

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  $\rightarrow$  Restricted Area  $\rightarrow$  TC-EDC  $\rightarrow$  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).

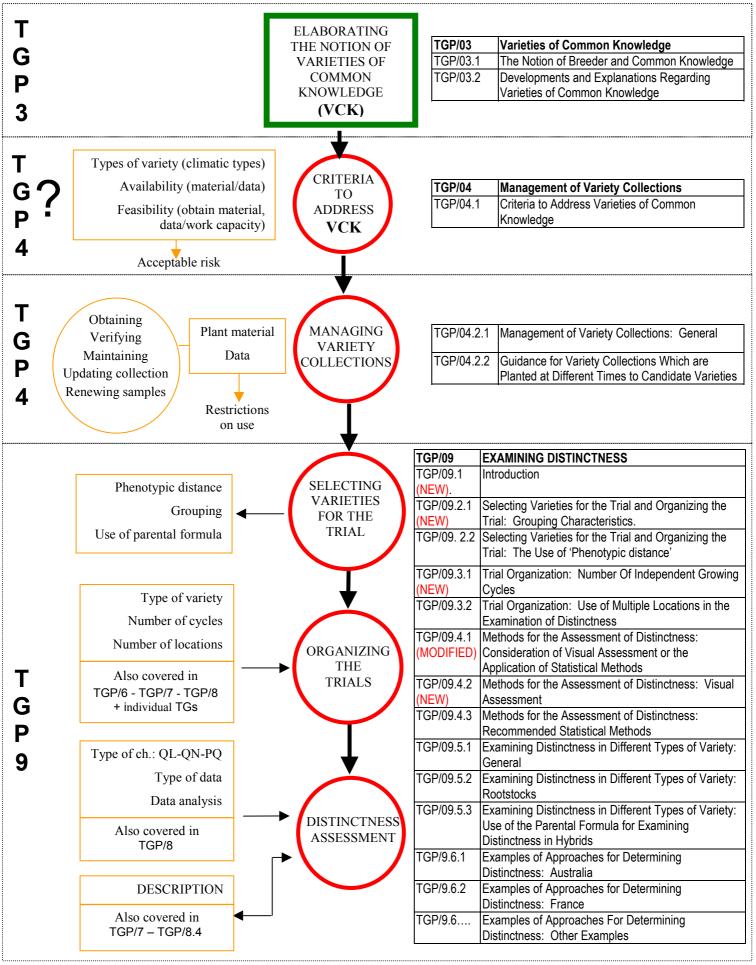
#### 10. The TC is invited to:

- (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]

#### ANNEX I

#### SCHEMATIC OVERVIEW OF TGP/3, TGP/4 AND TGP/9



## TC/39/6

## ANNEX II

# Draft Program for the Development of TGP Documents

											20	103					2004		2004	2005	2005	2005
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Ref.		Current approved * documents	Comments / Other relevant documents	Drafter (TWP)	Drafter (Name)	Interested Experts	Date for Draft	TC- EDC	TC	TWC	TWV	ВМТ	TWA	TWO	TWF	TC- EDC	TC	CAJ	TWPs	EDC / TC	CAJ	TWPs
TGP/00	List of TGP Documents and Latest Issue Dates (Coordinator: Office (PB))	-		Office	РВ																	
TGP/01	General Introduction With Explanations			Office																		
	(Coordinator: Office (PB))																					
TGP/02	List of Test Guidelines Adopted by UPOV (Coordinator: Office (PB))	TC/39/2		Office	РВ												TC/40/2			TC/41/2		
TGP/03	Varieties of Common Knowledge (Coordinator: Office (PB))	-																				
TGP/03.1		C(Extr.)/19/2 Rev.																				
TGP/03.2	Developments and Explanations Regarding Varieties of Common Knowledge	-	CAJ to consider if it is appropriate to try to go beyond TGP/3.1 at this time.	TWA	Ms. Rücker (DE)	TWF: Ms. Lean (GB); TWO: Ms. Scott (GB)																
TGP/04	Management of Variety Collections (Coordinator: Mr. Guiard (FR))	-																		draft 1	draft 2	draft 3
TGP/04.1	Criteria to Address Varieties of Common Knowledge		TWA/30/17; TGP/4.1draft 2; TGP/9.3.1 draft 1	TWA/ TWV	Mr. Guiard (FR) Mr. Van Ettekoven (NL)	TWF: Ms. Lean (GB); TWO: Mr. Barnaby (NZ); TWO: Mr. Kwakkenbos (CPVO); TWV: Mr. Green (GB).	23-May-03				draft 1		draft 1	draft 1	draft 1				draft 2			
TGP/04.2.1	Management of Variety Collections: General		TGP/4.2 draft 1	TWA	Mr. Guiard (FR)	TWO: Mr. Barnaby (NZ); TWV: Mr. Green (GB).	23-May-03				draft 1		draft 1	draft 1	draft 1				draft 2			
TGP/04.2.2	Management of Variety Collections: Variety Collections Which are Planted at Different Times to Candidate Varieties	-	TWF/33 unofficial paper	TWO/ TWF	Mr. Barnaby (NZ) / CPVO	TWA: Mr. Guiard (FR)	29-Aug-03								draft 1				draft 2			
TGP/05	Experience and Cooperation in DUS Testing (Coordinator: Office (PB))			Office	РВ		23-May-03				draft 1		draft 1	draft 1	draft 1	draft 2	draft 3	draft 4				
TGP/05.1	Model Administrative Agreement for International Cooperation in the Testing of Varieties	C/27/15 Annex III		Office	Office																	
TGP/05.2	UPOV Model Form for the Application for Plant Breeders' Rights	C/XVIII/9 Add., Annexes II and IV, Part I		Office	Office																	
TGP/05.3	for Plant Breeders' Rights (TQ)	TGP/7 Draft 2 (Annex I Section 10)		Office	Office																	
TGP/05.4	UPOV Request for Examination Results	TC/XXV/12, Annex, p. 6		Office	Office																	
TGP/05.5	UPOV Answer to the Request for Examination Results	TC/XXV/12, Annex, p. 7		Office	Office																	
TGP/05.6	UPOV Report on Technical Examination	TC/XXV/12, Annex, p. 1		Office	Office																	
TGP/05.7	UPOV Variety Description	TC/26/6, Annex I, pp. 1-3		Office	Office																	
TGP/05.8.1	UPOV Interim Report on Technical Examination	TC/XXV/12, Annex, p. 5		Office	Office																	
(TGP/05.8.2)	(Guidance on the use of Interim Reports)			TWA/ TWO/ TWV																	1	
TGP/05.9	Cooperation in Examination	C/36/5		Office	Office																	
TGP/05.10		TC/39/4		Office	Office																	
TGP/05.11	Notification of Additional Characteristics			Office	Office																	
TGP/06	Arrangements for DUS Testing (Coordinator: Office (MT))						23-May-03				draft 1		draft 1	draft 1	draft 1	draft 2	draft 3	draft 4				
TGP/06.1	Introduction			Office	MT		23-May-03															
TGP/06.2.1	Examples of Arrangements for DUS Testing: Australia		TGP/6.1.2 draft 1	Australia	Mr. Hossain (AU)		23-May-03															
TGP/06.2.2	Examples of Arrangements for DUS Testing: France		TGP/6.1.2 draft 1	France	Mr. Guiard (FR)		23-May-03															
TGP/06.2.3	Examples of Arrangements for DUS Testing: Japan		TGP/6.1.2 draft 1	Japan			23-May-03															
TGP/06.2.4	Examples of Arrangements for DUS Testing: other examples			other			23-May-03															
TGP/06.3	Declaration on the Conditions for the Examination of a Variety Based on Trials Carried Out by or on behalf of Breeders	C/27/15 Annex II																				
TGP/07	Development of Test Guidelines (Coordinator: Mrs Buitendag (ZA))							draft 1	draft 2	draft 3	draft 4	draft 5										

# TC/39/6

# Annex II, page 2

											20	2003					2004		2004	2005	2005	2005
																				TC-		
Ref.	Title of document	Current approved * documents	Comments / Other relevant documents	Drafter (TWP)	Drafter (Name)	Interested Experts	Date for Draft	TC- EDC	тс	TWC	TWV	вмт	TWA	Two	TWF	TC- EDC	TC	CAJ	TWPs	EDC / TC	CAJ	TWPs
Rei.	The of document	documents	documents	(IVVP)	(Name)	Interested Experts	Diait	EDC	10	TWC	1 44 4	DIVII	IWA	TWO	IVVF	EDC	10	CAJ	TWPS	10	CAJ	IWPS
TGP/08	Use of Statistical Procedures in DUS Testing (Coordinator: Office (RL))																					
TGP/08.1	Introduction			TWC	Mr. Grégoire (FR) / Mr. Keizer (NL)	TWO: Ms. Scott (GB)	9-May-03			draft 2									draft 3			draft 4
TGP/08.2	Validation of Data and Assumptions			TWC	Mr. Kristensen (DK) / Mr. Thissen (NL)	-	9-May-03			draft 2									draft 3			draft 4
TGP/08.3	Experimental Design Practices			TWC	Mr. Thissen (NL) / Mr. Meyer (DE)		9-May-03			draft 2									draft 3			draft 4
TGP/08.4	Types of Characteristics and Their Scale Levels		TWV/35/17; TWA/30/8; TWO/34/10: TWF/32/11	TWC	Mr. Meyer (DE)		9-May-03			draft 2									draft 3			draft 4
TGP/08.5	Statistical Methods for DUS Examination			TWC	Ms. Watson (GB) / Mr. Roberts (GB)		9-May-03			draft 2									draft 3			draft 4
TGP/08.6	Examining DUS in Bulk Samples			TWC	Mr. Kristensen (DK)		9-May-03			draft 2									draft 3			draft 4
TGP/09	Examining Distinctness (Coordinator: Office (RL))																			draft 1		draft 2
TGP/09.1	Introduction			Office	RL														draft 1			
TGP/09.2.1	Selecting varieties for the Trial and Organizing the Trial: Grouping Characteristics.			Office	RL														draft 1			
TGP/09. 2.2	Selecting varieties for the Trial and Organizing the Trial: The Use of 'Phenotypic Distance' for Examining Distinctness		TWA/30/15; TGP/9.3.2draft 1	TWA	Mr. Guiard (FR)	TWF: Ms. Lean (GB); TWO: Mr. Kwakkenbos (CPVO)	8-Aug-03						draft 1	draft 1	draft 1				draft 2			
TGP/09.3.1	Trial Organization: Number of independent growing cycles																		draft 1			
TGP/09.3.2	Trial Organization: Use of Multiple Locations in the Examination of Distinctness		TWC/17/10; TWC/18/2; TGP/9.6 draft 1 Corr.	TWC	Mr. Grégoire (FR)	TWF: Ms. Paraschiv (RO)	9-May-03			draft 1	draft 1		draft 1	draft 1	draft 1				draft 2			
TGP/09.4.1	Methods for the assessment of Distinctness: Consideration of Visual Assessment or the Application of Statistical Methods					TWO: Ms. Scott (GB)													draft 1			
TGP/09.4.2	Methods for the assessment of Distinctness: Visual Assessment		e.g. "identity parade"		To be discussed														draft 1			
TGP/09.4.3	Methods for the assessment of Distinctness: Recommended Statistical Methods	TC/33/7	TWC/15/7; TWC/18/10; TGP/9.7 draft 1	TWC	Ms. Watson (GB) / Mr. Roberts (GB)		9-May-03			draft 1									draft 2			
TGP/09.5.1	Examining Distinctness in Different Types of Variety: General		TWA/30/10; TWF/32/12; TWO/34/11; TGP/9.4.1 draft 1	TWC	Ms. Rücker (DE)		9-May-03			draft 1	draft 1	1	draft 1	draft 1	draft 1				draft 2			
TGP/09.5.2	Examining Distinctness in Different Types of Variety: Rootstocks		TGP/9.4.2 draft 1	TWF	Mr. Schulte (DE) / Ms. Lean (GB)		29-Aug-03								draft 1				draft 2			
TGP/09.5.3	Examining Distinctness in Different Types of Variety: Use of the Parental Formula for Examining Distinctness in Hybrids		TWA/30/13; TGP/9.5 draft 1	TWA	Mr. Guiard (FR)		23-May-03				draft 1		draft 1	draft 1	draft 1							
TGP/09.6.1	Examples of approaches for Determining Distinctness: Australia		TWA/30/9 Add.1; TGP/9.1.2.1 draft 1	TWA	Mr. Hossain (AU)		23-May-03				draft 1		draft 1	draft 1	draft 1							
TGP/09.6.2	Examples of approaches for Determining Distinctness: France		TWA/30/9 Corr.; TGP/9.1.1 draft 1; TGP/9.1.2.2 draft 1	TWA	Mr. Guiard (FR)		23-May-03				draft 1		draft 1	draft 1	draft 1							
TGP/09.6.3	Examples of approaches for Determining Distinctness: other(s)		Check for overlap with TGP/6				23-May-03				draft 1		draft 1	draft 1	draft 1							
TGP/10	Examining Uniformity (Coordinator: Office (RL))																			draft 1		draft 2
TGP/10.1	Considering the Application of Statistical Methods			?		TWO													draft 1			
TGP/10.2	Assessing Uniformity According to the Features of Propagation		TWA/30/11; TWF/32/13; TWO/34/12	TWC	Ms. Rücker (DE)		9-May-03			draft 2									draft 3			
TGP/10.3.1	Recommended Statistical Methods: COYU	TC/33/7	TWC/15/7; TWC/18/10	TWC	Ms. Watson (GB) / Mr. Roberts (GB)		9-May-03			draft 2									draft 3			
TGP/10.3.2	Recommended Statistical Methods: Off-Types	TC/34/5	TWC/14/4	TWC	Ms. Watson (GB) / Mr. Roberts (GB)		9-May-03			draft 2									draft 3			
TGP/10.3.3	Recommended Statistical Methods: Segregation Ratios			TWC	Mr. Law (GB)		9-May-03			draft 1									draft 2			
TGP/10.3.4 TGP/11	Relative tolerances in the number of off-types  Examining Stability			TWC	DE / GB		9-May-03			draft 1									draft 2			
(TOP:///	(Coordinator: Office (PB))																					
(TGP/11.1)	(The Examination of Stability and "Verification")	1		1	1				l	I				l		I					لـــــــا	

TC/39/6

# Annex II, page 3

											2	003					2004		2004	2005	2005	2005
Ref.	Title of document	Current approved * documents	Comments / Other relevant documents	Drafter (TWP)	Drafter (Name)	Interested Experts	Date for Draft	TC- EDC	TC	TWC	TWV	ВМТ	TWA	TWO	TWF	TC- EDC	TC	CAJ	TWPs	TC- EDC / TC	CAJ	TWPs
TGP/12	Special Characteristics (Coordinator: Office (PB/MT))																					draft 1
TGP/12.1.1	Characteristics Expressed in Response to External Factors: Disease Resistance			TWV	Mr. Van Ettekoven (NL)		23-May-03				draft 2								draft 3			
TGP/12.1.2	Characteristics Expressed in Response to External Factors: Chemical Response			TWA	Mr. Hossain (AU)		8-Aug-03						draft 2						draft 3			
TGP/12.1.3	Characteristics Expressed in Response to External Factors: Insect Resistance			TWA	Mr. Guiard (FR)	Mr. Hossain (AU)	8-Aug-03						draft 2						draft 3			
TGP/12.2.1	Chemical Constituents: Protein Electrophoresis			TWA	Mr. Camlin (GB) / Mr. Guiard (FR)		23-May-03				draft 1		draft 1	draft 1	draft 1	draft 2	draft 3					
TGP/12.3	Examination of Combined Characteristics Using Image Analysis		TC/36/7/12B	? TWC			9-May-03			draft 1									draft 2			
(TGP/12.4)	(Examination of Scent and Flavor Characteristics)			TWV	?	TWF: Mr. Bergamini (IT)																
TGP/13	Guidance for New Types and Species (Coordinator: Ms. Scott (GB))																					draft 1
TGP/13.1	General Guidance for New Species		TC/36/7/13A&B	TWA	Mr. Camlin (GB)	TWO: CPVO; TWF: Mr. Barnaby (NZ) / Mr. Barrientos-Priego (MX)	22-Aug-03							draft 2	draft 2				draft 3			
TGP/13.2	Guidance for New Types of Variety		TC/36/7/13A&B	TWA	Mr. Camlin (GB)	TWO: CPVO; TWF: Mr. Barnaby (NZ) / Mr. Barrientos-Priego (MX)	22-Aug-03							draft 2	draft 2				draft 3			
TGP/13.3	Guidance for New Multi- and Inter-specific Hybrids			TWF	Mr. Barnaby (NZ) / Mr. Barrientos-Priego (MX) / Mr. Semon (CPVO)		22-Aug-03							draft 2	draft 2				draft 3			
TGP/14	Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents (Coordinator: Office (PB))																					
TGP/14.1	Technical Terms		TC/36/7/18A	Office	PB																	draft 1
TGP/14.2	Botanical Terms: Plant Shapes		TC/36/5	TWF	Ms. Buitendag (ZA)	TWF: Ms. Lean (GB); Mr. Bergamini (IT); Mr. Barnaby (NZ)	29-Aug-03								draft 2				draft 3 (TWF)			draft 4
TGP/14.3	Statistical Terms		TWA/29/9	TWC / TWA	Mr. Hossain (AU) / Mr. Roberts (GB)		9-May-03			draft 2									draft 3 (TWC)			draft 4
TGP/15	New Types of Characteristics (Coordinator: Office (MT))																					
TGP/15.1	Biochemical and Molecular Techniques																					

Section incorporated into complete TGP document

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