SOLAN_PER	-
	Solanum pimpinellifolium L. (Lycopersicon pimpinellifolium (L.) Mill.) (Lycopersicon racemigerum Lange)	SOLAN_PIM	-
	and hybrids between those species		
Class 4.3	Solanum melongena L.	SOLAN_MEL	SOLAN_MEL
Class 4.4	Solanum other than classes 4.1, 4.2 and 4.3	other than classes 4.1, 4.2 and 4.3	

5.   The TWV noted that it might be necessary to revise Class 4 over time if additional species of *Solanum* started to be used as Tomato rootstocks on a regular basis.

6.   The CAJ is invited to note the amendment proposed by the TWV to Class 4 of document UPOV/INF/12, which will be put forward as a revision of document UPOV/INF/12/2 for adoption by the Council at its forty-fourth ordinary session, to be held in Geneva on October 21, 2010.

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