



TC/41/5

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

TECHNICAL COMMITTEE

Forty-first Session
Geneva, April 4 to 6, 2005

TGP DOCUMENTS

Document prepared by the Office of the Union

1. The purpose of this document is to set out the proposed program for the development of TGP documents, to provide background information concerning the TGP documents which are to be considered for approval or discussed by the Technical Committee (TC) and to provide a report on the introduction of document TGP/7 "Development of Test Guidelines" since its adoption by the TC.

Program for the Development of TGP Documents

2. The Annex to this document presents the content, organization and program of development for TGP documents, as agreed by the TC at its fortieth session, held in Geneva from March 29 to 31, 2004, on the basis of the following amendments:

(a) the Technical Working Party for Agricultural Crops (TWA) considered that, in order for documents TGP/4 and TGP/9 to be adopted in 2006, the Administrative and Legal Committee (CAJ) should be requested to consider drafts of those documents in October 2005, after having taken into account comments from the TC at its forty-first session in April 2005. However, the subsequent discussions in the Technical Working Parties (TWPs) at their sessions in 2004 indicate that new drafts of these documents would need to be considered by the TWPs at their sessions in 2005. On that basis, a document would not be ready for submission to the CAJ until 2006, after the TC had considered the comments from the TWPs;

(b) the Office of the Union (Office) has introduced a new Section in document TGP/5 “Experience and Cooperation in DUS Testing” incorporating the “UPOV Model Form for the Designation of the Sample of the Variety”, which is currently included in the UPOV “Collection of Important Texts and Documents”;

(c) the case of Switzerland has been included within document TGP/6 “Arrangements for DUS Testing”, as a further example of arrangements for DUS testing;

(d) the Technical Working Party on Automation and Computer Programs (TWC) considered that Sections TGP/10.1 “Considering the Application of Statistical Methods” and TGP/10.2 “Assessing Uniformity According to the Features of Propagation” should be merged into a single introductory section and that the remaining sections should be renumbered accordingly;

(e) the TWC considered that Section TGP/10.3.3 “Statistical methods: Segregation ratios” should be incorporated into document TGP/8;

(f) the TWC agreed that a consolidated version of document TGP/10 should be prepared for consideration by all the TWPs during 2005;

(g) reintroduction of document TGP/11.1 “The examination of stability and verification” as proposed by the representative of the Community Plant Variety Office (CPVO) at the thirty-eighth session of the Technical Working Party for Vegetables (TWV);

(h) the TWV recommended that document TGP/12.1.1 “Characteristics Expressed in Response to External Factors: Disease Resistance” should also be examined by the TWA at its session 2004. The proposed program in the Annex to this document (TC/41/5) indicates that the TWA will be invited to consider document TGP/12.1.1 at its session in 2005;

(i) the TWV recommended that documents TGP/12.1.1 and TGP/12.1.3 “Characteristics Expressed in Response to External Factors: Insect Resistance” should be combined to be one single document as the same principle could be applied to both disease and insect resistance characteristics. The proposed program in the Annex to this document (TC/41/5) indicates that there is an introduction to document TGP/12.1 “Characteristics Expressed in Response to External Factors” which should be developed to ensure that the same principles are applied to such characteristics;

(j) the TWO considered that the TWV should be invited to consider document TGP/13 “Guidance for New Types and Species” at its session in 2005; and

(k) the Technical Working Party for Fruit Crops (TWF) agreed that Mr. Alejandro Barrientos Priego (Mexico) and Mr. Kees van Ettehoven (Netherlands) should be included as interested experts, from the TWF and TWV, respectively, for document TGP/14.2.1 “Botanical Terms: Plant shapes”. The TWF and the Technical Working Party for Ornamental Plants and Forest Trees (TWO) recommended that the TWO should consider documents TGP/14.2.1 and TGP/14.2.2 “Botanical Terms: Hair types” at its session in 2005.

3. In addition to the changes above, the Office has incorporated certain presentational changes to allow the revision of certain elements of documents TGP/5, TGP/6, TGP/12 and TGP/14 without the need to re-issue a revised version of the complete TGP document. This would allow, for instance, the addition of a new country example in Section 2 of TGP/6 or the revision of individual terms in TGP/5 (see below) in a more straightforward manner. To allow this to happen, the relevant elements have been identified as individual “sections” and will be presented with individual issue references in document TGP/0 “List of TGP Documents and Latest Issue Dates”, e.g.

TGP/12 Special Characteristics

Section	Issue No.	Section title
<i>Section 1</i>	<i>1</i>	<i>Characteristics Expressed in Response to External Factors</i>
<i>Section 2</i>	<i>1</i>	<i>Chemical Constituents: Protein Electrophoresis</i>
<i>Section 3</i>	<i>1</i>	<i>Examination of Combined Characteristics Using Image Analysis</i>

Thus, for example, if Section 3 were revised, the document references would evolve as follows:

Before revision to Section 3:

TGP/12 Section 1/1: Characteristics Expressed in Response to External Factors
 TGP/12 Section 2/1: Chemical Constituents: Protein Electrophoresis
 TGP/12 Section 3/1: Examination of Combined Characteristics Using Image Analysis

After revision to Section 3:

TGP/12 Section 1/1: Characteristics Expressed in Response to External Factors
 TGP/12 Section 2/1: Chemical Constituents: Protein Electrophoresis
 TGP/12 Section 3/2: Examination of Combined Characteristics Using Image Analysis

TGP Documents for Approval

4. In accordance with the program for the development of TGP documents agreed by the TC at its fortieth session, the TGP documents listed in the table below have been prepared for approval by the TC.

5. Documents indicated with an asterisk (*) in the table represent text already adopted by the Council, the CAJ, or the TC. In the case of the asterisked sections within TGP/5, these represent texts which are contained in the UPOV publication UPOV Pub. 644(E) “Important Texts and Documents”. The Enlarged Editorial Committee (TC-EDC), when considering first drafts of TGP/5 at its meeting in January 2005, noted that some of those texts were adopted several years ago and would benefit from updating. However, it recognized that those texts represented the adopted UPOV position. It also noted that UPOV Pub. 644(E) was no longer available and that many new members of the Union did not, at present, have easy access to those texts. Therefore, it considered that there might be advantages in the TC agreeing the adoption of TGP/5 with those texts unchanged but, in addition, developing a program for

updating those texts, based on priority, in conjunction with the CAJ and Council, as appropriate.

Table of TGP documents prepared for approval by the TC at its forty-first session:

Document reference	Issue	Title
TGP/0	/1 draft 2	List of TGP Documents and Latest Issue Dates
TGP/2	/1 draft 2	List of Test Guidelines Adopted by UPOV
TGP/3	/1 draft 2*	Varieties of Common Knowledge
TGP/5		Experience and Cooperation in DUS Testing
<i>Section 1</i>	<i>/1 draft 2*</i>	<i>Model Administrative Agreement for International Cooperation in the Testing of Varieties</i>
<i>Section 2</i>	<i>/1 draft 2*</i>	<i>UPOV Model Form for the Application for Plant Breeders' Rights</i>
<i>Section 3</i>	<i>/1 draft 2*</i>	<i>Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights (TQ)</i>
<i>Section 4</i>	<i>/1 draft 2*</i>	<i>UPOV Model Form for the Designation of the Sample of the Variety</i>
<i>Section 5</i>	<i>/1 draft 2*</i>	<i>UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results</i>
<i>Section 6</i>	<i>/1 draft 2*</i>	<i>UPOV Report on Technical Examination and UPOV Variety Description</i>
<i>Section 7</i>	<i>/1 draft 2*</i>	<i>UPOV Interim Report on Technical Examination</i>
<i>Section 8</i>	<i>/1 draft 2</i>	<i>Cooperation in Examination</i>
<i>Section 9</i>	<i>/1 draft 2</i>	<i>List of Species in Which Practical Technical Knowledge has Been Acquired or for Which National Guidelines Have Been Established</i>
<i>Section 10</i>	<i>/1 draft 2</i>	<i>Notification of Additional Characteristics</i>
TGP/6		Arrangements for DUS Testing
<i>Section 1</i>	<i>/1 draft 2</i>	<i>Introduction</i>
<i>Section 2</i>	<i>/1 draft 2</i>	<i>Examples of Arrangements for DUS Testing</i>
<i>Section 3</i>	<i>/1 draft 2*</i>	<i>Declaration on the Conditions for the Examination of a Variety Based on Trials Carried Out by or on behalf of Breeders</i>
TGP/12		Special Characteristics
<i>Section 2</i>	<i>/1 draft 2</i>	<i>Chemical Constituents: Protein Electrophoresis</i>

TGP Documents for Discussion

6. As agreed by the TC at its fortieth session and subject to the changed program concerning document TGP/10 “Examining Uniformity” (see paragraph 2(f) above), the following TGP documents have been prepared for discussion by the TC:

Document reference	Issue No.	Title
TGP/4	1 draft 3	Management of Variety Collections
TGP/9	1 draft 3	Examining Distinctness

Report on the Introduction of Document TGP/7 “Development of Test Guidelines”

7. As indicated at the fortieth session of the TC, Annex 4 “Collection of Approved Characteristics” to document TGP/7 “Development of Test Guidelines” is being made available on the first restricted area of the UPOV Website and the “drafter’s kit” will be made available for use by drafters for the development of Test Guidelines for the 2005 sessions of the TWPs.

8. It is recalled that, at its fortieth session, the TC noted that a new section on the development of individual authority Test Guidelines would be developed in future. Furthermore, during their sessions in 2004, the TWPs already started to use document TGP/7 and have highlighted certain elements of the existing text which might be refined during a future revision and also indicated where additions of new guidance notes or additional standard wording might be developed.

9. The following is a summary of the proposals which have been made.

Amendments to the Current Text

10. It has been suggested, by the TWP indicated in brackets, to consider modification of the text as follows:

(a) ASW 4 — 2(d): Observation of color by eye

to add that the color chart and the version of the color chart used should be specified with the variety description (TWF: document TWF/35/11, paragraph 54);

(b) GN 20 — Presentation of characteristics: States of expression according to type of expression of a characteristic

to clarify that adjectives such as moderately, medium, etc. (e.g. much smaller (1), moderately smaller (3), etc. / light green (1), medium green (2), etc.) should be used for pseudo-qualitative characteristics and for quantitative characteristics where there are one or more fixed states (Office in communication with Mrs. Elise Buitendag (South Africa), Coordinator of document TGP/7);

(c) GN 20.3 — Quantitative characteristics

to provide guidance on the use of a scale with more than 9 notes (TWA: document TWA/33/16, paragraph 67).

New Additional Standard Wording (ASW)

11. It has been suggested, by the TWP indicated in brackets, to seek to develop Additional Standard Wording (ASW) for the following situations:

(a) Chapter 1 of the Test Guidelines: Subject of these Test Guidelines

(i) where there are separate Test Guidelines for different types of variety within the same genus/species (TWF: document TWF/35/11, paragraph 55);

(ii) for Test Guidelines for rootstock varieties which do not include flower or fruit characteristics (TWA: document TWA/33/16, paragraph 31);

(iii) for Test Guidelines covering hybrids with species / genera which are covered by other Test Guidelines (TWF: document TWF/35/11, paragraph 40).

(b) Chapter 8

to provide a standard definition of time of eating maturity (TWF: document TWF/35/11, paragraph 54).

12. The TWA has proposed that, pending a revision of document TGP/7, appropriate wording might be developed and incorporated into the electronic template which is to be provided to drafters of Test Guidelines. On that basis, it is proposed that the relevant TWPs be invited to submit to the TC their proposals regarding document TGP/7 and where these are accepted that these be incorporated into the electronic template at the earliest opportunity and incorporated into the next version of document TGP/7 in due course.

13. *The TC is invited to:*

(a) approve the program for the development of TGP documents as set out in the Annex to this document;

(b) approve the TGP documents specified in paragraph 4;

(c) propose, where appropriate, a program for the revision of previously adopted texts contained within TGP/5, as set out in paragraph 5;

(d) consider documents TGP/4/1 draft 3 and TGP/9/1 draft 3; and

(e) approve the procedure for amending the text of document TGP/7, as set out in paragraph 12.

[Annex follows]

Ref.	Title of document	Current approved* documents	Comments / Other relevant documents	Drafter (TWP)	Drafter (Name)	Interested Experts	Date for Draft to Office	2004							2005							2006				2007			
								TC	TWV	TWC	TWA	TWO	TWF	TC-EDC	TC	CAJ	TWV	TWC	TWF	TWO	TWA	TC-EDC	TC	TWPs	CAJ	TC-EDC	TC	CAJ	
TGP/12	Special Characteristics (<i>Coordinator: Office (PB/MT)</i>)																												
Section 1	Characteristics Expressed in Response to External Factors																				draft 1	draft 2	draft 3		draft 4	Adopt			
1.1	Characteristics Expressed in Response to External Factors: Introduction (uniformity)						22-Apr-05														draft 1								
1.2	Characteristics Expressed in Response to External Factors: Disease Resistance			TWV	Mr. Van Etekovon (NL)		16-Sep-05			draft 3																			
1.3	Characteristics Expressed in Response to External Factors: Chemical Response			TWA	Mr. Hossain (AU)		16-Sep-05																						
1.4	Characteristics Expressed in Response to External Factors: Insect Resistance			TWA / TWV	Mr. Guiard (FR)	Mr. Hossain (AU)	22-Apr-05			draft 1																			
Section 2	Chemical Constituents: Protein Electrophoresis			TWA	Mr. Camlin (GB) / Mr. Guiard (FR)								draft 1	Adopt															
Section 3	Examination of Combined Characteristics Using Image Analysis		TC/36/7/12B	TWC	Mr. Law (GB)		29-Apr-05																						
TGP/13	Guidance for New Types and Species (<i>Coordinator: Mr. Kwakkenbos (CPVO)</i>)			TWO	Mr. Kwakkenbos (CPVO)	TWA: Mr. Camlin; TWF: Mr. Barnaby (NZ) / Mr. Barrientos-Priego (MX)	22-Apr-05																						
TGP/14	Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents (<i>Coordinator: Office (PB)</i>)																												
Section 1	Technical Terms		TC/36/7/18A	Office	PB																								
Section 2	Botanical Terms: (<i>Coordinator: Mrs. Buitendag (ZA)</i>)																												
2.1	Plant shapes		TC/36/5 & TWF/34/5	TWF	Mrs. Buitendag (ZA)	TWF: Mr. Barnaby (NZ); Mr. Barrientos-Priego (MX); Mr. Bergamini (IT); Ms. Lean (GB). TWV: Mr. van Etekovon (NL)	22-Jul-05																						
2.2	Hair types			TWF	Mr. Barnaby (NZ)		22-Jul-05																						
2.3.1	Color: Color characteristics			TWO	Mr. Kwakkenbos (CPVO)		22-Jul-05																						
2.3.2	Color: Color groups			TWO	Ms. Menne (DE)		22-Jul-05																						
Section 3	Statistical Terms		TWA/29/9	TWC / TWA	Mr. Keizer (NL)	Mr. Hossain (AU) / Mr. Roberts (GB)	29-Apr-05																						
TGP/15	New Types of Characteristics (<i>Coordinator: Office</i>)																												