



TC/39/6

ORIGINAL: English

DATE: March 27, 2003

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

**TECHNICAL COMMITTEE**

**Thirty-Ninth Session**  
**Geneva, April 7 to 9, 2003**

PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

*Document prepared by the Office of the Union*

*Background*

1. At its thirty-eighth session, held in Geneva from April 15 to 17, 2002, the Technical Committee ("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 documents TGP/4 "Management of Variety Collections," TGP/9 "Examining Distinctness" and TGP/10 "Examining Uniformity."
2. Document TC/38/7 anticipated that document TGP/7 "Development of Test Guidelines" and certain sections of other TGP documents, particularly TGP/4 "Management of Variety Collections," TGP/9 "Examining Distinctness" and TGP/10 "Examining Uniformity" could be presented to the TC at its thirty-ninth session. A draft of document TGP/7 has been prepared for consideration by the TC (see documents TC/39/5 and TGP/7 Draft 2). However, as explained in document TC/39/5, it is considered that discussion of document TGP/7, which has highest priority, is likely to fully occupy the TC at its thirty-ninth session, and discussions by the Technical Working Parties ("the TWPs") in 2003 on further drafts of documents TGP/4, TGP/9 and TGP/10, reflecting the comments made by the TWPs in 2002, would be helpful and would not result in a delay in the adoption of these documents.

*Proposed Program for 2003/2004*

3. The discussions in the TWP meetings in 2002 highlighted two main aspects which have been taken into account when developing the proposed program for 2003. Firstly, the TWPs discussed many draft TGP documents but, in nearly all cases, did not have sufficient time to consider all the documents prepared for their meetings. Thus, the program for 2003 should not be over-ambitious in the number of documents it proposes to be considered at each meeting. Secondly, it was noted that there was a close relationship between documents TGP/4, TGP/9 and TGP/3 “Varieties of Common Knowledge,” and it was suggested that the structure and content of these documents should be reviewed to avoid confusion and unnecessary overlapping.

4. In response to the comments concerning the close relationship between documents TGP/3, TGP/4 and TGP/9, the Office of the Union (“the Office”) has considered the steps and actions involved in the examination of distinctness, including the consideration of varieties of common knowledge. On this basis, it proposes some modification of the structure and elements of TGP/4 and TGP/9 as follows:

Previous TGP Section		Proposed new TGP Section	
TGP/	Title	TGP/	Title
		4.1 (new)	Criteria to Address Varieties of Common Knowledge
4.1	General Guidance for the Management of Variety Collections	4.2.1	Management of Variety Collections: General
4.2	Variety Collections Which are Planted at Different Times to Candidate Varieties	4.2.2	Management of Variety Collections: Variety Collections Which are Planted at Different Times to Candidate Varieties
		9.1 (new)	Introduction
9.1.1	General Procedures for Determining Distinctness: Official Testing		Covered by new TGP/9.6 (e.g. TGP/9.6.2)
9.1.2.1	General Procedures for Determining Distinctness: Breeder Testing (Australia)	9.6.1	Examples of approaches for Determining Distinctness: Australia
9.1.2.2	General Procedures for Determining Distinctness: With the Participation of Breeders (France)	9.6.2	Examples of approaches for determining Distinctness: France
9.1.3	General Procedures for Determining Distinctness: General		Covered by TGP/9.6
9.2	Consideration of the Application of Statistical Methods	9.4.1	Methods for the assessment of Distinctness: Consideration of Visual Assessment or the Application of Statistical Methods
		9.4.2 (new)	Methods for the assessment of Distinctness: Visual Assessment
9.3.1	Consideration of All Varieties of Common Knowledge in the Examination of Distinctness		Included in new TGP/4.1
		9.2.1 (new)	Selecting varieties for the Trial and Organizing the Trial: Grouping Characteristics

Previous TGP Section		Proposed new TGP Section	
TGP/	Title	TGP/	Title
9.3.2	Consideration of All Varieties of Common Knowledge in the Examination of Distinctness: The Use of 'Phenotypic Distance' for Examining Distinctness	9.2.2	Selecting varieties for the Trial and Organizing the Trial: The Use of 'Phenotypic Distance' for Examining Distinctness
		9.3.1 (new)	Trial Organization: Number of independent growing cycles
9.4.1	Examining Distinctness in Different Types of Variety: General	9.5.1	Examining Distinctness in Different Types of Variety: General
9.4.2	Examining Distinctness in Different Types of Variety: Rootstocks	9.5.2	Examining Distinctness in Different Types of Variety: Rootstocks
9.5	Use of the Parental Formula for Examining Distinctness in Hybrids	9.5.3	Examining Distinctness in Different Types of Variety: Use of the Parental Formula for Examining Distinctness in Hybrids
9.6	Use of Multiple Locations in the Examination of Distinctness	9.3.2	Trial Organization: Use of Multiple Locations in the Examination of Distinctness
9.7	Recommended Statistical Methods	9.4.3	Methods for the assessment of Distinctness: Recommended Statistical Methods

5. The flow chart in Annex I of this document is intended to present the proposed modified structure of documents TGP/3, TGP/4 and TGP/9 in relation to the steps and actions involved in the examination of distinctness, including the consideration of varieties of common knowledge.

6. Regarding the TGP documents to be discussed by the TWPs at their sessions in 2003, it is proposed that document TGP/7 should continue to receive the highest priority and should be discussed by all TWPs. The second level priority already attached to documents TGP/4 and TGP/9, and the need for some re-structuring involving these documents, suggests that the structure and key sections of these documents should be considered by all the TWPs in 2003. Beyond these documents, and as the next level of priority, it is proposed that the TWPs consider, as far as time allows, those documents for which the experts in the TWP concerned are responsible for drafting.

7. The draft program proposed in Annex II of this document is based on the approach summarized in paragraphs 4 and 6 above. Annex II also includes columns for the proposed work of the TC and its TWPs in 2004 and 2005, to indicate a possible timetable for each of the TGP documents to be presented to the TC and to show, for those TGP documents where drafting has not yet started, when the first draft might be produced.

8. Drafters and other interested experts are invited to note that a deadline for drafting of TGP documents is indicated in Annex II of this document and that all the comments made on previous TGP drafts are presented in document TC-EDC/Jan03/1 which is available on the UPOV Website (Meeting Documents → Restricted Area → TC-EDC → TC-EDC Session, January 8, 2003).

9. With regard to the program proposed in Annex II of this document, the TC may wish to consider that certain TGP documents or sections of the TGP documents could be submitted to the TC without discussion in the TWPs. This would of course need to be for a particular

reason, for example, because it is re-stating the existing TC position (e.g. the use of protein electrophoresis (document TGP/12.2.1 or document TGP/5), or because it is a document which provides factual information on how members of the Union conduct DUS testing (e.g. document TGP/6).

*10. The TC is invited to:*

*(a) confirm that priority should continue to be given to TGP/7, followed by TGP/4, TGP/9 and TGP/10; and*

*(b) comment on the proposed structure and program for the development of TGP documents as presented in Annex II of this document.*

[Annex I follows]

SCHMATIC OVERVIEW OF TGP/3, TGP/4 AND TGP/9







