



TC/38/16

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

**TECHNICAL COMMITTEE**

**Thirty-Eighth Session**  
**Geneva, April 15 to 17, 2002**

REPORT

*adopted by the Technical Committee*

Opening of the Session

- \*1. The Technical Committee (hereinafter referred to as “the TC”) held its thirty -eighth session in Geneva from April 15 to 17, 2002. The list of participants is reproduced in Annex I to this report.
- \*2. The Vice Secretary-General welcomed the participants and reported that the Council, at its thirty-fifth session held on October 25, 2001, had elected Mr. Michael Camlin (United Kingdom) and Mrs. Julia Borys (Poland) as Chairman and Vice -Chairperson, respectively, of the TC, in each case for a term of three years ending with the thirty -eighth ordinary session of the Council, in 2004.
3. The Vice Secretary -General noted that the TC plays a key role within UPOV, reflecting the importance of international harmonization of, and cooperation in, technical approaches to plant variety protection as unique features of the UPOV system. He observed that the investment of time and know -how by the delegate to the TC would pay in terms of improved efficiency and cost -effectiveness of plant variety protection at national level. In particular, the program for the forthcoming session included the finalization of the General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants (hereinafter referred to as “the General Introduction”), which is a most important document for years to come, consideration of the

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\*The asterisked paragraphs in this report are reproduced from document TC/38/15 (Report on the Conclusions).

related TGP documents, examination of more than 20 Test Guidelines and consideration of new approaches to DUS examination.

\*4. The session was then opened by Mr. Michael Camlin (United Kingdom), Chairman of the TC, who welcomed the participants, especially those from Croatia, Nicaragua and the Republic of Korea, which had become members of the Union since the last TC meeting held in Geneva from April 2 to 4, 2001. In addition, he welcomed the staff members of the Office of the Union, and introduced Mr. Vladimir Derbenskiy as the Consultant responsible for the Technical Working Party for Ornamental Plants and Forest Trees and for countries in transition to a market economy.

5. The Delegation from the Republic of Korea thanked the Chairman for his welcoming remarks and thanked the Office of the Union (hereinafter referred to as "the Office") and the delegates of the members of the Union. It noted that the Republic of Korea had become the fiftieth member of the Union following the deposit of their instrument of accession to the 1991 Act on December 7, 2001. The Government of the Republic of Korea enacted a seed industry law on December 6, 1995, which includes a plant variety protection system modelled on the UPOV 1991 Act and which entered into force on December 31, 1997. Currently, 88 plant genera and species are entitled to plant variety protection. The Republic of Korea has created an environment where plant breeders can effectively commercialize new plant varieties and this is, in part, motivating the development of the seed industry in the country. The Delegation from the Republic of Korea understands that close cooperation among members of the Union is indispensable for developing its plant variety protection system and its seed industry. The Delegation from the Republic of Korea announced that its country was preparing the Third Asian Technical Meeting to be held in Seoul from July 2 to 5, 2002, organized by UPOV in cooperation with the Ministry of Agriculture and Forestry of the Republic of Korea and with the financial assistance of the Ministry of Agriculture, Forestry and Fisheries of Japan.

#### Adoption of the Agenda

\*6. The TC adopted the agenda as presented in document TC/38/1.

#### General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants

7. The TC based its discussion on document TC/38/5 "Revised 'General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants,'" which was introduced by the Chairman. The Chairman noted that the TC had agreed a text for the General Introduction (produced as document TC/37/9(a)) at its thirty-seventh session, held in Geneva from April 2 to 4, 2001, but had decided to circulate this text to the Administrative and Legal Committee (hereinafter referred to as "the CAJ") and the Technical Working Parties (hereinafter referred to as "the TWPs"), for comments at their sessions in 2001. The TC had considered two possible routes for submission of a document to the Council for adoption. In the absence of any need for substantial revision of document TC/37/9(a), arising from comments from the CAJ and TWPs, a final document was to be approved by the TC by correspondence and, thereafter, its adoption sought at the thirty-fifth session of the Council in October 2001. Alternatively, the Enlarged Editorial Committee (hereinafter referred to as "the EEC") was to

draft revisions for approval of a final document at the thirty -eight session of the TC in April 2002. The Chairman reported that the EEC had considered that there would be insufficient time, between the last TWP meetings in 2001 and the Council meeting in October 2001, to allow proper consideration of the comments by the TC, by means of correspondence. As a result, it had been considered appropriate for these second route to be followed and for proposed revisions to be considered at the thirty -eighth session of the TC.

8. The Chairman explained that the EEC had reviewed the comments received from the CAJ and the TWPs and had drafted revisions based on these comments. In addition, it had made some further proposals to improve the text. The resulting new draft General Introduction was presented in Annex I of document TC/38/5. However, the Chairman proposed that the TC base its considerations on Annex II of document TC/38/5, which showed the revisions to the text previously agreed by the TC (document TC/37/9(a)) and provided information on the background to changes of particular interest, in the form of endnotes.

9. At the invitation of the Chairman, the Technical Director of UPOV introduced Annex II of document TC/38/5.

10. The Delegation of Australia congratulated the EEC on its dedication in the development of the text. It had a concern regarding the deletion of the first sentence of paragraph 89 from section 5.6 “General Guidance for Determining Distinctness” which, it explained, might affect its position on other, earlier, sections in the document. In particular, in negotiating its position from a breeder -testing perspective, Australia had relied heavily on the explicit nature of the statement that “Individual Contracting Parties may develop their own systematic way of determining distinctness, based on the principles laid down in this document” in agreeing to certain other paragraphs. The Delegation of Australia also considered that this statement would make it easier for the development of the TGP documents and would add flexibility to the way in which they could be drafted. It was agreed that this sentence should be reinstated as the first sentence of paragraph 5.6 and the current first sentence would then follow. The Delegation of Kenya suggested that the word “same” should be deleted from the current first sentence.

11. The Delegation of Belgium proposed that, in section 1.3, the term “the latest version” could be improved for the sake of clarity. It also noted that the French translation of “will have been developed” should be checked.

12. The Delegation of Belgium proposed that, in section 2.2.2, the French translation of “relevant to the variety” should be checked.

13. The Delegation of Germany proposed that, in the first sentence of section 2.5.3, the word “past” should be deleted. e

14. The Delegation of Belgium proposed that, in section 3.1.1, the French translation of “variety collections” should be checked. The Delegation of France considered that the existing translation was correct.

15. The Delegation of Australia proposed that, in the last sentence of section 3.2.2, the words “is based entirely” should be amended to “may be based entirely.”

16. The Delegation of France noted that, in section 4.2.1(b), the French term “cohérente” had not been deleted in line with discussions in the EEC and requested that this be checked.

17. The Delegation of Belgium proposed that, in the third sentence of section 4.4.2, the French translation might be improved.

18. The Delegation of Australia proposed that, in section 4.8, Table 1, “Functional Categories of Characteristics,” Grouping Characteristic, Criterion 3, this criterion should be extended to characteristics included in an application form. The Delegation of France supported the proposal and further suggested that the word “must” be replaced by “should,” noting that grouping may use characteristics other than those in the Test Guidelines. For example, hybrids would not be compared to lines. The Delegation of Spain requested a review of the translation of “must” and “should” into Spanish throughout Table 1, since there appeared to be some differences in meaning in the different language versions. In particular, it appeared that, in the English language version, certain criteria appeared to be recommendations, whereas in Spanish they appeared to be obligations. After further discussion, it was agreed that the EEC should be invited to review the use of the terms “must” and “should” throughout Table 1.

19. The Delegation of Germany proposed that in section 4.8, Table 1, Grouping Characteristic, Function 1, the German translation could be improved. It was also suggested that the word “produced” in both Function 1 and Function 2 should be replaced by “recorded.”

20. The Delegation of Belgium proposed that, in section 4.8, Table 1, Grouping Characteristic, Function 1, the term used for “common knowledge” in the French language version should be aligned with that used in the UPOV Convention. The Delegation of Germany proposed the same measure regarding the German text.

21. The Technical Director then drew attention to section 5.2.2 “Existence of a Variety,” noting that, at its forty-fourth session, held on October 22 and 23, 2001, the CAJ raised some doubt regarding the requirement that “*living plant material* must be in existence for a variety to be taken into account for distinctness” (emphasis added). The CAJ had noted that it would return to this matter when considering the draft General Introduction. He noted that there had been no problems concerning this section within the TC. However, it had been suggested that, to avoid any unnecessary delay in the adoption of the General Introduction, the TC may wish to consider agreeing to the deletion of section 5.2.2 “Existence of a Variety,” if considered necessary by the CAJ.

22. The Delegation of the United Kingdom supported the retention of section 5.2.2 in the General Introduction, noting that it was a useful clarification from a practical point of view. The Delegation of France considered that it would be difficult to find a text which would prove acceptable for the CAJ if the section title was general to all varieties, but suggested it might be possible to find a solution if the section concerned only varieties undergoing a technical examination. The Delegation of Romania questioned what would happen if a variety description had been published, but living material of the variety no longer existed. The Representative of International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) urged the TC to find a way to retain the requirement for living plant material to be in existence and supported the proposal of the Delegation of France to change the title. The Delegation of Australia noted that the use of molecular techniques, for example, might allow a variety of common knowledge to be taken into account without living plant

material being required. The Vice Secretary -General noted that the Convention did not require that physical material of a variety of common knowledge had to be available to be taken into account for the examination of DUS, rather it required that the variety must exist.

23. The Delegation of France proposed that section 5.2.2 might be moved to section 5.3.1. However, the Vice Secretary -General noted that the purpose of this section was to interpret the text of the Convention and that, as such, it was in the correct place.

24. The Delegation of Australia proposed that the word “must” might be replaced by “should,” in order to soften the meaning. It considered that it was not necessary to change the title. The Delegation of France suggested that the title be changed to “Availability of Living Plant Material” and the text modified to refer to the technical examination. At the proposal of the Chairman, it was agreed that the matter should be considered by the EEC, in particular with regard to the proposals from the Delegations of Australia and France.

25. The Delegation of Germany proposed that, in the fourth line of section 5.3.1.1, the German translations should be amended.

26. The Representative of ASSINSEL noted that, in relation to section 5.3.1.4, the meaning of term “origin” was a very sensitive issue and was the subject of a lot of discussion in other circles. It might, for example, be interpreted to mean the country of origin, or the center of diversification. He suggested that another term might be preferable. It was agreed that the EEC should be asked to consider this. e

27. The Delegation of France proposed that, in the French language version of section 5.3.3.1.1, the term “cohérente” should be replaced by “reproductible,” as discussed in the EEC. The Delegation of Germany proposed an amendment to the German translation of “perennial” varieties.

28. The Delegation of Belgium proposed that, in section 5.3.3, the French translation of “clearly distinguishable” be aligned with the term used in the UPOV Convention.

29. The Delegation of France proposed that, in the French version of section 5.4.1, the term “intravariétale” should be used for “within varieties.”

30. The Delegation of Australia proposed that, in section 5.5.1.2, the text should be amended to indicate that there may be other appropriate methods, which are not included in document TGP/8 “Use of Statistical Procedures in DUS Testing.”

31. The Delegation of Germany proposed that the last sentence of section 5.5.3.2.2 should be moved to the end of section 5.5.3.2.1, since it related to the COYD analysis in general and not just to refined COYD.

32. The Delegation of Germany proposed that, in the third line of section 6.4, the term “dissimilar” should be replaced by “different.”

33. The Delegation of France proposed that the second sentence of section 7.3.1.1 should be amended to reflect the fact that this general principle does not apply to hybrids.

34. The Delegation of Australia proposed that, in section 7.3.1.2, the examination of stability should not be restricted to cases of doubt and should also include other cases where it is considered to be appropriate.

35. It was agreed, at the proposal of the Chairman, that the proposals presented at the session would be reviewed by the EEC and its recommendations for revisions of the text would be presented to the TC. These recommendations were presented to the meeting as Annex II of document TC/38/15 "Report on the Conclusions" and are reproduced as Annex II of this document.

36. In addition to the changes prepared by the EEC, a further proposal was received to amend the first sentence of section 5.3.1.3 to read:

[English] Further, where a candidate variety can be distinguished in a reliable way from varieties of common knowledge, by comparing documented descriptions, it is not necessary to include those varieties of common knowledge in a growing trial with the respective candidate variety.

[French] En outre, lorsqu'une variété candidate peut être distinguée de manière fiable de variétés notoirement connues, par la comparaison de descriptions consignées par écrit, il n'est pas nécessaire de soumettre ces variétés notoirement connues à un essai en culture avec la variété candidate concernée.

[German] Wenn eine Kandidatensorte zuverlässig von allgemein bekannten Sorten unterschieden werden kann, indem dokumentierte Beschreibungen miteinander verglichen werden, ist es außerdem nicht notwendig, diese allgemein bekannten Sorten in eine Anbauprüfung mit der entsprechenden Kandidatensorte einzubeziehen.

[Spanish] Asimismo, cuando una variedad candidata puede distinguirse con fiabilidad de las variedades notoriamente conocidas comparando las descripciones documentadas, no es necesario incluir estas variedades notoriamente conocidas en un ensayo en cultivo realizado con la variedad candidata respectiva.

37. On the basis of the amendments prepared by the EEC, presented in TC/38/15, Annex II (reproduced in Annex II of this document), and the amendment to the first sentence of section 5.3.1.3 as above, the TC proposed that, at its nineteenth extraordinary session on April 19, 2002, the Council adopt document TC/38/5, Annex I, as the General Introduction.

Report on Relevant Matters Discussed in the Last Sessions of the Administrative and Legal Committee, the Consultative Committee and the Council

38. The Vice Secretary-General remarked that UPOV had marked its fortieth anniversary in 2001 and that, as already mentioned by the Delegation of the Republic of Korea, following the accession by the Republic of Korea in January 2002, the number of members of the Union had now reached 50. Furthermore, there were around 20 States and organizations which had initiated the process of becoming members of the Union and around 40 States which had been in contact with the Union with a view to developing legislation in line with the UPOV Convention. The consequent expansion in membership would have consequences for the work of the Union, in that there would be a broader membership of organizations and States, a

broadening of the number of species to be dealt with and a need for guidance on the different approaches to testing and examination to be developed. He considered that this would result in the TC having even greater importance in the future, in particular with regard to providing assistance for new members of the Union. He also remarked on the need for the Union to increase its representation in other international organizations, for example with regard to the implementation of the Convention on Biological Diversity (hereinafter referred to as “the CBD”), the Food and Agriculture Organization of the United Nations (FAO) with regard to the development of the International Undertaking and the protection of plant genetic resources and the Council for TRIPS.

39. The Vice Secretary -General provided an oral report on the eighteenth extraordinary session and thirty -fifth ordinary session of the Council, the sixty -first and sixty -second session of the Consultative Committee and the forty -third and forty -fourth sessions of the CAJ. He noted that the Council had examined the conformity of the Law of the Republic of Latvia and the Law of Yugoslavia with the UPOV Convention and had examined and approved the draft Program and Budget for the 2002 -2003 Biennium. It had appointed Ms. Nicole Bustin and Mr. Doug Waterhouse as Chairperson and Vice -Chairperson of the CAJ and Mr. Michael Camlin and Mrs. Julia Borys as Chairperson and Vice -Chairperson of the TC, respectively.

40. The Consultative Committee had examined the document “Notion of Breeder and Common Knowledge” and considered that the key aspects developed in this document could be used by UPOV in outside fora. It had considered the question of Russian as an official working language of the Union and proposed the creation of a link to the Russian Website as a first step to improving communication with Russian speaking countries. It had considered and endorsed the UPOV mission statement, namely “To provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society,” had agreed to the development of explanatory notes for the 1991 Act of the UPOV Convention and had agreed a UPOV line on a number of important issues which had arisen in the consideration of national legislation, namely, the origin of genetic resources, prior informed consent, benefit -sharing and the farmers’ privilege. In addition, it had approved the development of a study on the impact of plant variety protection.

41. The CAJ had considered the draft General Introduction, the terms of reference of the *Ad hoc* Subgroup of Technical and Legal Experts on Biochemical and Molecular Techniques (hereinafter referred to as “the BMT Review Group”), the establishment of a working group and project on the publication of variety descriptions, the use of patented methods in Test Guidelines, the status of information provided in the Technical Questionnaire, the use of materials submitted for DUS Testing and issues concerning variety identification, all of which, the Vice Secretary -General noted, were covered within the agenda of the TC. It had also considered issues concerning the novelty requirement in relation to parent lines and had established a working group to consider matters related to variety denominations.

Progress Reports on the Work of the Technical Working Parties (TWPs), Including the Working Group on Biochemical and Molecular Techniques and DNA -Profiling in Particular (BMT) and the Ad Hoc Crop Subgroup on Molecular Techniques

Progress Report on the Work of the Technical Working Party for Agricultural Crops (TWA)

42. The Technical Working Party for Agriculture (hereinafter referred to as the "TWA") held its thirtieth session in Texcoco, Mexico, from September 3 to 7, 2001, under the Chairmanship of Mrs. Françoise Blouet (France). The Report on the Conclusions is contained in document TWA/30/19 and the detailed report appears in document TWA/30/20.

43. The session was attended by 21 members of the Union, two observer States and two observer organizations.

44. The TWA finalized a total of seven Test Guidelines for approval by the T C at that session, namely: Cocksfoot, Field Bean, Sugarcane, Turnip Rape, Meadow Fescue/ Tall Fescue, Tobacco, and Rapeseed. It planned to finalize Test Guidelines for Rice, Lotus, White Clover, Potato and Lupins shortly and decided to begin the development of Test Guidelines for Coffee, Grain Amaranth and Medicago (excl. Sativa) as well as the revision of the Test Guidelines for Lucerne.

45. The TWA considered the draft General Introduction in the form of document TC/37/9(a) together with the comments made on that document by the Technical Working Party on Automation and Computer Programs (TWC) and the Technical Working Party for Vegetables (TWV), which had met prior to the TWA. It made a number of proposals for improving the text, which had been reflected in document TC/38/5. It also considered a number of papers prepared for the TGP series of documents and furthermore, looked at the schedule for production of these documents and contributions to be made by the TWA. In particular, it had discussed the drafting of document TGP/7 "Development of Test Guidelines" and considered the criteria for inclusion of characteristics in the Test Guidelines and whether a proposal from a single State should be sufficient for inclusion. It wanted to find a balance between the rather restrictive approach, which had been used in the past, and the possibility of the table of characteristics becoming too extensive. In relation to example varieties, the TWA would be examining ways of providing different lists of example varieties, suited to different environments and climates, and ways in which those lists could be updated on a regular basis.

46. The TWA also discussed a number of general issues which were linked to the development of the TGP documents. Firstly, it considered the possible use of molecular techniques in DUS testing. The Chairperson noted that the Maize, Wheat and Oilseed Rape Crop Subgroups had met during 2001 and at those meetings it had been possible to identify the needs for those crops and the tools which currently exist. In particular, the Crop Subgroups had identified the need for help in the management of reference collections, variety identification and assistance in relation to the examination of distinctness. It noted that a number of possible models and ways of using molecular techniques had been discussed. The TWA considered that the range of species covered by Crop Subgroups should be broadened, and it was suggested that the work be extended to vegetatively propagated crops, such as potato and sugarcane.

47. The TWA considered a number of issues concerning reference collections. Firstly, on the basis of a paper produced by a member of the TWA, it considered the relationship



between a “variety of common knowledge” and a “reference variety” and possible criteria which might be used by DUS examiners to establish a list of reference varieties which should be used for the examination of distinctness. It noted that the list of reference varieties would be a subset of all the varieties of common knowledge and it would not be possible to have a zero risk of error in drawing up the list. A revised paper would be produced for the TWA and circulated to the other TWPs, during the course of 2002, for consideration as a draft of document TGP/4 “Management of Variety Collections.” An expert from the TWA would also be drafting a paper for a section within document TGP/3 “Varieties of Common Knowledge” concerning developments and explanations regarding varieties of common knowledge.

48. Secondly, the TWA considered the influence of the environment on variety descriptions and the extent to which variety descriptions produced in different countries could be used in the DUS examination. In particular, it had compared descriptions of wheat and barley varieties produced in different countries to examine the degree of standardization and harmonization. It noted that, for barley, there was very good harmonization for the grouping characteristics and a number of other characteristics, with a total of 12 out of 29 characteristics considered to be harmonized. However, for the remaining 17 characteristics, the descriptions produced in different countries needed to be treated with caution, and might not be usable in comparisons, because the expression of these characteristics is greatly influenced by the environment in each country. The general conclusions from wheat were very similar, but the TWA was disappointed to note there was a lower level of standardization for grouping characteristics. It noted that, for neither species, was the degree of standardization and harmonization for asterisked characteristics greater than for the non-asterisked characteristics. Recognizing the importance of achieving a good level of harmonization and standardization for asterisked characteristics, it decided to reflect on the basis for selecting these characteristics. Furthermore, it considered that it would be useful to conduct a similar study for each species prior to the finalization of the Test Guidelines and invited the expert from Denmark to draft a model procedure. It also noted the importance of the observer in recording the description and the need for UPOV to find ways of reducing the subjectivity in this work. It considered that an increased use of illustrations in the Test Guidelines and more frequent updating of example varieties might be useful in this respect.

49. Finally, with respect to the management of reference collections, the TWA considered a tool developed by the experts from France for selecting those reference varieties which should be included in the examination of distinctness for a particular variety. This was based on a calculation of the phenotypic difference between the candidate variety and each reference variety. It noted that the software, known as “GAÏA,” which made the calculations possible would be made available to members of the Union and suggested that this tool might be described within document TGP/9 “Examining Distinctness.”

50. The TWA also discussed the general procedure for the examination of distinctness and received a paper describing a system where information is produced by official DUS examiners and another paper describing a system where the information is provided by the breeder. These papers will be further developed as a basis for the development of this section in document TGP/9 concerning general procedures for determining distinctness. The TWA also plans to draft a section for document TGP/9 concerning the use of the parental formula for examining distinctness in hybrid varieties.

51. The TWA also considered the interim report of the results of the questionnaire set out in document TC/37/7 “Revised Questionnaire on the Level of Involvement of the Applicant in

the Growing Test.” Some members expressed concern at the presentation of the results whereby all the methods used by members were presented at the same level regardless of whether they were used frequently or infrequently. It was suggested that the presentation might be weighted to provide a clearer indication of the level of use of each method.

52. The TWA proposed to the TC that it nominate to the Council Mr. Carlos Gómez - Etchebarne (Uruguay) as the next Chairman of the TWA.

53. At its thirty-first session, the TWA planned to discuss: Short reports on special developments in plant variety protection in agricultural crops; Important decisions taken during the last sessions of the TC and the TWPs; Report on the *Adhoc* Crop Subgroups on Molecular Techniques; TGP documents; Plant variety description and environmental effects; Project for exchanging seed of selected varieties between interested countries; Final discussions on draft Test Guidelines for Rice, Lotus and White Clover; Discussion on working papers on Test Guidelines for Potato, Lupins, Coffee, Grain Amaranth, Medicago (excl. sativa), Lucerne (Revision); Report of the conclusions of the session and future program; Date and place of next session.

54. At the invitation of Brazil, the TWA proposed that the thirty-first session of the TWA be held in Brazil in 2002. Offers to host subsequent sessions of the TWA were received as follows: Japan (2003); New Zealand (2004); South Africa (2005).

#### Progress Report on the Work of the Technical Working Party on Automation and Computer Programs (TWC)

55. The Technical Working Party on Automation and Computer Programs (hereinafter referred to as the “TWC”) held its nineteenth session in Prague, from June 4 to 7, 2001, under the Chairmanship of Mr. Wieslaw Pilarczyk (Poland). The Report on the Conclusions is contained in document TWC/19/12 and the detailed Report appears in document TWC/19/13.

56. This session was attended by 15 members of the Union and two observer States.

57. The TWC received short reports on plant variety protection from a number of countries. Mr. Jiří Souček, Head of Department of Plant Breeders’ Rights and DUS Tests, Central Institute for Supervising and Testing in Agriculture (ÚKZÚZ), gave a report on DUS testing in the Czech Republic.

58. The TWC discussed methods for testing uniformity on characteristics where samples have been bulked and noted that some loss of information in this situation would be expected. It agreed that a new document should be drafted as a section within TGP/8 “Use of Statistical Practices and Procedures in DUS Testing.”

59. Proposals for optimizing the size of the trial were considered. Discussions were based on a document on the determination of the optimum trial size and a presentation on the Qalstat program. The TWC concluded that methods for calculating the optimum size of trial would increase efficiency, possibly leading to a reduction in the number of years involved, and that Qalstat allowed the calculation of the optimum plot size for every population standard and acceptance probability.

60. The TWC discussed the latest draft of the General Introduction (document TC/37/9(a)) and the associated document TGP/7 "Development of Test Guidelines" (document TC/37/10). It committed itself to focus on the preparation of documents TGP/8 "Use of Statistical Procedures in DUS Testing," TGP/9 "Examining Distinctness" and TGP/10 "Examining Uniformity."
61. The TWC noted a report on uniformity standards of COYU for grasses and agreed that a paper with information on the probability levels used among member States would be prepared for the next year.
62. In relation to experimental design, it discussed the efficiency of incomplete block design in DUS trials and spatial dependency and block design. The TWC concluded that spatial dependency can improve the efficiency of the trial if there is sufficient spatial dependence in enough characteristics, but it might cause some additional complications in the interpretation of the data.
63. The TWC noted two reports on the use of image analysis and the result of a questionnaire on the use of image analysis in plant variety testing.
64. It noted the improvements that had been made to the DUST system, as requested by the TWC, and that this latest version, known as DUSTNT, was now freely available.
65. The TWC agreed to propose to the TC that it nominate to the Council Mr. Uwe Meyer (Germany) as the next Chairman of the TWC.
66. At its twentieth session, the TWC planned to discuss: Report on subjects of special interest to the TWC raised during the thirty-seventh session of the TC; Questions raised by other TWPs; Report on new developments in member States; TGP documents; UPOV - ROM Plant Variety Database; Report on developments in the subgroups on molecular techniques; Developments in the World Wide Web; List of statistical documents prepared by the TWC; List of statistical documents containing recommendations or methods of possible interest to the Technical Working Parties.
67. At the invitation of Mexico, the TWC proposed that its twentieth session be held in Texcoco, Mexico, from June 17 to 20, 2002, and proposed that a Workshop on Data Handling should be held in conjunction with this session.

Progress Report on the Work of the Technical Working Party for Fruit Crops (TWF)

68. The Technical Working Party for Fruit Crops (hereinafter referred to as the "TWF") held its thirty-second session in Valencia, Spain, from October 1 to 5, 2001, under the Chairmanship of Mr. József Harsányi (Hungary). The Report on the Conclusions is contained in document TWF/32/19 Rev. and the detailed report appears in document TWF/32/20.
69. The session was attended by 18 members of the Union, one observer State and one observer organization.
70. The Chairman remarked that the selection of Spain as the host was very appropriate considering that it was a leader in the European fruit industry. Furthermore, the preparation of the Test Guidelines for citrus crops was a very important item on the agenda and the fact

that experts from the Spanish research institutions could take part in the session allowed their observations and experience to be made directly.

71. In the majority of members of the Union represented at the meeting, the number of applications in fruit species was stable. Some experts reported an increase in the number of new species and inter-specific crops applications.

72. The TWF agreed that, in order to streamline the preparation of Test Guidelines, a new procedure for the discussion of draft Test Guidelines and working papers would be introduced. The TWF would provide time for discussion of the draft Test Guidelines and working papers in subgroups comprised of interested experts. On the basis of the information received from experts, it was agreed to have two subgroups to allow the experts to participate in the discussion of the documents in which they had a particular interest.

73. The TWF reaffirmed its support for the establishment of an *AdHoc* Crop Subgroup for Peach and also wished to consider the possibility of establishing a subgroup for citrus. It suggested this might be combined with the peach subgroup under a single Chairman and decided to nominate Mr. Erik Schulte (Germany) as Chairman of the peach, or combined peach and citrus, subgroup if this was established.

74. It was agreed that Japan would update the Office on their latest correspondence with TFNet. The Office, in conjunction with the TWF Chairman, would then consider how to take the matter forward. It would also advise TFNet that they were welcome to contact any member of the Union, or the Office, to arrange the drafting of Test Guidelines for crops of interest. Experts from Australia, Brazil, Italy, Japan, Mexico, South Africa and Spain expressed particular interest in possible cooperation.

75. The TWF reviewed the draft General Introduction (document TC/37/9(a)), on the basis of the proposed amendments made by other TWPs and made some further proposals for amendments to the text. It also reviewed the document detailing the planned development of the TGP documents and modified this to reflect the contribution it planned to make.

76. The TWF reviewed the draft standard wording for all Test Guidelines, as presented in document TC/37/10, Annex I, and made some proposals for amendments. In particular, it proposed that section 3 "Conduct of Tests" and section 4 "Methods and Observations" should be combined into a new single chapter "Method of Examination." In addition, it proposed that any advice regarding the observation of characteristics (e.g. timing or part of the plant to be observed) should be contained in section 8 "Explanations." It agreed to test the formula for determining the quantity of material required for DUS testing and see if it was suitable for all crops and situations. The TWF discussed the need for the inclusion of grouping characteristics and concluded that these were not necessary for DUS examiners in an "official" testing system because the characteristics used for grouping would be those provided by the applicant in the Technical Questionnaire. However, it was noted that they might be of interest for DUS examiners in a breeder-based testing system, where the UPOV type Technical Questionnaire was not used. It concluded that, having clarified the matter, further elaboration of the criteria for selecting grouping characteristics was required and drafted a text for consideration. The TWF considered that example varieties were not necessary for qualitative characteristics and did not need to be provided if illustrations were included. It was not certain that example varieties were necessary for pseudo-qualitative characteristics and this would be reconsidered at the next session. It started to review the guidance notes and standardized optional wording but had insufficient time to review the

document completely and decided to discuss certain issues which it considered were most in need of clarification. These were: the presentation of quantitative characteristics; the description of apex/tip characteristics; and the clarification of the time of maturity. Written comments on the remainder of the document were invited to be sent to the Office, by the end of November 2001.

77. Regarding documents TGP/8.4 "Types of Characteristics and Their Scale Levels," TGP/9.3 "Examining Distinctness in Different Types of Variety" and TGP/10.2 "Assessing Uniformity According to the Features of Propagation," the TWF experts were invited to submit written comments to the Office, on the drafts for these documents by the end of November 2001.

78. The TWF agreed that the draft Test Guidelines for European Plum (Revision) and Prunus Rootstocks should be submitted to the TC for approval in April 2002, on the basis of the amendments agreed at the meeting.

79. It agreed that the draft Test Guidelines for Grapefruit and Pummelos (Revision), Lemons and Limes (Revision), Mandarins (Revision) and Oranges (Revision) should be sent to the professional organizations, on the basis of the amendments agreed at the meeting.

80. It planned to discuss the draft Test Guidelines for Annona Cherimola, Apricot (Revision), Avocado (Revision), Fig, Persimmon (Revision), Prickly Pear (*Opuntia*), Quince (Revision), Raspberry (Revision) and Trifoliata Oranges, which required further revision, at its session in 2002.

81. The TWF decided that the first drafts of Test Guidelines for Apple (Revision), Mango (Revision), Passion Fruit and Pineapples should be produced for discussion at the next session of the TWF.

82. On October 1, 2001, the TWF visited the IVIA Research Station, where it received a report on the activities at the Station including the IVIA germplasm bank, new varieties, certification, variety collections and variety description and databases. On October 3, 2001, the TWF visited the A.V.A.S.A, Foundation Block of the Spanish Association of Citrus Nurseries, at Alcalà de Xivert (Castellón). Later on the same day, it visited Viveros Valencia, where the experts were given a guided tour of the mother tree and propagation blocks.

83. The TWF agreed to propose to the TC that it nominate to the Council Mr. Erik Schulte (Germany) as the next Chairman of the TWF.

84. At its thirty-third session the TWF planned to discuss: Short reports on new developments in plant variety protection in fruit crops; Report on other TWPs and the TC; TGP documents; Discussions on draft Test Guidelines; Future program, date and place of the next session.

85. At the invitation of Argentina, the TWF proposed that its thirty-third session be held in Argentina, from November 25 to 29, 2002.

86. The Chairman expressed his acknowledgment and that of the TWF, that at the end of the session it could discuss and check the draft report of the conclusions written by the officers of UPOV. It had been very useful for all participants.

Progress Report on the Work of the Technical Working Party for Ornamental Plants and Forest Trees (TWO)

87. The Technical Working Party for Ornamental Plants and Forest Trees (hereinafter referred to as the "TWO") held its thirty-fourth session in Nagano, Japan, from September 24 to 28, 2001, under the Chairmanship of Ms. Elizabeth Scott (United Kingdom). The Report on the Conclusions is contained in document TWO/34/20 Rev. and the detailed Report appears in document TWO/34/21.

88. The session was attended by 11 members of the Union, one observer State and two observer organizations.

89. The Chairperson noted that Japan was a very important country for the breeding of ornamentals and the TWO was very pleased to return there after a gap of ten years. She recalled that the meeting had been very constructive and had benefited from relevant technical visits and the participation of breeders' representatives.

90. The TWO received short reports from a number of countries. Most of them reported that the number of new species, as well as the number of applications, had increased and that ornamentals were an increasingly important group for their Offices. An increased number of applications for medicinal and aromatic plants was also reported by some countries.

91. The Delegation of Japan reported on its five-year project to harmonize its national technical guidelines with the UPOV Test Guidelines.

92. The Chairperson then reported on some general information items. In particular, the TWO received a report from the Chairman that the fourth version of the RHS Colour Chart, which included additional colors, had been introduced in May 2001. The TWO agreed that all descriptions should make reference to the version of the RHS Colour Chart, which had been used in their preparation, to avoid any possible confusion.

93. The TWO received a short update from the Netherlands concerning progress with the Photo data Project (FLORES) for producing a searchable database of rose images. The United Kingdom reported on the beginning of a similar project for chrysanthemum images.

94. The TWO agreed that, in order to continue to streamline the preparation of Test Guidelines, the TWO would provide more time for discussion of the draft Test Guidelines and working papers in two subgroups comprised of interested experts. The TWO agenda included a new item for the adoption of the report of the conclusions. This enabled participants to take away a written summary of the meeting and was found to be most useful. The Chairperson thanked the Office of the Union for its help on this item.

95. Mr. Joost Barendrecht (Netherlands), Chairman of the *Ad Hoc* Crop Subgroup for Rose, gave a report on the activity of the Subgroup. He reported on studies in the Netherlands, which had shown an approach which could distinguish all seedlings, and asked members of the TWO to contribute to this work by providing the Netherlands with information on any pairs of rose varieties which had been found to be not distinct in a DUS examination and which were not mutations. The TWO continued to support very strongly the work of this important Subgroup.

96. The TWO considered a separate agenda item on the testing of seed -raised ornamentals. The testing of seed -raised ornamentals was a very new area for most examiners, and the discussions were aimed at exchanging information and ensuring the development of a harmonized approach. A small informal survey of delegates attending the meeting showed that the number of species under test had grown considerably in the last 18 months, with the main interest being in annuals and perennials flowering in the first year. There was agreement that the Office should prepare a questionnaire to identify Testing Authorities with experience in DUS testing of seed -propagated ornamentals. The results would be circulated to all members of the TWO, with the aim of improving international harmonization in DUS testing and providing information on sources of expertise.

97. The TWO considered developments with the General Introduction. It reviewed document TC/37/9(a), concentrating on proposed amendments made by other TWPs and items of specific concern, which had already been addressed during the session of the TC.

98. The TWO dedicated a considerable amount of time on the development of TGP documents. It first reviewed document TWO/34/9, which summarized the contributions that the TWO would make to the development of TGP documents and amended it to fit in with changes in the General Introduction, concentrating on documents relevant to ornamentals and also ensuring that all general documents could cover ornamentals situations.

99. Most of the time was dedicated to document TGP/7 "Development of Test Guidelines" as being the highest priority document and the one which would make significant improvements in the general work of the TWO. Amendments were proposed to the draft standard wording for all Test Guidelines, as presented in document TC/37/10, Annex I. It agreed to test the formula for determining the quantity of material required for DUS testing and see if it was suitable for all ornamental crops and situations. It discussed at some length the use of example varieties and diagrams and indicated its interest in using illustrations, photographs and diagrams, where at all possible, instead of example varieties. It reviewed the standard wording for the Technical Questionnaire and the way of selecting the characteristics for the Technical Questionnaire, and made some suggestions for improvement. As a result of the time devoted to document TGP/7, the TWO did not have the time to discuss certain of the other TGP documents, which were on the agenda, specifically TGP/8.4 "Types of Characteristics and Their Scale Levels," TGP/9.3 "Examining Distinctness in Different Types of Variety" and TGP/10.2 "Assessing Uniformity According to the Features of Propagation." Written comments were invited to be sent to the Office by the end of November 2001.

100. The TWO made very significant progress with the production of Test Guidelines. Most importantly, the TWO agreed that it should continue to prioritize its work according to need. The small informal survey of species, which had been the subject of most applications, first conducted by the Community Plant Variety Office (CPVO) in 2000, had been repeated in 2001 and together with information the Office had derived from the UPOV -ROM, indicated that the greatest need for Test Guidelines, which had not yet been addressed, was for Petunia and Dahlia, followed by Hypericum and Verbena. Drafting of the first two was already in progress, and the TWO welcomed the offer from the Netherlands to prepare first drafts of the other two for 2002.

101. In 2002, the TWO will also prepare documents for cut flower rose and Catharanthus roseus.

102. As part of the survey, the TWO also noted the need for Test Guidelines for *Argyranthemum*, *Hibiscus* and *Sutera* and received some helpful proposals for work in 2003.

103. The TWO agreed to propose to the TC that it nominate to the Council Mr. Chris Barnaby (New Zealand) as the next Chairman of the TWO.

104. At its thirty-third session the TWO planned to discuss: Short reports on special developments in plant variety protection in ornamental plants and forest trees; Report on the TC and other TWPs; Testing of seed-raised ornamentals; TGP documents; Discussions on draft Test Guidelines; Future program, date and place of the next session; Adoption of the Report of the Conclusions of the session.

105. At the invitation of Ecuador, the TWO proposed to hold its thirty-fifth session in Ecuador, from November 18 to 22, 2002.

#### Progress Report on the Work of the Technical Working Party for Vegetables (TWV)

106. The Technical Working Party for Vegetables (hereinafter referred to as the "TWV") held its thirty-fifth session in Battipaglia (Salerno), Italy, from June 25 to 29, 2001, under the Chairmanship of Ms. Julia Borys (Poland). The Report appears in document TWV/35/18.

107. The session was attended by 13 members of the Union, two observer States and four observer organizations.

108. The Chairperson commended the organization of the session by *Ente Nazionale delle Sementi Elette* (ENSE) and the contribution of the Italian colleagues, participants and the Office.

109. The TWV noted developments in matters concerning the protection of vegetable varieties. In particular, it noted that significant technical cooperation activities had been established among East-European member States for the DUS testing of vegetable varieties. It heard of a potential difficulty of dealing with the uniformity in the case of varieties used both by organic and conventional growers since the organic producers wished to have a lower level of uniformity compared to the uniformity level required for variety protection.

110. The TWV decided to send, after the agreed amendments, the Test Guidelines documents for Celery, Celery, Chinese Cabbage, Egg Plant, Kohlrabi, Lettuce, Squash, Thyme and Vegetable Kale to the professional organizations for comments and, subject to no major substantial comments from the professional organizations, to submit them to the TC for adoption.

111. The Chairman of the TWV noted that, subsequently, the draft Test Guidelines document for Chinese Cabbage, as amended, had been discussed at the Asian Regional Technical Meeting, held in Beijing from July 23 to 26, 2001, and had received a significant number of comments from Asian Chinese Cabbage experts. It had, therefore, been considered that the draft should be discussed again at the TWV's next session on the basis of the comments received.

112. The TWV decided to continue to discuss the Test Guidelines documents for Basil, Broad Bean, Chive, Husk Tomato, Lentil, Melon and Rosemary at its next session and to start



the work for the preparation of Test Guidelines for Chinese Chive, Endive, Mushroom, Perilla and Runner Bean.

113. The TWV also discussed a number of other matters. In particular, it examined the new draft of the General Introduction and its associated TGP documents. The outcome of these discussions had been reflected in the draft of the General Introduction presented to the TC and the plans for the development of the TGP documents.

114. The TWV agreed to propose to the TC that the issue of disease resistance should be dealt with in document TGP/12 "Special Characteristics," with a view to the standardization of disease resistance tests and the inclusion of intermediate states of disease resistance in the Test Guidelines. A first draft will be prepared for the TWV by the expert from the Netherlands, in consultation with other members of the TWV and other TWPs.

115. The TWV requested that it should continue to be informed of the development of the work within the BMT. It also recommended that work of the Tomato Subgroup should be continued and should be extended to cover vegetable species other than tomato where work is being undertaken. Members of the TWV agreed to encourage the submission of papers to the next session of the BMT.

116. The TWV agreed to propose to the TC that it nominate to the Council Mr. Kees van Ettehoven (Netherlands) as the next Chairman of the TWV.

117. At its thirty-sixth session the TWV planned to discuss: Short report on special problems or difficulties encountered in vegetables; Disease resistance characteristics; Report on the last session of the TC; Report on the last session of the BMT; TGP Documents; Draft Test Guidelines.

118. At the invitation of Japan, the TWV proposed to hold its thirty-sixth session at Tsukuba, Japan, from September 9 to 13, 2002.

#### Progress Report on the Work of the Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular (BMT)

119. The Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular (hereinafter referred to as "the BMT") held its seventh session in Hanover, Germany, from November 21 to 23, 2001, under the Chairmanship of Mr. Michael Camlin (United Kingdom). The Report on the Conclusions is contained in document BMT/7/18 and the detailed Report appears in document BMT/7/19 Prov.

120. The session was attended by 17 members of the Union, one observer State, three observer organizations and nine experts.

121. The Chairman of the BMT, speaking from the Chair, noted that the key issues arising from the meeting would be taken up later in the session with the report from the BMT Review Group and, on that basis, proposed to make only a brief report. The Chairman reported that, as in the past, there had been a large attendance spread across DUS examiners, molecular experts and breeders. He thanked the Bundessortenamt, and Ms. Beate Rucker, in particular, for the excellent organization of this large meeting.

122. Much of the meeting focussed on the reports from the Crop Subgroups, which had been initiated at the previous BMT session and managed through the relevant TWP and, in addition, the future role of the BMT itself. The Chairman noted that these issues had been outlined in document TC/38/3, paragraphs 9 to 24, and would be the subject of discussion later in the session of the TC. In addition, the meeting received presentations on: work in a range of crops; new developments in molecular techniques, including, in particular, the single nucleotide polymorphism (“SNP”) technique; stability of molecular markers; the development of guidelines for both the molecular methods themselves and; the application of statistical methods.

123. At its eighth session, the BMT planned to discuss: Short presentations by DUS experts, biochemical and molecular specialists and plant breeders on new developments in biochemical and molecular techniques; reports from the Review Group, TC and Crop Subgroups; report of work on molecular techniques on a crop by crop basis, including methods to assess the potential impact on the strength of variety protection; development of guidelines on the availability and suitability of different biochemical and molecular methods for variety characterization; review of the costs of molecular techniques; construction and standardization of databases of molecular characteristics of plant varieties; statistical methods for data produced by biochemical and molecular techniques; the use of molecular techniques in examining essential derivation; future program, date and place of the next session; report on the conclusions of the session.

124. At the invitation of Japan, the BMT proposed to hold its eighth session in Tsukuba, Japan, in 2003.

#### Matters Arising From the Technical Working Parties

125. The TC considered document TC/38/3 which, at the invitation of the Chairman, was introduced by the Technical Director. Firstly, it discussed section I of that document “Matters for Information and for a Possible Decision to be Taken by the TC.”

#### *Chairmanship of the TWPs and BMT*

\*126. The TC noted that the terms of office for the Chairpersons of the TWPs and the BMT would expire with the ordinary session of the Council in 2002. As suggested by the TWPs, the TC proposed to the Council that it elect, in its session in October 2002, the following as Chairpersons for the period 2003- 2005:

TWA: Mr. Carlos Gómez -Etchebarne, Uruguay

TWC: Mr. Uwe Meyer, Germany

TWF: Mr. Erik Schulte, Germany

TWO: Mr. Chris Barnaby, New Zealand

TWV: Mr. Kees van Ettekooven, Netherlands

\*127. At the proposal of the Delegation of France, supported by the Delegation of the United Kingdom, the TC agreed to propose to the Council that it elect Mr. Gerhard Deneken (Denmark) as Chairman of the BMT for the period 2003 -2005.

#### *Revision of the General Introduction*

128. The TC noted that all the TWPs had reviewed and commented on document TC/37/9(a), developed by the TC as the latest draft of document TG/1/3, "General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants" and that the proposed changes arising from discussions in the TWPs were contained in document TC/38/5, which had already been discussed earlier in the session.

#### *Development of TGP Documents*

129. The TC noted that all the TWPs had considered the list of TGP documents and that suggestions had been made regarding sections which should be contained within the individual TGP documents and each TWP had identified which documents, or sections of documents, it should be involved in drafting. Furthermore, it noted that this input from the TWPs was contained in document TC/38/7, which would be discussed later in the session.

#### *Drafting of Document TGP/7, "Development of Test Guidelines"*

130. The TC noted that the TWPs had raised a number of issues regarding the drafting of document TGP/7, "Development of Test Guidelines," and that these had been included in document TC/38/8, which would be discussed later in the session.

#### *Biochemical and Molecular Techniques*

131. At the suggestion of the Chairman of the TC, it was agreed that discussion of these matters should be deferred until after the report of the BMT Review Group, which would be meeting that evening.

#### *Issues Concerning Protection of Seed Propagated Ornamental Varieties*

\*132. The TC noted the view of the Representative of the ASSINSEL, expressed at the TWO, that under the 1991 Act of the UPOV Convention, breeders of varieties who develop "improved" forms of their protected varieties would have protection for these improved varieties, if these were considered to be essentially derived varieties. At that meeting, the Representative of ASSINSEL also expressed the view that the protection of selected parent lines, used in different hybrid varieties, might be the most cost-effective method of achieving protection for a series of hybrid varieties.

133. The Representative of CPVO noted that protection of hybrid parent lines might not provide effective protection for the hybrid if the parent lines were produced in a State where there was no protection for the hybrid. The Representative of ASSINSEL agreed with the comment of the Representative of the CPVO and clarified to the TC that these matters were raised as possible means of encouraging breeders of seed-propagated ornamental varieties to utilize plant breeders' rights and should not be interpreted as a change to the UPOV system of protection. The Delegation of France welcomed the clarification provided by ASSINSEL and

noted that, without this clarification, paragraphs 26 to 29 of document TC/38/3 could be misinterpreted.

\*134. The TC decided to refer the views of ASSINSEL to the CAJ for comment, with an explanation of the context.

#### *Disease Resistance Characteristics*

135. The TC noted that the TWV had made a proposal to create a section for disease resistance characteristics within document TGP/12, "Special Characteristics," and that this would be considered during the discussion of document TC/38/7.

#### *Scent and Flavor Characteristics*

136. The TC noted that the TWV proposal for a section on the examination of scent and flavor characteristics to be included in document TGP/12, "Special Characteristics," would be considered during the discussion of document TC/38/7.

137. The Chairman suggested that a section II "Matters for Information" might be discussed at the end of the meeting, if time allowed, but invited the participants to advise if there were any matters which should be discussed before that time. In the absence of any requests, it was agreed that this item would be left until the end of the meeting and discussed, if time allowed.

#### Summary of Progress in the Drafting of TGP Documents

138. The TC based its discussions on document TC/38/7, which, at the invitation of the Chairman, was introduced by the Technical Director.

139. Concerning Annex I, "Summary in the Progress of Drafting TGP Documents," the Delegation of the United Kingdom noted that some of the work concerning the drafting of TGP documents should refer to the post of Chairperson of the TWO, rather than Ms. Elizabeth Scott in name. It also requested that the process for developing the TGP documents should be further clarified, in particular regarding the role of the drafter and other participating experts. Regarding the first point, the Chairman requested that any instances where the reference should be to the post of a TWP Chairman, rather than an individual, be specified to the Office. Concerning the procedure for developing the TGP documents, the Technical Director clarified that this was intended to be the same approach as for the development of Test Guidelines, whereby the drafter or leading expert consults with the group of other interested experts. The group members are able to correspond by e-mail and provide comments on the initial drafts prepared by the leading expert prior to the preparation of a draft for the relevant TWP.

140. With regard to Annex II, "Timetable for the Drafting of TGP Documents," the Chairman noted that it was indicated that certain sections of the TGP documents might be adopted before the adoption of the complete TGP document and wondered if this would be possible if there was interaction between one section and another. The Technical Director suggested that some of the sections could stand alone, e.g. document TGP/7.2 "TG Template," and might be adopted before the whole of the TGP document was prepared but, equally, it would not be appropriate, in some other cases, to adopt only a part of a TGP

document. The TC agreed that this should remain flexible and should be considered by the TC on a case-by-case basis.

\*141. The TC agreed the content and structure of the TGP documents, as presented in Annex I of document TC/38/7, and agreed to the timetable for the development of the TGP documents, as summarized in Annex II of document TC/38/7. It also confirmed that highest priority should continue to be given to the development of document TGP/7 “Development of Test Guidelines” and after this to document TGP/4 “Management of Variety Collections,” document TGP/9 “Examining Distinctness” and document TGP/10 “Examining Uniformity.”

#### Document TGP/7, “Development of Test Guidelines”

142. Discussions were based on document TC/38/8.

#### *TG Template (Section 2 of document TGP/7)*

143. The TC reviewed the draft TG Template presented in Annex I of document TC/38/8. The Chairman reflected that the discussions immediately prior to this agenda item had highlighted the need for certain sections of TGP documents to be adopted before the complete TGP document was prepared and noted that the TG Template was a good example of this. He observed that the adoption of the TG Template was necessary to improve the standardization of the individual Test Guidelines and to help the EEC in its consideration of the Test Guidelines. With this in mind, the Chairman proposed to try to agree as much core wording as possible at the session and for sections where it was clear that there would need to be further discussion to omit such sections rather than try to resolve the issue by long discussions at the session.

144. The Delegation of Germany noted that there were a number of minor corrections needed to the German version of the text and proposed to supply these to the Office for incorporation in the final document. This was agreed by the TC. r

145. The Representative of ASSINSEL questioned the intention of the text in square brackets. The Technical Director clarified that the text in the square brackets was dependent on the outcome of discussions in the General Introduction and would be updated in line with the TC’s decisions on that document. Furthermore, he noted that other text taken directly from the General Introduction, which was noted in italics and brackets, would also be updated in line with the final text of the General Introduction.

146. The Representative of ASSINSEL also proposed that, in section 3.2 “Testing Place,” it should state that “... the variety should be tested at an additional place.” rather than “maybe tested...” The Delegation of Germany, supported by the Delegations of the United Kingdom and Spain and the Representative of the CPVO, expressed its preference to retain the existing wording, since this would allow the decision to be made at the discretion of the Testing Authority. The Chairman noted agreement to retain the text unchanged.

147. The Chairman noted that, throughout the document, there were references to TGP documents which had not yet been adopted and wondered if this might cause problems. The Technical Director observed that two solutions were possible, namely to retain the references in the knowledge that these documents were under draft, or to remove the references in the knowledge that there was already a reference to the General Introduction,

which would itself contain all the necessary references to the individual TGP documents. It was agreed that all references to TGP documents should be deleted, or replaced by a reference to the General Introduction, as appropriate.

148. The Delegation of France noted that, in section 4.1.2, in line with the changes agreed for the General Introduction, the title in French should have the word “cohérente” replaced by “reproductible.” The Delegation of Spain also noted that the translation in Spanish should follow the text in the General Introduction.

149. It was agreed, as proposed by the Delegation of Germany and modified by the Delegation of France, that in section 6.2, the second sentence should read: “Each state of expression is allocated a corresponding numerical note for ease of recording of data and for the production and exchange of the description.”

150. Pending further discussions on the role and selection of example varieties, it was agreed that in section 6.4, the text used for example varieties in existing Test Guidelines should be inserted.

151. Following the proposal from the Delegation of Germany, it was agreed that in section 6.5, legends (1) and (2) should be deleted and that stage (1) and observation (2) should then be deleted from the table of characteristics. These options could then be included in the guidance notes for drafters of Test Guidelines.

152. Agreement could not be reached on whether to retain the box containing the text “Applicants should note that the information provided in this Technical Questionnaire...” in section 10 (Technical Questionnaire). Therefore, it was agreed to delete the box and the text, in order to be able to agree a document at the meeting and to consider the matter further, taking into account any views expressed by the professional organizations, at a later date.

153. The Representative of ASSINSEL expressed some concern at the removal of the indication that section 4 of the Technical Questionnaire was confidential. He suggested that an alternative might be the creation of an annex for the provision of confidential information and emphasized that the view of ASSINSEL was that there should be some mechanism for the need to supply confidential information.

\*154. It was agreed that further consideration would be given to the request made by the Representative of ASSINSEL for a separate confidential section to be developed.

155. The Delegation of Germany, supported by the Delegation of Colombia, noted that the provision of all the possible options in the sub-paragraphs of section 4.1 and 4.2 of the Technical Questionnaire may cause some confusion in certain crops and that it would be better to have these available as options, but not include these in the TGP Template. Therefore, it was agreed to delete sub-paragraphs 4.1.1 to 4.1.4 and 4.2.1 to 4.2.3, which could then be included as options in the guidance notes for drafters, and leave only the headings. Furthermore, it was agreed that, in the title of both sections 4 and 4.1 of the Technical Questionnaire, the term “Origin” should be replaced by “Breeding scheme” in line with the change in the General Introduction.

156. At the proposal of the Representative of ASSINSEL, modified by the Chairman, it was agreed to insert “candidate” after “your” in section 6 of the Technical Questionnaire and, at the suggestion of New Zealand, to put “similar” after “variety(ies)” in the first column.

157. At the proposal of the Delegation of Germany, it was agreed that, in section 9 of the Technical Questionnaire, “Applicant” should be inserted before “Name.”

\*158. It was agreed that the annex to the Technical Questionnaire, concerning information on the material to be examined, should be developed further to take into account seed/plant treatment and the possibility of the presence of phytoplasma. The Delegation of Australia suggested that the part of the declaration dealing with “factors” should be rephrased as an inquiry. It was therefore decided that the annex should not be approved at this time and that a redrafted version should be considered by the TWPs in 2002.

159. On the basis of the amendments above, and the necessary changes to the translations, it was agreed that document TC/38/8, Annex I, should form the basis for section 2 of document TGP/7 (“TG Template”) and, accordingly, should be used as the basis for all future Test Guidelines.

*Guidance for Drafters of Test Guidelines (Section 1 of document TGP/7)*

160. The TC reviewed Annex I of document TC/38/8.

*(a) Example Varieties and Explanations on the Table of Characteristics*

161. The Delegation of France noted that, in addition to the points raised in the document, it was also necessary to consider how to update the lists of example varieties in an effective way.

162. The Chairman noted that one important advantage of example varieties was the possibility of growing the material in the field for observation. The Delegation of Spain also noted the importance of example varieties because of the year-to-year variation in the expression of certain characteristics, such as anthocyanin pigmentation. The Delegation of Australia supported the view of the Delegation of Spain and noted that, in the case of example varieties, the scale used was relative whereas, in the case of illustrations and photographs, an absolute scale was being used. He observed that the relative scale was more informative but had the practical difficulties which had already been explained.

163. The Delegation of Croatia noted the importance of regional sets of example varieties.

164. The Representative of ASSINSEL considered that example varieties were very important, but noted that many of the example varieties in the Test Guidelines were obsolete because of the lengthy procedure for revising these documents. He proposed that the TWPs should be invited to review the sets of example varieties, for example every five years, without the need to update other parts of the Test Guidelines. Finally, he reported that, at least for some species, breeders would be prepared to cooperate to make example varieties available.

165. The Delegation of France observed that example varieties and images were not mutually exclusive and should be seen as highly complementary. Photographs and illustrations were very informative, but could not replace the plant itself. Regarding the need to handle different sets of example varieties, it supported the creation of an annex to contain this information.

166. The Chairman noted that, within UPOV, there has been a change whereby it is no longer mandatory to have example varieties for the acceptance of a characteristic in the Test Guidelines and that there is an increasing use of illustrations. Nevertheless, it was clear that, notwithstanding the need to address regional issues —perhaps by the use of more lists of example varieties —and the problem that the list of example varieties might become obsolete, example varieties still had a very important role to play. He observed that the solution appeared to be to remove the example varieties from the Table of Characteristics and to put these in an annex, which could be revised more frequently and could contain various regional sets of example varieties.

\*167. The TC requested that the Office produce a discussion paper on example varieties reflecting the points made in the discussions, in particular, concerning the circumstances where example varieties were needed and need for regular updating of the list in the Test Guidelines.

*(b) Table of Characteristics*

\*168. The TC decided to request that, during their sessions in 2002, the TWPs propose practical measures for structuring a large Table of Characteristics and possible schemes for indicating the extent of use of a characteristic.

*Standardized UPOV Terms and Explanations (Section 3 of document TGP/7)*

169. The Delegation of the United Kingdom considered that the current “condensed range” of states of expression presented in paragraph 23 of document TC/38/8, Annex II, represented the actual expression of certain characteristics and did not wish to lose this option by replacing it with a new range.

170. The Delegation of France, supported by the Delegation of Japan, proposed that the new presentation of the condensed range of states of expression for quantitative characteristics, proposed by the TWF, should be accepted, but should not replace the existing range.

\*171. The TC considered that the new presentation of the condensed range of states of expression for quantitative characteristics proposed by the TWF, (e.g. State 1: absent to weak, State 2: intermediate, State 3: strong) should be accepted but should not replace the existing range of states of expression, and that all the other ranges presented on page 6 of TC/38/8, Annex II, should also continue to be accepted.

*Procedure for the Introduction and Revision of Test Guidelines (Section 4 of document TGP/7)*

\*172. The TC noted and approved the role of regional technical meetings in developing Test Guidelines of particular regional importance. It also noted the possibilities for non-members and observer organizations to initiate the process of introducing or revising Test Guidelines through the TWP, either by experts attending the TWP meetings or, via the Office. Furthermore, it encouraged, as far as possible, the involvement of interested organizations in the harmonization of variety descriptors.

\*173. Finally, the TC noted the timetable for the development of document TGP/7, as presented in document TC/38/7, Annex I, and requested the Office to ensure that all the decisions above, regarding the development of document TGP/7, would be incorporated into the drafts for this document.



Procedure for the Development of TGP and Other Important Documents for Consideration by the Technical Committee

174. The TC considered document TC/38/9.

175. The Delegation of Australia welcomed the proposal and suggested that the inclusion of additional members in the EEC should be on the basis of need, rather than limited to a maximum number. In addition, it noted that, at present, there was no absolutely clear path by which comments on documents could be fed into the EEC and suggested that consideration might be given to ways in which members could make comments directly to the EEC on documents which were of importance to them.

176. The Delegation of France supported the proposal and emphasized that the work of this group was, by definition, editorial in its nature and its role was to review documents prepared by the TWPs and the Office prior to their submission to the TC in the various UPOV languages. It noted the need to avoid the EEC becoming a form of counter-weight to the technical work of the TWPs. It also agreed with the Delegation of Australia that the mechanism of the EEC should be examined to explore ways of improving its effectiveness, including ways of reducing the need for late night sessions during the meeting of the TC.

177. In response to a request for clarification from the Delegation of France, the Chairman confirmed that the proposal made in document TC/38/9 was on the basis that the core Editorial Committee, comprising a representative for each of the four UPOV languages, would remain and would be a part of the EEC.

\*178. The TC agreed with the proposal made by the Chairman of the TC in document TC/38/9, that the composition of the Editorial Committee, comprising the four language experts, should remain unchanged and that the Enlarged Editorial Committee (EEC) should continue to include the Chairman and Vice-Chairman of the TC, the Chairmen of the TWPs and the Chairman of the BMT. It agreed that, in addition, a small number of additional members could be included in the EEC, where and when necessary, to ensure that there is an appropriate range of expertise and experience. The need for additional members is to be identified by the TC, or by the EEC itself. If these needs are agreed by the TC, nominations for additional members from within the TC, each for a period of three years to coincide with the terms of the Chairmen of the TWPs, would be the responsibility of the TC.

\*179. The TC requested the Office to consider how to improve the flow of information through the EEC.

180. It was agreed that, at its session in Spring 2003, nominations for the membership of the EEC should be taken early in the TC agenda to allow any new members to participate in the EEC meetings which would occur during the course of the week of the TC session. The Chairman also suggested that the EEC might consider nominations for new members during its meeting planned for January 2003.

Publication of Variety Descriptions

181. The TC based its considerations on document TC/38/10.

182. The Representative of the Organisation for Economic Co-operation and Development (OECD) explained the importance of UPOV variety descriptions for their work and reported that his organization was following the development of this project very closely. He noted that there were a number of difficulties concerning the publication of variety descriptions, which had been clearly explained in the document, and thanked UPOV for taking up this challenge.

183. The Representative of ASSINSEL noted that his organization was very much in favor of the development of a system which would allow the publication of variety descriptions because, in certain cases, this would solve problems concerning reference collections and information for breeders and other interested parties. He noted that it would not solve all the problems but would be a very useful tool. He thought that it would not be possible to consider all species at the same time and suggested that each of the TWPs might be invited, at their sessions in 2002, to consider species where they have problems and where the publication of variety descriptions might be helpful.

184. The Delegation of France suggested that, beyond the selection of characteristics from within the Test Guidelines, the TWPs might be invited to draw up a list of other criteria, which are not UPOV Test Guidelines characteristics, but which could be useful in identifying varieties which should be compared in a particular situation. For example, this might include criteria for adaptation to a particular environment or climate, which would allow for agronomic sub-groups of varieties to be established. Without such an approach it considered that there could be enormous difficulties, because of the interaction between the variety description and the environment.

185. In response to an inquiry from the Representative of FAO concerning the availability of information resulting from the project, the Vice Secretary-General noted that the project was only just starting and it was too early to say whether information might be made available to other organizations.

\*186. The TC considered document TC/38/10 and noted the particular technical aspects which would need to be developed for the model study on the publication of variety descriptions. It decided to invite the TWPs to make proposals for species according to section 6.1.1(a) of document TC/38/10, Annex, and, in accordance with 6.1.1.(b), to identify which members of the Union and other interested parties would wish to contribute to a model study on these species. It would then consider the proposals and, at its thirty-ninth session in Spring 2003, select a short list on which to base any model study. The TC agreed to the proposal by the delegate of France that the TWPs should, for the species concerned, be invited to consider means of separating the varieties of common knowledge into agronomic groupings. It requested the Office to produce an explanatory paper as a basis for consideration by the TWPs.

### Biochemical and Molecular Techniques

#### *BMT Review Group*

\*187. The Vice Secretary-General reported on the meeting of the BMT Review Group which had taken place on the previous evening to discuss document TC/38/14-CAJ/45/5. He

reported that the BMT Review Group had considered the proposals set out in document TC/38/14-CAJ/45/5 and concluded as follows:

Proposal 1 (Option 1(a) for a gene specific marker of a phenotypic characteristic) was, on the basis of the assumptions in the proposal, acceptable within the terms of the UPOV Convention and would not undermine the effectiveness of protection offered under the UPOV system.

Proposals 2, 3 and 4 (Option 2: Calibration of threshold levels for molecular characteristics against the minimum distance in traditional characteristics for Oilseed Rape, Maize and Rose, respectively), where used for the management of reference collections were, on the basis of the assumptions in the proposals, acceptable within the terms of the UPOV Convention and would not undermine the effectiveness of protection offered under the UPOV system.

Regarding Proposal 5 (Option 3 for Rose) and Proposal 6 (Option 3 for Wheat), it noted there was no consensus on the acceptability of these proposals within the terms of the UPOV Convention and no consensus on whether they would undermine the effectiveness of protection offered under the UPOV system. Concerns were raised that in these proposals, using this approach, it might be possible to use a limitless number of markers to find differences between varieties. The concern was also raised that differences would be found at the genetic level which were not reflected in morphological characteristics.

The Vice Secretary -General also reported some general remarks. Firstly, concern had been raised regarding the accessibility of techniques covered by patents. Secondly, the group had emphasized the importance of considering if there were cost benefits arising from any new approaches. Thirdly, the importance of the relationship between phenotypic characteristics and molecular techniques had also been discussed. Finally, the importance of examining uniformity and stability on the same characteristics as used for distinctness had been emphasized.

188. The Delegation of the United Kingdom noted that, in proposal 6 (Option 3 for Wheat), an important point had been to recognize some of the risks associated with the current methods of DUS testing, with regard to the size of the reference collections and the influence of the environment on the expression of the characteristics. It noted that one of the intentions of the wheat proposal was to allow for the screening of a much more comprehensive reference collection. Another feature of the wheat proposal had been the possibility of reducing the number of characteristics which needed to be examined in the field trial and thereby reduce the cost of testing. Furthermore, the proposal had raised the possibility of completing the DUS examination in a single year, which would also reduce the cost of DUS testing.

\*189. The TC considered the report of the Vice Secretary -General and agreed with the conclusions that proposals 1, 2, 3 and 4 could be pursued on the basis of the assumptions, whilst recognizing the need for further work to examine these assumptions and, in the case of option 2, to improve the relationship between morphological and molecular distances. It also noted the divergence of views which had been expressed regarding proposals 5 and 6.

*Matters Arising from the BMT*

190. Discussions on matters arising from the BMT were based on document TC/38/3, paragraphs 9 to 25.

\*191. The TC agreed to the following schedule for reporting the outcome of the BMT Review Group meeting and for future meetings of the Crop Subgroups:

(a) The BMT Review Group recommendations to be reported to the CAJ with the views of the TC.

(b) The Office to produce a document, containing these recommendations and the considerations of the TC and CAJ, for circulation to the TWPs.

(c) The TWPs to consider this document and to consider detailed reports of the work of Crop Subgroups.

(d) The views of the relevant TWP to be presented at the meeting of the Crop Subgroups.

192. The Chairman noted that the development of the Crop Subgroups had been instrumental in the development of the proposals considered by the BMT Review Group and emphasized the importance of the Crop Subgroups in the consideration of molecular techniques.

193. The Chairperson of the TWA considered that, particularly on the basis of comments received from the United Kingdom concerning the availability of new data, it was rather premature to hold a meeting of the Oilseed Rape Crop Subgroup prior to the next TWA meeting and it would be better to have the meeting in the autumn, i.e. after the TWA meeting. The Chairperson of the TWA also noted that the relevant wheat experts were unlikely to attend the TWA meeting and it might be advisable to separate the Wheat Crop Subgroup meeting from the TWA meeting.

194. The Chairman of the Rose Crop Subgroup, supported by the Chairperson of the TWA, confirmed that the intention was to hold a meeting sometime in July 2002, separate from the TWA meeting.

195. The Chairman noted that it was important for the Crop Subgroups for Oilseed Rape, Rose and Wheat to meet prior to the next session of the BMT.

\*196. The TC agreed the following proposals, for the existing Crop Subgroups:

(a) Maize: no future meeting to be planned at this stage, subject to consideration by the TWA;

(b) Oilseed Rape: to meet sometime after (not in conjunction with) the next TWA meeting, but before the next session of the BMT;

(c) Rose: to meet before the next TWA meeting;

(d) Tomato: no future meeting to be planned at this stage, subject to consideration by the TWA;

- (e) Wheat: to meet sometime after (not in conjunction with) the next TWA meeting, but before the next session of the BMT.

197. The Technical Director noted that the location of the 2002 TWA session in Brazil might make it appropriate to hold the Crop Subgroups for Sugarcane and Soybean in association with that session and, likewise, the location of the 2002 session of the TWV in Japan might equally make it appropriate to hold the Mushroom Crop Subgroup in association with the TWV session. The Delegation of Argentina, supported by the Delegation from Brazil, noted that there was a high level of relevant experience for Sugarcane and Soybean in the region and expressed its support for those two Crop Subgroups' meetings to be held in association with the TWA meeting in Brazil. However, it noted that it could not be sure that there would be the same level of local expertise available for potato.

198. The Chairperson of the TWA noted that, concerning the possibility of a meeting of the Soybean Crop Subgroup, there had so far been few proposals for this crop and suggested that the level of interest from experts should be assessed before a meeting was arranged. She also noted that the Test Guidelines for Potato would be discussed at the TWA and considered that it would be useful to hold the Crop Subgroup meeting when both the crop and molecular experts would be present. The Chairman suggested that the Office should seek to discover if there is sufficient interest before arranging any meeting.

199. The Chairperson of the TWV noted that the Test Guidelines for Mushroom would be discussed at the TWV session and supported the proposal to hold the Mushroom Crop Subgroup meeting in association with the TWV session.

\*200. The TC agreed to the establishment of new Crop Subgroups as follows:

- (a) Sugarcane: to hold its first meeting immediately after , and in association with, the next TWA meeting ;
- (b) Potato: to hold its first meeting immediately after , and in association with, the next TWA meeting ;
- (c) Mushroom: to hold its first meeting immediately after , and in association with, the next TWV meeting ;
- (d) Soybean: to hold its first meeting immediately after , and in association with, the next TWA meeting, if there is sufficient interest amongst experts.

\*201. The TC agreed that interim Chairpersons of the new Crop Subgroups should be agreed between the Chairman of the TC and the Chairperson of the relevant TWP and that these positions should then be considered for approval by the TC at its meeting in Spring 2003. It agreed that a Crop Subgroup should not be established for peach or citrus at this time.

\*202. The TC reviewed the role of the BMT in response to recent developments in UPOV, regarding biochemical and molecular techniques and, in particular, the establishment of the BMT Review Group and Crop Subgroups . It based its discussions on the proposal from the BMT contained in document TC/38/3, paragraph 24 (Box 1).

203. The Delegation of France noted that the first sentence of sub -paragraph (iv) related to guidelines which went beyond methods for the analysis of data and proposed that the second sentence should be amended to read “These guidelines to be developed in conjunction with the Technical Working Parties.”

\*204. The TC agreed the future role of the BMT as presented in Box 1.

Box 1

ROLE OF THE BMT

The BMT is a group open to DUS experts, biochemical and molecular specialists and plant breeders, whose role is to :

- (i) Review general developments in biochemical and molecular techniques ;
- (ii) Maintain an awareness of relevant applications of biochemical and molecular techniques in plant breeding;
- (iii) Consider the possible application of biochemical and molecular techniques in DUS testing and report its considerations to the TC ;
- (iv) If appropriate, establish guidelines for biochemical and molecular methodologies and their harmonization and , in particular , contribute to the preparation of document TGP/15, “New Types of Characteristics .” These guidelines to be developed in conjunction with the Technical Working Parties;
- (v) Consider initiatives from TWPs, for the establishment of crop specific subgroups , taking into account available information and the need for biochemical and molecular methods;
- (vi) Develop guidelines regarding the management and harmonization of databases of biochemical and molecular information, in conjunction with the TWC ;
- (vii) Receive reports from Crop Subgroup and the BMT Review Group;
- (viii) Provide a forum for discussion on the use of biochemical and molecular techniques in the consideration of essential derivation and variety identification.

Advice from the Administrative and Legal Committee (CAJ)

\*205. The TC based its discussions on document TC/38/11.

*Status of information provided in the Technical Questionnaire*

\*206. The TC noted the conclusion of the CAJ that, the status of the information provided in the Technical Questionnaire would depend on the law of the States or members of the Union.

*Characteristic examined by patented methods*

207. The Delegation of Australia requested clarification, concerning paragraph 6(c), of who should contact the patent holder. The Technical Director noted that it could be the drafter of the Test Guidelines concerned but reported that the CAJ had advised that it should not be the UPOV Office or UPOV as an organization. Nevertheless, the Delegation of Australia noted

that there could be some benefit if the initial approach carried the weight of the UPOV organization, perhaps as an approach by the TWP concerned, rather than an approach by a individual. n

\*208. The TC noted the approach recommended by the CAJ (document CAJ/44/9, paragraph 41) for characteristics examined by patented methods, and agreed to incorporate this recommendation in the relevant section(s) of document TGP/7.

#### *Plant variety identification*

\*209. The TC noted the general consensus of the CAJ that it was not appropriate, at this time, for UPOV to make recommendations on variety identification.

#### Issues Concerning the Use of Material Submitted for Examination of Distinctness, Uniformity and Stability

210. The Technical Director explained that document CAJ/45/7 had been presented to the TC in order to bring to their attention the fact that this matter would be discussed at the CAJ. The TC noted that the CAJ would discuss document CAJ/45/7 at its forty-fifth session and that the outcome of the discussions in the CAJ would be reported at the next session of the TC.

#### Review of UPOV Information Databases and Services

211. Discussions were based on document TC/38/6.

212. The Delegation of Germany welcomed the fact that this issue was being taken up again and looked forward to improved effectiveness of the UPOV-ROM as one of the consequences. The Delegation of the Republic of Korea also welcomed the development, in particular with regard to help in dealing with variety denominations. In response to a question from the Chairman, the Technical Director anticipated that the consolidated database should be completed before the next session of the TC, but reminded the TC that the UPOV code could not be finalized until it could be checked that it would be in line with the conclusions of the work on the publication of variety descriptions and variety denominations.

\*213. The TC noted that the Office plans to develop and maintain a single database of information based on species/taxonomic groups, which will be used to generate different reports. It noted that, in order to construct a single database, it would be necessary to use a "unique identifier" which would be the code developed in document TC/35/16 "Revised Working Paper for a UPOV Taxon Code for Use in the UPOV-ROM Plant Variety Database." However, it noted that the construction of this code could be changed relatively easily and quickly before the code is put into use, to meet the demands for the work on variety descriptions and denominations. The Office proposed to present a copy of the consolidated database of taxa to the TC in Spring 2003.

\*214. It agreed that the Office should proceed on this basis and maintain the database and code until the requirements of a UPOV code for the publication of variety descriptions and/or variety denominations are clear.

Proposal for Preparatory Workshops for the Technical Working Parties

215. Discussions were based on document TC/38/12.

216. The Delegation of Kenya welcomed the approach and appreciated the help that such an approach could provide. The Delegation of Spain congratulated those who had the idea because it dealt with an issue which needed to be addressed. It noted the difficulties that new members have in attending the meetings, for example because of the use of various acronyms and document numbering systems, and considered that this initiative should be a matter of priority within UPOV. The Delegation of the Republic of Korea welcomed the initiative and thanked UPOV for its proposal. It noted that, for new members and potential new members, this was an important issue, and one which it had already raised. The Delegation of Argentina also expressed its support for the proposal and, in particular, the practical suggestion to hold the workshop on a Sunday.

217. In response to a question from the Chairman, the Technical Director clarified that the invitation to the workshop would be included with the official invitation for the TWP concerned.

\*218. The TC agreed, in accordance with the proposals in document TC/38/12, that the Office should seek to organize preparatory workshops for the TWP sessions to be held in 2002 and report the outcome to the TC at its thirty-ninth session in 2003. Invitations to the workshops would be included in the official invitations for the Technical Working Party meetings.

Arrangements for DUS Testing

219. The TC based its discussions on document TC/38/13 which, at the invitation of the Chairman, was introduced by an Officer of UPOV.

220. In response to a question from the Delegation of France, it was clarified by the Chairman that the purpose of this document was to provide information which could be used in the development of a summary of various arrangements for DUS testing within document TGP/6, "Arrangements for DUS Testing," but that the document itself would not be presented.

221. In response to a request from the Representative of the CPVO, the Office clarified that the table would be made available in electronic form.

222. The Delegation of the United Kingdom noted that some of the information for its country needed to be amended. The Chairman proposed that all contributors check their information and advise the Office of any need for corrections.

\*223. The TC noted the report on arrangements for DUS testing as presented in document TC/38/13. The Office agreed to provide a revised version of this document to take into account amendments notified to it by the contributors of the data.



Test Guidelines (Document TC/38/2)

\*224. The TC considered and adopted the following Test Guidelines on the basis of the amendments as specified in Annex III and the linguistic changes recommended by the Editorial Committee:

TG/8/6	Field Bean/Féverole/Ackerbohne/Haba, Haboncillo
TG/31/8	Cocksfoot/Dactyle/Knaulgras/Dactilo
TG/36/6 Corr.	Rape Seed/Colza/Raps/Colza (revision of paragraph 4 of Chapter IV)
TG/39/8	Meadow Fescue, Tall Fescue/Fétuque des prés, Fétuque élevée/ Wiesen-, Rohrschwengel/Festucadelos prados, Festuca alta
TG/41/5	European Plum/Prunier européen/Pflaume/Ciruelo europeo
TG/65/4	Kohlrabi/Chou-rave/Kohlrabi/Colinabo
TG/74/4	Celeriac/Céleri-rave/Knollensellerie/Apionabo
TG/82/4	Celery/Céleri-brancher/Bleich-, Stielsellerie/Apio
TG/90/6	Vegetable Kale/Choufrisé/Grünkohl/Colrizada
TG/117/4	Egg Plant/Aubergine/Aubergine, Eierfrucht/Berenjena
TG/119/4	Vegetable Marrow, Squash/Courgette/Gartenkürbis, Zucchini/ Calabaza, Zapallo
TG/185/3	Turnip Rape/Navette/Rübsen/Nabina
TG/186/2	Sugarcane/Canne à sucre/Zuckerrohr/Cañade azúcar
TG/187/1	Prunus Rootstock/Porte -greffes de Prunus/Prunus -Unterlagen/ Prunus Portainjerto
TG/188/1	Celosia/Célosie/Celosia/Crestadegallo
TG/189/1	Pentas/Pentas/Pentas/Pentas
TG/190/1	Thyme/Thym/Thymian/Tomillo
TG/194/1	Lavandula, Lavender/Lavandevraie, Lavandins/ Echter Lavendel, Lavendel/Lavándula, Lavanda
TG/195/1	Tobacco/Tabac/Tabak/Tabaco
TG/196/1	New Guinea Impatiens/Impatiens de Nouvelle -Guinée/ Neu-Guinea-Impatiens/Impatiens de Nueva Guinea
TG/197/1	Eustoma/Eustoma/Eustoma/Eustoma

\*225. The TC approved the Test Guidelines for Sugarcane (TG/186/2) subject to the changes being verified by the Enlarged Editorial Committee. It approved the Test Guidelines for Turnip Rape (TG/185/3) subject to the amendments on characteristics 14, 16 and 26 being agreed by the crop experts. It decided that the two lists of example varieties for the Test Guidelines for Tobacco (TG/195/1) should be included in an annex.

\*226. The TC noted that the draft Test Guidelines for Lettuce (document TG/13/8 Lettuce/Laitue/Salat/Lechuga) required further development with respect to the Bremia resistance characteristics and in the light of comments made by professional organizations, containing proposals for substantial changes (additional disease characteristics, revision of reference varieties), recommended that these should be reconsidered by the TWV before adoption of the Test Guidelines.

\*227. The Representative of the Community Plant Variety Office (CPVO) thanked the Office and members of UPOV for their work in developing Test Guidelines. He reported that these Test Guidelines were used as the basis for the development of Test Guidelines used by the CPVO for the Community Plant Breeders' Rights system and the European member States in the examination of varieties for addition to the National Lists and the Common Catalogue.

\*228. The TC noted document TC/38/2 and, in particular, the plans for the development of new, and revision of existing, Test Guidelines contained in Annex II of that document.

List of Species for Which Practical Technical Knowledge Has Been Acquired

229. The TC was invited to consider document TC/38/4.

230. The Technical Director invited comments on whether there were any ways in which the presentation of the document might be improved.

231. The Delegation of France noted that, at present, members were invited to indicate whether they had (a) acquired practical technical knowledge or, (b) established national test guidelines. It noted that this classification appeared to be aimed at centralized testing authorities, such as that operated by France, and suggested that it might be useful to have information concerning the type of testing system, e.g. whether it is centralized, whether it uses breeder information, etc. It noted that this would be a form of hybrid between the existing documents TC/38/4 and TC/38/13. The Office agreed to consider if this could be achieved in a practical way. It also suggested that it might try to clarify the difference between (a) and (b).

232. The Representative of ASSINSEL requested clarification of the status of the names in square brackets.

233. The Delegation of Colombia reported that it had further information which it would like to be included in the document.

\*234. The TC noted document TC/38/4 and agreed to produce a revised version incorporating information provided at the meeting.

Program for the Thirty-Ninth Session

\*235. The following draft agenda was agreed for the thirty-ninth session of the TC to be held in Geneva in 2003:

1. Opening of the session by the Chairperson
2. Adoption of the agenda
3. Report on relevant matters discussed in the last CAJ sessions, the Consultative Committee and the Council (oral report by the Vice Secretary-General)
4. Nominations for membership of the Enlarged Editorial Committee
5. Progress reports on the work of the Technical Working Parties, including the BMT and Crop Subgroups
6. Matters Arising from the Technical Working Parties

7. TGP Documents to be considered by the TC
8. Publication of Variety Descriptions
9. UPOV Information Databases
10. Preparatory Workshops
11. Test Guidelines
12. List of Species in Which Practical Knowledge has been Acquired or for Which National Test Guidelines have been Established
13. Program for the fortieth session
14. Adoption of the report on the conclusions reached in the session (if time permits)
15. Closing of the session.

#### Adoption of the Report on the Conclusions

236. The TC was invited to consider document TC/38/15 Prov.

237. At the proposal of the Delegation of Australia it was agreed that, in paragraph 17, the second sentence should read “ The Delegate of Australia suggested that the part of the declaration dealing with ‘factors’ should be rephrased as an inquiry.”

238. The Delegation of France proposed that in paragraph 27, proposal 1 should be amended to read “Option 1 (a) for a gene specific marker of a phenotypic characteristic,” since herbicide tolerance introduced by genetic modification had been used as an example of a phenotypic characteristic in the proposal.

239. The Representative of ASSINSEL recalled that in paragraph 27, proposals 2, 3 and 4, it had been an important feature of these proposals that the use of the techniques had been in the management of reference collections. The Delegation of France agreed with this observation and also proposed that the full title of Option 2, namely “Calibration of threshold levels for molecular characteristics against the minimum distance in traditional characteristics,” as presented in document TC/38/14 –CAJ/45/5, should be used. In conclusion, the TC agreed that the text for proposals 2, 3 and 4 should be amended to read:

“Proposals 2, 3 and 4 (Option 2: Calibration of threshold levels for molecular characteristics against the minimum distance in traditional characteristics for Oilseed Rape, Maize and Rose, respectively), were used for the management of reference collections were, on the basis of the assumptions in the proposals, acceptable within the terms of the UPOV Convention and would not undermine the effectiveness of protection offered under the UPOV system.”

240. The Chairman noted that in paragraph 27, proposals 5 and 6, the sentence “Concerns were raised that, in these proposals, uniformity and stability were not examined on the characteristics used for distinctness and that, using this approach, it might be possible to use a

limitless number of markers to find differences between varieties.” was not appropriate for proposal 6 (Wheat) because, in this proposal, uniformity was examined. It was agreed that the words “uniformity and stability were not examined on the characteristics used for distinctness and that” should be deleted from that sentence and that, in the final sub-paragraph of paragraph 27, a further fourth sentence should be added such that it reads:

“The Vice Secretary -General also reported some general remarks. Firstly, concern had been raised regarding the accessibility of techniques covered by patents. Secondly, the group had emphasized the importance of considering if there were cost benefits arising from any new approaches. Thirdly, the importance of the relationship between phenotypic characteristics and molecular techniques had also been discussed. Finally, the importance of examining uniformity and stability on the same characteristics as used for distinctness had been emphasized.”

241. At the proposal of the Representative of CPVO, it was agreed that paragraph 47 should read as follows:

“The Representative of the Community Plant Variety Office (CPVO) thanked the Office and members of UPOV for their work in developing Test Guidelines. He reported that these Test Guidelines were used as the basis for the development of Test Guidelines used by the CPVO for the Community Plant Breeders’ Rights system and the European member States in the examination of varieties for addition to the National Lists and the Common Catalogue.”

242. On this basis, the Chairman noted the adoption of the Report on the Conclusions.

#### Closing of the Session

\*243. The Vice Secretary-General awarded Mr. Joël Guiard with a silver UPOV medal, in recognition of his chairmanship of the TC (1996 -1998) and two bronze UPOV medals in recognition of his chairmanship of the Technical Working Party for Agriculture (1985 -1987) and the Working Group on Biochemical and Molecular Techniques and DNA -Profiling in Particular (1994 -1998). Mr. Joost Barendrecht received a bronze UPOV medal for his chairmanship of the Technical Working Party for Ornamental Plants and Forest Trees (1988 -1990 and 1997-1999).

*244. The present report has been adopted by correspondence.*

[Annex I follows]

ANNEXI/ANNEXEI/ANLAGEI/ANEXO I

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS /  
TEILNEHMERLISTE / LISTA DE PARTICIPANTES

(in the alphabetical order of the French names of the States / dans l'ordre alphabétique des noms  
français des États / in alphabetischer Reihenfolge der französischen Namen der Staaten / por orden  
alfabético de los nombres en francés de los Estados)

I. MEMBRES/MEMBERS/ VERBANDSMITGLIEDER/MIEMBROS

AFRIQUE DU SUD/SOUTH AFRICA/SÜDAFRIKA/SUDÁFRICA

Leseho SELLO (Miss), Deputy Director, Plant Genetic Resources, Directorate: Genetic Resources, Private Bag X973, Pretoria 001  
(tel.: +27123196024 fax: +271231963 29e -mail: lesehos@nda.agric.za)

Martin S. JOUBERT, Assistant Director, Directorate: Genetic Resources, P.O. Box 25322, Gezina 0031  
(tel.: +27128085080 fax: +27128085392e -mail: variety.control@nda.agric.za)

ALLEMAGNE/GERMANY/DEUTSCHLAND/ ALEMANIA

Beate RÜCKER (Frau), Bundessortenamt, Osterfeld damm 80, 30627 Hannover  
(tel.: +495119566650 fax: +49511563362e -mail: beate.ruecker@bundessortenamt.de)

ARGENTINE/ARGENTINA/ARGENTINIEN

Adelaida HARRIES (Sra.), Responsable, ex - Instituto Nacional de Semillas, Secretaría de Agricultura, Ganadería, Pesca y Alimentación (SAGPYA), Paseo Colón 922, 3º piso, of. 302, 1063 Buenos Aires  
(tel.: +541143492497 fax: +541143492417e -mail: aharr@ sagpya.minproduccion.gov.ar)

Marcelo LABARTA, Director de Registro de Variedades, ex - Instituto Nacional de Semillas, Secretaría de Agricultura, Ganadería, Pesca y Alimentación (SAGPYA), Paseo Colón 922, 3º piso, of. 347, 1063 Buenos Aires  
(tel.: +541143492445 fax: +541143492444e -mail: mlabar@ sagyp.mecon.gov.ar)

Marta GABRIELONI (Sra.), Consejera, Misión permanente, 10, route de l'Aéroport, Case postale 536, 1215 Ginebra, Suisse  
(tel.: +41229298600 fax: +41227985995e -mail: mission.argentine@ties.itu.int)

AUSTRALIE/AUSTRALIA/A USTRALIEN

Doug WATERHOUSE, Registrar, Plant Breeders' Rights Office, Department of Primary Industries and Energy, Commonwealth Department of Agriculture, Fisheries and Forestry, P.O.Box858, Canberra, ACT2601  
(tel.:+61262723888fax:+61262723650 e -mail:doug.waterhouse@affa.gov.au)

AUTRICHE/AUSTRIA/ÖSTERREICH

Barbara FÜRNEWEGER (Frau), Abteilungsleiter, Leiterin der Abteilung für Sortenschutz und Registrierprüfung, Bundesamt und Forschungszentrum für Landwirtschaft, Spargelfeldstrasse 191, Postfach 400, 1220 Wien  
(tel.:+431732164171fax:+431732164211e -mail:bfuernerweg@bfl.at)

BELGIQUE/BELGIUM/BELGIEN/BÉLGICA

Camille VANSLEMBROUCK (Mme), Ingénieur, Service matériel de reproduction, protection des obtentions végétales et catalogues des variétés, Administration de la qualité des matières premières et du secteur végétal (DG4), Ministère des classes moyennes et de l'agriculture WTC III, Boulevard Simon Bolívar 30, 11ème étage, 1000 Bruxelles  
(tel.:+3222084408fax:+3 222084421e -mail:Camille.Vanslebrouck@cmlag.fgov.be)

BRÉSIL/BRAZIL/BRASILIEN/BRASIL

Ariete DUARTE FOLLE (Sra.), Chefe, Serviço Nacional de Proteção de Cultivares (SNPC), Secretaria de Desenvolvimento Rural, Ministério da Agricultura e do Abastecimento, Esplanada dos Ministérios, Bloco D, Anexo A, Térreo, Salas 1 -12, Brasília, D.F. 70043 -900  
(tel.:+55612182163fax:+55612242842e -mail:ariete@agricultura.gov.br)

Alvaro A. NUNES VIANA, Coordinator, Serviço Nacional de Proteção de Cultivares (SNPC), Secretaria de Desenvolvimento Rural, Ministério da Agricultura e do Abastecimento, Esplanada dos Ministerios, Bloco D, Anexo A, Térreo, Salas 1 -12, Brasília, D.F. 70043 -900  
(tel.:+55612182163fax:+55612182557)

CANADA/KANADA/CA NADÁ

Valerie SISSON (Ms.), Commissioner, Plant Breeders' Rights Office, Canadian Food Inspection Agency (CFIA), Camelot Court, 59, Camelot Drive, Nepean, Ontario K1A 0Y9  
(tel.:+16132252342fax:+16132286629e -mail:vsisson@em.agr.ca)

Cameron MAC KAY, First Secretary, Permanent Mission, 5, av. de l'Ariana, 1202 Geneva, Switzerland  
(tel.:+41229199223fax:+41229199290e -mail:cameron.mackay@dfait-maeci.gc.ca)

CHINE/CHINA

LI Yanmei (Mrs.), Project Administrator, State Intellectual Property Office (SIPO),  
6, Xitucheng Road, Haidian District, Beijing 100088  
(tel.: +861062093288 fax: +861062019615e -mail: liyanmei@sipo.gov.cn)

LÜ Bo, Director, DUS Test Division, Development Center for Science and Technology,  
Ministry of Agriculture, Building 18, Maizi Dian Street, Beijing  
(tel.: +861065925213 fax: +861065925213e -mail: lu.bo@agri.gov.cn)

HAN Li (Mrs.), First Secretary, Permanent Mission, 11, chemin de Surville,  
1213 Petit-Lancy 2, Switzerland (tel.: +41228795635 fax: +41228795637)

COLOMBIE/COLOMBIA/KOLUMBIEN

Carlos Arturo KLEEFELD PATERNOSTRO, Subgerente de Protección y Regulación  
Agrícola, Instituto Colombiano Agropecuario (ICA), Calle 37, #8 -43, Piso 5, Bogotá D.C.  
(tel.: +5712324693 fax: +5712884037e -mail: obtentores.semillas@ica.gov.co)

Rocio SAÑUDO DE ANGEL (Sra.), Jefe Oficina Jurídica, Instituto Colombiano  
Agropecuario (ICA), Calle 37, #8 -43, Piso 5, Bogotá D.C.  
(tel.: +5712324690 fax: +5712884037e -mail: juridica@ica.gov.co)

Ana Luisa DÍAZ JIMÉNEZ (Sra.), Coordinador Nacional, Derechos de Obtentor de  
Variedades y Producción de Semillas, Instituto Colombiano Agropecuario (ICA), Calle 37,  
# 8-43, Piso 4, Bogotá D.C.  
(tel.: +5712328643 fax: +5712324697 ext. 371e -mail: semillas@ica.gov.co)

CROATIE/CROATIA/KROATIEN/CROACIA

Ruzica ORE (Mrs.), Head of Plant Variety Protection and Registration, Institute for Seed and  
Seedlings, Vinkovacka cesta 63c, 31000 Osijek  
(tel.: +38531275206 fax: +38531275193e -mail: r.ore@zs.hr)

DANEMARK/DENMARK/DÄNEMARK/DINAMARCA

Hans Jørgen ANDERSEN, Head of Division, The Danish Plant Directorate, Ministry of Food,  
Agriculture and Fisheries, Skovbrynet 20, 2800 Lyngby  
(tel.: +4545263600 fax: +4545263610e -mail: hja@pdir.dk)

ESPAGNE/SPAIN/SPANIEN/ESPAÑA

Luis SALAICES, Jefe de Área del Registro de Variedades, Oficina Española de Variedades Vegetales (OEVV), Ministerio de Agricultura, Pesca y Alimentación (MAPA), Avda. de Ciudad de Barcelona No.6, 28007 Madrid  
(tel.:+34913476712 fax:+34913476703e -mail:lsalaice@mapya.es)

ESTONIE/ESTONIA/ESTLAND

Pille ARDEL (Mrs.), Head of Department, Plant Production Inspectorate, Variety Control Department, 71024 Viljandi  
(tel.:+3724334650 fax:+3724334 650e -mail:pille.ardel@plant.agri.ee)

ÉTATS-UNIS D'AMÉRIQUE/UNITED STATES OF AMERICA/  
VEREINIGTES STAATEN VON AMERIKA/ESTADOS UNIDOS DE AMÉRICA

Karen M. HAUDA (Mrs.), Patent Attorney, Office of Legislative and International Affairs, United States Patent and Trademark Office (USPTO), Department of Commerce, Box 4, Washington, D.C. 20231  
(tel.:+17033059300 ext.129 fax:+17033058885e -mail:karen.hauda@uspto.gov)

Paul M. ZANKOWSKI, Commissioner, Plant Variety Protection Office, Agriculture Marketing Service, 10301 Baltimore Blvd., Room 500, Beltsville, Maryland 20705 -2351  
(tel.:+13015045518 fax:+13015045291e -mail:paul.zankowski@usda.gov) 1

Dominic KEATING, Intellectual Property Attaché, Office of the United States Trade Representative (USTR), Permanent Mission, 11, route de Pregny, 1291 Chambésy, Switzerland  
(tel.:+41227495281 fax:+41227494880e -mail:dkeating@ustr.gov)

FÉDÉRATION DE RUSSIE / RUSSIAN FEDERATION / RUSSISCHE FÖDERATION /  
FEDERACIÓN DE RUSIA

Valery V. SHMAL, Chairman, State Commission of the Russian Federation for Selection Achievements Test and Protection, Orlikov per., 1/11, Moscow 107139  
(tel.:+700952044926 fax:+700952078626e -mail:statecommission@mtu-net.ru)

Yuri ROGOVSKI, Deputy -Chairman, Chief of Methods Department, State Commission of the Russian Federation for Selection Achievements Test and Protection, Orlikov per., 1/11, Moscow 107139  
(tel.:+700952086775 fax:+700952078626e -mail:statecommission@mtu-net.ru)



FINLANDE /FINLAND/FINNLAND/FINLANDIA

Kaarina T. PAAVILAINEN (Ms.), Senior Inspector, KTTK Seed Testing, Plant Production Inspection Centre, Ministry of Agriculture and Forestry, P.O. Box 111, 32201 Loimaa  
(tel.: +358276056247 fax: +358276056222e -mail: kaarina.paavilainen@kttk.fi)

FRANCE/FRANKREICH/FRANCIA

Joël GUIARD, Directeur adjoint, Grouped' étude et de contrôle des variétés et des semences (GEVES), La Minière, 78285 Guyancourt Cedex  
(tel.: +33130833580 fax: +33130833629e -mail: joel.guiard@geves.fr)

Françoise BLOUET (Mlle), Ingénieur de recherches, GEVES, La Minière, 78285 Guyancourt Cedex  
(tel.: +33130833582 fax: +33130833678e -mail: francoise.blouet@geves.fr)

Nicole BUSTIN (Mlle), Secrétaire général, Comité de la protection des obtentions végétales (CPOV), Ministère de l'agriculture et de la pêche, 11, rue Jean Nicot, 75007 Paris  
(tel.: +33142759314 fax: +33142759425e -mail: )

HONGRIE/HUNGARY/UNGARN/HUNGRÍA

Károly NESZMÉLYI, General Director, National Institute for Agricultural Quality Control (NIAQC), Keleti Karoly u. 24, P.O. Box 3093, 1024 Budapest  
(tel.: +3612124711 fax: +3612122670e -mail: ommiszam@mail.datanet.hu)

József HARSANYI, Head of Department, Department for Fruit and Grapevine, Variety Testing Division, National Institute for Agricultural Quality Control (NIAQC), Keleti Károly u. 24, P.O. Box 3093, 1024 Budapest  
(tel.: +3612123127 Ext. 2341 fax: +3612125367e -mail: harsanyij@ommi.hu)

IRLANDE/IRELAND/IRLAND/IRLANDIA

John V. CARVILL, Controller of Plant Breeders' Rights, Plant Variety Rights Office, Department of Agriculture & Food, Backweston, Leixlip, Co. Kildare  
(tel.: +35316302902 fax: +35316280634e -mail: john.carvill@agriculture.gov.ie)

ITALIE/ITALY/ITALIEN/ITALIA

Pier Giacomo BIANCHI, Manager General Affairs, Ente Nazionale delle Sementi Elette, Via Fernanda Wittgens 4, 20123 Milano  
(tel.: +390280691626 fax: +390280691649e -mail: aff-gen@ense.it)

JAPON/JAPAN/JAPÓN

Keiji MARUYAMA A, Director, Plant Variety Examination Office, Seeds and Seedlings Division, Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), 1-2-1 Kasumigaseki, Chiyoda -ku, Tokyo 100 -8950  
(tel.:+81335810518fax:+81335026572 e-mail:keiji\_matuyama@nm.maff.go.jp)

Jun KOIDE, Deputy Director, Seeds and Seedlings Division, Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), 1-2-1 Kasumigaseki, Chiyoda -ku, Tokyo 100 -8950  
(tel.:+8133591052 fax:+81335025301e-mail:jun\_koide@nm.maff.go.jp)

Masayoshi MIZUNO, First Secretary, Permanent Mission, 3, chemin des Fins, 1211 Grand -Saconnex, Switzerland  
(tel.:+41227173238fax:+41227883368e-mail:mizuno.masayoshi@bluewin.ch)

KENYA/KENIA

Chagema John KEDERA, Managing Director, Kenya Plant Health Inspectorate Service (KEPHIS), Waiyaki Way, P.O. Box 49592, Nairobi  
(tel.:+2542440087fax:+2542448940e-mail:kephis@nbnet.co.ke)

Evans O. SIKINYI, Registrar, Plant Breeders' Rights Office, Kenya Plant Health Inspectorate Service (KEPHIS), Waiyaki Way, P.O. Box 49592, Nairobi  
(tel.:+2542440087fax:+2542448940e-mail:kephis@nbnet.co.ke)

MEXIQUE/MEXICO/MEXIKO/MÉXICO

Enriqueta MOLINA MACÍAS (Sra.), Subdirectora, Registro y Control de Variedades, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), Secretaría de Agricultura, Ganadería y Desarrollo Rural, Av. Presidente Juárez No. 13, Col. El Cortijo, 54000 Tlalnepantla  
(tel.:+525553842213fax:+525553901441e-mail:enriqueta.molina@sagar.gob.mx)

NOUVELLE-ZÉLANDE/NEW ZEALAND/NEUSEELAND/NUEVAZELANDIA

Bill WHITMORE, Commissioner of Plant Variety Rights, Plant Variety Rights Office, P.O. Box 130, Lincoln, Canterbury  
(tel.:+643325 6355fax:+6439833946e-mail:bill.whitmore@pvr.govt.nz)

PAYS-BAS/NETHERLANDS/NIEDERLANDE/PAÍSESBAJOS

Joost BARENDRECHT, Expert, Dutch Board of Breeders' Rights, Plant Research International, P.O. Box 16, 6700 AA Wageningen  
(tel.:+313174 76893fax:+31317418094e-mail:c.j.barendrecht@plant.wag-ur.nl)

POLOGNE/POLAND/POLEN/POLONIA

Edward S. GACEK, Director General, Research Centre for Cultivar Testing (COBORU),  
63-022SlupiaWielka  
(tel.:+48612852341fax:+486128535 58e -mail:e- gacek\_coboru@bptnet.pl)

Julia BORYS (Mrs.), Head, DUS Testing Department, Centralny Osrodek Badania Odmian  
RoslinUprawnych(COBORU),63- 022SlupiaWielka  
(tel.:+48612852341fax:+48612853558e -mail:coboru@bptnet.pl)

Wieslaw P ILARCZYK, Expert Statistician, Centralny Osrodek Badania Odmian Roslin  
Uprawnych(COBORU),63 -022SlupiaWielka  
(tel.:+48612852341Ext.224fax:+48612853558e -mail:wpilar@owl.au.poznan.pl)

PORTUGAL

Carlos PEREIRA GODINHO, Director, Plant Breeders' Rights Office, Direção Geral de  
Proteção das Culturas (DGPC), Centro Nacional de Registo de Variedades Protegidas,  
EdificioIIdoCNPPA, TapadadaAjuda, 1300Lisboa  
(tel.:+351213613216fax:+35121361e -mail:cgodinho@dgpc.min -agricultura.pt)

RÉPUBLIQUE DE CORÉE / REPUBLIC OF KOREA / REPUBLIK KOREA /  
REPÚBLICA DE COREA

LEE Jong -Ho, Examiner, 268 -1Pyungchon- ri, Milyang City, Gyungnam  
(tel.:+82553532591e -mail:leejh41p@seed.go.kr)

CHOI Keun Jin, Examination Officer, Plant Variety Protection Division, National Seed  
Management Office, 433 Anyang 6 -dong, Anyang -si, 430 -016  
(tel.:+82314670190fax:+82314670161e -mail:kjchoi@seed.go.kr)

KIM Hee -Song, Second Secretary, Permanent Mission, 1, Av. de l' Ariana, Case postale 42,  
1211 Geneva, Switzerland  
(tel.:+41 -22-7480000e -mail:hskim93@mofat.go.kr)

RÉPUBLIQUE TCHÈQUE / CZECH REPUBLIC / TSCHECHISCHE REPUBLIK /  
REPÚBLICA CHECA

Jiří SOU ČEK, Head of Department, Department of DUS Tests and Plant Variety Rights,  
Central Institute for Supervising and Testing in Agriculture (ÚKZÚZ), Za opravnou 4,  
15006 Praha 5 -Motol  
(tel.:+420257211755fax:+420257211752e -mail:jiri.soucek@ooz.zeus.cz)

ROUMANIE/ROMANIA/RUMÄNIEN/RUMANIA

Adriana PARASCHIV (Mrs.), Head, State Office for Inventions and Trademarks,  
5, Jon Ghica, Sector 3, P.O. Box 52, 70018 Bucharest  
(tel.: +4013155698 fax: +4013123819e -mail: adriana.paraschiv@osim.ro)

Mihaela-Rodica CIORA (Mrs.), Expert, State Institute for Variety Testing and Registration,  
Ministry of Agriculture, Food and Forestry, 61, Marasti, Sector 1, Bucharest  
(tel.: +4012231425 fax: +4012225605)

Madalina-Cornelia POPESCU (Ms.), Examiner, Biotechnology Substantive Examining  
Division, State Office for Inventions and Trademarks, Baneasa str. 24 -26, B15/1, SCAETA  
AP9, Bucharest  
(tel.: +4013145956 ext. 233)

Ruxandra URUCU (Ms.), Legal Adviser, Legal and International Cooperation Division, State  
Office for Inventions and Trademarks, 5, Jon Ghica, Sector 3, P.O. Box 52, 70018 Bucharest  
(tel.: +4013132492 fax: +4013123819e -mail: ruxandra.urucu@osim.ro)

ROYAUME-UNI/UNITED KINGDOM/VEREINIGTES KÖNIGREICH/  
REINOUNIDO

Michael S. CAMLIN, Department of Agriculture and Rural Development, Plant Testing  
Station, Crossnacreevy, Belfast BT69SH  
(tel.: +442890548000 fax: +442890548001e -mail: michael.camlin@dardni.gov.uk)

Mike WRAY, Technical Manager, Plant Variety Rights Office, Seed Division, Department  
for Environment, Food & Rural Affairs (DEFRA), White House Lane, Huntingdon Road,  
Cambridge CB30LF  
(tel.: +441223342384 fax: +441223342386e -mail: mike.wray@defra.gsi.gov.uk)

Elizabeth M.R. SCOTT (Miss), Head, Ornamental Crops, Plant Variety Rights Group,  
National Institute of Agricultural Botany, Huntingdon Road, Cambridge CB30LE  
(tel.: +441223342399 fax: +441223342229e -mail: elizabeth.scott@niab.com)

SLOVAQUIE/SLOVAKIA/SLOWAKEI/ESLOVAQUIA

Katarina BENOVSKÁ (Mrs.), Head, Plant Breeders' Rights Office, Central Institute for  
Testing in Agriculture (UKSUP), Matuskova 21, 83316 Bratislava  
(tel.: +421254654282 fax: +421254654282e -mail: uksup.odrody@kiwwi.sk)

SLOVÉNIE/SLOVENIEN/SLOWENIEN/ESLOVENIA

Joze ILERSIC, Counsellor, Administration for Plant Protection and Seeds, Ministry of  
Agriculture, Forestry and Food (MAFF), Dunajska 58, 1000 Ljubljana  
(tel.: +38614363344 fax: +38614363312e -mail: joze.ilersic@gov.si)

SUÈDE/SWEDEN/SCHWEDEN/SUECIA

Gunnar KARLTORP, Head of Office, National Plant Variety Board, Box 1247, 17124 Solna  
(tel.:+4687831260 fax:+468833170e -mail:karltorp@svn.se)

SUISSE/SWITZERLAND/SCHWEIZ/SUIZA

Pierre Alex MIAUTON, Station fédérale de recherches en production végétale de Changins,  
Case postale 254, 1260 Nyon 1  
(tel.:+41223634668 fax:+41223615469e -mail:pierre.miauton@rac.admin.ch)

UKRAINE/UCRANIA

Lev GLUKHIVSKYI, Member of Parliament, Supreme Rada of Ukraine; Chairman,  
Sub-Committee for Innovation Activity and Protection of Intellectual Property,  
Bankova st., 6/8, room 538, Kyiv  
(tel.:+380442540866)

Oksana ZHMURKO (Mrs.), Deputy Head, International Cooperation Department, State  
Commission of Ukraine for Testing and Protection of Plant Varieties, 15, Henerala  
Rodimtsevavul., Kyiv -41,03041  
(tel.:+380442579938 fax:+380442579934e -mail:vartest@iptelecom.net.ua)

URUGUAY

Carlos GÓMEZ -ETCHEBARNE, Director del Registro de Propiedad de Cultivares y del  
Registro Nacional de Cultivares, Instituto Nacional de Semillas (INASE),  
Casilla Correo 7731 -Pando, 90000 Canelones  
(tel.:+59822887099 fax:+59822887077e -mail:inase@adinet.com.uy)

II. OBSERVATEURS/OBSERVERS/BEOBACHTER /OBSERVADORES

ÉGYPTE/EGYPT/ÄGYPTEN/EGIPTO

Gamal EISSA ATTYA, Director, Breeders' Rights Department, Central Administration for  
Seed Testing & Certification (CASC), 8 Gamma Street, P.O. Box 147, Giza, 12211 Cairo  
(tel.:+2025720839 fax:+202 5725998e -mail:seedcert@brainy1.ie -eg.com)

THAÏLANDE/THAILAND/TAIANDIA

Thepparat PHIMOLSATHIEN, Foreign Relations Officer, Office of the Permanent Secretary, Ministry of Agriculture and Cooperatives, Ratchadaneon Nok Ave., Bangkok  
(e-mail: thepparat@hotmail.com)

Pisan LUETONGCHARG, Minister Counsellor, Permanent Mission, ICC - Bâtiment F -G, 20, route de Pré -Bois, C.P. 1848, 1215 Geneva 15, Switzerland  
(tel.: +41229295200 fax: +41227910166e -mail: pisan@thaiwto.com)

Wittawat SARASALIN, Senior Economist, Office of the Permanent Secretary, Natural Resources and Biodiversity Institute, Ministry of Agriculture and Cooperatives, Bangkok  
(tel.: +6622816599 fax: +6622801555)

III. ORGANISATIONS/ORGANIZATIONS/  
ORGANISATIONEN/ORGANIZACIONES

ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET  
L'AGRICULTURE (FAO) / FOOD AND AGRICULTURE ORGANIZATION OF THE  
UNITED NATIONS (FAO) / ERNÄHRUNGS - UND LANDWIRTSCHAFTS -  
ORGANISATION DER VEREINTEN NATIONEN (FAO) / ORGANIZACIÓN DE LAS  
NACIONES UNIDAS PARA LA AGRICULTURA Y LA ALIMENTACIÓN (FAO)

Nuria URQUÍA (Ms.), Networking Officer (Plant Genetic Resources), Seed and Plant Genetic Resources Service, Plant Production and Protection Division, Agricultural Department, Viale delle Terme di Caracallas /n, 00100 Rome, Italy  
(tel.: +390657056547 fax: +390657053152e -mail: nuria.urquia@fao.org)

COMMUNAUTÉ EUROPÉENNE / EUROPEAN COMMUNITY / EUROPÄISCHE  
GEMEINSCHAFT/COMUNIDADE EUROPEA

Marco VALVASSORI, Administrateur principal, Semences et matériel de multiplication, Direction générale Santé et protection des consommateurs, Commission européenne, 101 rue Froissart, Bureau: F10105 -60, 1049 Bruxelles, Belgique  
(tel.: +3222956971 fax: +3222969399e -mail: Marcantonio.valvassori@cec.eu.int)

Dorothee ANDRÉ-SCHOBOBODA (Mrs.), Principal Administrator, DG Health and Consumer Protection, European Commission, Unit E1 Plant Health, 101 rue Froissart, Office F10105 -56, 1049 Brussels, Belgium  
(tel.: +3222962315 fax: +3222969399e -mail: dorothee.andre-schoboboda@cec.eu.int)

José ELENA, Vice-President, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, B.P. 2141, 49021 Angers Cedex 02, France  
(tel.: +33241256414 fax: +33241256410e -mail: elena@cpvo.eu.int)

Dirk THEOBALD, Head of the Technical Unit, Community Plant Variety Office (CPVO),  
3, boulevard Maréchal Foch, B.P. 2141, 49021 Angers Cedex 02, France  
(tel.: +33241256400 fax: +33241256410e -mail: theobald@cpvo.eu.int)

ORGANISATION DE COOPÉRATION ET DE DÉVELOPPEMENT ÉCONOMIQUES (OCDE)/ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) / ORGANISATION FÜR WIRTSCHAFTLICHE ZUSAMMENARBEIT UND ENTWICKLUNG (OECD) / ORGANIZACIÓN DE COOPERACIÓN Y DESARROLLO ECONÓMICOS (OCDE)

Bertrand DAGALLIER, Administrator, OECD Seed Schemes, 2, rue André -Pascal,  
75775 Paris Cedex 16, France  
(tel.: +33145241878 fax: +33144306117e -mail: bertrand.dagallier@oecd.org)

INSTITUT INTERNATIONAL DES RESSOURCES PHYTOGÉNÉTIQUES (IPGRI) / INTERNATIONAL PLANT GENETIC RESOURCES INSTITUTE (IPGRI) / INTERNATIONALES INSTITUT FÜR PFLANZENGENETISCHE RESSOURCEN (IPGRI)/INSTITUTO INTERNACIONAL DE RECURSOS FITOGENÉTICOS (IPGRI)

Adriana ALERCIA (Mrs.), Germplasm Information Specialist, Documentation, Information and Training Group, International Plant Genetic Resources Institute - IPGRI, Via dei Tre Denari 472a, Maccaresse, 00577 Rome, Italy  
(tel.: +39066118410 fax: +39066197661e -mail: a.alercia@cgiar.org)

ASSOCIATION INTERNATIONALE D'ESSAIS DE SEMENCES (ISTA) / INTERNATIONAL SEED TESTING ASSOCIATION (ISTA) / INTERNATIONALE VEREINIGUNG FÜR SAATGUTPRÜFUNG (ISTA) / ASOCIACIÓN INTERNACIONAL PARA EL ENSAYO DE SEMILLAS (ISTA)

Bettina KAHLERT (Ms.), International Seed Testing Association (ISTA), Zürichstrasse 50,  
P.O. Box 308, 8303 Bassersdorf, Switzerland  
(tel.: +4118386000 fax: +4118386001e -mail: executive.office@ista.ch)

ASSOCIATION INTERNATIONALE DE SÉLECTIONNEURS POUR LA PROTECTION DES OBTENTIONS VÉGÉTALES (ASSINSEL)/INTERNATIONAL ASSOCIATION OF PLANT BREEDERS FOR THE PROTECTION OF PLANT VARIETIES (ASSINSEL) / INTERNATIONALER VERBAND DER PFLANZENZÜCHTER FÜR DEN SCHUTZ VON PFLANZENZÜCHTUNGEN (ASSINSEL) / ASOCIACIÓN INTERNACIONAL DE SELECCIONADORES PARA LA PROTECCIÓN DE LAS OBTENCIONES VEGETALES (ASSINSEL)

Bernard LEBUANEC, Secretary General, ASSINSEL, 7, chemin du Reposoir, 1260 Nyon,  
Switzerland  
(tel.: +41223654420 fax: +41223654421e -mail: fis@worldseed.org)

Marcel B.M. BRUINS, Seminis Vegetable Seeds, Intellectual Resource Protection & Regulatory Affairs, Nude 54D, 6702DN Wageningen, Netherlands  
(tel.: +31317450218 fax: +31317450217e -mail: mbruins@svseeds.nl)

Juan Carlos MARTÍNEZ GARCÍA, Conseiller juridique, DISAGRISEMILLAS, S.L., Paseo Pamplona 2, Esc. 1 -4º A, 50004 Zaragoza  
(tel.: +34976212197 fax: +34976226410e -mail: jcmartinezg@navegalia.com)

Pierre ROGER, Directeur de la propriété intellectuelle, Groupe Limagrain Holding, Rue Limagrain, Boîte postale 1, 63720 Chappes, France  
(tel.: +33473634069 fax: +33473646737e -mail: pierre.roger@limagrain.com)

IV. BUREAU/OFFICERS/VORSITZ/OFICINA

Michael CAMLIN, Chairman  
Julia BORYS (Mrs.), Vice -Chairperson

V. BUREAU DE L'UPOV/OFFICE OF UPOV/BÜRO DER UPOV/  
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Rolf JÖRDENS, Vice Secretary -General  
Peter BUTTON, Technical Director  
Raimundo LAVIGNOLLE, Senior Counsellor  
Makoto TABATA, Senior Counsellor  
Paul Therence SENGHOR, Senior Program Officer  
Vladimir DERBENSKIY, Consultant

[L'annexe II suit/  
Annex II follows/  
Anlage II folgt/  
Sigue el Anexo II]



## ANNEXII/ANNEXEII/ANLAGEII/ANEXOII

AmendmentstodocumentTG/1/3Prov.(documentTC/38/5,AnnexI)adoptedbytheTechnicalCommitteeatitsthirty-eighthsession/  
 ModificationsapportéesaudocumentTG/1/3Prov.(documentTC/38/5,AnnexeI)adoptéesparleComitétechniqueàsatrente-huitième session/  
 VomTechnischenAusschußaufseinerachtunddreißigstenTagungangenommeneÄnderungenzuDokumentTG/1/3Prov.(DokumentTC/38/5,AnlageI)/  
 EnmiendasaldocumentoTG/1/3Prov.(documentoTC/38/5,AnexoI)adoptadasporelComitéTécnicoenstrigésima octavasesión

I. Amendmentstothedocument/Modificationsapportéesaudocument/ÄnderungenzumDokument/Enmiendasaldocumento

English	Français	Deutsch	Español
<p>1.3 .... Test Guidelines developed prior to <del>this latest</del> <b>the adoption of this</b> version of the General Introduction will have been developed in accordance with the version in existence at that time, and will be updated on their next revision.</p>	<p>1.3 ... Les principes directeurs d'examen élaborés avant <b>l'adoption de</b> cette <del>dernière</del> version de l'introduction générale <del>devront l'être</del> <b>l'ont été</b> conformément à la version en vigueur à la date considérée et seront mis à jour lors de leur <del>plus</del> prochaine révision.</p>	<p>1.3 ... Die vor <del>dieser jüngsten</del> <b>der Annahme dieser Fassung</b> der Allgemeinen Einführung entwickelten Prüfungsrichtlinien wurden im Einklang mit der damals vorhandenen Fassung erstellt und sollen bei deren nächster Überarbeitung auf den neuesten Stand gebracht werden.</p>	<p>1.3 ... Las Directrices de Examen elaboradas con anterioridad a <del>esta última</del> <b>la adopción de esta</b> versión de la Introducción General se habrán elaborado de conformidad con la versión existente en ese momento y se actualizarán en su próxima revisión.</p>
<p><u>2.5.3 Factors That May Affect the Expression of the Characteristics of a Variety</u>          The expression of a characteristic or several characteristics of a variety may be affected by factors, such as pests and disease, chemical treatment (e.g. growth retardants or pesticides), <del>past</del> effects of tissue culture, different rootstocks, scions taken from different growth phases of a tree, etc.</p>	<p><u>2.5.3 Facteurs pouvant affecter l'expression des caractères d'une variété</u>          L'expression d'un ou de plusieurs caractères d'une variété peut être affectée par des facteurs tels que parasites ou maladies, traitement chimique (par exemple retardateurs de croissance ou pesticides), effets d'une culture de tissus, porte-greffes, scions prélevés sur un arbre à différents stades de croissance, etc.</p>	<p><u>2.5.3 Faktoren, die die Ausprägung der Merkmale einer Sorte beeinflussen können</u>          Die Ausprägung eines Merkmals oder mehrerer Merkmale einer Sorte kann durch Faktoren wie Schadorganismen, chemische Behandlung (z. B. Wachstumshemmer oder Pestizide), <del>frühere</del> Wirkungen einer Gewebekultur, verschiedene Unterlagen, Edelreiser, die verschiedene Wachstumsstadien eines Baumes entnommen werden, usw., beeinflusst werden.</p>	<p><u>2.5.3 Factores que pueden influir en la expresión de los caracteres de la variedad</u>          La expresión de uno o varios caracteres de la variedad puede estar influenciada por factores como las plagas y las enfermedades, el tratamiento químico (por ejemplo, los retardadores del crecimiento o pesticidas), efectos <del>antiguos</del> del cultivo de tejido, distintos portainjertos, púas de injerto extraídas de distintas fases de crecimiento de un árbol, etc.</p>

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<p>3.2.2 .. The decision on DUS <del>is</del> <b>may be</b> based entirely on the test report supplied by the breeder although the member of the Union may verify the results, for example, by independent examination and publication of the variety description.</p>	<p>3.2.2 ... La décision relative à l'examen DHS <del>est</del> <b>peut être</b> entièrement fondée sur le rapport d'examen remis par l'obteneur, bien que les membres de l'Union puissent vérifier les résultats, par exemple en procédant indépendamment à l'examen et à la publication de la description variétale.</p>	<p>3.2.2 ... Die Entscheidung über DUS <b>kann beruht</b> vollständig auf dem vom Züchter vorgelegten und von der nationalen Behörde überprüften Prüfungsbericht <b>beruhen</b>, doch kann das Verbandsmitglied die Ergebnisse überprüfen, beispielsweise durch eine unabhängige Prüfung und die Bekanntmachung der Sortenbeschreibung.</p>	<p>3.2.2 ... La decisión relativa al examen DHE <del>se basa</del> <b>puede basarse</b> totalmente en el informe sobre el examen proporcionado por el obtentor, aunque el Miembro de la Unión está facultado para comprobar los resultados, por ejemplo, mediante el examen y publicación independientes de la descripción de la variedad.</p>
<p>4.8 Asterisked Characteristic:  Criteria  ...</p> <p>3. <del>Accepted as</del> <b>Must be</b> useful for function 1.</p>	<p>4.8 Caractères avec astérisque  Critères  ...</p> <p>3. <del>Acceptés comme</del> <b>Doivent être</b> utiles pour la fonction 1.</p>	<p>4.8 Merkmal mit Sternchen  Kriterien  ...</p> <p>3. <b>Muß für</b> <del>Für</del> die Funktion 1 <del>als</del> zweckdienlich <b>sein</b> <del>akzeptiert</del>.</p>	<p>4.8 Carácter señalado con un asterisco  Criterios  ...</p> <p>3. <del>Se acepta su utilidad</del> <b>Deberán ser útiles</b> para la función 1.</p>
<p>4.8 Grouping Characteristic:  Function</p> <p>1. Characteristics in which the documented states of expression, even where <del>produced</del> <b>recorded</b> at different locations, can be used to select, either individually or in combination with other such characteristics, varieties of common knowledge that can be excluded from the growing trial used for examination of distinctness.</p>	<p>4.8 Caractères de groupement  Fonction</p> <p>1. Caractères dont les niveaux d'expression <del>recensés</del> <b>observés</b>, même <del>sur</del> <b>dans</b> différents sites, peuvent être utilisés, soit individuellement soit avec d'autres caractères de même nature, pour sélectionner des variétés <del>notoires</del> <b>notoirement connues</b> susceptibles d'être exclues de l'essai en culture pratique pour l'examen de la distinction.</p>	<p>4.8 Gruppierungsmerkmal  Funktion</p> <p><b><u>1. Merkmale, deren dokumentierte Ausprägungsstufen, selbst wenn sie an verschiedenen Orten erfaßt wurden, einzeln oder in Kombination mit anderen derartigen Merkmalen dafür verwendet werden können, allgemein bekannte Sorten auszuwählen, die von der Anbauprüfung zur Prüfung der Unterscheidbarkeit ausgeschlossen werden können.</u></b> <del>1. Merkmale, deren dokumentierte Ausprägungsstufen, selbst wenn sie an verschiedenen Standorten auftreten, für die Selektion allgemein bekannter Sorten,</del></p>	<p>4.8 Carácter de agrupamiento  Función</p> <p><b><u>1. Caracteres en los que los niveles de expresión documentados, aún cuando hayan sido registrados en distintos lugares, pueden utilizarse, individualmente o en combinación con otros caracteres similares, para seleccionar variedades notoriamente conocidas que pueden ser excluidas del ensayo de cultivo utilizado para el examen de la distinción.</u></b> <del>1. Caracteres en los que pueden utilizarse los niveles de expresión documentados, aún cuando hayan sido producidos en distintos lugares, para</del></p>

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<p>2. Characteristics in which the documented states of expression, even where <del>produced</del> <b>recorded</b> at different locations, can be used, either individually or in combination with other such characteristics, to organize the growing trial so that similar varieties are grouped together.</p>	<p>2. Caractères dont les niveaux d'expression <del>recensés</del> <b>observés</b>, même <del>sur</del> <b>dans</b> différents sites, peuvent être utilisés, soit individuellement soit avec d'autres caractères de même nature, pour organiser l'essai en culture de telle sorte que les variétés similaires soient regroupées.</p>	<p><del>die von der Anbauprüfung, die zur Prüfung der Unterscheidbarkeit verwendet wird, ausgeschlossen werden können, entweder einzeln oder in Kombination mit an deren derartigen Merkmalen verwendet werden können.</del></p> <p>2. Merkmale, deren dokumentierte Ausprägungsstufen, selbst wenn sie an verschiedenen Standorten <del>aufreten</del> <b>erfaßt wurden</b>, entweder einzeln oder in Kombination mit anderen derartigen Merkmalen dafür verwendet werden können, die Anbauprüfung so zu organisieren, daß ähnliche Sorten gruppiert werden.</p>	<p><del>seleccionar, individualmente o en combinación con otros caracteres similares, variedades notoriamente conocidas que puedan ser excluidas en el ensayo en cultivo o utilizado para examen de la distinción.</del></p> <p><b><u>2. Caracteres en los que los niveles de expresión documentados, aún cuando hayan sido registrados en distintos lugares, pueden utilizarse, individualmente o en combinación con otros caracteres, para organizar el ensayo en cultivo de manera tal, que variedades similares queden agrupadas conjuntamente.</u></b></p> <p><del>2. Caracteres en los que pueden utilizarse los niveles de expresión documentados, aún cuando hayan sido producidos en distintos lugares, individualmente o en combinación con otros caracteres, para organizar el ensayo en cultivo de manera tal que variedades similares queden agrupadas conjuntamente.</del></p>

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<p>4.8 GroupingCharacteristic:</p> <p>Criteria</p> <p>...</p> <p>2. <del>Accepted as</del> <b>Must be</b> useful for functions 1 and 2.</p> <p>3. <del>Must</del> <b>Should</b> be an asterisked characteristic and/or included in the Technical Questionnaire <b>or application form</b>.</p>	<p>4.8 Caractèresdegroupement</p> <p>Critères</p> <p>...</p> <p>2. <del>Acceptés comme</del> <b>Doivent être</b> utilespourlesfonctions1et2.</p> <p>3. <del>Doivent être</del> <b>Sont généralement</b> des caractères avec astérisque ou figurant dans le questionnaire technique <b>ou dans le formulaire de demande</b>, ou répondant à ces deux conditions.</p>	<p>4.8 Gruppierungsmerkmal</p> <p>Kriterien</p> <p>...</p> <p>2. <del>Als zweckdienlich</del> <b>Muß</b> für die Funktionen 1 und 2 <del>akzeptiert</del> <b>zweckdienlichsein</b>.</p> <p>3. <del>Muß</del> <b>Sollte</b> ein Merkmal mit Sternchen und/oder ein im Technischen Fragebogen <b>oder im Antragsformblatt</b> enthaltenes Merkmal sein.</p>	<p>4.8 Carácterdeagrupamiento</p> <p>Criterios</p> <p>...</p> <p>2. <del>Se acepta su utilidad</del> <b>Deberán ser útiles</b> para las funciones 1 y 2.</p> <p>3. <del>Debe</del> <b>En general, debería</b> ser un carácter señalado con un asterisco y/o estar incluido en el cuestionario técnico <b>o en el formulario de solicitud</b>.</p>
<p>4.8 AdditionalCharacteristic:</p> <p>Criteria</p> <p>3. Such characteristics <del>to</del> <b>should</b> be submitted to UPOV for inclusion in document TGP/5, "Experience and Cooperation in DUS Testing."</p>	<p>4.8 Caractères supplémentaires</p> <p>Critères</p> <p>3. Ces caractères <del>doivent</del> <b>devraient</b> être communiqués à l'UPOV en vue d'être repris dans le document TGP/5 "Expérience et coopération en matière d'examen DHS."</p>	<p>4.8 Zusätzliches Merkmal</p> <p>Kriterien</p> <p>3. Diese Merkmale <del>sind</del> <b>sollten</b> der UPOV zur Aufnahme in das Dokument TGP/5, „Erfahrung und Zusammenarbeit bei der DUS -Prüfung," an <del>zu</del> <b>gegeben werden</b>.</p>	<p>4.8 Carácter adicional</p> <p>Criterios</p> <p>3. Dichos caracteres <del>deberán</del> <b>deberían</b> remitirse a la UPOV para su inclusión en el documento TGP/5, "Experiencia y cooperación en el examen DHE."</p>
<p><del>{5.2.2 Existence of a Variety—</del></p> <p><del>— Living plant material must be in existence for a variety to be taken into account for distinctness.}</del></p>	<p><del>{5.2.2 Existence de la variété—</del></p> <p><del>— L'existence de matériel végétal vivant est indispensable pour qu'une variété puisse être prise en considération aux fins de la distinction.}</del></p>	<p><del>{5.2.2 Vorhandensein einer Sorte—</del></p> <p><del>— Damit eine Sorte für die Unterscheidbarkeit berücksichtigt werden kann, muß lebendes Pflanzenmaterial vorhanden sein.}</del></p>	<p><del>{5.2.2 Existencia de la variedad—</del></p> <p><del>— Con el fin de que la variedad sea tomada en cuenta a los efectos de la distinción deberá estar disponible el material vegetal biológico.}</del></p>

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<p>5.3.1.4 ... The model Technical Questionnaire, included in the Test Guidelines, seeks information on specific characteristics of importance for distinguishing varieties, <del>the origin</del> <b><u>information on the breeding scheme</u></b> of the variety and any other information which may help to distinguish the variety...</p>	<p>5.3.1.4....Les renseignements demandés dans le questionnaire technique type figurant dans les principes directeurs d'examen portent sur des caractères précis qui sont importants pour distinguer les variétés, sur <del>l'origine</del> <b><u>informations concernant le schéma de sélection</u></b> de la variété ainsi que sur toute autre donnée susceptible de contribuer à la distinction de la variété considérée....</p>	<p>5.3.1.4. ... Der Technische Muster - Fragebogen, der in den Prüfungsrichtlinien enthalten ist, verlangt besondere Merkmale von Bedeutung für die Unterscheidung der Sorten, <del>den Ursprung</del> <b><u>Informationen über das Züchtungsschema</u></b> der Sorte und sonstige <del>Auskünfte</del> <b><u>Informationen</u></b>, die die Unterscheidung der Sorte erleichtern können....</p>	<p>5.3.1.4. ... En el Cuestionario Técnico tipo, que figura en las Directrices de Examen, se solicita información sobre los caracteres específicos que revisten importancia para la distinción de las variedades, <del>el origen</del> <b><u>información sobre el método de obtención</u></b> de la variedad y toda información que pueda contribuir a distinguir la variedad....</p>
<p>5.5.1.2 Document TGP/8, "Use of Statistical Procedures in DUS Testing," provides guidance on <b><u>some</u></b> appropriate statistical procedures for DUS assessment and includes keys for the choice of methods in relation to the data structure.</p>	<p>5.5.1.2 Le document TGP/8 "Utilisation de procédures statistiques dans le cadre de l'examen DHS" comporte des indications sur <del>certaines</del> <b><u>certains</u></b> procédures statistiques appropriées aux fins de l'évaluation DHS ainsi que des conseils pour le choix de la méthode en rapport avec la structure des données.</p>	<p>5.5.1.2 Dokument TGP/8, „Verwendung statistischer Verfahren bei der DUS-Prüfung,“ gibt Anleitung für <b><u>einige</u></b> geeignete statistische Verfahren für die DUS-Prüfung und schließt Lösungen für die Wahl der Verfahren in Abhängigkeit von der Datenstruktur ein.</p>	<p>5.5.1.2 En el documento TGP/8, "Uso de procedimientos estadísticos para el examen DHE," se dan orientaciones sobre <del>las</del> <del>prácticas</del> <b><u>varios procedimientos</u></b> estadísticos adecuados para el examen DHE, y figuran los elementos clave para la elección de métodos en relación con la estructura de datos.</p>
<p>5.5.3.2.1 COYD</p> <p>UPOV has developed a method known as the Combined Over Years Distinctness (COYD) analysis, which takes into account variations between years <del>and is particularly useful for cross-pollinated, including synthetic, varieties.</del> <b><u>Its main use is for cross-pollinated, including synthetic, varieties but, if desired, it can also be used for self-pollinated and vegetatively propagated varieties in certain circumstances.</u></b> This method requires the size of the differences to be sufficiently consistent over the years and</p>	<p>5.5.3.2.1 L'analyse COYD</p> <p>L'UPOV a mis au point une méthode dite de l'analyse globale de la distinction sur plusieurs années (analyse COYD), qui fait entrer en ligne de compte les variations d'une année à l'autre <del>et qui est particulièrement utile pour les variétés allogames, y compris les variétés synthétiques.</del> <b><u>Elle est principalement utile pour les variétés allogames, y compris les variétés synthétiques, mais elle peut, le cas échéant, être également utilisée, dans certaines conditions, pour les variétés autogames et les variétés multipliées</u></b></p>	<p>5.5.3.2.1 COYD</p> <p>Die UPOV entwickelte eine Methode, die als Analyse des Kombinierten Unterscheidbarkeitskriteriums über mehrere Jahre (Combined Over Years Distinctness Analysis (COYD)) bezeichnet wird und die Variation zwischen Jahren berücksichtigt. <del>Sie ist für fremdbefruchtende Sorten, einschließlich synthetischer Sorten, besonders zweckdienlich.</del> <b><u>Sie ist hauptsächlich für fremdbefruchtende Sorten, einschließlich synthetischer Sorten, bestimmt, kann nach Bedarf</u></b></p>	<p>5.5.3.2.1 COYD</p> <p>La UPOV ha creado un método denominado análisis combinado interanual de distinción (COYD) que tiene en cuenta la variación entre años <del>y resulta particularmente útil para las variedades allogamas, incluidas las sintéticas.</del> <b><u>Se utiliza principalmente para las variedades allogamas, incluidas las sintéticas, pero, en determinadas circunstancias, puede utilizarse también para las variedades autógamas y variedades de multiplicación vegetativa.</u></b> Este método exige que el grado de diferencia sea</p>

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<p>takes into account the variation between years. It is explained further in document TGP/9, “Examining Distinctness.”</p>	<p><b>par voie végétative.</b> Cette méthode exige une cohérence suffisante dans l’amplitude des différences sur plusieurs années et tient compte de la variation d’une année à l’autre. Cette méthode est exposée plus en détail dans le document TGP/9 “Examen de la distinction.”</p>	<p><b>unter bestimmten Umständen jedoch auch für selbstbefruchtende und vegetativ vermehrte Sorten verwendet werden.</b> Diese Methode fordert, daß die Größe der Unterschiede über die Jahre hinreichend stabil ist, und berücksichtigt die Variation zwischen den Jahren. Sie ist in Dokument TGP/9, „Prüfung der Unterscheidbarkeit,“ näher erläutert.</p>	<p>suficientemente coherente durante varios años y tiene en cuenta la variación entre los años. El funcionamiento de dicho método se explica con más detalle en el documento TGP/9, “Examen de la distinción.”</p>
<p>5.5.3.2.2 Refined COYD</p> <p>A refinement to the COYD analysis, which is also provided, should be used to adjust the COYD analysis when environmental conditions cause a significant change in the spacing between variety means in a year, such as when a late spring causes the convergence of heading dates. It is supplemented by a further LSD method for cases where few varieties in the growing tests lead to less than about 20 degrees of freedom for the estimation of standard error. <del>It is mainly used for measurement in cross-pollinated, including synthetic, varieties but, if desired, it can also be used for measurement in self-pollinated and vegetatively propagated varieties.</del></p>	<p>5.5.3.2.2 Complément à l’analyse COYD</p> <p>Un complément à l’analyse COYD y figure également et doit être utilisé pour ajuster cette analyse lorsque les conditions du milieu sont à l’origine d’un changement significatif dans l’écart entre les moyennes variétales sur une année, par exemple lorsqu’un printemps tardif aboutit à la convergence des dates d’épiaison. Cette méthode est complétée par l’application de la méthode de la PPDS dans les cas où le petit nombre de variétés dans les essais en culture conduit à un nombre de degrés de liberté inférieur à 20 pour l’estimation de l’erreur standard. <del>Elle est utilisée principalement pour les mesures portant sur les variétés allogames, y compris les variétés synthétiques, mais elle peut, le cas échéant, être aussi utilisée pour les mesures sur les variétés autogames et les variétés multipliées par voie végétative.</del></p>	<p>5.5.3.2.2 Verfeinerte COYD</p> <p>Eine Verfeinerung der COYD - Analyse, die ebenfalls darin enthalten ist, sollte für die Anpassung der COYD - Analyse verwendet werden, wenn die Umweltbedingungen eine signifikante Veränderung der Abstände zwischen den Sortenmittelwerten in einem Jahr verursachen, wie beispielsweise, wenn ein spätes Frühjahr die Konvergenz der Zeitpunkte des Erscheinens der Blütenstände bewirkt. Sie wird durch eine weitere LSD -Methode für die Fälle ergänzt, in denen wenige Sorten bei den Anbauprüfungen zu weniger als rund 20 Freiheitsgraden für die Schätzung des Standardfehlers führen. <del>Sie ist hauptsächlich für die Messung bei fremdbefruchtenden Sorten einschließlich synthetischer Sorten bestimmt, kann nach Bedarf jedoch auch für die Messung bei selbstbefruchtenden und vegetativ vermehrten Sorten verwendet werden.</del></p>	<p>5.5.3.2.2 COYD perfeccionado</p> <p>El perfeccionamiento del análisis COYD, que también se facilita, debe utilizarse para ajustar dicho análisis cuando las condiciones medioambientales entrañen cambios significativos entre las medias de las variedades en un año, por ejemplo, cuando una primavera tardía causa la convergencia de épocas de floración. Lo complementa otro método, el de la diferencia mínima significativa para los casos en los que en los exámenes en cultivo unas pocas variedades dan lugar a menos de unos 20 grados de libertad para el cálculo del margen de error habitual. <del>Se utiliza principalmente en la medición de las variedades alógamas incluidas las sintéticas, pero también puede utilizarse en la medición de variedades autógamas y de multiplicación vegetativa.</del></p>

English	Français	Deutsch	Español
<p>5.6 General Guidelines for Determining Distinctness</p> <p><b><u>Individual Members of the Union may develop their own systematic way of determining distinctness, based on the principles laid down in this document.</u></b></p> <p>The same general guidance on determining distinctness is applicable across many Test Guidelines and, for this reason, the general guidance is developed in a separate document TGP/9, “Examining Distinctness” and not reproduced in the individual Test Guidelines.</p>	<p>5.6 Principes directeurs généraux pour l’appréciation de la distinction</p> <p><b><u>Chaque Membre de l’Union peut élaborer sa propre façon systématique de déterminer la distinction, en se fondant sur les principes établis dans le présent document.</u></b> Les mêmes directives générales sur la façon de déterminer la distinction s’appliquent à un grand nombre de principes directeurs d’examen et font donc l’objet d’un document séparé, le TGP/9 “Examen de la distinction,” au lieu d’être reproduites dans les différents principes directeurs d’examen.</p>	<p>5.6 Allgemeine Richtlinien für die Bestimmung der Unterscheidbarkeit</p> <p><b><u>Die einzelnen Verbandsmitglieder können aufgrund der in diesem Dokument dargelegten Grundsätze ein eigenes systematisches Verfahren für die Feststellung der Unterscheidbarkeit entwickeln.</u></b> Die gleiche allgemeine Anleitung für die Feststellung der Unterscheidbarkeit ist in zahlreichen Prüfungsrichtlinien enthalten. Aus diesem Grund wird die allgemeine Anleitung in einem getrennten Dokument TGP/9, „Prüfung der Unterscheidbarkeit,” erarbeitet und nicht in den einzelnen Prüfungsrichtlinien wiedergegeben.</p>	<p>5.6 Directrices generales para determinar la distinción</p> <p><b><u>Los Miembros de la Unión tienen la facultad de elaborar su propio método sistemático para determinar la distinción sobre la base de los principios expuestos en este documento.</u></b> Las mismas orientaciones generales para determinar la distinción se aplican respectivamente en numerosas directrices de examen, y de ahí que se hayan elaborado orientaciones generales en un documento separado, el TGP/9, “Examen de la distinción” y no se reproduzcan en las directrices de examen individuales.</p>
<p><b><u>6.4 Methods for the Examination of Uniformity</u></b></p> <p>Where all the plants of a variety are very similar, and in particular for vegetatively propagated and self-pollinated varieties, it is possible to assess uniformity by the number of obviously <i>dissimilar</i> <b><u>different</u></b> plants – “off-types” – that occur....</p>	<p>6.4 Méthodes applicables à l’examen de l’homogénéité</p> <p>Lorsque toutes les plantes d’une variété sont très semblables, et notamment dans le cas des variétés à multiplication végétative et des variétés autogames, il est possible d’évaluer l’homogénéité d’après le nombre de plantes manifestement <i>dissemblables</i> <b><u>différentes</u></b> (“hors-type”) rencontrées....</p>	<p>6.4 Methoden für die Prüfung der Homogenität</p> <p>Sind sich alle Pflanzen einer Sorte sehr ähnlich, insbesondere bei vegetativ vermehrten und selbstbefruchtenden Sorten, ist es möglich, die Homogenität aufgrund der Anzahl der auftretenden, offensichtlich <i>unähnlichen</i> <b><u>unterschiedlichen</u></b> Pflanzen – „der Abweicher“ – zu prüfen....</p>	<p>6.4 Métodos de examen de la homogeneidad</p> <p>Cuando todas las plantas de una variedad son muy parecidas entre sí, y especialmente en el caso de las variedades de multiplicación vegetativa y las variedades autógamias, es posible evaluar la homogeneidad mediante el número de plantas que resultan evidentemente <i>distintas</i> <b><u>diferentes</u></b>, <i>“atípicas”</i> <b><u>“fuera de tipo.”</u></b> ...</p>

English	Français	Deutsch	Español
<p>7.3.1.1 In practice, it is not usual to perform tests of stability that produce results as certain as those of the testing of distinctness and uniformity. However, experience has demonstrated that, <del>in</del> <u>general</u> <b>for many types of variety</b>, when a variety has been shown to be uniform, it can also be considered to be stable....</p>	<p>7.3.1.1 Dans la pratique, il n'est pas d'usage d'effectuer des essais de stabilité dont les résultats apportent la même certitude que l'examen de la distinction ou de l'homogénéité. L'expérience montre cependant <del>qu'en général</del> <u>que</u>, <b>dans le cas de nombreux types de variétés</b>, lorsqu'une variété s'est révélée homogène, elle peut aussi être considérée comme stable....</p>	<p>7.3.1.1 In der Praxis ist es nicht üblich, Prüfungen auf Beständigkeit durchzuführen, deren Ergebnisse ebenso sicher sind wie die der Unterscheidbarkeits- und der Homogenitätsprüfung. Die Erfahrung hat jedoch gezeigt, daß eine Sorte <del>in</del> <u>allgemeinen</u> <b>im Falle zahlreicher Sortentypen</b> auch als beständig angesehen werden kann, wenn nachgewiesen wurde, daß sie homogen ist.</p>	<p>7.3.1.1 En la práctica, no es corriente efectuar exámenes de estabilidad que registren resultados tan fiables como los de un examen de la distinción y la homogeneidad. No obstante, la experiencia ha demostrado que, en <del>general</del>, <b>muchos tipos de variedades</b>, cuando una variedad haya demostrado ser homogénea, también puede considerarse estable.</p>
<p>7.3.1.2 <u>Where appropriate, or in</u> <del>in</del> cases of doubt, stability may be tested, either by growing a further generation, or by testing a new seed or plant stock to ensure that it exhibits the same characteristics as those shown by the previous material supplied. Further guidance on the examination of stability is considered in document TGP/11, "Examining Stability."</p>	<p>7.3.1.2 <u>Lorsqu'il y a lieu ou en</u> <del>en</del> cas de doute, la stabilité peut être examinée soit en cultivant une génération supplémentaire, soit en examinant une nouvelle semence ou un nouveau matériel végétal, afin de vérifier qu'il ou elle présente les mêmes caractères que le matériel fourni précédemment. De plus amples informations sur l'examen de la stabilité sont fournies dans le document TGP/11 "Examen de la stabilité."</p>	<p>7.3.1.2 <u>Nach Bedarf oder im</u> <del>in</del> Zweifelsfall kann die Beständigkeit geprüft werden, indem entweder eine weitere Generation angebaut oder ein neues Saat- oder Pflanzgutmuster geprüft wird, um sicherzustellen, daß sie dieselben Merkmale wie früher eingesandtes Material aufweist. Weitere Anleitung zur Prüfung der Beständigkeit wird in Dokument TGP/11, „Prüfung der Beständigkeit,“ gegeben.</p>	<p>7.3.1.2 <u>Cuando proceda, o</u> <del>En</del> caso de duda, se examinará la estabilidad cultivando una generación complementaria o examinando un nuevo lote de semillas o plantas para verificar que se presentan los mismos caracteres que el material suministrado anteriormente. En el documento TGP/11, "Examen de la estabilidad," se facilitan otras orientaciones sobre el examen de la estabilidad.</p>



II. Amendments to translations / Modifications apport ées aux traductions / Änderungen zu den Übersetzungen/Enmiendasalastraducciones

a) Français

1.1 ...L'examen, ou "examen DHS," est essentiellement fondé sur des essais en culture menés par les services compétents en matière d'octroi de droit ~~s~~d'obte nteurs~~s~~ ou par des établissements distincts, tels que des instituts de recherche publics, agissant pour le compte de ces services, ou encore, dans certains cas, sur des essais en culture menés par l'obtenteur <sup>1</sup>.... (FR)

1.2 ... Cette harmonisation est imp ortante car elle facilite la coopération en ce qui concerne l'examen DHS et contribue par ailleurs à assurer une protection efficace grâce à l'élaboration de descriptions harmonisées des variétés protégées, qui sont acceptées à ~~l'échelon~~l'échelle internationale. (FR)

1.7 Par ailleurs, lorsque les ~~circonstances~~conditions de réalisation qui entourent l'examen DHS laissent supposer que la démarche recommandée n'est peut être pas la plus adaptée à un ensemble de conditions donné, ... (FR)

2.2.2 Lorsque l'UPOV n'apas établi de principes directeurs d'examen ~~spécifiques à~~pertinents pour la variété considérée, ... (BE)

2.3 Le protocole des essais en culture et autres examens concernant des aspects tels que le nombre de cycles de végétation, la configuration del' ~~examen~~essai, le nombre de plantes à examiner et le mode d'observation ~~s~~est en grande partie déterminé par la nature de la variété à examiner.... (FR)

2.4.5 Dans l'Acte de 1991 de la Convention UPOV, l'article 8 précise que l'homogénéité ~~par~~s'apprécie ~~repose sur~~ le fait que la variété est "suffisamment uniforme dans ses caractères pertinents," et l'article 9 ~~dispose~~établit qu'une variété est "réputée stable si ses caractères pertinents restent inchangés à la suite de ses reproductions ou multiplication successives, ou, en cas de cycle particulier de reproductions ou de multiplications, à la fin de chaque cycle." (FR)

2.4.6 Les divers ~~es aspects~~propriétés des caractères, du point de vue de leur utilisation pour l'examen DHS, sont examinés dans le chapitre 4 "Caractères utilisés pour l'examen DHS." (FR)

2.5 Conditions applicables au matériel utilisé pour la conduite d'examen DHS (FR)

2.5.1; 4.2.1 f); 7.1:

"cycle[...] de reproduction ~~s~~ou de multiplication ~~s~~" (FR)

2.5.3 b) que toutes les variétés ~~comprises~~incluses dans l'examen DHS, ... (FR)

3.2.2 L'UPOV a toujours préconisé une étroite coopération avec les obtenteurs, même dans les membres de l'Union qui disposent d'un système d'examen ~~s~~conduit ~~s~~par un service public. Certains membres de l'Union appliquent un système dans lequel il est demandé aux obtenteurs d'effectuer l'intégralité de l'examen. Ils ~~sont invités à~~doivent procéder à l'examen DHS et ~~à~~ établir un rapport d'examen conformément aux principes énoncés dans le présent document.... (FR)

4.1 ...Le présent chapitre a pour objet d'exposer les ~~aspects~~propriétés essentielles des caractères et leurs applications. (FR)

4.2.1 ...

b) soit suffisamment ~~cohérente~~ **claire** et reproductible dans un milieu donné;

c) témoigné d'une ~~variation~~ **variabilité** suffisante entre les variétés pour permettre d'établir la distinction; (FR)

4.3 Niveaux d'expression des caractères

Pour permettre l'examen des variétés et l'établissement des descriptions variétales, ~~l'échelle des~~ **la gamme d'** expressions de chaque caractère figurant dans les principes directeurs d'examen est divisée en un certain nombre de niveaux ~~d'expression~~ aux fins de la description et le ~~qualificatif~~ **libellé** de chaque niveau est suivi d'une note.... (FR)

4.4.2 ... La gamme de ~~es~~ expressions est divisée en un certain nombre de niveaux ~~d'expression~~ aux fins de la description (par exemple longueur de la tige: très courte(1), courte(3), moyenne(5), longue(7), très longue(9)). (FR) Cette division est opérée ~~de façon à faire~~ **en sorte de telle sorte que**, dans la mesure du possible, ~~que~~ les niveaux d'expression soient également répartis le long de l'échelle. ... (BE)

4.4.3 ... Les "caractères pseudo -qualitatifs" sont des caractères dont la gamme d'expression ~~s~~ est au moins en partie continue, ... chaque niveau d'expression doit être ~~recensé~~ **identifié** pour décrire correctement le caractère dans toutes les diversités. (FR)

4.6.1 En outre, en raison du potentiel de variation de ces facteurs, il est important que ces caractères soient bien définis et qu'une méthode adaptée ~~soit mise en place~~ **soit mise en place**, qui garantisse un examen cohérent ; ~~soit mise en place~~. (FR)

5.3.1.2 "procédures ~~supplémentaires~~ **complémentaires**" to be replaced twice in this paragraph. (FR)

5.3.1.3 En outre, lorsqu'une variété peut être distinguée de manière fiable d'une variété candidate ~~par~~ **surlabasede** la comparaison de **leurs** descriptions ~~consignées par écrit~~, il n'est pas nécessaire de la soumettre à un essai en culture avec la variété candidate considérée.... (FR)

5.3.3. La Convention UPOV ne précise pas le sens de l'expression "qui se distingue ~~clairement~~ **nettement**" (BE)....

a) ~~cohérente~~ **reproductible** (FR) et...

5.3.3.1 Différences ~~cohérentes~~ **reproductibles** (FR)

5.3.3.1.1 L'un des moyens de s'assurer qu'une différence dans un caractère observé dans un essai en culture est suffisamment ~~cohérente~~ **reproductible** consiste à examiner le caractère dans au moins deux ~~occasions~~ **situations** indépendantes.... (FR)

5.3.3.1.2 Dans certains cas, cependant, l'influence du milieu n'est pas telle qu'un second cycle de végétation soit nécessaire pour s'assurer que les différences observées entre les variétés sont suffisamment ~~cohérentes~~ **reproductibles**.... (FR)

5.3.3.1.3 Les principes directeurs d'examen ~~propres à chaque variété~~ (BE) précisent si plusieurs cycles de végétation indépendants sont nécessaires pour assurer une ~~uniformité~~ **consistance** (FR) suffisante ou si, pour certaines espèces, l'examen en culture peut être conduit sur un seul cycle de végétation.

5.4.1 Lorsque la variation ~~ausein des variétés~~ intravariétale est ~~minime~~ faible, la distinction est en règle générale déterminée sur la base d'une évaluation visuelle et non pas au moyen de méthodes statistiques. (FR)

5.5.2 ... La même variété ~~devrait~~ doit alors toujours recevoir quasiment la même note, ce qui facilite ~~rait~~ l'interprétation des résultats.... (FR)

5.5.2.3 ...L'utilisation de ~~la~~ méthodes statistiques ~~s~~aux fins de l'évaluation des caractères pseudo-qualitatifs est fonction de... (FR)

5.5.3.1 ... Une méthode établie pour les variétés autogames et les variétés multipliées par voie végétative consiste ~~en~~ à ce que les variétés ~~peuvent~~ puissent être considérées comme nettement distinctes si ... car dans ces variétés le degré de variation intravariétal est relativement faible. ... (FR)

5.5.3.2.3 ..., parce que les critères statistiques ne sont pas ~~observés~~ satisfait, on peut envisager l'application de procédures non paramétriques. (FR)

6.4 ... Dans ce cas, l'homogénéité peut être évaluée d'après ~~s~~ l'amplitude globale de variation, ~~observées sur~~ ausein de l'ensemble des ~~différentes~~ plantes observées individuellement, afin d'établir si elle est semblable à ce qui est le cas pour des variétés comparables. Ces deux démarches générales sont exposées ci-après. (FR)

6.4.1.1 ... Selon cette définition, il est clair que, dans le cadre de l'évaluation de l'homogénéité, la norme utilisée aux fins de ~~la distinction entre~~ l'identification des plantes hors -type ~~et~~ ausein de une variété candidate est la même que celle qui est utilisée pour la distinction entre une variété candidate et d'autres variétés (voir le chapitre 5, section 5.5.2). (FR)

6.4.1.3 ... La probabilité de considérer, à ~~raison~~ juste titre, une variété comme étant homogène s'appelle la "probabilité d'acceptation." Les différents principes directeurs d'examen précisent la "norme de population" et la "probabilité d'acceptation" qu'il est recommandé d'appliquer ~~d'après~~ lors de calculs statistiques ~~relatifs~~.... (FR)

6.4.3.2 ... Les variétés hybrides simples issues de lignées endogames sont considérées comme des variétés ~~essentiellement~~ principalement autogames. Une tolérance supplémentaire est toutefois prévue pour ~~les occurrences~~ la présence de plantes parentales endogames.... (FR)

6.4.3.4.1 Pour les hybrides autres que les hybrides simples (par exemple les hybrides trois voies ou les hybrides doubles), la disjonction de certains caractères est admissible si elle ~~est compatible avec le~~ résultat du mode de reproduction ~~ou de multiplication~~ de la variété. Par conséquent, si l'hérédité d'un caractère ~~à~~ en disjonction nette est connue, ce caractère doit se comporter de la manière prévue. ... (FR)

6.5 ...; elles peuvent être écartées et l'examen poursuivi, tant que le retrait de ces plantes ~~très~~ atypiques ou sans rapport avec la variété ~~à l'examen~~ candidate ne se traduit pas par un nombre insuffisant de plantes ~~se prêtant à l'examen~~ observées, ou ne rend pas l'examen impossible. Pour l'UPOV, il est clair que l'expression "peuvent être écartées" signifie en l'occurrence que la décision appartient ~~à~~ à l'expert.... (FR)

7.3.1.1 ... L'expérience montre cependant ~~qu'en général~~ que pour de nombreux types de variétés, lorsqu'une variété s'est révélée homogène, elle peut aussi être considérée comme stable. ... (FR)

8.2.1 ...Le projet est ~~mis au point~~ **amendé** par le groupe de travail technique compétent, compétent en des observations reçues, avant d'être présenté au Comité technique pour adoption définitive et publication. (FR)

b) Deutsch

1.2 ...Die Ausweisung dieser Grundsätze stellt sicher, daß die Prüfung neuer Sorten ~~ist~~ **von** allen Verbandsmitgliedern auf harmonisierte Weise durchgeführt wird....

1.4. Die individuellen Prüfungsrichtlinien werden von der entsprechenden Technischen Arbeitsgruppe ausgearbeitet, die sich aus ernannten Regierungssachverständigen ~~aus~~ **von** jedem Verbandsmitglied sowie eingeladenen Sachverständigen aus anderen beteiligten Staaten und Beobachterorganisationen zusammensetzt....

#### 4.8 Kategorisierung der Merkmale nach Funktionen

Typ	Funktion	Kriterien
Merkmal mit Sternchen	...	... 4. Vor der Auswahl <del>der</del> <b>von</b> Krankheitsresistenzmerkmalen ist besondere Vorsicht geboten.
Gruppierungsmerkmal		1. a) Qualitative Merkmale oder <del>b) quantitative oder pseudoqualitative Merkmale, die eine zweckdienliche Unterscheidung zwischen den allgemein bekannten Sorten aus den an verschiedenen Standorten erfaßten Ausprägungsstufen ergeben.</del> <b>b) quantitative oder pseudoqualitative Merkmale, die anhand der an verschiedenen Orten erfaßten, dokumentierten Ausprägungsstufen eine zweckdienliche Unterscheidung zwischen den allgemein bekannten Sorten ergeben.</b>
Zusätzliches Merkmal	... 2. Zur Erleichterung der Harmonisierung bei der Entwicklung und Verwendung neuer Merkmale, und um <del>den Sachverständigen</del> Gelegenheit zur sachverständigen Überprüfung zu geben.	... 2. Muß <del>ist</del> <b>von</b> mindestens einem Verbandsmitglied für die Begründung von DUS verwendet worden sein. ...

#### 5.1 Anforderung des UPOV -Übereinkommens

Gemäß dem UPOV -Übereinkommen (Artikel 6 der Akte von 1961/1972 und 1978 und Artikel 7 der Akte von 1991) muß eine Sorte, um die Anforderung der Unterscheidbarkeit zu erfüllen, von jeder anderen ~~allgemein bekannten~~ Sorte deutlich unterscheidbar sein **-, deren Vorhandensein allgemein bekannt ist.**

5.3.1.1. ... Wenn beispielsweise eine Kandidatensorte in der Ausprägung ihrer Merkmale hinreichend ~~unterscheidbar~~ **verschieden** ist, um sicherzustellen, daß sie von einer bestimmten Gruppe (oder Gruppen) allgemein bekannter Sorten unterscheidbar ist,...

5.3.1.2 AußerdenkönnenbestimmteVerfahrenentwickeltwerden,umdieNotwendigkeit eines systematische~~n~~einzelne ~~n~~Vergleich ~~es~~zuvermeiden....

5.3.1.4 ... Der Technische Muster -Fragebogen, der in den Prüfungsrichtlinien enthalten ist, verlangtAuskünfteüber besondereMerkmale ,die vonBedeutungfürdie UnterscheidungderSorten sind, den Ursprung der Sorte und sonstige Auskünfte, die die Unterscheidung der Sorte erleichtern können....

5.3.3.1.1 ...Diesläßt sich sowohl bei einjährigen als auch mehrjährigen Sorten durch Erfassungen an ~~Aussaaten~~Anbauten in zwei verschiedenen Wachstumsperioden oder, im Falle anderer mehrjähriger Sorten, durch Erfassungen in zwei verschiedenen Wachstumsperioden nach eine ~~n~~ einzigen ~~Aussaat~~Anbau erreichen....

5.5.1.1 ... Die DUS -Prüfer sollten sich bestimmter Grundregeln der Statistik und insbesondere dessenbewußtsein, daß der Einsatz der Statistik mit mathematischen Annahmen und den Grundsätzen der Versuchsplanung, wie der ~~Zufallsanordnung~~Randomisierung, verknüpft ist. Da hersolltendiese Annahmen vor der Anwendung statistischer Methoden überprüft werden. Einzelne statistische Methoden sind jedoch recht robust und können mit einiger Vorsicht auch dann angewandt werden, wenn einzelne Annahmennichtvollständig erfüllt sind.

#### 6.4 Methoden für die Prüfung der Homogenität

Sind sich alle Pflanzen einer Sorte sehr ähnlich, insbesondere bei vegetativ vermehrten und selbstbefruchtenden Sorten, ist es möglich, die Homogenität aufgrund der Anzahl der auftretenden, offensichtlich ~~unähnlichen~~andere Pflanzen – „der Abweicher“ – zu prüfen....

##### 6.4.1.1 Bestimmung der Abweicher durch visuelle Erfassung

... Diese Begriffsbestimmung stellt klar, daß bei der Prüfung der Homogenität der Standard für die Unterscheidbarkeit zwischen Abweiche rn und einer Kandidatensorte der gleiche ist wie für die Unterscheidbarkeit zwischen einer Kandidatensorte und anderen Sorten (siehe Kapitel 5, Abschnitt 5.5.2).

6.4.3.1.1 Die Prüfung der Homogenität bei Hybridsorten hängt vom Typ der Hybride ab, d. h. ob es sich um eine Einfachhybride oder einen anderen Hybridtyp handelt und ob es eine Hybride aus Inzuchtlinien, vegetativ vermehrten Linien oder fremdbefruchtenden Eltern ist.

##### 6.4.3.2 Einfachhybriden aus Inzuchtelterlinien

... Für das Auftreten selbstbe ~~fruchtender~~stäubter Inzuchtelternpflanzen ist jedoch eine höhere zusätzliche Toleranz zulässig....

#### c) Español

2.2.1 Si la UPOV ha establecido Directrices de Examen específicas para una especie determinada u otro ~~conjunto o conjuntos~~grupo o grupos de variedades, dichas directrices constituyen un método reconocido y armonizado para el examen de nuevas variedades y deberían ser la base del examen DHE, junto con los principios básicos que figuran en la Introducción General.

2.2.2 Si la UPOV no ha establecido Directrices de Examen particulares en relación con la variedad que ha de examinarse, el examen deberá~~debería~~ llevarse a cabo de conformidad con los principios establecidos en el presente documento y, en particular, las recomendaciones que figuran en el Capítulo 9, “Ejecución del examen DHE en ausencia de Directrices de Examen.”...

## 2.5.2 Buenestadogeneral delmaterialpresentado

Elmaterialvegetalpresentadoalexamen ~~deberá~~**debería** hallarsevisiblementeenbuenestado, no carecer de vigor ni estar afectado por plagas o enfermedades importantes y, en el caso de las semillas, deberá tener suficiente capacidad de germinación para que pueda llevarse a cabo el examen de manera satisfactoria.

4.2.1 Los requisitos básicos que un carácter ~~deberá~~**debería** satisfacer antes de su utilización para el examen DHE o para el laborar la descripción de la variedad consisten en que su expresión:

...

b) es lo suficientemente ~~coherente~~**consistente** y repetible en un medio ambiente particular;

...

f) permite que se cumplan los requisitos sobre la estabilidad, es decir, produce resultados ~~coherentes~~**consistentes** y repetibles después de cada reproducción o multiplicación repetida o, en caso necesario, al final de cada ciclo de reproducción o multiplicación.

## 4.5.2 Muestras ~~en bloque~~**agranel**

...

4.6.1 ... Además, como es probable que dichos factores varíen, es importante que estos caracteres estén bien definidos y se establezca un método adecuado que garantice que el examen sea ~~coherente~~**consistente**....

## 4.8 Ordenamiento funcional de los caracteres por categorías

Tipo	Función	Criterios
Carácter señalado con un asterisco		<p>...</p> <p>2. <del>Deberán</del><b>Deberían</b> utilizarse siempre en el examen DHE e incluirse en la descripción de la variedad por todos los Miembros de la Unión, excepto cuando el nivel de expresión de un carácter precedente o las condiciones medioambientales de la región lo imposibiliten.</p> <p>...</p> <p>4. <del>Deberá</del><b>Debería</b> prestarse una atención particular antes de seleccionar caracteres relativos a la resistencia a las enfermedades.</p>

5.3.1.4 A fin de facilitar el proceso de examen de las variedades, se solicita determinada información del obtentor, por lo general, por conducto de un **C**uestionario **T**écnico que debe presentarse junto con la solicitud.

5.3.3 ...

a) ~~coherente~~**consistente** y...

### 5.3.3.1 Diferencias ~~coherentes~~**consistentes**

5.3.3.1.1 Una manera de garantizar que una diferencia en un carácter, observada en un ensayo en cultivo, es suficientemente ~~coherente~~**consistente**, consiste en llevar a cabo el examen durante al menos dos ocasiones independientes. Esto puede llevarse a cabo tanto en las variedades anuales como las perennes por medio de observaciones realizadas en plantaciones o siembras hechas en dos

~~temporadas~~ **campañas** diferentes, o en caso de otras variedades perennes por medio de observaciones hechas **en dos campañas distintas de** ~~en~~ una misma plantación o siembra ~~en dos temporadas distintas~~. ...

5.3.3.1.2 Ahora bien, en algunas circunstancias, la influencia del medio ambiente no es tan importante como para exigir un segundo ciclo de cultivo como garantía de que las diferencias observadas entre las variedades son suficientemente ~~coherentes~~ **consistentes**.

5.5.2.2.3 La situación más simple para establecer la distinción es cuando las diferencias claras entre las variedades en comparaciones por pares son del mismo signo (por ejemplo, la variedad A es más grande que la B de manera ~~coherente~~ **consistente** y suficiente), siempre que sea previsible encontrarlas de nuevo en los ensayos siguientes y que el número de comparaciones sea suficiente....

5.5.3.2.1 ... Este método exige que el grado de diferencia sea suficientemente ~~coherente~~ **consistente** durante varios años y tiene en cuenta la variación entre los años. ...

#### 6.4 Métodos de examen de la homogeneidad

... En este caso puede evaluarse la homogeneidad examinando la gama general de la variación observada, a través de todas las plantas individuales, para evaluar si resulta similar a las variedades comparables....

7.3.1.1. ... Además, si la variedad no es estable, el material ~~suministrado~~ **producido** no se hallará en conformidad con los caracteres de la variedad y cuando el obtentor sea incapaz de proporcionar material que se halle en conformidad con los caracteres de la variedad, podrá cancelarse el derecho de obtentor.

8.2.1 ... Una vez que el Grupo de Trabajo Técnico pertinente ha elaborado el proyecto de Directrices correspondientes a las especies en cuestión, se envía a las organizaciones e instituciones internacionales profesionales **pertinentes** que trabajan en el ámbito de dichas especies para que formulen comentarios al respecto....

[AnnexIII follows/  
L'annexeIII suit/  
AnlageIII folgt/  
Sigue el AnexoIII]

## ANNEXIII

AMENDMENTSTOTHEUPOVDRAFTTESTGUIDELINESPRIORTOTHEIR  
ADOPTIONATTHETHIRTY -EIGHTHSESSIONOF THETECHNICALCOMMITTEEI. Standardwordingto beappliedasshown

## (a) ChapterII:MaterialRequired

“The seed should meet the minimum requirements for germination, species and analytical purity, health and moisture content, specified by the competent authority. In cases where the seed is to be stored, the germination capacity should be as high as possible and should be stated by the applicant.”

TG/8/6(proj.)	Field Bean	Paragraph 1	Replaces sentences 4 and 5
TG/13/8(proj.)	Lettuce*	Paragraph 1	Replaces sentences 4 and 5
TG/31/8(proj.)	Cocksfoot	Paragraph 1	Replaces sentences 4 and 5
TG/36/6(Corr.)	Rape Seed	---	
TG/39/8(proj.)	Meadow Fescue, Tall Fescue	Paragraph 1	Replaces sentences 4 and 5
TG/41/5(proj.)	European Plum	---	
TG/65/4(proj.)	Kohlrabi	Paragraph 1	Replaces sentences 4 and 5
TG/74/4(proj.)	Celeriac	Paragraph 1	Replaces sentences 4 and 5
TG/82/4(proj.)	Celery	Paragraph 1	Replaces sentences 4 and 5
TG/90/6(proj.)	Vegetable Kale	Paragraph 1	Replaces sentences 4 and 5
TG/117/4(proj.)	Eggplant	Paragraph 1	Replaces sentences 4 and 5
TG/119/4(proj.)	Vegetable Marrow, Squash	Paragraph 1	Replaces sentences 4 and 5
TG/185/3(proj.)	Turnip Rape	Paragraph 1	Replaces sentences 5 and 6
TG/186/2(proj.)	Sugarcane	---	
TG/187/1(proj.1)	Prunus Rootstocks	New Paragraph 2 (To begin with “In the case of seed, ...” (then standard text above).	
TG/188/1(proj.1)	Celosia	New Paragraph 2 (To begin with “In the case of seed, ...” (then standard text above).	
TG/189/1(proj.1)	Pentas	New Paragraph 2 (To begin with “In the case of seed, ...” (then standard text above).	
TG/190/1(proj.2)	Thyme	New Paragraph 2 (To begin with “In the case of seed, ...” (then standard text above).	
TG/194/1(proj.2)	Lavandula, Lavendar	---	
TG/195/1(proj.2)	Tobacco	Paragraph 1	Replaces sentences 4 and 5
TG/196/1(proj.1)	New Guinea Impatiens	---	
TG/197/1(proj.1)	Eustoma	Replace Paragraph 2 (To begin with “In the case of seed, ...” (then standard text above). Amend old paragraph 2 (new paragraph 3) by deletion of word “seed”	

\* Despite some changes proposed by the EEC, it was decided to refer these Test Guidelines back to the TWV.



(b) (i) Chapter III: Conduct of Tests

“The tests should be carried out under conditions ensuring satisfactory growth for the expression of the relevant characteristics of the variety and for the conduct of the examination.”

TG/8/6(proj.)	Field Bean	Paragraph 3	Replace first sentence
TG/13/8(proj.)	Lettuce*	Paragraph 3	Replace first sentence
TG/31/8(proj.)	Cocksfoot	Paragraph 3	Replace first sentence
TG/36/6(Corr.)	Rape Seed	---	
TG/39/8(proj.)	Meadow Fescue, Tall Fescue	Paragraph 3	Replace first sentence
TG/41/5(proj.)	European Plum	Paragraph 3	Replace first sentence
TG/65/4(proj.)	Kohlrabi	Paragraph 3	Replace first sentence
TG/74/4(proj.)	Celeriac	Paragraph 3	Replace first sentence
TG/82/4(proj.)	Celery	Paragraph 3	Replace first sentence
TG/90/6(proj.)	Vegetable Kale	Paragraph 3	Replace first sentence
TG/117/4(proj.)	Egg Plant	Paragraph 3	Replace first sentence
TG/119/4(proj.)	Vegetable Marrow, Squash	Paragraph 3	Replace first sentence
TG/185/3(proj.)	Turnip Rape	Paragraph 3	Replace first sentence
TG/186/2(proj.)	Sugarcane	Paragraph 3	Replace first sentence
TG/187/1(proj.1)	Prunus Rootstocks	NEW Paragraph 3	
TG/188/1(proj.1)	Celosia	---	
TG/189/1(proj.1)	Pentas	Paragraph 4	Replace first sentence
TG/190/1(proj.2)	Thyme	Paragraph 4	New first sentence
TG/194/1(proj.2)	Lavandula, Lavendar	Paragraph 3	Replace first sentence
TG/195/1(proj.2)	Tobacco	Paragraph 3	Replace first sentence
TG/196/1(proj.1)	New Guinea Impatiens	Paragraph 3	Replace first sentence
TG/197/1(proj.1)	Eustoma	Paragraph 3	Replace first sentence (Insert the word “greenhouse” before “conditions”

(b) (ii) Chapter III: Conduct of Tests

A	“Each test should be designed to result in a total of, at least { ... } [plants] [trees]”
B	“Each test should be designed to result in a total of, at least { ... } spaced plants and { ... } meters of row plot”
C	“Each test should be designed to result in a total of, at least { ... } plants, which should be divided between { ... } replicates”

TG/8/6(proj.)	Field Bean	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/13/8(proj.)	Lettuce*	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/31/8(proj.)	Cocksfoot	Paragraph 3	Replace 3 <sup>rd</sup> sentence with B
TG/36/6(Corr.)	Rape Seed	---	
TG/39/8(proj.)	Meadow Fescue, Tall Fescue	Paragraph 3	Replace 3 <sup>rd</sup> sentence with B
TG/41/5(proj.)	European Plum	Paragraph 3	Replace 2 <sup>nd</sup> sentence with A
TG/65/4(proj.)	Kohlrabi	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/74/4(proj.)	Celeriac	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/82/4(proj.)	Celery	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/90/6(proj.)	Vegetable Kale	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/117/4(proj.)	Egg Plant	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/119/4(proj.)	Vegetable Marrow, Squash	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/185/3(proj.)	Turnip Rape	Paragraph 3	Replace 4 <sup>th</sup> sentence with C
TG/186/2(proj.)	Sugarcane	Paragraph 3 (note: use “culms, all from different stools” in place of “	plants”
TG/187/1(proj.1)	Prunus Rootstocks	---	
TG/188/1(proj.1)	Celosia	Paragraph 3	Replace 3 <sup>rd</sup> sentence with A
TG/189/1(proj.1)	Pentas	Paragraph 3	Replace 3 <sup>rd</sup> sentence with: “For vegetatively propagated varieties, { A }” and Replace 4 <sup>th</sup> sentence with: “For seed propagated varieties, { A }”
TG/190/1(proj.2)	Thyme	Paragraph 4	Replace 2 <sup>nd</sup> sentence with: “For vegetatively propagated varieties, { C }. For seed propagated varieties, { C }”
TG/194/1(proj.2)	Lavandula, Lavendar	Paragraph 3	Replace 3 <sup>rd</sup> sentence with A
TG/195/1(proj.2)	Tobacco	Paragraph 3	Replace 3 <sup>rd</sup> sentence with C
TG/196/1(proj.1)	New Guinea Impatiens	Paragraph 3	Replace 3 <sup>rd</sup> sentence with A
TG/197/1(proj.1)	Eustoma	Paragraph 4	Replace 2 <sup>nd</sup> sentence with: “For vegetatively propagated varieties, { C }. For seed propagated varieties, { C }”

(c) Chapter IV: Uniformity for Cross -Pollinated and Hybrid Varieties

A	“The assessment of uniformity for cross -pollinated varieties should be according to the recommendations in the General Introduction.”
B	“The assessment of uniformity for hybrid varieties depends on the type of hybrid and should be according to the recommendations in the General Introduction”
C	(Ornamentals which are also vegetatively propagated) “For the assessment of uniformity of seed propagated varieties, the recommendations in the General Introduction for cross -pollinated or hybrid varieties should be followed, as appropriate.”

TG/8/6(proj.)	Field Bean	Replace paragraph 2 with: “Unless otherwise indicated..” followed by A
TG/13/8(proj.)	Lettuce*	---
TG/31/8(proj.)	Cocksfoot	Replace paragraph 4 with A
TG/36/6(Corr.)	Rape Seed	---
TG/39/8(proj.)	Meadow Fescue, Tall Fescue	Replace paragraph 4 with A
TG/41/5(proj.)	European Plum	---
TG/65/4(proj.)	Kohlrabi	Replace paragraph 2 with A and B
TG/74/4(proj.)	Celeriac	Replace paragraph 2 with A and B
TG/82/4(proj.)	Celery	Replace paragraph 2 with A and B
TG/90/6(proj.)	Vegetable Kale	Replace paragraph 2 with A and B
TG/117/4(proj.)	Egg Plant	---
TG/119/4(proj.)	Vegetable Marrow, Squash	---
TG/185/3(proj.)	Turnip Rape	---
TG/186/2(proj.)	Sugarcane	---
TG/187/1(proj.1)	Prunus Rootstocks	Replace paragraph 2(c) with A
TG/188/1(proj.1)	Celosia	---
TG/189/1(proj.1)	Pentas	Replace paragraph 3 with C
TG/190/1(proj.2)	Thyme	Replace paragraph 3 with C
TG/194/1(proj.2)	Lavandula, Lavendar	---
TG/195/1(proj.2)	Tobacco	---
TG/196/1(proj.1)	New Guinea Impatiens	---
TG/197/1(proj.1)	Eustoma	Delete final sentence of paragraph 2 Insert C

II. Amendments to individual Test Guidelines

**TG/08/6(proj.): Field Bean**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. II, para. 1	To delete “at least,” it is already covered by “The minimum quantity.”
Chap. VII	The winter type sexample varieties Hiverna, Delta and Karl to be placed after “;”
Chap. VIII	Phenological growth stages and BBCH - identification keys of <i>Vicia faba</i> L. (Meier, 1997) To add: “79 - Nearly all podsh have reached final length”

**TG/31/8(proj.): Cocksfoot**

(a) Changes proposed by the Enlarged Editorial Committee in January 2002, which are already incorporated in the Test Guidelines submitted to the TC

Chap. II, para. 1	Delete: “in one or several samples”
Chap. III, para. 4	Replace with “... spaced plants arranged in 3 or more replicates.”
Chap. IV, para. 1	Change wording to “made on 60 plants or parts <u>taken from each</u> of 60 plants.”
Chap. IV, para. 4	Replace “cross -fertilized drops” with “cross -pollinated varieties”
Chap. V, para. 1	Change wording to “ The collection of varieties to be grown should be divided into groups to facilitate the assessment of distinctness. Characteristics which are suitable for grouping purposes are those which are known from experience not to vary, or to vary only slightly, within a variety. <u>Their various states of expression should be fairly evenly distributed throughout the collection</u> ”
Chap. V, para. 2(a)	No colon after Ploidy
Chap. VI, para. 1	Change wording to “To assess distinctness, uniformity and stability, the characteristics and their states as given in the Table of Characteristics should be used.”
Chap. VI, para. 2	Change wording to “ Notes (numbers), for the purposes of electronic data processing, <u>are given opposite the</u> states of expression for each characteristic”
Chap. VI, para. 3(*)	Change wording to “Characteristics that should be used on all varieties <u>in every</u> growing period over which examinations are made and always be included in the variety descriptions, except when the state of expression of a preceding characteristic or regional environmental conditions render this impossible”

Chap. VII, ch. 2	Change MStoVG Add“(atvegetativegrowthstage)” Example variety 5=Athos
Chap. VII, ch. 3	Change VStoMS Put brackets round“(without vernalization)”
Chap. VII, ch. 7	To read: “Stem: length of longest stem including inflorescence (when fully expanded)”
Chap. VIII, Ad. 6.	Note (5) should be “intermediate”
Chap. X, 5.1	(1) Ploidy
Chap. X, 5.2	(5) Plante: époque d’épiaison (après vernalisation)
Chap. X, 5.3	To read: “Stem: length of longest stem including inflorescence (when fully expanded)”

(b) Additional Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. VII, ch. 2	To add “without vernalization”
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**TG/39/8(proj.): Meadow Fescue, Tall Fescue**

(a) Changes proposed by the Enlarged Editorial Committee in January 2002, which are already incorporated in the Test Guidelines submitted to the TC

Chap. II., para. 1	To delete: “in one or several samples”
Chap. III, para. 3	To read “..... As a minimum, each test should include a total of 60 spaced plants and at least 10 meters of row plot.
Chap. III, para. 4	replace with “... spaced plants arranged in 3 or more replicates.”
Chap. IV, para. 1	To read “made on 60 plants or parts <u>taken from each</u> of 60 plants.”
Chap. V, para. 1	to read “ The collection of varieties to be grown should be divided into groups to facilitate the assessment of distinctness. Characteristics which are suitable for grouping purposes are those which are known from experience to vary, or to vary only slightly, within a variety. <u>Their various states of expression should be fairly evenly distributed throughout the collection</u> ”
Chap. V, para. 2(a)	No colon after Ploidy
Chap. VI, para. 1	Change wording to “To assess distinctness, uniformity and stability, the characteristics and their states as given in the Table of Characteristics should be used.”
Chap. VI, para. 2	Change wording to “ Notes (numbers), for the purposes of electronic data processing, <u>are given opposite the</u> states of expression for each characteristic”

Chap. VI, para. 3	Change wording to “Characteristic that should be used on all varieties <u>in every</u> growing period over which examinations are made and always be included in the variety descriptions, except when the state of expression of a preceding characteristic or regional environmental conditions render this impossible”
Chap. VII, ch. 1	Delete “MS”
Chap. VII, ch. 2	Change VStoMS. Put brackets round “(without vernalization)” Make sure that “Fa” comes first and “Fp” comes second ( <u>for all characteristics</u> )
Chap. VII, ch. 3	To read: “Plant: <u>only for F.p.</u> : length (at the end of growing period before vernalization)”
Chap. VII, ch. 4	To read: “Plant: <u>only for F.p.</u> : growth habit (as for 3)” and to add “(+)”
Chap. VII, ch. 5	To read: “Leaf: intensity of green color during vegetative growth stage”
Chap. VII, ch. 6	To read: “Foliage: <u>only for F.a.</u> : fineness (as for 2)”
Chap. VII, ch. 7	To read: “Plant: natural height after vernalization (about 4 weeks after beginning of vegetative growth)” Insert “B, MG”
Chap. VII, ch. 11	To read: “Stem: length of longest stem including inflorescence (when fully expanded)”
Chap. VII, ch. 12	To read: “Inflorescence: length (as for 11)”
Chap. VII, ch. 13	To read: “Flag leaf: length on representative stem (as for 11)”
Chap. VIII, Ad. 2	Change wording to “The number of plants showing at least three inflorescences should be recorded for each variety. To be assessed on one occasion on the whole trial when the varieties are judged to have reached <u>their full</u> expression of this characteristic”
Chap. VIII, Ad. 3	Change wording to “The mean length of the longest leaves should be measured with the plant held upright.”
Chap. VIII, Ad. 4, 9	Should now be: “Ad. 4: Plant: <u>only for F.p.</u> : growth habit (as for 3). and Ad. 9 Plant; growth habit at inflorescence emergence”
Chap. VIII, Ad. 2, 3, 8	To modify wording as per amendments to the table of characteristics
Chap. X, Technical Questionnaire, 5	To modify wording as per amendments to the table of characteristics
(b) Additional Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC	
Chap. VII, ch. 3, 4, 6	The underlined part should be at the beginning of the wording.
General	NEW ORDER OF CHARACTERISTICS 1-4-6-5-3-2-7-8-9-10-11-14-12-13

**TG/41/5(proj.):EuropeanPlum**

(a) Changes proposed by the Enlarged Editorial Committee in January 2002, which are already incorporated in the Test Guidelines submitted to the TC

Chap. II, para. 1	“It is recommended...” to read as follows: “It is recommended that at one, and only one in each trial, of the following rootstock varieties should be used.....”
Chap. VII, ch. 3	Change notes to 1, 3, 5, 7
Chap. VII, ch. 14	Note 2 in French “perpendicular”
Chap. VII, ch. 24	Put “Reine Claude ‘Oullins’” in online
Chap. VII, ch. 31	Put “Reine Claude ‘Oullins’” in online
Chap. VII, ch. 50	Put “light violet” before “purplish violet”
Page 32. Synonyms	Reine Claude de Bavière: “Monstrueuse” is the correct spelling
Chap. IX	Spelling: Anonymous
Chap. X, Technical Questionnaire, 4.1(b)	Remove “(indicate parent)” in two sub-divisions
Chap. X, Technical Questionnaire, 5.3	Change according to decision in Table (ch. 50)

(b) Additional changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. III, para. 1	German and French translations to be verified
Chap. VII, ch. 10	Variety example, note 2: “Coe’s Golden Drop” (as per ch. 12)
Chap. X, Technical Questionnaire, 4.1(d)	In Spanish version correct to 4.1d) “Mutación sport..” and e) “Descubrimiento..”

**TG/65/4(proj.):Kohlrabi**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. VII, ch. 20 to 23	To replace “chou-rave” with “rave” (French only)
Chap. VII, ch. 2, 9, 10, 14	To delete the example variety “Velko”
Chap. VII, ch. 9	To delete the example variety “Spree”
Chap. VII, ch. 14, 16	To delete the example variety “Isar”
Chap. VII, ch. 23	To delete the example variety “Rasant”

Chap. VII, ch. 12, 13	To ask the leading expert and consult with the Chairman of the TWV whether these characteristics should be merged into one characteristic "Leaf blade: depth of margin incisions"
Chap. VIII, ch. 20	To ask the leading expert whether the drawings for 3 and 5 are correctly inserted; and to ask the leading expert to indicate "inner leaves" by marking them by a circle

**TG/74/4(proj.): Celeriac:**

(a) Changes proposed by the Enlarged Editorial Committee in January 2002, which are already incorporated in the Test Guidelines submitted to the TC

Chap. VII, ch. 14	State to read: "pointed(1), intermediate(2), rounded(3)"
Chap. VII, ch. 24	To replace note 5 "transverse ovate" with "flattened truncated conical"
Chap. VIII, Ad. 8, 9, 10, 11, 13	To improve the drawings.

(b) Additional Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. VII, ch. 2, 3, 5, 9, 11, 12, 13, 18, 24, 26, 27	To delete the example variety "Alba" and "Regent"
Chap. VII, ch. 19, 20	To change "ground color of skin" to "main color of skin"
Chap. IX	To add "Vogel, G. (1996) Sellerie. In: Handbuch des speziellen Gemüsebaus. Ulmer Verlag, Stuttgart, 975 - 990."

**TG/82/4(proj.): Celery**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. IV	To ask the leading expert whether all observations should be made on non-earthed-up plants. If this is the case, to insert a separate paragraph to indicate that all observations should be made on non-earthed-up plants, and delete the bracketed indication to ch. 21.
Chap. VII	To replace "Plein blanc doré Barbier" with "Trinova" and "Bolivar"
Chap. VII, ch. 13	To have notes 1, 2, 3
Chap. VII, ch. 15	To read "intensity of anthocyanin coloration" in English and French



Chap. VII, ch. 20, 21	To ask the leading expert whether ch. 20 covers ch. 21. If this is the case, to delete ch. 21.	the
Chap. VII, ch. 21	In French: claire(3), moyenne(5), foncée(7).	
Chap. IX	To insert "DAVIS, R.M. and RAID, R.N. (Eds). (2002). Compendium of Umbelliferous Crop Diseases. The American Phytopathological Society. St. Paul, Minnesota. ISBN: 0-89054-287-2"	

### **TG/90/6(proj.): Vegetable Kale**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. III, para. 3	The third sentence to start "As a minimum..."	
Chap. V	To ask the leading expert to provide information on different types "Borecole/Curly Kale, Collards, Tree Kale"	
Chap. VII, ch. 7, 8	To ask the leading expert why "red" and "purple" are combined rather than separate states.	
Chap. VII, ch. 14	To receive Notes (1) and (2)	
Chap. VII, ch. 15	To remove "on" from the bracketed phrase.	
Chap. VII, ch. 18	To ask leading expert whether it is possible to introduce a new characteristic "Presence of laminated tissues along midrib: absent present" If this is not the case, to ask leading expert to provide explanation on "laminated tissues."	–

### **TG/117/4(proj.): Egg Plant**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. IV, para. 2	To add "at least" before 95%.	
Chap. IV, para. 4	To delete "of trusses"	
Chap. IV	To ask the leading expert to provide ch. 24, 25, 30 with an explanation in Chapter IV on the timing of observation (at harvest maturity), or change the orders so that all these characteristics are placed together following the chronological order for observation.	
Chap. VII, ch. 5	To read: "Distance from cotyledon to the node of the first flower"	
Chap. VII, ch. 19	To ask the leading expert whether the states would be better worded as "ellipsoid(2), broad cylindrical(6), narrow cylindrical(7)"	
Chap. VII, ch. 23	To read: "Only for varieties with cylindrical fruits"	

Chap. VII, ch. 25	To read: "Only for varieties with green and violet skin color"
Chap. VII, ch. 34	To be placed before ch. 32
Chap. VII, ch. 38	To ask the leading expert to provide explanation. French to read: "épinessur le calice"
Chap. VIII, Ad. 21	To ask the leading expert to improve the drawings
Chap. IX	"Seed catalogue s from different companies" and "old UPOV TG" to be deleted

### **TG/119/4(proj.): Vegetable Marrow/Squash**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. IV, par a. 2	To add "at least" before 95%
Chap. V	(a) and (b) should be inverted. To ask the leading expert whether Pumpkin Type (with Halloween as example varieties) belong to C. pepo?
Chap. VII, ch. 1 to 3	To read better "of cotyledons, <u>des cotylédons</u> "
Chap. VII, ch. 8	Ch. 8 to be placed after ch. 10
Chap. VII, ch. 14	To replace "Oberfläche" with "Oberseite" (only in German)
Chap. VII, ch. 21, 24	To insert "Only varieties with green ring at inner side of corolla"
Chap. VII, ch. 25	To insert "Only Zucchini type varieties"
Chap. VII, ch. 26	To insert "Only Zucchini and Rounded Zucchini type varieties"
Chap. VII, ch. 26	To ask the leading expert to check the drawing for state 6.
Chap. VII, ch. 28	To insert "Only varieties with yellow color of skin"
Chap. VII, ch. 29	To insert "Only varieties with green color of skin"
Chap. VII, ch. 35	To replace the word "base" with either "stem end" or "blossom end" as advised by the leading expert
Chap. VII, ch. 38, 41	To read "peduncle end"
Chap. VII, ch. 50	To change to read "excluding color of <u>dots, patches...</u> " if agreed by the leading expert.
Chap. VII, ch. 51, 52	To insert "Only varieties with yellow color of skin" and to ask the leading expert how to deal with varieties with partly white and partly yellow color of skin
Chap. VII, ch. 53	Level of expression are not sufficiently explicit in French and should be improved
Chap. VIII, ad. 26, 30	Drawings to be provided by the leading expert.
Chap. VIII	To receive additional drawings for ch. 54, 56, 57, 59, 60, 61 and 69 to illustrate "grooves," "ribs," "patches," "stropes" and "bands"

Chap. IX	To delete “seed companies catalogues” and “old UPOV TGs”
Chap. IX	To ask the leading expert to check/update the other entries

**TG/185/3(proj.): Turnip Rape**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. IV, para. 2	To read: “All observations on a group of plants or parts of plants should be made on each plot as a whole.”										
Chap. IV, para. 3	To read: “For the assessment of uniformity of measured characteristics of any type of variety, ...” To delete in French text: “Encas de caractères mesures”										
Chap. IV, para. 4	To read: “For the assessment of uniformity on visually observed characteristics of parental lines a population standard of 2% with an acceptance probability of at least 95% should be applied. For the assessment of uniformity on visually observed characteristics of hybrid varieties a population standard of 10% with an acceptance probability of at least 95% should be applied.”										
Chap. IV, para. 5	To be deleted										
Chap. V	To delete: “2(d) Flower: color of petals” as a grouping character										
Chap. VII, ch. 14, 15	Tendency to form inflorescences should be handled as for rapeseed i.e. ch. 14 is for winter types only and ch. 15 for spring types only.										
Chap. VII, ch. 21	The level of expression to be “short,” “medium,” “long.”										
Chap. VII, ch. 26	Description of characteristics should be “Seed: frequency of seeds with yellow coloration present.” States of expression to be: <table style="margin-left: 20px;"> <tr> <td>Nil or very low</td> <td>1</td> </tr> <tr> <td>Low</td> <td>3</td> </tr> <tr> <td>Medium</td> <td>5</td> </tr> <tr> <td>High</td> <td>7</td> </tr> <tr> <td>Very high</td> <td>9</td> </tr> </table>	Nil or very low	1	Low	3	Medium	5	High	7	Very high	9
Nil or very low	1										
Low	3										
Medium	5										
High	7										
Very high	9										

Chap. VIII	The following explanation is to be added: “ <u>Ad.26: Seed: frequency of seeds with yellow coloration present</u> Seed of the submitted sample should be mixed and sampled using appropriate methods. A minimum sample size of 500 seeds, divided from the bulk into at least 2 replicates, is recommended. Immature (greenish colored) or infected seeds should be removed from the sample before counting. Seeds with any yellow coloration on the testa are counted as present and represented as the frequency occurring in the sample. Visual assessment of the bulk sample will not give an accurate assessment of the frequency of seeds with yellow coloration. Entirely yellow seeds will have a greater influence on the bulk sample colour than seeds which are partially yellow.”
Chap. IX	Delete reference by Green and Winfield.
Technical Questionnaire, 5.5	The state to read short, medium and long for notes 3, 5 and 7 respectively.
Technical Questionnaire, 7.2	a) Indicating the type is not necessary as it is on the first page of the Technical Questionnaire. Therefore, this can be deleted

To be adopted if amendments on characteristics 14, 15 and 26 are agreed by the leading expert.

### TG/186/2(Proj.): Sugarcane

(a) Changes proposed by the Enlarged Editorial Committee in January 2002, which are already incorporated in the Test Guidelines submitted to the TC

Chap. II, para. 1	Explanation needed for the meaning of “seed pieces”
Chap. III, para. 3, Chap. IV, para. 1 and Chap. IV, para. 2	Number of stalks: minimum number changed to 24
Chap. III, para. 3 and Chap. IV, paras. 1-6	To use the term “culm” instead of “stalk,” “stem” and “culm.” Definitions to be added in Chap. VI, para. 4.
Chap. VII, General point	To delete “(TV D leaf)” everywhere
Chap. VII, ch. 7	To use the term “culm” instead of “stalk,” “stem” and “culm”
Chap. VII, ch. 18, 19	To add “(+)”
Chap. VII, ch. 26	Should read: “Node: position of bud tip in relation to growth ring”
Chap. VII, ch. 28	Remove phrase in bracket “(where the characteristic 27 is present)”
Chap. VII, ch. 33	New drawing added for groups of hairs 57 and 60
Chap. VII, ch. 39	To read “dense” not “densa”

Chap. VII, ch. 45	To read “straight” instead of “erect,” “droit” instead of “dressé” and change the German translation for state 3.
Chap. VII, ch. 46	To delete “(TVD leaf)”
Chap. VII, ch. 47	To read: “Leaf: midrib width (as for 46)”
Chap. VII, ch. 49	To read: “Leaf blade: length”
Chap. VIII, ad. 10	New drawing no. 5 – should move the bud to the side (like the others)
Chap. VIII, ad. 36	Drawings to be improved for 1 to 4, and a new explanation provided for 5 and 6.
Chap. X, 5	Some borders missing
Chap. X, 7	Remove line before 7.3

(b) Additional Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. IV	To provide a main diagram with the TVD illustrated and refer to ch. 7 in Table of Characteristics.
Chap. VII, general point	To add example varieties
Chap. VII	Check the German translation
Chap. VII, ch. 7	To read “(from the base to the TVD...)”
Chap. VII, ch. 10	The state “conoidal.” Better drawing to be provided.
Chap. VII, ch. 15	Explanation to be added.
Chap. VII, ch. 21	“Excluding wing” or “including wing” should be added, as appropriate.
Chap. VII, ch. 30	An illustration to be added for this characteristic. Notion of “submedian” to be clarified.
Chap. VII, ch. 32	To provide an explanation to illustrate where it should be measured on the drawing.
Chap. VII, ch. 36	Better drawings and new explanation to be added.
Chap. VII, ch. 37	The explanations should be the same as for ad. 36.
Chap. VIII, ad. 7	An illustration is needed for this characteristic, may be an illustration of the whole plant
Chap. VIII, ad. 12	To read: “After three days of exposure to the sun on a culm on which the wax has been removed”
Ch. 15	To provide an illustration.
Ad. 8 to 17 and 18 to 31	To read: “Diameter (9): at the central part of the internode on the axis going through the bud”

**TG/187/1(proj.1):PrunusRootstocks**

(a) Changes proposed by the Enlarged Editorial Committee in January 2002, which are already incorporated in the Test Guidelines submitted to the EC

Chap. II, para. 1(b)	To add the words "for seed propagated varieties" after 40 one -year-old seedlings
Chap. IV, para. 2	This paragraph should be divided into (a) vegetatively propagated varieties, (b) self-pollinated varieties, and (c) cross -pollinated varieties.
Chap. VII, ch. 2	Change notes to 1, 3, 5.
Chap. VII, ch. 2	Replace "extendido" with "rastrero" in Spanish
Chap. VII, ch. 11	Place ch. 11 (Plant: branching) after ch. 2, call ch. 3 and change numbering of characteristics.
Chap. V II, ch. 7	Change French to "petit, moyen, grand," and in Spanish "pequeño, medio, grande"
Chap. VII, ch. 17	Change French to "très petit, petit, moyen, grand, très grand"
Chap. VII, ch. 21	Change "rounded" to "truncate"
Chap. VII, ch. 25	Add "Adesoto" and "GF1869" as example varieties for note 2
Chap. VII, ch. 28	Replace 'nulle' by "absente" in French
Chap. VII, ch. 30	Illustration to be provided
Chap. VII, ch. 31	In French, "petit, moyen, grand"
Chap. VII, ch. 33	Delete "St. Julien A, Weito T6" from note 7
Chap. VII, ch. 36	Note 2: to read "equally distributed on base of blade and petiole"
Chap. VII, ch. 37	Change the example variety for note 3 to "Wei root 158" (as per 35)
Chap. VIII, ad. 21	Change note 3 to "truncate"
Chap. VIII, Explanation on Reference Varieties	Brokforest – in Species remove "(syn. Brokforest)" and add "(syn. M x M14)"
Chap. VIII, Explanation on Reference Varieties	Broksec – Under Variety denomination Replace Broksec with Brooks-60, and in Species put "(syn. Broksec)"
Chap. VIII, Explanation on Reference Varieties	Add two new example varieties as per ch. 25 "Adesoto -Prunus domestica L. ssp. insititia (L.) Schneid." and "GF1869 -Prunus domestica L. x P. persica (L.) Batsch." to the explanation of reference varieties
Chap. X, Technical Questionnaire, 7.2	Utilization as rootstock for (Replace "of" with "as")

(b) Additional Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. VII, ch. 3	Delete “(*)”
Chap. VIII, Explanations on Reference Varieties	Piku3 –add Bois after “P. canescens”
Chap. X, Technical Questionnaire, 4.1(b)	Delete “(indicate parent)” after “ -Seed bearing parent” and “ -Pollen parent”

### TG/188/1(proj.1): Celosia

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. II, para. 1	The last sentence to read: “seed propagated varieties: 2 grams of seed.”
Chap. III, par a.3	Presentation to be standardized
Chap. 4, para. 2, 1 <sup>st</sup> sentence	To replace “Celosia self pollinated, and the rules for assessment of uniformity in seed propagation...” with “Celosia self pollinating, and the rules for assessment of uniformity in seed propagated...”

### TG/189/1(proj.1): Pentas

(a) Changes proposed by the Enlarged Editorial Committee in January 2002, which are already incorporated in the Test Guidelines submitted to the TC

Chap. II, para. 1	The last sentence to read: “...germinated on a capacity of at least 50%.”
Chap. III, para. 1	In the first line after “The tests” to insert “for vegetatively propagated varieties.” The last sentence to make a new paragraph “The test for seed propagated varieties should...”
Chap. III, para. 3	In the first sentence replace “must” with “should.”
Chap. III, para. 4	“In the case of seed propagated...” to be a new paragraph. In the same sentence replace “material” with “varieties.”

(b) Additional Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. III, para. 4, last paragraph	Replace “... at a total of 25 plants.” with “... at a total of at least _____ 25 plants.”
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Chap. V, para. 2(a) and chap. X, 7.2.	<p>Replace chapter V, para. 2(a) "Plant: growth type (Technical Questionnaire, 7.2)" with "Plant: height (Characteristic 2)."</p> <p>Replace chap. X, 7.2. "Special conditions for the examination of the variety."</p> <p>Plant growth type:</p> <p>- pot plant []</p> <p>- cut flower []" with</p> <p>"Special conditions for the examination of the variety."</p> <p><u>Plant type:</u></p> <p>- pot plant type []</p> <p>- cut flower type []"</p>
Chap. VII, ch. 17	To add "(+)" and provide illustration.
Chap. VII, ch. 19	To be deleted.
Chap. VII, ch. 20	To replace "Corolla limb: color of..." with "Corolla throat: color of..." Add "(+)" and provide illustration.

### **TG/190/1(proj.2): Thyme**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. IV, para. 5	To delete "of typical organs."
Chap. VII, ch. 3	Example varieties to be provided by the leading expert.
Chap. VII, ch. 8, 10	To ask the leading expert to check if the French words "inflorescence" and "zone florifère" indicated different parts of plants.
Chap. VII, ch. 11 to 14	Leading expert to specify on which part of the plant the leaf is to be observed (e.g. leaf from the basal part of the ramification). To check with Chairmen of the TWO and TWV for acceptance.
Chap. VII, ch. 17	"true green" to read "green"
Chap. VII, ch. 20, 22	To delete the word "medium"
Chap. VII, ch. 25	To ask the leading expert whether the characteristic should read "Production of pollen"



**TG/194/1(proj.2):Lavandula**

(b) Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. I.	To change the first sentence to “These Test Guidelines apply to all vegetatively propagated varieties of <i>Lavandula</i> L. of the family <i>Labiatae</i> ( <i>Lamiaceae</i> ). However, the Test Guidelines are particularly adapted to the following sections.”  To check with the leading expert if “ex” should be replaced by “syn.”  To include author after <i>L.xallardii</i> and <i>L.xheterophylla</i> .
Chap. IV, para. 5	This second sentence is not a general remark. It refers only to ch. 19 and should be presented as an explanation (ad. 19) in Chapter VIII and deleted from Chapter IV. A “(+)” to be added to ch. 19.
Chap. IV, para. 7	To read: “For certain characteristics, different example varieties are given for the <i>Lavandula</i> section and the <i>Stoechas</i> or the <i>Pterostoechas</i> section. The former is indicated by L and the latter by S/Ps.”
Chap. VII, ch. 1	Amend states to “upright –pyramidal –globular –flat”  Comment: Subject to checking with the leading expert
Chap. VII, ch. 8, 15	“(+)” to be added and an explanation to be provided.
Chap. VII, ch. 9	To check with the leading expert if “(at middle third)” includes the spike.
Chap. VII, ch. 14	“(above foliage)” to be deleted.
Chap. VII, ch. 15	To replace “Flowering stem: length of main flowering stems (including spike) above foliage” with “Flowering stem: length of longest lateral branch above foliage (including spike).”
Chap. VII, ch. 19	“(+)” should be added.
Chap. VII, ch. 21	Bracket to be replaced by “as for characteristic 19”
Chap. VII, ch. 21	Ch. 21 to be moved before ch. 19
Chap. VII, ch. 22	“...perspike” to be deleted.
Chap. VII, ch. 29	“(+)” to be added and a drawing provided.
Chap. VIII, ad. 20	The illustrations for states 1, 5 and 6 to be improved.
Chap. VIII, ad. 24 to 35	Drawing to be improved to provide clear indication of the part of the plant.

**TG/195/1(proj.2):Tobacco**

(b) Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

Chap. II, para. 1	“plant material” to be replaced by “seed.”
Chap. IV, para. 5	To delete “at flowering time”
Chap. IV, para. 7	<u>T</u> hemselves (spelling)
Chap. VII	To check with leading expert the following proposed order of characteristics 11 to 22: 10-20-21-22-11-14-18-19-15-16-17-12-13-23.....
Chap. VII, ch. 17	To read: “Leaf: development of auricles” same states of expression
Chap. VII, ch. 3	To delete “(*)” State (3) to read “medium green”
Chap. VII, ch. 10	To read: “Leaf: ratio length/width of blade (excluding auricles)”
Chap. VII, ch. 23	To add “(*)” - if agreed by the leading expert
Chap. VII, ch. 26	To add “(+)” The swelling to be indicated in ad. 24 and 25.
Chap. VII, ch. 33	To change the order of the states of expression to as follows: (1) among (2) above
Chap. VII, ch. 32	State (3) to read “inverted conical” instead of “reversed conical”
Chap. VII, ch. 35	To add a state “intermediate”
Chap. VIII, ad. 22	Drawing for state “(1) acute” to be more acute
Chap. VIII, ad. 24, 25	Characteristic 26 (swelling) to be indicated
Chap. VIII, Ad. 28	New drawing to be added
Chap. VIII, Ad. 34	Drawing to be improved. Illustration of three states of expression 3-5-7 would be sufficient.
Chap. VIII, Ad. 35	Only one drawing for each state and drawing to be provided for intermediate.

### **TG/196/1(proj.1):NewGuineaImpatiens**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

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Title, page 1	Change Latin name to: <i>NewGuineaImpatiensGroup</i> (see ZANDER, 16 <sup>th</sup> edition, 2000) - as it is written in the first sentence of page 3 of TG/196/1(proj.1). (The name <i>ImpatiensL.</i> is the name of the genus, it includes the New Guinea Impatiens Group as well as <i>Impatienswalleriana</i> (for which another guideline is being drafted) and 13 other species.
Chap. VII, ch. 10	State 2 to read “medium yellow” to distinguish it from “light yellow.”
Chap. VIII, ad. 26, 27, 28	Improved drawing to be provided by the leading expert .

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### **TG/197/1(proj.1):Eustoma**

Changes proposed by the Enlarged Editorial Committee in April 2002, which are to be included in the Test Guidelines submitted to the TC

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Chap. III, para. 1	For seed propagated varieties in general two cycles are required. Therefore, to check with the leading expert if a single cycle is sufficient.
Chap. VII, ch. 4.	Delete the “fourth internode below the top flower” (already specified in Chapter IV, Par. 4)
Chap. VII, ch. 7	State 2 to read “upper and middle part only” to clearly distinguish it from state 3.
Chap. VII, ch. 21	Check with leading expert if “notched” or “retuse” would be better than “depressed.” Note 4: to replace “broad acute” with “acute.”
Chap. VII, ch. 29	Add “(+)” Illustration to be provided.
Chap. VII, ch. 30	Brackets should be deleted because applicable for all varieties. Comment: Subject to check with the leading expert.
Chap. VIII	Illustration to be improved.
Chap. X, Technical Questionnaire, 5.2	To replace “self colored” with “one colored.”

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[End of Annex III and of document]