



TC/41/12

ORIGINAL: English

DATE: January 4, 2006

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

**TECHNICAL COMMITTEE**

**Forty-First Session**  
**Geneva, April 4 to 6, 2005**

REPORT

*adopted by the Technical Committee*

Opening of the Session

\*1. The Technical Committee (TC) held its forty-first session in Geneva from April 4 to 6, 2005. 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-eighth session, held in Geneva on October 24, 2004, had elected Ms. Julia Borys (Poland) and Mrs. Françoise Blouet (France) as Chairperson and Vice-Chairperson, respectively, of the TC, in each case for a term of three years ending with the forty-first ordinary session of the Council, in 2007.

\*3. The session was opened by Ms. Julia Borys (Poland), Chairperson of the TC, who welcomed the participants. The Chairperson informed the TC that Dr. Arpad Bogsch, the former Secretary-General of UPOV, had passed away on September 19, 2004.

\*4. The Chairperson extended a particular welcome to the Delegations from Azerbaijan, Jordan, Singapore and Uzbekistan, who had become members of the Union since the fortieth session of the TC, held in Geneva from March 29 to 31, 2004, taking the number of

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\* The asterisked paragraphs in this report are reproduced from document TC/41/11 (Report on the Conclusions).

members of the Union to 58. She noted that, in addition, Austria had acceded to the 1991 Act of the UPOV Convention since that meeting.

### Adoption of the Agenda

\*5. The TC adopted the agenda as presented in document TC/41/1.

### Report on Developments in UPOV Including Relevant Matters Discussed in the Last Sessions of the Administrative and Legal Committee (CAJ), the Consultative Committee (CC) and the Council

6. The Vice Secretary-General provided an oral report on the forty-ninth and fiftieth sessions of the CAJ, the sixty-seventh and the sixty-eighth sessions of the CC and the twenty-first extraordinary session and the thirty-eighth ordinary session of the Council.

7. The Vice Secretary-General started with a report on the forty-ninth session of the CAJ, held in Geneva on April 1, 2004. The Chairman of the TC provided an oral report on the outcome of the fortieth session of the TC. The CAJ discussed a document on draft recommendations concerning information, documents or material furnished for examination purposes. That document included consideration of material submitted by the breeder and which might form part of a variety collection, and considered how authorities should handle such material. Particular consideration was given to parent lines of hybrid varieties. There was a report on developments with regard to UPOV databases concerning the UPOV code, the GENIE database and further development of the UPOV Plant Variety Database (UPOV-ROM). The CAJ received reports from the *Ad hoc* Working Group on the Publication of Variety Descriptions (WG-PVD) and the *Ad Hoc* Working Group on Variety Denominations (WG-VD). At its fiftieth session held in Geneva on October 24 and 25, 2004, the CAJ discussed a first draft of explanatory notes on acts done privately and for non-commercial purposes and on the provisions concerning farm-saved seed. The discussion on draft recommendations concerning information documents or material furnished for examination purposes continued, and there was consideration whether this document should provide very broad advice or whether it should rather provide more specific guidance in the form of a checklist. This latter approach was retained and was contained in a new document which would be considered by the CAJ at its fifty-first session. There had not been sufficient time during the forty-ninth session of the CAJ in October 2004 to discuss the proposals of the TC concerning molecular techniques contained in two documents: the situation in UPOV concerning the possible use of molecular markers in DUS examination and the proposal of the TC for matters concerning the possible use of molecular tools for variety characterization in relation to the enforcement of plant breeder's rights, technical verification of identity and the consideration of essential derivation, to be considered by the *Ad hoc* Subgroup of technical and legal experts of biochemical and molecular techniques (BMT Review Group). Those proposals would be considered by the CAJ at its fifty-first session, later that week. With regard to other items to be discussed at the fifty-first session of the CAJ, there was to be a consideration of the development of the UPOV information databases and a discussion on acts done privately and for non-commercial purposes and the provisions on farm-saved seeds will be continued. A document on draft recommendations to ensure the independence of those DUS examination centers which have links to breeding activities was to be discussed and the document on information documents on material furnished for examination purposes

would again be considered. The CAJ also planned to discuss a program for the development of explanatory notes of the 1991 Act of the UPOV Convention.

8. The Vice Secretary-General then reported on developments in the CC. At its sixty-seventh session, held in Geneva on April 2, 2004, the CC considered clarification of the situation regarding access to documents on the UPOV website and decided that the passwords should be replaced. The representatives of each country or organization had, in the meantime, specified their experts who were members of the TC and the Technical Working Parties (TWPs), and the Office of the Union (Office) had issued the password to the first restricted area to those nominated experts. At its sixty-eighth session, held in October 2004, the CC reviewed a document, prepared by the Consultative Group on Long-term Financial Issues of UPOV, and received a report on the plans for the development of a UPOV distance learning program.

9. The Vice Secretary-General reported on the twenty-first extraordinary session of the Council, held in Geneva on April 2, 2004, and the thirty-eighth ordinary session, held in Geneva on October 21, 2004. In April 2004, the Council took a positive decision on the laws of Armenia and Albania. It elected Mr. Krieno Fikkert (Netherlands) as Vice-Chairman of the CAJ for the remaining period of the term of office, which ended in October 2004. In accordance with the proposal made by the TC, the Council elected Mr. Louis Salaices (Spain) as Chairman of the Technical Working Party for Agricultural Crops (TWA) for the remaining term of office which ended in 2005. In October 2004, the Council took a positive decision on the laws of Mauritius and Turkey, noted the work of the TC, the TWPs and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), and approved the programs of work set out in the relevant documents. The Council received an oral report on the signing of a Memorandum of Understanding by the Secretary-General of UPOV and the President of the Community Plant Variety Office (CPVO), Mr. Bart Kiewiet, which took place at the UPOV headquarters on the day of the Council Meeting, on October 21, 2004. The Memorandum of Understanding concerned cooperation for the development and maintenance of a web-based version of the UPOV Plant Variety Database and the CPVO centralized database of variety denominations. The Council elected Mr. Krieno Fikkert (Netherlands) as Chairman of the CAJ, Mrs. Carmen Amelia M. Gianni (Argentina), as Vice-Chairperson of the CAJ, Mrs. Julia Borys (Poland) as Chairperson of the TC, and Ms. Françoise Blouet (France) as Vice-Chairperson of the TC, in each case for the period 2005 to 2007.

10. The representative of the Food and Agriculture Organization of the United Nations (FAO) provided the following points of information. It was explained that FAO was expanding its cooperation with UPOV in various areas, including capacity building and in relation to harmonization of FAO's seed policies, work and projects that were going on around the world. In that context, FAO was very much looking forward to the outcome of the study on the impact of plant breeder's rights (Impact Study), in particular with regard to developing countries. It was noted that the study would complement one of the FAO surveys on plant breeding that was underway at a global level. The FAO was also looking forward to complementing the work of UPOV in capacity building and to supporting UPOV's activities at the regional and subregional level. In that context, the representative noted that participation within the TC had been very fruitful because of the interaction with the technical experts on whom FAO might call on from time to time to act as experts towards capacity building and training activities.

11. The Vice Secretary-General thanked the representative of FAO for her remarks. He explained that the Impact Study was under preparation and was planned to be finalized towards the end of 2005. The Impact Study was planned to be published and would be available to FAO. With regard to enhancing cooperation, the Vice Secretary-General recalled that the Secretary-General of UPOV wrote to the Director General of FAO in October 2004 and included some suggestions concerning cooperation. However, a reply had not been received at that time. With regard to cooperation in capacity building, the Vice Secretary-General remarked that that was a positive proposal, but would depend on UPOV's availability of resources. Nevertheless, if there were mutual benefits for both organizations such a proposal would certainly receive the necessary consideration.

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

\*12. The TC received oral reports, from the Chairpersons, on the work of the Technical Working Party for Agricultural Crops (TWA), the Technical Working Party on Automation and Computer Programs (TWC), the Technical Working Party for Fruit Crops (TWF), the Technical Working Party for Ornamental Plants and Forest Trees (TWO) and the Technical Working Party for Vegetables (TWV). It noted that the BMT had not met since the fortieth session of the TC.

\*13. The TC also received oral reports from the Chairpersons of the respective *Ad hoc* Crop Subgroups on Molecular Techniques (Crop Subgroups) for Potato and Sugarcane. In the absence of the Chairman for the Crop Subgroup for Wheat, a report was made by the Chairman of the TWA.

Matters Arising from the Technical Working Parties

\*14. The TC considered document TC/41/3 and received the following oral reports.

*Technical Working Party for Agricultural Crops (TWA)*

15. Mr. Luis Salaices (Spain), Chairman of the TWA, reported as follows:

16. The Technical Working Party for Agricultural Crops (TWA) held its thirty-third session in Poznań, Poland, from June 28 to July 2, 2004, under the chairmanship of Mr. Luis Salaices (Spain). The report of the meeting is contained in document TWA/33/16. On Tuesday, June 29, the TWA received a presentation on "Plant variety testing, registration and legal protection in Poland" from Mr. Edward Gacek, Director of COBORU.

17. The meeting was attended by 69 participants from 28 members of the Union, one observer State and two observer organizations. The preparatory workshop, held during the morning of Sunday, June 27, 2004, was attended by 45 participants from 15 members of the Union.

18. The TWA discussed developments on molecular techniques and agreed with the recommendation of the TC, that the Annex to document TWA/33/2 would be a suitable

summary of the current UPOV position. It did, however, propose to add a paragraph to clarify that options 1(a) and 2 might be pursued and that the current UPOV position was that approaches under option 3 had not been agreed. The TWA agreed to propose to the TC that Mr. Robert Cooke (United Kingdom) be appointed Chairman of the Crop Subgroup for Wheat. It received reports on the Potato, Sugarcane and Wheat Crop Subgroup meetings, which had met during the afternoon of June 28, and noted that document BMT Guidelines (proj.2) had been discussed by those crop subgroups and various recommendations made for its improvement. The TWA agreed that the work on molecular techniques in maize, oilseed rape, potato, soybean, sugarcane and wheat should be kept under review and future meetings should be considered as required. At the proposal of the expert from Denmark, the TWA agreed to propose to the TC and the BMT that a crop subgroup be established for ryegrass and proposed Mr. Michael Camlin (United Kingdom) as Chairman.

19. The TWA discussed a number of draft TGP documents according to the program agreed by the TC and received a presentation from the Office on the development of the electronic TG template following the adoption of TGP/7.

20. The TWA discussed developments concerning UPOV information databases and heard a proposal from Mr. Kees van Ettehoven (Netherlands), Chairman of the Technical Working Party for Vegetables (TWV), concerning a recommendation from the TWV for UPOV codes for *Brassica* and *Beta*, which was agreed by the TWA.

21. The TWA discussed the project to consider the publication of variety descriptions and received presentations on progress in the model study on barley from Mr. Gerhard Deneken (Denmark) and on potato from Mr. Henk Bonthuis (Netherlands). It agreed that, as a first step, the emphasis should be on how the description of varieties could be improved and the possibilities for developing regional sets of example varieties. Thereafter, as a second step, it could be useful to look at using the GAIA software to compare variety descriptions.

22. The TWA discussed proposals concerning variety denomination classes and agreed that the *Ad hoc* Working Group on Variety Denominations (WG-VD) should be asked to reconsider the inclusion of different genera in mixtures as a basis for creating a class. However, it did agree that the possibility of inter-generic hybrids was an appropriate criteria for creating classes of multiple genera.

23. The TWA considered a report of a comparison between descriptions of asterisked characteristics of rice varieties in the original testing countries and in Japan. The TWA noted progress in the development of regional sets of example varieties for the Test Guidelines for Rice.

24. The TWA received information on the use of image analysis for DUS testing in the United Kingdom.

25. The TWA agreed to submit to the TC the draft Test Guidelines for French Bean (Revision) and for Ginseng, both in conjunction with the TWV, and the draft Test Guidelines for Lucerne (Revision) and Sugarcane. The TWA planned to continue discussions on fourteen Test Guidelines in 2005.

26. The TWA agreed to propose to the TC that it recommend to the Council to elect Mrs. Beate Rucker (Germany) as the next Chairperson of the TWA.

27. At the invitation of the expert from New Zealand, the TWA agreed to hold its thirty-fourth session in Christchurch, New Zealand, from October 31 to November 4, 2005.

28. The TWA proposed to discuss the following items at its next session: short reports on developments in plant variety protection from members and observers; reports on developments within UPOV; developments on molecular techniques; TGP documents; UPOV Information Databases; project to consider the publication of variety descriptions; project for exchanging seed of selected varieties between interested countries; development of regional sets of example varieties for the Test Guidelines for Rice; discussion on draft Test Guidelines; recommendations on draft Test Guidelines; date and place of the next session and future program.

*Technical Working Party on Automation and Computer Programs (TWC)*

29. Mr. Uwe Meyer (Germany), Chairman of the TWC, reported as follows:

30. The Technical Working Party on Automation and Computer Programs (TWC) held its twenty-second session in Tsukuba, Japan, from June 14 to 17, 2004, under the chairmanship of Mr. Uwe Meyer (Germany). The TWC was welcomed by Mr. Sanji Takemori, Director, Seed and Seedlings Division (SSD), Ministry of Agriculture, Forestry and Fisheries (MAFF), and by Mr. Kiyohumi Kuwana, President, National Center for Seed and Seedlings (NCSS). The report of the session is provided in document TWC/22/17.

31. The meeting was attended by 21 participants from 11 members of the Union. The TWC noted that a preparatory workshop, held during the afternoon of June 13, 2004, prior to the TWC meeting, was attended by new participants from Japan, Kenya, and the Republic of Korea. In the week before the TWC meeting, the UPOV Office and the TWC held an extra Workshop on Data Handling in Beijing, China.

32. The TWC discussed BMT developments and proposed assistance to molecular and crop experts in processing the large amount of data. It was planned to intensify the cooperation between the TWC and the BMT.

33. The consideration of TGP documents started with a discussion of TGP/4 "Constitution and Management of Variety Collections" followed by TGP/8 "Use of Statistical Procedures in the Examination of Distinctness, Uniformity and Stability", TGP/9 "Examining Distinctness" and TGP/10 "Examining Uniformity". For TGP/4 the TWC proposed to reword some parts of the document for a clearer understanding. The new drafts of parts of TGP/8, 9 and 10 were intensively discussed. The TWC agreed to produce first consolidated versions of TGP/8 and TGP/10. The TWC finally discussed TGP/14 "Statistical Terms", with an agreement to prepare a new draft for the next TWC meeting.

34. The TWC took note of new information about the UPOV information databases, presented by the Office, and discussed the importance of the UPOV code as a key for those databases.

35. The project to consider the publication of variety descriptions was discussed. A spreadsheet for data capture of variety descriptions was presented and some improvements were discussed. The TWC clarified the possibility to use the GAIA program from France in the model study for the publication of variety descriptions but noted that further study would be needed.

36. The TWC considered contributions concerning new developments in statistical procedures. The TWC discussed the influence of variation in the moving average procedure within Combined-Over-Year-Analysis for assessment of uniformity and agreed to seek further contributions to make further progress in the development of such procedures. In addition, the TWC discussed the response to a questionnaire collecting information about standard probability levels for Combined-Over-Year-Analysis and agreed to re-check this information, noting that verification with the relevant crop experts was necessary. The TWC agreed that it was too early to incorporate those probability levels in the relevant TGP documents.
37. The TWC discussed a new document for calculation of relative tolerances in the number of off-types, instead of absolute tolerances, and agreed to develop this document in cooperation with crop experts for the next meeting.
38. A discussion of the effectiveness and usefulness of incomplete block designs in relation to randomized block designs concluded with an agreement that incomplete block design should be incorporated into TGP/8.2 "Experimental Design Practices" with equal status.
39. A new application of statistical procedures such as Chi-square and Fishers exact test for the assessment of distinctness for segregating characteristics had been discussed by the TWC in the last two meetings and it was agreed to develop the document by including more information about the alternative hypotheses of both tests.
40. Participants exchanged experiences from work with the GAIA software and noted that the program was easy to install, but that loading of data was very time-consuming. The TWC suggested that the GAIA software might be loaded with standard data as examples in order to guide crop experts when using this software for the first time.
41. The TWC noted new information concerning automatic measurements of Pea characteristics and image analysis in DUS Testing.
42. The TWC agreed to propose to the TC that it recommend to the Council to elect Mrs. Sally Watson (United Kingdom) as the next chairperson of the TWC.
43. At the invitation of the Commissioner from the Plant Breeder's Rights Office, Canada, it was agreed that the next meeting of the TWC should take place in Ottawa, Canada, from June 13 to 16, 2005.
44. During the twenty-third session, the TWC planned to discuss: short reports on developments in plant variety protection; Molecular Techniques; Project to consider the Publication of Variety Descriptions; UPOV information databases; TGP documents; Assessment of distinctness for segregating characteristics; Efficiency of incomplete block designs in DUS herbage; Generalized linear models (logistic regression approach); COY: the selection of the optimum number of plants; COYU Methodology; Image analysis in parsnip; Standard probability levels; Calculation of relative tolerances in the number of off-types; Exchangeable software and TWC documents; Date and place of the next session; Future program.

*Technical Working Party for Fruit Crops (TWF)*

45. Mr. Erik Schulte (Germany), Chairman of the TWF, reported as follows:

46. The Technical Working Party for Fruit Crops (TWF) held its thirty-fifth session in Marquardt, near Potsdam, Germany, from July 19 to 23, 2004, under the chairmanship of Mr. Erik Schulte (Germany). The TWF was welcomed by Mr. Johann Habben, Head of the Department of DUS Testing at the *Bundessortenamt*. The report of the session is provided in document TWF/35/11.

47. The meeting was attended by 33 participants from 20 members of the Union and from two observer organizations.

48. The TWF received an introduction to document TWF/35/2 on Molecular Techniques. The TWF recommended a new summary paragraph, and also recommended that the Administrative and Legal Committee (CAJ) be invited to consider this addition.

49. The TWF discussed a number of draft TGP documents. In relation to TGP/4 Draft 1 “Management of Variety Collections”, the TWF recommended possible amendments in the wording. It also discussed TGP/9 Draft 1 “Examining Distinctness”, TGP/10. 2 Draft 3 Rev. “Assessing Uniformity According to the Features of Propagation”, TGP/10.3.1 Draft 3 “Statistical Methods: COYU”, TGP/10.3.2 Draft 3 “Statistical Methods: Off-Types”, TGP/13 Draft 2 “Guidance for New Types and Species”, TGP/14.2.1 Draft 3 “Botanical Terms: Plant Shapes”, TGP/14.2.2 Draft 2 “Botanical Terms: Hair Types”, TGP/14.2.3 Draft 2 “Botanical Terms: Color”, and TGP/7/1 “Development of Test Guidelines”.

50. The TWF received reports from the coordinators on the model studies for Apple and for Strawberry within the project to consider the publication of variety descriptions. In the case of Apple, the TWF noted that the only qualitative characteristic in the Test Guidelines (Tree: type) had produced consistent results across all authorities, however, the results for other characteristics had shown different degrees of variation for the same variety. It was further noted that the information was also to be sent to experts in France for an analysis to be conducted using GAIA. In the case of Strawberry, the TWF was informed that lists of varieties from more than 10 authorities had been received and that an appropriate sample on which to request descriptions would be selected. It was agreed that, if required, an expert from France would assist in the study.

51. The TWF considered document TWF/35/3 “UPOV Information Databases”, document TWF/35/5 “Variety Denomination Classes”, TWO/37/7-TWF/35/7 “Criteria for Determining Off-Type Plants”, introduced by the Chairman of the TWO, and TWF/35/8 “Definition of Maturity of Fruit”.

52. The TWF finalized the draft Test Guidelines for Apple (Revision) and Apricot (Revision) for submission to the TC. The TWF planned to continue discussions on Test Guidelines for a total of 19 species. It also decided to consider starting discussions on draft Test Guidelines for Pistachio (*Pistacia vera* L.), and Pomegranate (*Punica granatum* L.) at its thirty-seventh session.

53. The TWF agreed to propose to the TC that it recommend to the Council that it elect Mr. Alejandro Barrientos Priego (Mexico) as the next Chairperson of the TWF.



54. At the invitation of the expert from Japan, the TWF agreed to hold its thirty-sixth session in Japan from September 5 to 9, 2005.

55. During the thirty-sixth session, the TWF planned to discuss or re-discuss the following items: short reports on developments in plant variety protection from members and observers; as well as within UPOV; developments on molecular techniques; project to consider the publication of variety descriptions; review of UPOV information databases; criteria for determining off-type plants; TGP documents; and discussions and recommendations on draft Test Guidelines.

*Technical Working Party for Ornamental Plants and Forest Trees (TWO)*

56. Mr. Chris Barnaby (New Zealand), Chairman of the TWO, reported as follows:

57. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its thirty-seventh session in Hanover, Germany, from July 12 to 16, 2004, under the chairmanship of Chris Barnaby (New Zealand). The TWO was welcomed by Mr. Udo von Kröcher, President of the *Bundessortenamt*, on behalf of the German *Bundessortenamt*. The report appears in document TWO/37/12.

58. The meeting was attended by 34 participants from 16 members of the Union and three observer organisations. The TWO noted that the preparatory workshop held during the afternoon of July 11, 2004, prior to the TWO meeting, was attended by 11 participants, from five members of the Union.

59. The TWO discussed document TWO/37/2 concerning the Use of Molecular Techniques in DUS Testing. The TWO agreed with the recommendation of the TC that the Annex to TWO/37/2 would be a suitable summary of the current situation in UPOV with the added wording improvement proposed by the TWA. It noted that there had not been a meeting of the *Ad Hoc* Crop Subgroup for Rose since the thirty-sixth session of the TWO. It was hoped that a meeting would be held when sufficient discussion papers are available.

60. A number of draft TGP documents were discussed. The TWO had particular interest in TGP/4 Draft 1 "Management of Variety Collections", TGP/9 Draft 1 "Examining Distinctness", TGP/13 Draft 1 "Guidelines for New Types and Species", and TGP/14.2.3 Draft 1 "Botanical Terms: Color".

61. The Office orally reported that checking of the UPOV codes was progressing and further checking by the relevant using authorities would be carried out using the list in Annex III to document TWO/37/3. The TWO agreed that all comments on the code should be sent to the Office by October 2004.

62. Documents TWO/37/8 and TWO/37/10 provided the basis for discussion of the project to consider the publication of variety descriptions. Ms. Andrea Menne (Germany) reported that for the Model Study for Petunia (TWO/37/8), there was a high level of consistency for the states of expression across varieties, however, it would not be possible to obtain additional descriptions and usefully continue the study, because the UPOV Test Guidelines for Petunia were only adopted in 2003. The Coordinator for the Model Study on Alstroemeria, Mr. Joost Barendrecht (Netherlands), reported that he hoped to receive further descriptions from at least one more country for the Model Study for Alstroemeria. The use of

photographs, as part of the descriptions, would provide additional information. He noted that there was a lot of variation for quantitative characteristics and also for some qualitative characteristics, which required further investigation. Several reasons were put forward for the observed variation. The information would also be used during the current review of the Test Guidelines by the TWO.

63. The TWO discussed TWO/37/5 “Variety Denomination Classes” and agreed that, in general, classes for families should be removed in order to follow the general rule. In some cases it considered that it may be appropriate to group genera in one class, such as for *Chrysanthemum* and *Ajania*; and *Petunia* and *Calibrachoa*. Another case could be where the Test Guidelines include more than one genus. It agreed that ICNCP recommendations should also be consulted for other possible classes.

64. The Chairman introduced document TWO/37/7 “Criteria for Determining Off-type Plants”. A discussion followed with agreement that the preliminary survey had identified some differing views on determining off-type plants. Example information would be provided by experts from France (Lavender), Germany (Regal Pelargonium) and New Zealand (Hebe, Phormium) before the next session. The Chairman would then draft a new document using those examples and other information in TWO/37/7, TWO/36/5 and other relevant documents. The objective would be to develop guidance on handling off-types which could be incorporated into TGP/10 “Examining Uniformity”. The TWO agreed that it would not be appropriate to consider the development of different uniformity standards for variegated varieties.

65. The TWO agreed to submit the draft Test Guidelines for Argyranthemum, Anthirrhinum, Brachyscome and Waxflower, to the TC. Discussion continued on eight other Test Guidelines, consisting of four revisions and four new Test Guidelines.

66. The TWO agreed to propose to the TC that it recommend to the Council that it elect Ms. Sandy Marshall (Canada) as the next Chairperson of the TWO.

67. At the invitation of the expert from the Republic of Korea, the TWO agreed to hold its thirty-eighth session in Seoul from September 12 to 16, 2005.

68. During its thirty-eighth session, the TWO planned to discuss or re-discuss the following items: short reports on developments in plant variety protection from members, observers and within UPOV; reports on molecular techniques, publication of variety descriptions, UPOV information databases and variety denomination classes; criteria for determining off-types; phytoplasma in Poinsettia; TGP documents and discussion of and recommendations for draft Test Guidelines.

#### *Technical Working Party for Vegetables (TWV)*

69. Mr. Kees van Ettehoven (Netherlands), Chairman of the TWV, reported as follows:

70. The Technical Working Party for Vegetables (TWV) held its thirty-eighth session in Seoul, Republic of Korea, from June 7 to 11, 2004, under the chairmanship of Mr. Kees van Ettehoven (Netherlands). The detailed report of the meeting is provided in document TWV/38/9.

71. The meeting was attended by 29 experts from 12 member States and three observer organizations. The TWV noted that the preparatory workshop was attended by 15 participants.
72. No meetings of the crop subgroups on molecular techniques had taken place. It was agreed to dissolve the Crop Subgroup for Mushroom as no further development was expected. Developments in Tomato would be reported at a future meeting.
73. During the session, the draft TGP documents were discussed. Concerning TGP/9 “Examining Distinctness”, the possible usefulness of the GAIA software was discussed. In discussing TGP/10 “Examining Uniformity”, it was proposed to consider combining assessment by the number of off-types and by relative uniformity. Furthermore, it was noted that the relative uniformity concept for species where there were only a few applications could give problems if the first varieties were very uniform. Further comments were later received through correspondence.
74. The TWV noted the progress made on the GENIE database and made recommendations related to the UPOV codes of vegetable varieties.
75. The first results on the Publication of Variety Descriptions for the Model Studies on Chinese Cabbage and Lettuce were discussed.
76. The TWV noted the developments in the Working Group on Variety Denominations concerning recommendations on variety denominations and commented on the proposals concerning classes involving vegetables.
77. The TWV agreed to send draft Test Guidelines for Ginseng, Chick-Pea (Revision), French Bean (Revision), Industrial Chicory (Revision), Parsley (Revision), Pepper (Revision) and Melon (Revision) to the TC. However, certain matters in the draft Test Guidelines for Melon were not resolved in time for their submission to the forty-first session of the TC. The TWV agreed to re-discuss draft Test Guidelines for Husk Tomato, Rosemary and Pea, at its thirty-ninth session. It also agreed to start discussions on draft Test Guidelines for Broccoli (partial revision), Corn salad (Revision), Cucumber, Gherkin (Revision), Lettuce (partial revision on *Bremia*), Mint, Rocket and *Cucurbita moschata*. It was agreed that a discussion on Test Guidelines for Sweetcorn should be conducted in conjunction with the TWA.
78. The TWV agreed to propose to the TC that it recommend to the Council that it elect Mr. Niall Green (United Kingdom) as the next Chairperson of the TWV.
79. At the invitation of the expert from Slovakia, the TWV agreed to hold its thirty-ninth session in Nitra (Slovakia) from June 6 to 10, 2005.
80. During the thirty-ninth session, the TWV planned to discuss or re-discuss: short reports on developments in plant variety protection, molecular techniques, project to consider the publication of variety descriptions; review of UPOV information databases, TGP documents, discussion on draft Test Guidelines, date and place of next session and future program.

*Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT)*

81. The TC noted that there had been no meeting of the BMT in 2004.

*Crop Subgroup for Potato*

82. Mrs. Beate Rücker (Germany), Chairperson of the Crop Subgroup for Potato, reported as follows:

83. The Crop Subgroup for Potato held its first session in Poznań, Poland, on June 28, 2004, in conjunction with the TWA Meeting and the Crop Subgroup sessions for Wheat and Sugarcane.

84. The Crop Subgroup agreed with the proposals on the “BMT Guidelines”, made by the Crop Subgroup for Wheat, which had met immediately prior to the session. The Subgroup noted the developments presented in five documents by experts from France, Germany and the United Kingdom. The following main issues were raised: (a) the importance and potential power of molecular techniques for variety identification; (b) benefit from work on issues not related to distinctness, uniformity and stability for consideration of molecular techniques in DUS-relevant areas; and (c) harmonization of methods and exchange of data.

85. The Crop Subgroup for Potato considered that the TC, the CAJ and the BMT Review Group would need to develop guidance on how specific techniques could be used for variety identification if those techniques differed from the methods used for testing distinctness, uniformity and stability.

86. The Crop Subgroup for Potato agreed that work should continue with the aim of improving and harmonizing methodologies and the construction of databases.

*Crop Subgroup for Sugarcane*

87. Mr. Luis Salaices (Spain), Chairman of the Crop Subgroup for Sugarcane, reported as follows:

88. The Crop Subgroup for Sugarcane held its second session in Poznań, Poland, on the afternoon of June 28, 2004, after the meetings of the Wheat and Potato Crop Subgroups. The meeting was chaired by Mr. Luis Salaices (Spain), and was attended by 54 experts from 24 members of the Union and one observer organization. The Crop Subgroup for Sugarcane agreed with the proposals of the Crop Subgroup for Wheat (all participants having attended both meetings) for the future development of the BMT Guidelines (proj.2). It was noted that the developments presented in document BMT-TWA/Sugarcane/2/2 “Draft Guidelines for Harmonizing Protocols on the Development of Molecular Markers for Use in DUS Testing with a Specific Emphasis on Sugarcane” already followed the BMT Guidelines (proj.2) and that, as presented in document BMT-TWA/Sugarcane/2/3 “Progress report on the Crop Subgroup for Sugarcane”, work for the development of specific BMT Guidelines for sugarcane would continue, with new results and information from a “ring test” expected in 2005.

*Crop Subgroup for Wheat*

89. In the absence of the Chairman for the Crop Subgroup for Wheat, a report was made by Mr. Luis Salaices (Spain), Chairman of the TWA, as follows:

90. The Crop Subgroup for Wheat held its second session in Poznań, Poland, on the afternoon of June 28, 2004. The meeting was chaired by Mr. Robert J. Cooke (United Kingdom). Sixty-nine participants from 28 members of the Union, one non-member and two observer organizations attended the meeting. A report was made on research in the United Kingdom which explored the possibility of an Option 2 approach using the PREDIP software developed by experts from France. The document BMT Guidelines (proj.2) was discussed. The Crop Subgroup for Wheat considered that the document should be redrafted by an expert/experts with suitable knowledge of, and experience in, the use of molecular techniques. On that basis, it agreed that Mr. Cooke should undertake the redrafting, with the assistance of Mrs. Françoise Blouet (France), in connection with section 5 “Constructing the database”, for molecular techniques.

\*91. 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 2005. As suggested by the TWPs, the TC proposed to the Council that it elect, at its thirty-ninth session to be held on October 27, 2005, as Chairpersons for the term from 2006 to 2008:

TWA: Mrs. Beate Rücker (Germany)  
TWC: Mrs. Sally Watson (United Kingdom)  
TWF: Mr. Alejandro Barrientos Priego (Mexico)  
TWO: Ms. Sandy Marshall (Canada)  
TWV: Mr. Niall Green (United Kingdom)

\*92. At the proposal of the Delegation of France, the TC agreed to propose to the Council that it elect Mr. Henk Bonthuis (Netherlands) as Chairman of the BMT for the term from 2006 to 2008.

TGP Documents

\*93. The TC discussed the development of the TGP documents on the basis of document TC/41/5.

*I. TGP documents for approval*

\*94. The TC noted that adopted TGP documents would be published in a special section within the freely accessible part of the UPOV website. It also heard that document TGP/7/1 “Development of Test Guidelines” would now be placed in that section.

95. The TC agreed the following approach with regard to the TGP documents submitted for approval:

*TGP/0 “List of TGP Documents and Latest Issue Dates”*

96. The TC approved document TGP/0/1 “List of TGP Documents and Latest Issue Dates”.

*TGP/2 “List of Test Guidelines Adopted by UPOV”*

97. The TC approved document TGP/2/1 “List of Test Guidelines Adopted by UPOV”.

*TGP/3 “Varieties of Common Knowledge”*

\*98. With regard to document TGP/3/1 Draft 2 “Varieties of Common Knowledge”, the TC noted that, whilst that document had been adopted by the Council, the Enlarged Editorial Committee (TC-EDC) had wondered whether the document went beyond what was contained in the General Introduction, in terms of practical clarification in relation to varieties of common knowledge. The TC agreed that it would be better to try to elaborate a more practical and comprehensive document in respect of varieties of common knowledge in conjunction with the CAJ.

*TGP/5 “Experience and Cooperation in DUS Testing”*

99. A representative of the International Seed Federation (ISF) noted the importance of cooperation between authorities in DUS testing and considered that its importance would increase in future, not least because of the requirement in the 1991 Act of the UPOV Convention for protection to be offered to all plant genera and species. He confirmed the ISF view that, where a DUS test had been conducted by one authority, the report of that test should be made available to the authorities of other members of the Union at no cost other than that required to cover administrative costs.

\*100. The TC noted that sections 1 to 7 of TGP/5 represented texts which were contained in the UPOV publication 644(E) “Important Texts and Documents”. It observed that some of those texts had been adopted several years ago and would benefit from updating. However, it recognized that those texts represented the adopted UPOV position and also noted that UPOV publication 644(E) was no longer available and that many new members of the Union did not have easy access to those texts. Therefore, it approved sections 1 to 7 but, in addition, agreed to develop a program for updating of those sections, based on priority, in conjunction with the CAJ and Council, as appropriate. The Office agreed to prepare a proposal for consideration by the TC at its forty-second session. With regard to elements which should be considered in any revision to the texts, the following comments were made:

- (a) to make suitable provisions for genetically modified varieties in relevant sections;
- (b) in Section 1 “Model Administrative Agreement for International Cooperation in the Testing of Varieties”:
  - (i) to review Article 6 with regard to the possibility to include the maintenance of reference collections in the main agreement rather than as a matter to be settled between the authorities by correspondence;
  - (ii) to review Article 7 with regard to the amount of 350 Swiss francs;
- (c) in Section 5 “UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results”: to consider amending the wording in the “UPOV Answer

to the Request for Examination Results”, paragraphs 5 and 6, to reflect the possibility for invoicing to be made directly to breeders.

\*101. The TC approved document TGP/5 on the basis of the following amendment to Section 10/1 Draft 2, paragraph 4:

“4. The following table has been developed for the notification of additional characteristics. Additional characteristics notified to the Office of the Union will be presented on the password-restricted area of the UPOV website ([http://www.upov.int/restrict/en/index\\_drafters\\_kit.htm](http://www.upov.int/restrict/en/index_drafters_kit.htm)).”

and on the basis that:

(a) the date of submission of the additional characteristics would be included in the table;

(b) the status of additional characteristics would be made clear on the UPOV website;  
and

(c) there would be a review of the notification of additional characteristics on the UPOV website after three years of operation.

*TGP/6 “Arrangements for DUS Testing”*

\*102. The TC agreed to the adoption of TGP/6 “Arrangements for DUS Testing” on the basis of document TGP/6 Sections 1-3 Draft 2, subject to improvements to the translations in the French, German and Spanish versions, to be notified to the Office by the members of the Editorial Committee.

*TGP/12 “Special Characteristics”: Section 2 Chemical Constituents: Protein Electrophoresis*

\*103. The TC agreed that TGP/12 Section 2 “Chemical Constituents: Protein Electrophoresis” should not yet be adopted and should be brought forward for adoption in conjunction with the other sections of TGP/12 in due course.

*II. TGP documents for discussion only*

*TGP/4 “[Constitution and] Management of Variety Collections”*

\*104. The TC agreed the text of document TGP/4/1 Draft 3, subject to the following amendments:

<i>Section</i>	<i>Comment</i>
3.1.2.1.1	to include information on plant material of varieties which are the subject of an application for protection or official registration
3.1.2.2.2	to refer to the use of descriptions for verification of vegetatively propagated varieties, where no old material exists
3.1.2.5.2	to explain the importance of making observations at the same physiological stage for perennial species, in particular trees, where the plants may not have the same age.

\*105. The TC agreed that document TGP/4/1 Draft 3, as amended above, should be circulated to the TWPs at their sessions in 2005 on the basis that it represented the agreed situation in the TC.

*TGP/9 “Examining Distinctness”*

\*106. The TC agreed the following amendments to document TGP/9/1 Draft 3:

<i>Section</i>	<i>Comment</i>
General	the Delegation of Australia to provide proposals concerning minor drafting aspects
2.4	sub-section on “Parent formula of hybrid varieties” to be deleted from Section 2 and incorporated into Section 4.3.3 or 5.4
2.4.3.2	first sentence to be moved to the beginning of the section
2.4.3.6	to be deleted
3.3.1	to clarify that a key purpose of using more than one location is to accelerate the testing procedure
3.5.3.1	to be reworded to avoid an implication that not all characteristics need to be observed
4 & 5	to amend the titles to better clarify the content of the sections
4.4.3	date to be added as an additional example
4.4.8	second sentence to be elaborated with regard to situations where there are repetitions in terms of plots and locations and situations where there are no repetitions



<i>Section</i>	<i>Comment</i>
4.6.1.2	to indicate the importance of ensuring that assumptions are met before using statistical approaches, such as arithmetic means, and to include a suitable reference to TGP/8 “Use of Statistical Procedures in DUS Testing”
5	to restructure the section on the basis of type of characteristic (QL, QN, PQ) and within that structure, organize according to visual / measured observations and then individual plants / single observations of a group of plants. In addition, to refer to the relationship between the different types of data obtained and the statistical methods available according to the relevant section in TGP/8
6.4	to refer to “expert advice” rather than “panels of experts”
Annexes I & II	to be moved to TGP/8 “Use of Statistical Procedures in DUS Testing”

### *III. TGP/7 “Development of Test Guidelines”*

\*107. The TC agreed that, where proposals to update document TGP/7/1 “Development of Test Guidelines” were agreed by the TC, document TGP/7/1 should be revised and a new version adopted (TGP/7/2 in the first instance). Such revisions would also be reflected in the electronic template and drafters’ kit.

### *IV. Program for the development of TGP documents*

\*108. The TC approved the program for the development of TGP documents, as set out in the Annex to document TC/41/5, with the amendment that TGP/12 Section 2 “Chemical Constituents: Protein Electrophoresis” should be adopted in conjunction with the other sections of TGP/12 and the need to develop a new draft of TGP/3 “Varieties of Common Knowledge”.

### UPOV Information Databases

\*109. The TC received a demonstration of the GENIE database from Mr. Carl Phillips, IT expert of the World Intellectual Property Organization (WIPO), responsible for the development of the software. The Office then introduced document TC/41/6.

### *UPOV Code System*

\*110. The TC noted that the relevant TWPs would be invited to check amendments to the codes in GENIE, as set out in Annex II to document TC/41/6. The TC noted that the Office planned to develop some guiding criteria for identifying the most appropriate authorities to check UPOV code entries and heard that this was likely to include consideration of whether

the authority had granted protection to varieties and whether it had practical DUS testing experience of the genera or species concerned.

\*111. The TC heard from the Office that the GENIE database made provision for information to be attributed in relation to different types of variety (e.g. rootstock varieties, ornamental varieties, etc.) within the same UPOV code, as set out in document TC/41/6, paragraph 13.

\*112. The TC approved the proposals for UPOV codes in relation to intergeneric and interspecific hybrids, as set out in document TC/41/6, paragraphs 7 to 10, and the proposals for UPOV codes on the basis of groups within *Beta vulgaris* and part of *Brassica oleracea*, as set out in document TC/41/6, paragraph 12.

\*113. The TC agreed that the UPOV codes, together with their relevant botanical and common names, variety denomination class and linked hybrid/parent UPOV codes, as contained in the GENIE database, should be published on the first restricted area of the UPOV website. The information would be published in a similar form to that set out in document TC/41/6, paragraphs 16 to 18, in such a way as to facilitate electronic downloading of the information for use by contributors to the UPOV-ROM.

\*114. The TC heard that the Community Plant Variety Office (CPVO) was developing a tool for the automation of UPOV code allocation and agreed to share that tool with the Office and members of the Union. The CPVO also informed the TC that it planned to launch its centralized database on variety denominations in July 2005, subject to agreement by its Administrative Council.

\*115. With regard to assistance which might be required in order to introduce UPOV codes when submitting data for the UPOV-ROM, the Office agreed to explain to members of the Union and other contributors the way in which the UPOV code would be made available and how to incorporate it into their data.

#### *GENIE*

\*116. The TC heard that the advanced prototype GENIE in Microsoft Access format had been populated with all available UPOV codes and corresponding information relating to: Status of protection (see document C/38/6); Cooperation in examination (see document C/38/5); Experience in DUS testing (see document TC/41/4); and UPOV Test Guidelines (see document TC/41/2). The TC noted that the advanced prototype GENIE, as demonstrated, would be evaluated within the Office for its suitability for responding to requests for information received in the Office, before a commitment was made to the design of the web-based version.

\*117. The Office confirmed that the GENIE database could be expanded to include other languages, in addition to the UPOV languages. However, it explained that it could not make any commitment with regard to the resources which would be necessary for such a development.

### *Plant Variety Database*

\*118. The TC noted that, with regard to the program to improve the Plant Variety Database, priority was focussed on improvements which could equally be realized in both the UPOV-ROM and web-based formats, namely:

(a) introduction of the UPOV code;

(b) improving the ease of contributing data to the UPOV-ROM through the development of a data submission table allowing data to be provided without the use of TAG format. The Office explained that, as a part of its cooperation with CPVO, it planned to base its table on the table developed by the CPVO for the submission of data to the CPVO centralized database on variety denominations;

(c) providing training in the use of the UPOV-ROM: Information on the use of the UPOV-ROM and how to contribute data is included in the Workshop on Data Handling, which is occasionally organized in conjunction with the TWC sessions.

\*119. The TC was informed that the schedule for the development of an initial prototype of the web-based Plant Variety Database would depend on the resources needed to advance the three priorities set out above. In particular, the TC noted that the level of assistance needed for contributors in relation to the introduction of the UPOV code would determine how quickly it would be possible to start working on the web-based Plant Variety Database. The prototype web-based Plant Variety Database, once developed, would be presented with proposals concerning the fields to be included and proposals for which fields might be considered to be mandatory, as requested by the TC at its fortieth session. The frequency of updating of the web-based Plant Variety Database would be considered in conjunction with the presentation of the prototype together with consideration of the establishment of links to relevant websites for variety denomination checking purposes. The TC heard that the Office would investigate the potential for the development of a common searching platform to be provided for certain databases relevant for variety denomination searching purposes.

### Molecular Techniques

\*120. The TC considered document TC/41/7.

#### *Situation in UPOV concerning the possible use of molecular markers in DUS examination*

\*121. The TC agreed that the text of the Annex to document TC/40/9 Add. should not be amended.

### *BMT Guidelines*

\*122. The TC noted that a new draft of the Guidelines for Molecular Marker Selection and Database Construction (BMT Guidelines) would be presented to the ninth session of the BMT, to be held in Washington, D.C., United States of America, from June 21 to 23, 2005, and to the twenty-third session of the TWC to be held in Ottawa, Canada, from June 13 to 16, 2005. It agreed that, on the basis of the comments received at the BMT and TWC sessions, a new draft would be prepared for consideration by the TC-EDC and by the forty-second session of the TC in April 2006.

123. With regard to whether the document “Situation in UPOV concerning the possible use of molecular markers in DUS examination” and the document “BMT Guidelines”, if approved, might be the basis for a new section within TGP/12 “Special characteristics” or the basis for TGP/15 “New types of characteristics”, the TC agreed that there could be no conclusion at that time.

*Molecular tools for variety identification*

\*124. The TC agreed that, in document TC/41/7, paragraphs 9 to 11, the term “variety characterization” should be amended to read “variety identification”.

*Crop Subgroups*

\*125. In accordance with the proposal of the TWA, the TC agreed that Mr. Robert Cooke (United Kingdom) should be Chairman of the Crop Subgroup for Wheat.

\*126. The TC noted the report of the TWA that laboratories in Denmark and the United Kingdom were working on molecular tools in ryegrass. The TC observed that ryegrass, being a cross-pollinated species, would pose particular difficulties, but noted the need for tools to help in the management of reference collections and the potential for an Option 2 approach. On that basis, it approved the establishment of a crop subgroup for ryegrass, with Mr. Michael Camlin (United Kingdom) as Chairman.

\*127. The TC agreed that the following Crop Subgroups should meet, subject to the availability of sufficient papers for discussion, at a date and location to be proposed to the TC by the relevant TWP, or at a date and location agreed jointly between the Chairpersons of the TC, the relevant TWP, the relevant Crop Subgroup and the Office:

<i>Crop Subgroup for:</i>	<i>Chairperson</i>	<i>TWP</i>
Maize	Mrs. Beate Rücker (Germany)	TWA
Oilseed Rape	Mrs. Françoise Blouet (France)	TWA
Potato	Mrs. Beate Rücker (Germany)	TWA
Rose	Mr. Joost Barendrecht (Netherlands)	TWO
Ryegrass	Mr. Michael Camlin (United Kingdom)	TWA
Soybean	Mr. Marcelo Labarta (Argentina)	TWA
Sugarcane	Mr. Luis Salaices (Spain)	TWA
Tomato	Mr. Richard Brand (France)	TWV
Wheat	Mr. Robert Cooke (United Kingdom)	TWA

\*128. The TC agreed that the following Crop Subgroup should be discontinued:

<i>Crop Subgroup for:</i>	<i>Chairperson</i>	<i>TWP</i>
Mushroom	Mr. Nico van Marrewijk (Netherlands)	TWV

\*129. The TC noted that the Chairman of the TWC, the Chairman of the BMT and the Office had considered the content for the agenda of the sessions of the TWC and BMT in 2005 to take most advantage of the fact that those sessions would be held back-to-back in Canada and the United States of America. The TC noted that, in particular, the BMT Guidelines would be discussed at both sessions.

Variety Denominations

\*130. Document TC/41/8 was introduced by the Office.

\*131. The TC considered the proposals by the Working Group on Variety Denominations (WG-VD) and the Chairman of the TWF concerning variety denomination classes as set out in Annex II to document TC/41/8. The Chairman of the TWF explained that his proposals I-D, I-E and I-F were not intended as proposals for classes, but as a structuring of those genera to assist the TWF in developing proposals for possible classes within the genera concerned.

132. The Delegation of Denmark proposed that Trifolium should be moved to Class 203, because clovers were often included in mixtures containing the genera in Class 203.

133. The Delegation of Australia expressed its support for the principle of one genus constituting one class. It noted that the UPOV approach needed to have the capacity to allow for the occurrence of hybrids. With regard to mixtures, it observed that there were very many possibilities for mixtures, making it difficult to define classes on that basis. It was also noted that the International Code of Nomenclature for Cultivated Plants (ICNCP) recommended that the cultivar name should be accompanied by the genus name.

134. A representative of ISF informed the TC that its members had agreed to the proposals concerning Classes 203 and 204 and, in particular, considered that there was unlikely to be confusion between varieties of grasses and varieties of legumes.

135. Mr. Chris Barnaby (New Zealand), Chairman of the TWO, observed that the TWO had to consider a number of potential classes. He recalled that the TWO favored the principle of one genus constituting one class and supported the approach that exceptional classes should only be created where there was a clear need, for example when considering inter-generic hybrids and the existence of Test Guidelines covering more than one genus.

136. The Delegation of South Africa expressed concern over the deletion of Class 27 for Proteaceae and suggested that careful consideration should be given before its deletion.

\*137. The TC agreed that the following matters should be considered by the TWPs as indicated below and their comments reported to the CAJ for consideration at its fifty-second session:

<i>TWP</i>	<i>to consider</i>
TWF	Annex II: Part I: Proposals I-C; I-D; I-E; I-F
TWO	Annex II: Part I: Proposals I-A; I-B; Annex II: Part II: Proposals II-A; II-B; II-C; II-D; II-E; II-F; II-G

\*138. The TC agreed that the TWA should consider the classes in document TC/41/8, Annex II. The TC requested that the TWF and the TWV review the classes in document TC/41/8, Annex IV (Group classes used in Japan) and consider if the proposals in Annex II should be modified in light of those classes. It agreed that the comments of the TWPs should be reported to the CAJ for consideration at its fifty-second session.

\*139. In response to concerns expressed by the Delegation of South Africa, the TC invited the TWO to review the proposed deletion of the class for Proteaceae.

#### Publication of Variety Descriptions

140. The TC considered document TC/41/9.

141. The Delegation of New Zealand noted that, in the Model Study on Petunia, there had been good compatibility of the flower color for varieties and observed that the variation had been in the intensity of the color.

142. Mr. Baruch Bar-Tel (Israel), Coordinator of the Model Study on Strawberry, reported on progress on that Model Study. He proposed that for the purposes of publishing variety descriptions, it might be most appropriate to use the grouping characteristics or Technical Questionnaire characteristics and suggested that those characteristics could be included in the Plant Variety Database (UPOV-ROM).

143. The representative of ISF supported the suggestions of Mr. Bar-Tel and explained that ISF would like simple descriptions to be published on the website.

\*144. The TC noted the information provided in document TC/41/9. It was noted that, in the final sentence of paragraph 37, the word “varieties” should be replaced by “characteristics”.

#### Preparatory Workshops

145. The Delegation of the Republic of Korea informed the TC that it had held a national technical workshop in conjunction with the thirty-eighth session of the TWV, held in Seoul, from June 7 to 11, 2004. That workshop had been attended by over 80 participants and had proved to be very beneficial. It offered its thanks to the Office and to the speakers on behalf of the breeders and the Government of the Republic of Korea. It explained that it planned to hold a further national technical workshop in conjunction with the thirty-eighth session of the TWO, to be held in Seoul, from September 12 to 16, 2005, and was considering inclusion of topics such as statistical methods and molecular methods.

\*146. The TC noted the report of the preparatory workshops held in 2004 and agreed the proposed program for 2005, as set out in document TC/41/10.

## Test Guidelines

\*147. The TC adopted the Test Guidelines listed in the table below on the basis of the amendments as specified in Annex II to this document, which was circulated in advance, the linguistic changes recommended by the TC-EDC and the following amendments:

(a) document TC/41/11 Prov., Annex II: TG/14/9(proj.5), 8.3 : to replace "... 'Pink Lady' and 'Tenroy' are trademarks" to "... 'Pink Lady' and 'Royal Gala' are trademarks";

(b) document TC/41/11 Prov., Annex II: TG/GINSENG(proj.4): Char. 27: to move example varieties 'Mimaki, Kaishusan' from state 9 to state 1;

(c) TG/12/9: to add "Frijol" as an additional name in Spanish.

Document No.	English	Français	Deutsch	Español	Botanical name
TG/6/5(proj.4)	Lucerne	Luzerne	Luzerne	Alfalfa	Medicago sativa L., M. x varia Martyn
TG/12/9(proj.2)	French Bean	Haricot	Gartenbohne	Judía común, Alubia	Phaseolus vulgaris L.
TG/14/9(proj.5)	Apple (fruit varieties)	Pommier (var. fruitières)	Apfel (Fruchtsorten)	Manzano (var. frutales)	Malus Mill.
TG/70/4(proj.5)	Apricot	Abricotier	Aprikose, Marille	Albaricoquero, Damasco	Prunus armeniaca L., Armeniaca vulgaris Lam.
TG/136/5(proj.3)	Parsley	Persil	Petersilie	Perejil	Petroselinum crispum (Mill.) Nyman ex A.W. Hill
TG/143/4(proj.2)	Chick-Pea	Pois chiche	Kichererbse	Garbanzo	Cicer arietinum L.
TG/172/4(proj.2)	Industrial Chicory	Chicorée industrielle	Wurzelzichorie	Achicoria	Cichorium intybus L. partim
TG/186/1(proj.2)	Sugarcane	Canne à sucre	Zuckerrohr	Caña de azúcar	Saccharum L.
TG/ANTIR(proj.3)	Antirrhinum	Antirrhinum	Antirrhinum	Antirrhinum	Antirrhinum majus L.
TG/ARGYR(proj.4)	Argyranthemum	Anthemis	Strauchmargerite	Argyranthemum	Argyranthemum frutescens (L.) Sch. Bip.
TG/BRACHY(proj.4)	Brachyscome	Brachyscome	Blaues Gänseblümchen, Brachyscome	Brachyscome	Brachyscome Cass.
TG/GINSENG(proj.4)	Ginseng	Ginseng	Ginseng	Ginseng	Panax ginseng C.A. Meyer
TG/WAXFL(proj.4)	Waxflower	Chamelaucium	Chamelaucium	Chamelaucium	Chamelaucium Desf.

\*148. In adopting the Test Guidelines for Sugarcane on the basis of document TG/186/1(proj.2), the TC noted that the Test Guidelines had been originally adopted in 2002, pending the provision of information from the Leading Expert and were, therefore, not fully in accordance with document TGP/7/1 "Development of Test Guidelines".

\*149. The TC-EDC reported that there were technical issues to be resolved with the Test Guidelines for Capsicum annum L., document TG/76/8(proj.2), which it had not been possible to resolve, and recommended that the TC refer the Test Guidelines back to the TWV. The TC agreed with that recommendation.

\*150. The Delegation of the Republic of Korea noted that the adoption of the Test Guidelines for Ginseng was the first adoption of Test Guidelines developed by the Republic of Korea. The Delegation expressed its thanks for the assistance it had received from the experts from other members of the Union in the TWA and TWV and from the Office.

\*151. The TC agreed to the plans for the development of new Test Guidelines and the revision of existing ones, as shown in Annex II to document TC/41/2.

\*152. The TC noted the status of the existing Test Guidelines as listed in document TC/41/2, Annex III.

\*153. The TC approved the proposal of the Office to place Word versions of adopted Test Guidelines on the first restricted area of the UPOV website.

#### List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established

\*154. The TC considered document TC/41/4.

\*155. The TC noted that, for the purpose of checking their information for the preparation of document TC/41/4, each authority had been provided with an extract from GENIE concerning exclusively their own data, rather than the complete document TC/40/4. This had enabled authorities to check their data more comprehensively and had resulted in a stronger response to update information than in previous years. It noted that the document contained data provided from the CPVO for the first time. The Office agreed to investigate if a more suitable two-letter code might be used for CPVO in future.

\*156. The TC agreed to the deletion of the notes indicating the type of experience and to simply indicate whether an authority had experience in DUS testing. It noted that this would make the maintenance of the list more straightforward for authorities, thereby increasing its completeness and accuracy and would not, in practice, reduce the information provided on practical experience. It agreed that the title of the document should be amended to read “List of Genera and Species for which Authorities have Practical Experience in the Examination of Distinctness, Uniformity and Stability” and noted that references to that document in the TGP documents should be updated accordingly.

\*157. The TC noted that document TC/41/4 presented the information as received by the Office, but that the Office planned to cascade the received information to make the GENIE database more complete. For example, if an authority indicated experience for a genus, experience would be indicated for all species, within that genus, contained in GENIE. However, in such cases, it would be indicated that the experience was “derived” through experience at a higher level.

\*158. The TC agreed that the Office should produce a new list of genera and species for which each authority had experience after the removal of individual notes and the cascading of experience, as set out above, and requested that each authority check that new list.

#### Program for the Forty-Second Session

\*159. The following draft agenda was agreed for the forty-second session of the TC to be held in Geneva in 2006:



1. Opening of the session
2. Adoption of the agenda
3. Report on relevant matters discussed in the last sessions of the Administrative and Legal Committee, the Consultative Committee and the Council (oral report by the Vice Secretary-General)
4. Progress reports on the work of the Technical Working Parties, including the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) and Crop Subgroups
5. Matters arising from the Technical Working Parties
6. TGP documents
7. Publication of variety descriptions
8. UPOV information databases
9. Molecular techniques
10. Preparatory workshops
11. Test Guidelines
12. List of genera and species for which authorities have practical experience in the examination of Distinctness, Uniformity and Stability
13. Program for the forty-third session
14. Adoption of the report on the conclusions reached in the session (if time permits)
15. Closing of the session.

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

[Annexes follow]

## ANNEXE I / ANNEX I / ANLAGE I / ANEXO I

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

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

I. MEMBRES / MEMBERS / VERBANDSMITGLIEDER / MIEMBROSAFRIQUE DU SUD / SOUTH AFRICA / SÜDAFRIKA / SUDÁFRICA

Joan SADIE (Mrs.), Principal Plant and Quality Control Officer, Directorate: Genetic Resources, Division Variety Control, Department of Agriculture, Private Bag X 5044, Stellenbosch 7599 (tel.: +27 21 809 1648 fax: +27 21 887 2264 e-mail: joans@nda.agric.za)

L.M. KHOZA, Agricultural Product Technician, Directorate: Genetic Resources, Division Variety Control, Department of Agriculture, Private Bag X 5044, Stellenbosch 7599 (tel.: +27 21 809 1730 fax: +27 21 8872264 e-mail: luvuyok@nda.agric.za)

ALLEMAGNE / GERMANY / DEUTSCHLAND / ALEMANIA

Beate RÜCKER (Frau), Referatsleiterin DUS-Prüfung, Bundessortenamt, Postfach 61 04 40, 30604 Hannover (tel.: +49 511 956 6639 fax: +49 511 563 362 e-mail: beate.ruecker@bundessortenamt.de)

Uwe MEYER, Referatsleiter Informationstechnologie, Referat 111, Bundessortenamt, Postfach 61 04 40, 30604 Hannover (tel.: +49 511 9566 689 fax: +49 511 563 362 e-mail: uwe.meyer@bundessortenamt.de)

Erik SCHULTE, Referatsleiter Obst und Stauden, Prüfstelle Wurzen, Bundessortenamt, Torgauer Str. 100, 04808 Wurzen (tel.: +49 3425 90 40 24 fax: +49 3425 90 40 20 e-mail: erik.schulte@bundessortenamt.de)

ARGENTINE / ARGENTINA / ARGENTINIEN

Carmen Amelia M. GIANNI (Sra.), Directora de Asuntos Jurídicos, Instituto Nacional de Semillas (INASE), Paseo Colón 922, 3 piso, of. 302, 1063 Buenos Aires (tel.: +54 11 4349 2430 fax: +54 11 4349 2421 e-mail: cgiann@mecon.gov.ar)

Marcelo LABARTA, Director de Registro de Variedades, Instituto Nacional de Semillas (INASE), Paseo Colón 922, 3 piso, of. 347, 1063 Buenos Aires (tel.: +54 11 4349 2445 fax: +54 11 4349 2444 e-mail: mlabar@mecon.gov.ar)

AUSTRALIE / AUSTRALIA / AUSTRALIEN

Doug WATERHOUSE, Registrar, Plant Breeder's Rights Office, IP Australia, P.O. Box 200, Woden, ACT 2606 (tel.: +61 2 6283 7981 fax: +61 2 6283 7999 e-mail: doug.waterhouse@ipaustralia.gov.au)

AUTRICHE / AUSTRIA / ÖSTERREICH

Barbara FÜRNEWEGER (Frau), Leiterin, Abteilung Sortenschutz und Registerprüfung, Institut für Sortenwesen, Österreichische Agentur für Gesundheit und Ernährungssicherheit GmbH, Spargelfeldstrasse 191, Postfach 400, 1220 Wien (tel.: +43 50 555 34910 fax: +43 50 555 34909 e-mail: barbara.fuernweger@ages.at)

AZERBAÏDJAN / AZERBAIJAN / ASERBAIDSCHAN / AZERBAIYÁN

Asad Cannat MUSAYEV, Director General, Agrarian Science Centre, Hokumet evi, 370016 Baku (tel.: +994 12 493 1037 fax: +994 12 498 1395 e-mail: agri\_science.c@box.az)

Yakub Ismail GULIYEV, Head of Department, Agrarian Science Centre, U. Hajibayov, 40 Government House r. 815, 371016 Baku (tel.: +994 12 498 2114 fax: +994 12 498 1395 e-mail: yguliyev@agroagency.gov.az)

Elmar MAMMADOV, Third Secretary, Permanent Mission, 67, rue de Lausanne, 1202 Geneva, Switzerland (tel.: +41 22 9011815 fax: +41 22 9011844 e-mail: elmarmammadov@yahoo.com)

BELGIQUE / BELGIUM / BELGIEN / BÉLGICA

Camille VANSLEMBROUCK (Mme), Ingénieur, Office de la propriété intellectuelle, North Gate III, 5ème étage, 16, blvd. du Roi Albert II, 1000 Bruxelles (tel.: +32 2 2065158 fax: +32 2 2065750 e-mail: camille.vanslebrouck@mineco.fgov.be)

Michel GEREBTZOFF, Premier secrétaire, Mission permanente, 58, rue de Moillebeau, 1211 Genève, Suisse (tel.: +41 22 730 4008 fax: +41 22 734 5079 e-mail: geneva@diplobel.be)

BRÉSIL / BRAZIL / BRASILIEN / BRASIL

Vera Lúcia DOS SANTOS MACHADO (Sra.), Jefe, División de Registro y Normas Técnicas, Servicio Nacional de Protección de Cultivares (SNPC), Ministerio de Agricultura, Ganadería y Alimentación, Esplanada dos Ministerios, Bloco D, Anexo A, Sala 249, 70043-900 Brasilia, D.F. (tel.: +55 61 218 2549 fax: +55 61 224 2842 e-mail: veramachado@agricultura.gov.br)

BULGARIE / BULGARIA / BULGARIEN

Panayot DIMITROV, Head, Chemistry, Biotechnology, Plant Varieties and Animal Breeds Department, Patent Office, 52B, Dr. G.M. Dimitrov. Blvd, 1040 Sofia (tel.: +359 2 9701466 fax: +359 2 8708325 e-mail: pdimitrov@bpo.bg)

CANADA / KANADA / CANADÁ

Valerie SISSON (Ms.), Commissioner, Plant Breeders' Rights Office, Plant Production Division, Canadian Food Inspection Agency (CFIA), 59 Camelot Drive, Ottawa, Ontario K1A 0Y9 (tel.: +1 613 225 2342 fax: +1 613 228 6629 e-mail: vsisson@inspection.gc.ca)

Alexandra MARSHALL (Ms.), Examiner, Plant Breeders' Rights Office, Canadian Food Inspection Agency (CFIA), 59 Camelot Drive, Ottawa, Ontario K1A 0Y9 (tel.: +1 613 225 2342 fax: +1 613 228 6629 e-mail: smarshall@inspection.gc.ca)

CHILI / CHILE

Juan Carlos SILVA POBLETE, Director, División de Semillas, Servicio Agrícola y Ganadero (SAG), Ministerio de Agricultura, Avda. Bulnes 140, piso 2, Casilla 1167-21, Santiago (tel.: +56 2 345 1560 fax: +56 2 697 2179 e-mail: juancarlos.silva@sag.gob.cl)

Enzo CERDA, Jefe, Subdepartamento: Registro de Variedades, Servicio Agrícola y Ganadero (SAG), Ministerio de Agricultura, Avda. Bulnes 140, piso 2, Casilla 1167-21, Santiago (tel.: +56 2 345 1565 fax: +56 2 697 2179 e-mail: enzo.cerda@sag.gob.cl)

CHINE / CHINA

LI Yanmei (Mrs.), Project Administrator, International Cooperation Department, State Intellectual Property Office (SIPO), P.O. Box 8020, 6, Xitucheng Road, Haidian District, Beijing 100088 (tel.: +86 10 6208 3488 fax: +86 10 6201 9615 e-mail: liyanmei@sipo.gov.cn)

LIN Xiangming, Deputy Division Chief, Plant Variety Protection Office, Ministry of Agriculture, 11 Nongzhanguan Nanli, Beijing 100026 (tel.: +86 10 6419 3069 fax: +86 10 6419 3029 e-mail: kjschqchg@agri.gov.cn)

HUANG Faji, Deputy Division Director, Office for the Protection of New Plant Varieties, State Forestry Administration, East Street 18, Hepingli, Dongcheng District, Beijing 100714 (tel.: +86 10 8423 9104 fax: +86 10 8423 8883 e-mail: huangfaji@cnpvp.net)

COLOMBIE / COLOMBIA / KOLUMBIEN

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.F. (tel.: +57 1 232 8643 fax: +57 1 232 4697 e-mail: obtentores.semillas@ica.gov.co)

Ricardo VELEZ BENEDETTI, Ministro Consejero, Misión Permanente, 17-19 chemin du Champ-d'Anier, 1209 Ginebra, Suiza (tel.: +41 22 7984554 fax: +41 22 7984555 e-mail: missioncol3@hotmail.com)

CROATIE / CROATIA / KROATIEN / CROACIA

Ružica ORE-JURIĆ (Mrs.), Head of Plant Variety Protection and Registration, Institute for Seeds and Seedlings, Vinkovačka cesta 63c, 31000 Osijek (tel.: +385 31 275 715  
fax: +385 31 275 701 e-mail: r.ore@zsr.hr)

Andreja MARTONJA-HITREC, Senior Advisor, Ministry of Agriculture, Forestry and Water Management, Ul. grada Vukovara 78, 10 000 Zagreb (tel.: +385 1 610 6632  
fax: +385 1 610 9202 e-mail: andreja.martonja@mps.hr)

Ivan DURKIĆ, Director, Institute for Seed and Seedlings, Vinkovačka cesta 63c, 31000 Osijek (tel.: +385 31 275 715 fax: +385 31 275 701 e-mail: I.durkic@zsr.hr)

DANEMARK / DENMARK / DÄNEMARK / DINAMARCA

Gerhard DENEKEN, Head, Department of Variety Testing, Danish Institute of Agricultural Sciences, Ministry of Food, Agriculture and Fisheries, Postbox 7, Teglvaerksvej 10, Tystofte, 4230 Skaelskoer (tel.: +45 58 16 0601 fax: +45 58 160606  
e-mail: gerhard.deneken@agrsci.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), Calle Alfonso XII, No. 62, 28014 Madrid (tel.: +34 91 3476712 fax: +34 91 3476703  
e-mail: lsalaice@mapya.es)

Cecilio PRIETO MARTÍN, Director Técnico de Evaluación de Variedades y Laboratorios, Instituto Nacional de Investigación y Tecnología Agraria y Alimentaria (INIA), Ministerio de Educación y Ciencia, Carretera de la Coruña km. 7,5, 28040 Madrid (tel.: +34 91 347 6963 fax: +34 91 347 4168 e-mail: prieto@inia.es)

ESTONIE / ESTONIA / ESTLAND

Pille ARDEL (Mrs.), Head, Variety Control Department, Plant Production Inspectorate, Vabaduse sq. 4, 71020 Viljandi (tel.: +372 433 3946 fax: +372 433 4650  
e-mail: pille.ardel@plant.agri.ee)

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

Karen M. HAUDA (Mrs.), Attorney-Advisor, Office of International Relations, U.S. Patent and Trademark Office (USPTO), Mail Stop International Relations, P.O. Box 1450, Alexandria, VA 22313-1450 (tel.: +1 571 272 9300 ext. 29 fax: +1 571 273 0085  
e-mail: karen.hauda@uspto.gov)

Paul M. ZANKOWSKI, Commissioner, Plant Variety Protection Office, USDA, AMS, Science & Technology, 10301, Baltimore Avenue, Beltsville, MD 20705 - 2351 (tel.: +1 301 504 5518 fax: +1 301 504 5291 e-mail: paul.zankowski@usda.gov)

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

Ilya GRIBKOV, Third Secretary, Permanent Mission, 15, avenue de la Paix, 1211 Geneva 20,  
Switzerland (tel.: +41 22 733 1870 fax: +41 22 734 4044 e-mail: igribkov@hotmail.com)

FINLANDE / FINLAND / FINNLAND / FINLANDIA

Kaarina T. PAAVILAINEN (Ms.), Senior Officer, KTTK Seed Testing Department,  
Plant Production Inspection Centre, P.O. Box 111, 32201 Loimaa (tel.: +358 2 7605 6247  
fax: +358 2 7605 6222 e-mail: kaarina.paavilainen@kttk.fi)

FRANCE / FRANKREICH / FRANCIA

Joël GUIARD, Directeur adjoint, Groupe d'étude et de contrôle des variétés et des  
semences (GEVES), La Minière, 78285 Guyancourt Cedex (tel.: +33 1 3083 3580  
fax: +33 1 3083 3629 e-mail: joel.guiard@geves.fr)

Françoise BLOUET (Mme), Directeur de la coordination nationale du secteur Étude  
des Variétés, Groupe d'étude et de contrôle des variétés et des semences (GEVES),  
La Minière, 78285 Guyancourt Cedex (tel.: +33 1 3083 3582 fax: +33 1 3083 3678  
e-mail: francoise.blouet@geves.fr)

Gilles BARRIER, Premier secrétaire, Mission permanente, 36, route de Pregny,  
1292 Chambésy, Suisse (tel.: +41 22 758 9111 fax: +41 22 758 9137  
e-mail: gilles.barrier@diplomate.gouv.fr)

HONGRIE / HUNGARY / UNGARN / HUNGRÍA

Károly NESZMÉLYI, Director-General, National Institute for Agricultural Quality Control  
(NIAQC), P.O. Box 3093, 1024 Budapest (tel.: +36 1 336 9100  
fax: +36 1 336 9096 e-mail: neszmelyik@ommi.hu)

József HARSÁNYI, Head, Department for Fruit and Grapevine, Variety Testing Division,  
National Institute for Agricultural Quality Control (NIAQC), P.O. Box 3093, 1024 Budapest  
(tel.: +36 1 336 9304 fax: +36 1 336 9309 e-mail: harsanyij@ommi.hu)

ISRAËL / ISRAEL

Michal SGAN-COHEN (Mrs.), Senior Deputy Legal Advisor and Registrar (Plant Breeders'  
Rights), Legal Department, Ministry of Agriculture and Rural Development, P.O. Box 30,  
Beit-Dagan 50200 (tel.: +972 3 948 5499 fax: +972 3 948 5898  
e-mail: michalsc@moag.gov.il)

Baruch BAR-TEL, Examiner, The Volcani Center, Plant Breeders' Rights Testing Unit,  
P.O. Box 6, Beit-Dagan 50250 (tel.: +972 3 968 3669 fax: +972 3 968 3669  
e-mail: ilpbr-tu@int.gov.il)

ITALIE / ITALY / ITALIEN / ITALIA

Pier Giacomo BIANCHI, Head, General Affairs, National Office for Seed Certification (ENSE), Via Ugo Bassi, 8, 20159 Milano (tel.: +39 02 69012026 fax: +39 02 69012049 e-mail: aff-gen@ense.it)

JAPON / JAPAN / JAPÓN

Akira NAGATA, 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.: +81 3 3581 0518 fax: +81 3 3502 6572 e-mail: akira\_nagata@nm.maff.go.jp)

Satoshi YAMAHIRA, Official, Seed and Seedlings Division, Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8950 (tel.: +81 3 3591 0524 fax: +81 3 3502 5301 e-mail: satoshi\_yamahira@nm.maff.go.jp)

JORDANIE / JORDAN / JORDANIEN / JORDANIA

Rema MWAHHED (Mrs.), Registrar, New Plant Variety Protection Office, Ministry of Agriculture, Q. Rania Alabdalah street, Amman (tel.: +962 6 568 6151 fax: +962 6 565 1786 e-mail: pvp@moa.gov.jo)

Hussan QUDAH, Attaché, Permanent Mission, 37-39, rue de Vermont, 1202 Geneva 20, Switzerland (tel.: +41 22 748 2020 fax: +41 22 748 2001 e-mail: mission.jordan@ties.itu.int)

KENYA / KENIA

Evans O. SIKINYI, Manager, Plant Variety Rights Office, Kenya Plant Health Inspectorate Service (KEPHIS), P.O. Box 49592-00100, Oloolua Ridge Karen, Nairobi (tel.: +254 020 884545 fax: +254 020 882265 e-mail: kephis@nbnet.co.ke)

LITUANIE / LITHUANIA / LITAUEN / LITUANIA

Sigita JUCIUVIENE (Mrs.), Deputy Director, Lithuanian State Plant Varieties Testing Center, Smelio 8, 10324 Vilnius (tel.: +370 5 234 3647 fax: +370 5 234 1862 e-mail: sigita.juciuviene@avtc.lt)

Rita KAZRAGIENE (Mrs.), Counsellor, Permanent Mission, 15, chemin Louis Dunant, 1202 Geneva, Switzerland (tel.: +41 22 748 2473 fax: +41 22 748 2477 e-mail: rita.kazragiene@lithuania-mission.ch)

MEXIQUE / MEXICO / MEXIKO / MÉXICO

Eduardo PADILLA VACA, Subdirector, Registro y Control de Variedades, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), Av. Presidente Juárez 13, Col. El Cortijo, 54000 Tlalnepantla, Estado de México (tel.: +52 55 5384 2210 fax: +52 55 5390 1441 e-mail: gat.snics@sagarpa.gob.mx)

Enriqueta MOLINA MACÍAS (Srta.), Directora, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación (SAGARPA), Av. Presidente Juárez, 13, Col. El Cortijo, Tlalnepantla, Estado de México 54000 (tel.: +52 55 5384 2210 fax: +52 55 5390 1441 e-mail: enriqueta.molina@sagarpa.gob.mx)

NORVÈGE / NORWAY / NORWEGEN / NORUEGA

Haakon SØNJU, Registrar, Plant Variety Board, Moerveien, 12, 1430 Aas (tel.: +47 64 944400 fax: +47 64 944410 e-mail: haakon.sonju@mattilsynet.no)

NOUVELLE-ZÉLANDE / NEW ZEALAND / NEUSEELAND / NUEVA ZELANDIA

Christopher J. BARNABY, Assistant Commissioner of Plant Variety Rights / Examiner of Fruit and Ornamental Varieties, New Zealand Plant Variety Rights Office (PVRO), Private Bag 4714, Christchurch 8001 (tel.: +64 3 962 6206 fax: +64 3 962 6202 e-mail: chris.barnaby@pvr.govt.nz)

PARAGUAY

José Arnaldo PAIVA AGÜERO, Dirección de Semillas (DISE), Gaspar Rodríguez de Francia No. 685, e/Ruta Mcal. Estigarribia y Julia Miranda Cueto de Estigarribia, San Lorenzo (tel.: +595 21 582 201 fax: +595 21 584 645 e-mail: japaiva126@hotmail.com)

PAYS-BAS / NETHERLANDS / NIEDERLANDE / PAÍSES BAJOS

Kees VAN ETTEKOVEN, Manager, Varieties and Trials, Naktuinbouw, Sotaweg 22, Postbus 40, 2370 AA Roelofarendsveen (tel.: +31 71 332 6128 fax: +31 71 332 6363 e-mail: c.v.ettekoven@naktuinbouw.nl)

Henk BONTHUIS, Technical Expert, Board of Plant Breeders' Rights/Wageningen UR, Plant Research International (PRI), Postbox 16, 6700 AA Wageningen (tel.: +31 317 47 68 23 fax: +31 317 41 80 94 e-mail: henk.bonthuis@wur.nl)



POLOGNE / POLAND / POLEN / POLONIA

Edward S. GACEK, Director, Research Centre for Cultivar Testing (COBORU),  
63-022 Slupia Wielka (tel.: +48 61 285 2341 fax: +48 61 285 3558  
e-mail: e.gacek@coboru.pl)

Julia BORYS (Ms.), Head, DUS Testing Department, Research Centre for Cultivar  
Testing (COBORU), 63-022 Slupia Wielka (tel.: +48 61 285 2341 fax: +48 61 285 3558  
e-mail: j.borys@coboru.pl)

Alicja RUTKOWSKA-ŁOŚ (Mrs.), Head, National Listing and Plant Breeders' Rights  
Protection Office, Research Centre for Cultivar Testing (COBORU), 63-022 Slupia Wielka  
(tel.: +48 61 285 2341 fax: +48 61 285 3558 e-mail: a.rutkowska@coboru.pl)

PORTUGAL

Carlos PEREIRA GODINHO, Head, Plant Breeders Rights Office, National Center for  
Registration of Protected Varieties, General Direction for the Protection of Crops (DGPC),  
Edificio I da DGPC, Tapada da Ajuda, 1349-018 Lisboa (tel.: +351 213 613 257  
fax: +351 213 613 277 e-mail: cgodinho@dgpc.min-agricultura.pt)

José S. DE CALHEIROS DA GAMA, Legal Counsellor, Permanent Mission,  
Case postale 160, 1211 Geneva 7, Switzerland (tel.: +41 22 9180200 fax: +41 22 918 0228  
e-mail: mission.portugal@ties.itu.int)

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

KIM Eung-Bon, Director, Plant Variety Protection Division, National Seed Management  
Office, 328 Jungangro, Managu, Anyang City, Kyunggi-do 430-016 (tel.: +82 31 467 0150  
fax: +82 31 467 0161 e-mail: ebkim@seed.go.kr)

CHOI Keun-Jin, Examination Officer, National Seed Management Office (NSMO), Ministry  
of Agriculture and Forestry, 328, Jungangro Mananku, Anyangsi, Anyang City,  
Kyunggi-do 430-016 (tel.: +82 31 467 0190 fax: +82 31 467 0161  
e-mail: kjchoi@seed.go.kr)

KIM Jong Jin, Counsellor, Permanent Mission, Case postale 42, 1211 Geneva, Switzerland  
(tel.: +41 22 748 0031 fax: +41 22 748 0003 e-mail: ruralpia@hanmail.net)

RÉPUBLIQUE DE MOLDOVA / REPUBLIC OF MOLDOVA / REPUBLIK MOLDAU /  
REPÚBLICA DE MOLDOVA

Natalia NADIOJCHINA (Mrs.), Chief Expert, Preliminary Examination Division, State  
Agency on Intellectual Property (AGEPI), 24/1, Andrei Doga str., 2024 Chisinau  
(tel.: +373 22 493016 fax: +373 22 440119 e-mail: nadiojkina@agepi.md)

RÉPUBLIQUE TCHÈQUE / CZECH REPUBLIC / TSCHECHISCHE REPUBLIK /  
REPÚBLICA CHECA

Daniel JUREČKA, Director, Plant Variety Testing Division, Central Institute for Supervising and Testing in Agriculture (ÚKZÚZ), Hroznová 2, 656 06 Brno (tel.: +420 543 548 210 fax: +420 543 212 440 e-mail: daniel.jurecka@ukzuz.cz)

Jiří SOUČEK, Head, Department of Plant Variety Rights and DUS Tests, Central Institute for Supervising and Testing in Agriculture (ÚKZÚZ), Za opravnou 4, 150 06 Praha 5 - Motol (tel.: +420 257 211 755 fax: +420 257 211 752 e-mail: jiri.soucek@ukzuz.cz)

ROUMANIE / ROMANIA / RUMÄNIEN / RUMANIA

Adriana PARASCHIV (Mrs.), Head, Examination Department, State Office for Inventions and Trademarks (OSIM), 5, Jon Ghica, Sector 3, P.O. Box 52, 030044 Bucharest 3 (tel.: +40 21 315 5698 fax: +40 21 312 3819 e-mail: adriana.paraschiv@osim.ro)

Mihaela Rodica CIORA (Mrs.), Counsellor, State Institute for Variety Testing and Registration, Ministry of Agriculture, Food and Forestry, 61, B-Dul Marasti, Sector 1, 011464 Bucharest (tel.: +40 21 223 1425 fax: +40 21 222 5605 e-mail: mihaela\_ciora@gmx.net)

Carmen STEFAN (Mrs.), Legal Advisor, Legal and International Cooperation Division, State Office for Inventions and Trademarks, 5, Ion Ghica Str., Sector 3, P.O. Box 52, 70018 Bucharest (tel.: +40 1 315 1966 fax: +40 1 312 3819 e-mail: office@osim.ro)

ROYAUME-UNI / UNITED KINGDOM / VEREINIGTES KÖNIGREICH /  
REINO UNIDO

John AUSTIN, Technical Manager, Plant Variety Rights Office and Seeds Division, Department for Environment, Food and Rural Affairs (DEFRA), White House Lane, Huntingdon Road, CB3 0LF Cambridge (tel.: +44 1223 342 369 fax: +44 1223 342 386 e-mail: john.austin@defra.gsi.gov.uk)

SLOVAQUIE / SLOVAKIA / SLOWAKEI / ESLOVAQUIA

Bronislava BÁTOROVÁ (Mrs.), Senior Officer, Central Control and Testing Institute in Agriculture (ÚKSÚP), Stefánikova 88, 949 01 Nitra (tel.: +421 37 655 1080 fax: +421 37 652 3086 e-mail: bathorovab@stonline.sk)

SUÈDE / SWEDEN / SCHWEDEN / SUECIA

Gunnar KARLTORP, Head of Office, National Plant Variety Board, Box 1247, 171 24 Solna (tel.: +46 8 783 1260 fax: +46 8 833 170 e-mail: karlthorp@svn.se)

SUISSE / SWITZERLAND / SCHWEIZ / SUIZA

Pierre Alex MIAUTON, Chef du Service - Semences et Plants, Agroscope RAC Changins,  
Case postale 254, 1260 Nyon (tel.: +41 22 363 4668 fax: +41 22 363 4690  
e-mail: pierre.miauton@rac.admin.ch)

Manuela BRAND (Frau), Leiterin Sortenschutz, Hauptabteilung Forschung und Beratung,  
Eidgenössisches Volkswirtschaftsdepartment, Bundesamt für Landwirtschaft,  
Mattenhofstrasse 5, 3003 Bern (tel.: +41 31 322 2524 fax: +41 31 322 2634  
e-mail: manuela.brand@blw.admin.ch)

TUNISIE / TUNISIA / TUNESIEN / TÚNEZ

Mares HAMDI, Directeur général des affaires juridiques et foncières, Ministère de  
l'agriculture, de l'environnement et des ressources hydrauliques, 30, rue Alain Savary,  
1002 Tunis (tel.: +216 71 842 317 fax: +216 71 784 419  
e-mail: mares.hamdi@iresa.agrinet.tn)

Kacem CHAMMAKHI, Chef, Service de l'évaluation, de l'homologation et de la protection  
des obtentions végétales, Ministère de l'Agriculture, de l'environnement et des ressources  
hydrauliques, 30, rue Alain Savary, 1002 Tunis (tel.: +216 71 786 833 fax: +216 71 800 419  
e-mail: chammakhi-kacem@yahoo.fr)

UKRAINE / UCRANIA

Sergiy TERESCHUK, Member of Parliament of Ukraine, Head of the Sub-Committee of  
Agricultural Policy and Land, 5, Hrushevskoho str., 01008 Kyiv  
(tel.: +380 44 255 2579)

Svitlana TKACHYK (Miss), Deputy Director, Ukrainian Institute for Plant Variety  
Examination, 15, Heneral Rodimtseva str., 03041 Kyiv (tel.: +380 44 257 9933  
fax: +380 44 257 9963 e-mail: sops@sops.gov.ua)

Oksana V. ZHMURKO (Mrs.), Head, Department of International Cooperation, Scientific  
and Informational Provision, Ukrainian Institute for Plant Variety Examination,  
15, Heneral Rodimtseva str., 03041 Kyiv (tel.: +380 44 257 9933 fax: +380 44 257 9963  
e-mail: zhmurko@sops.gov.ua)

II. OBSERVATEUR / OBSERVER / BEOBACHTER / OBSERVADOR

ÉGYPTE / EGYPT / ÄGYPTEN / EGIPTO

Mohamed REDA ISMAIL, Head, Agriculture Services Sector, P.O. Box 147, Giza, 12211 Cairo

Essam Kamel ABOU-ZEID, Head, Central Administration for Seed Testing and Certification (CASC), P.O. Box 147, Giza, 12211 Cairo (tel.: +20 2 572 0839 fax: +20 2 571 8562 e-mail: [casc@casc.gov.eg](mailto:casc@casc.gov.eg))

Gamal Eissa ATTYA, Head, Plant Variety Protection Office, Central Administration for Seed Testing and Certification (CASC), P.O. Box 147, Giza, 12211 Cairo (tel.: +20 2 572 8962 fax: +20 2 571 8562 e-mail: [gamal\\_attya@hotmail.com](mailto:gamal_attya@hotmail.com))

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 LANDWIRTSCHAFTSORGANISATION DER  
VEREINTEN NATIONEN (FAO) /  
ORGANIZACIÓN DE LAS NACIONES UNIDAS PARA LA AGRICULTURA Y LA  
ALIMENTACIÓN (FAO)

Kakoli GHOSH (Mrs.), Agricultural Officer, Seed and Plant Genetic Resources Services, Plant Production and Protection Division, Agricultural Department, Food and Agriculture Organization of the United Nations (FAO), Viale delle Terme di Caracalla, 00100 Rome, Italy (tel.: +39 06 57054533 fax: +39 06 57056347 e-mail: [kakoli.ghosh@fao.org](mailto:kakoli.ghosh@fao.org))

COMMUNAUTÉ EUROPÉENNE / EUROPEAN COMMUNITY /  
EUROPÄISCHE GEMEINSCHAFT / COMUNIDAD EUROPEA

Marcantonio VALVASSORI, Principal Administrator, Seed Propagating Material, Health and Consumer Protection Directorate-General, European Commission, 101, rue Froissart, Bureau F101 05-60, 1049 Bruxelles, Belgique (tel.: +32 2 295 6971 fax: +32 2 296 9399 e-mail: [marcantonio.valvassori@cec.eu.int](mailto:marcantonio.valvassori@cec.eu.int))

José M. ELENA, Vice-President, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, B.P. 62141, 49021 Angers Cedex 02, France (tel.: +33 2 4125 6413 fax: +33 2 4125 6410 e-mail: [elena@cpvo.eu.int](mailto:elena@cpvo.eu.int))

Dirk THEOBALD, Head of the Technical Unit, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, B.P. 62141, 49021 Angers Cedex 02, France (tel.: +33 2 4125 6442 fax: +33 2 4125 6410 e-mail: [theobald@cpvo.eu.int](mailto:theobald@cpvo.eu.int))

ORGANISATION AFRICAINE DE LA PROPRIÉTÉ INTELLECTUELLE (OAPI) /  
AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (OAPI) /  
ORGANIZACIÓN AFRICANA DE LA PROPIEDAD INTELECTUAL (OAPI) /  
AFRIKANISCHE ORGANISATION FÜR GEISTIGES EIGENTUM (OAPI)

Wéré Régine GAZARO (Mme), Chef de Service des brevets et titres dérivés, Organisation africaine de la propriété intellectuelle (OAPI), B.P. 887, Yaoundé, Cameroun  
(tel.: +237 220 3911 fax: +237 220 5727 e-mail: wereregine@hotmail.com)

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, Agricultural Codes and Schemes, Organization for Economic Co-operation and Development (OECD), AGR/TM/CODES, 2, rue André-Pascal, 75775 Paris Cedex 16, France (tel.: +33 1 45 24 18 78 fax: +33 1 44 30 61 17  
e-mail: bertrand.dagallier@oecd.org)

AGENCE EUROPÉENNE DES SEMENCES (ESA) / EUROPEAN SEED  
ASSOCIATION (ESA) / EUROPÄISCHER SAATGUTVERBAND (ESA)

Bert SCHOLTE, Technical Director, European Seed Association (ESA),  
23/15, rue Luxembourg, 1000 Brussels, Belgium (tel.: +32 2 743 2860 fax: +32 2 743 2869  
e-mail: bertscholte@euroseeds.org)

FÉDÉRATION INTERNATIONALE DES SEMENCES (ISF) / INTERNATIONAL SEED  
FEDERATION (ISF) / INTERNATIONALER SAATGUTVERBAND (ISF) /  
FEDERACIÓN INTERNACIONAL DE SEMILLAS (ISF)

Bernard LE BUANEC, Secretary General, International Seed Federation (ISF), 7, chemin du Reposoir, 1260 Nyon, Switzerland (tel.: +41 22 365 4420 fax: +41 22 365 4421  
e-mail: isf@worldseed.org)

Marcel BRUINS, Manager Plant Variety Protection, Intellectual Resource Protection and Regulatory Affairs, SVS Holland, Seminis Vegetable Seeds, Nude 54D,  
6702 DN Wageningen, Netherlands (tel.: +31 317 450 218 fax: +31 317 450 217  
e-mail: marcel.bruins@seminis.com)

Huib GHIJSEN, IP Manager Germplasm Protection and Security, Bayer BioScience N.V.,  
Technologiepark 38, 9052 Gent, Belgium (tel.: +32 9 2430486 fax: +32 9 224 1923  
e-mail: huib.ghijssen@bayercropscience.com)

Barry GREENGRASS, Advisor, Quincy, 74270 Chilly, France (tel.: +33 4 50 22 93 92  
e-mail: barry\_greengrass@hotmail.com)

Pierre ROGER, Directeur de la propriété intellectuelle, Groupe Limagrain Holding,  
Boîte postale 1, 63720 Chappes, France (tel.: +33 4 7363 4069 fax: +33 4 7364 6737  
e-mail: pierre.roger@limagrain.com)

IV. BUREAU / OFFICERS / VORSITZ / OFICINA

Julia BORYS (Ms.), Chairperson  
Françoise BLOUET (Ms.), Vice-Chairperson

V. BUREAU DE L'OMPI / OFFICE OF WIPO / BÜRO DER WIPO /  
OFICINA DE LA OMPI

Carl PHILLIPS, Counsellor, Office of the Chief Information Officer, IT Division,  
World Intellectual Property Organization (WIPO)

VI. BUREAU DE L'UPOV / OFFICE OF UPOV / BÜRO DER UPOV /  
OFICINA DE LA UPOV

Rolf JÖRDENS, Vice Secretary-General  
Peter BUTTON, Technical Director  
Raimundo LAVIGNOLLE, Senior Counsellor  
Makoto TABATA, Senior Counsellor  
Yolanda HUERTA (Mrs.), Senior Legal Officer

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

## ANNEX II

AMENDMENTS TO THE UPOV DRAFT TEST GUIDELINES PRIOR TO THEIR  
ADOPTION AT THE FORTY-FIRST SESSION OF THE TECHNICAL COMMITTEE

<b>TG/6/5(proj.4)</b>	<b>Lucerne</b>
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(a) Changes proposed by the Enlarged Editorial Committee in January 2005 to document TG/6/5(proj.3), which are already incorporated in the Test Guidelines submitted to the TC.

3.5.2	to be transformed into a new note (b) in Chapter 8.1, linked to characteristics 2, 3, 4, 10, 11, 12, 14, 15
Char. 3	[MS] / [A] proposed for deletion by the leading expert. (+) to be deleted as a consequence
Chars. 14, 15	MS / A proposed for deletion by the leading expert
Char. 16	to receive (*) because TQ characteristic
Ad. 3	to be deleted
Ad. 5	“MS/B” to read “MG/B” (see Table of char.) MG/B to read “... From the row plant data, a mean date per variety is obtained
Ad. 16	first paragraph to be elaborated to explain how the characteristic is observed and how characteristic 16 is related to the other characteristics
Ad. 17 (5)	“10 <sup>5</sup> ” to read “10 <sup>6</sup> ”
Ad. 17 (6)	to read “Contamination is by clipping the plants down to between 4 and 5 cm from the crown with scissors that have previously been dipped into the suspension.”
Ad. 17 (8)	“45 days” to read “30 days”
Ad. 18 (2)	to read “After 4.5 days at 19°C, photoperiod of 14 hours of light, the seedling ...”
Ad. 18 (3)	to read “The pots should be put in a climatic chamber at 19°C, 12 hours of photoperiod (11-15,000 lux) and 80% humidity”
Ad. 19 table	to clarify “Values for resistant standards are percent survivors”
Ad. 20	to clarify “Moderate greenhouse or growth chamber”
Ad. 21 table	to check the acceptable range of reaction for PA-1 to clarify “Values for resistant standards are totals for rating 1 to 3. Percentage of plants surviving may be higher but may include many plants with little or no resistance.” and move before the table
Ad. 22 table	to clarify “Values for resistant standards are the totals of 1-2 ratings. The percentage of plants surviving may be higher but may include many plants with little or no resistance.” and move before the table

(b) Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

Char. 16	VG/C to be added (see Ad.16 before table)
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<b>TG/12/9(proj.2)</b>	<b>French Bean</b>
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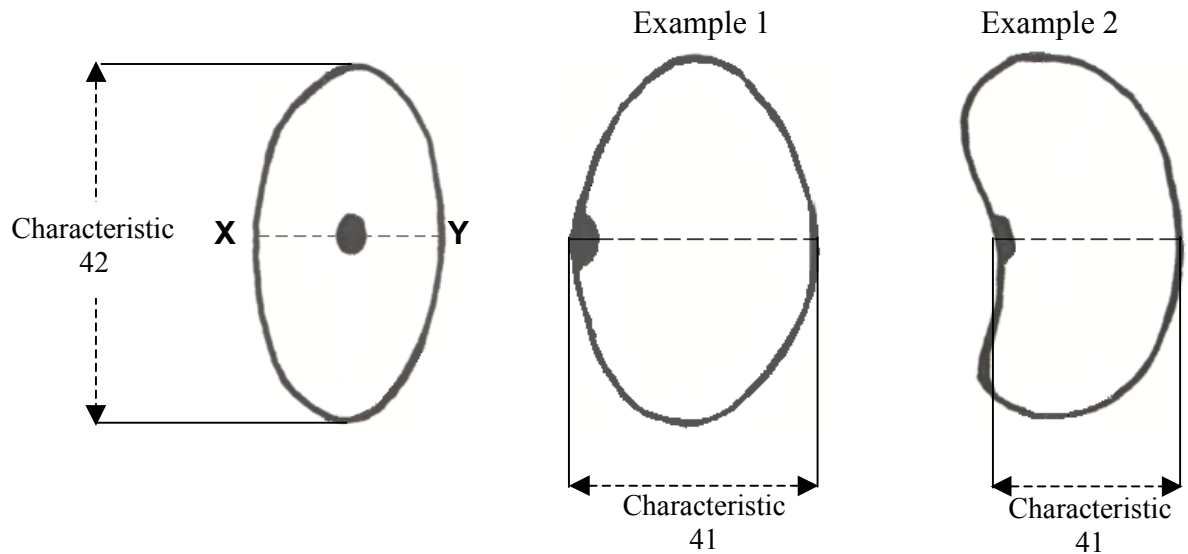
Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

4.2.2, 4.2.3	to be combined to read “For the assessment of uniformity of dwarf beans, a population standard of 1% and an acceptance probability of at least 95% should be applied. In the case of a sample size of 60 plants, 2 off-types are allowed. In the case of a sample size of 150 plants, 4 off-types are allowed.”
Char. 4	to be indicated as QL
Char. 5	to read “...Plant: type”. To have the states “non-trailing” (1); “trailing” (2)
Char. 6	to have the states: short (3); medium (5); tall (7)
Char. 7	VS to be deleted
Char. 8	to replace “rapid” with “fast”
Char. 12	to replace “quadrangular” with “rhombic”
Char. 13	to read “Terminal leaflet: length of tip” with the states: short (1); medium (2); long (3), subject to agreement of the Leading Expert with regard to the use of notes 1, 2, 3
Char. 14	to replace “location” with “position”. To have the states “predominantly in foliage” (1); “intermediate” (2); “predominantly above foliage” (3). Climbing types of example varieties (C) to be deleted
Char. 15	to read “...: size of bracts”, or become a Bract characteristic
Chars. 16	example variety needed for state 2 or state to be deleted
Char. 20	to delete “at maximum point”
Char. 21	to read “Pod: thickness”. To replace “narrow” with “thin” and “broad” with “thick”
Char. 22	to read “Pod: shape in cross section”. State 1 to read “elliptic”; state 2 to read “ovate”
Char. 23	to read “Pod: ratio: thickness / width”
Char. 24	to be indicated as PQ
Char. 26	to read “Pod: presence of secondary color”
Char. 27	to be indicated as PQ. To read “Pod: secondary color”
Char. 29	to replace “on” with “of”
Char. 35	state 1 to read “smooth or slightly rough”. To have the notes 1, 2, 3
Char. 36	to delete note (b) and add note (c)
Char. 37	to replace “MS” with “MG”
Char. 38	to read “Seed: shape in longitudinal section”. To add “(D)” after example variety ‘Polanka’
Char. 40	to read “Seed: shape in cross section”
Char. 44	example varieties to be provided for states 3 and 8
Char. 45	to delete “predominant”. Example varieties to be provided for states 1-4
Char. 48	to replace “VS” with “MG”



Char. 50	to read “Type of resistance to Bean Mosaic Virus (BCMV)”, with the following states: State 1: “mosaic development present, blackroot development absent” State 2: “mosaic development absent, blackroot development present” State 3: “mosaic development absent, blackroot development absent”
8.1 (c)	to read “ <u>Pod</u> : Observations which should be made at the dry seed stage.”
Ad. 7	to be deleted
Ad. 20, 21	to replace “W” and “TW” with full text
Ad. 23	to replace “W” and “TW” with full text
Ad. 31	to delete “R”
Ad. 32	to use thicker line in region excluding beak
Ads. 40, 41, 42	to be modified as shown below
Ad. 50	to replace “April” with “spring” and “at the beginning of June” with “around two months later”
TQ 5.11	to separate into 2 characteristics, corresponding to 49.1 and 49.2
TQ 5.12	to separate into 2 characteristics, corresponding to 51.1 and 51.2
TQ 5	to add Chars. 45 and 50

Ads. 40, 41, 42: Seed: shape in cross section (40), width in cross section (41), length (42)



Characteristic 40: shape in cross section (**X-Y** = cross section)

Characteristic 41: width in cross section

Characteristic 42: length

TG/14/9(proj.5)	Apple (fruit varieties)
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(a) Changes proposed by the Enlarged Editorial Committee in January 2005 to document TG/14/9(proj.4), which are already incorporated in the Test Guidelines submitted to the TC and have been agreed by the TWF by correspondence.

2.3	to amend the number of budsticks to 5 for seedlings and 10 for mutants
Char. 2	to add a more widespread example variety for states 2 (e.g. Golden Delicious) <i>Leading Expert / TWF Chairman:</i> <i>Example variety ‘Golden Delicious’ to be added for state 2</i>
Char. 3	to be indicated as QN. To check whether there are differences between columnar (Char. 2), fastigate and upright states and to amend the illustration accordingly. <i>Leading Expert / TWF Chairman:</i> <i>State 1 (fastigate) to be deleted. ‘Benoni’ to be added as an example variety for “upright”</i>
Char. 4	to check if it should be indicated as QN. To add a new note (e) (see comments to section 8.1). To add a more widespread example variety for state 3. <i>Leading Expert / TWF Chairman:</i> <i>To be indicated as QN. Example variety “Cortland” to be added for state 3</i>
Char. 20	to read: “Flower: diameter with petals pressed into horizontal position”
Char. 21	to be indicated as QN
Char. 23	To add a new note (e) (see comments to section 8.1). To delete (+)
Char. 24 onwards	to update “(e)” to read “(f)”
Char. 25, 26, 27	to delete “maximum” and add (+) with illustration <i>Leading Expert / TWF Chairman:</i> <i>Illustration provided (see Ad. 25 and Ad. 26)</i>
Char. 28	state 3 to read “cylindrical” state 7 to read “waisted cylindrical” to check if state 7 should come first (widest point at base first) and if ‘Gloster’ is a good example for state 7 – ‘Gloster’ might be described as state 1 (see Ad. 28 comments). <i>Leading Expert / TWF Chairman:</i> <i>Example variety changed to ‘Starkrimson D’</i>
Chars. 35, 36, 39	to delete “of skin”
Char. 37	to delete “any”
Chars. 55, 56	to delete note (e)
8.1 (c)	to read: “ <u>Tree vigor, leaf blade, petiole</u> : Observations should be made in summer when the tree is in peak vegetative growth. Observations on the leaf blade and petiole should be made on fully developed leaves from the middle third of vigorous current season shoots from the outside of the tree.”

8.1 new after (d)	to add new note (e): “ <u>Type of bearing, young fruit</u> : Observations should be made 40 days after flowering Previous note “(e)”to become note “(f)”
Ad. 4	to delete the sentence
Ad. 10	to delete the sentence
Ad. 23	to be deleted
Ad. 28	to modify the drawings for the shapes to have the same height or the same area. To improve the drawing for state 7 and move before state 1
Ad. 28 (tables)	To read: “Additional example varieties ...”: for both tables
Ad. 38	to refer to both Chars. 37 and 38 in the title. The table heading to be changed from “Intensity” to “Fruit: intensity of overcolor (char. 38)”
Ad. 56	to add “(see Ad. 57)” at the end of the sentence
Ad. 57	to delete “pomefruit” from the text in brackets
8.3	to review all “other names” in respect of the requirements for synonyms set out in TGP/7: GN 29.2, to ensure, in particular, that they are not trademarks. To replace “Other names” with “Synonyms” To consider reintroducing 'Cripps Pink' (synonym: Pink Lady – see Char. 37 state 2) and adding Tenroy (synonym: Royal Gala). <i>Leading Expert / TWF Chairman:</i> <i>‘Pink Lady’ and ‘Tenroy’ are trademarks</i> <i>To delete from the table: Akane/Primrouge, Alkmene/Early Windsor, Delorina/Harmonie, Florina/Querina, Mountain Cove/Ginger Gold, Mutsu/Crispin, Pinova/Corail, Rafzubin/RubINETTE; and Wilton's Jonaprince, Gala Must and Bonnin</i>
9.	to delete brackets at the end of Aeppli ..., 1983 and Toth, G.M., 2001; Morgan, ... and Nilsson, ...to insert a comma between city and country of the publishers; Khanizadeh, ...to add “..., St.-Jean-sur-Richelieu, Quebec, CN” at the end

(b) Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

Title page	To change from “Malus Mill.” to “Malus domestica Borkh.”, subject to the agreement of the Leading Expert.
Char. 28	“Starkrimson D” to be amended to “Starkrimson”
9.	Khanizadeh,...to read “..., St.-Jean-sur-Richelieu, Quebec, CA” instead of “Ottawa, CA”
TQ 5.3	to be amended according to the Table of Characteristics

TG/70/4(proj.5)	Apricot
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(a) Changes proposed by the Enlarged Editorial Committee in January 2005 to document TG/70/4(proj.4), which are already incorporated in the Test Guidelines submitted to the TC and have been agreed by the TWF by correspondence.

2.3	number of budsticks to be indicated as 5 To delete “sufficient to produce 5 trees”
3.5	To delete last sentence “In particular, ...” as this information is given in Section 8.1 (d)
7. General	spelling of example variety ‘Earle Orange’ to be checked. <i>Leading Expert / TWF Chairman:</i> <i>the spelling is taken from “The Brooks and Olmo Register of Fruit and Nut varieties” (see Literature of TG/70/4(proj.4)). The authenticity of that book is widely acknowledged in pomology.</i>
Char. 2	to be indicated as QN. To check whether there are differences between the fastigate and upright states and to amend the illustration accordingly. <i>Leading Expert / TWF Chairman:</i> <i>Fastigate (narrowing towards the top) and upright states are different. States unchanged. Characteristic indicated as QN</i>
Char. 13	to be indicated as QN
Char. 22	to be indicated as QL or QN (not PQ). Leading expert to check whether there are clear-cut separations between the states. <i>Leading Expert / TWF Chairman:</i> <i>to be indicated as QL</i>
Chars. 29, 30	to check if the order of shapes would be better from overall narrowest to broadest and starting with broadest point below the middle i.e. triangular, ovate, oblong, elliptic, circular, oblate, obovate, oblique rhombic. To have the same order of states for both characteristics. <i>Leading Expert / TWF Chairman:</i> <i>to change order of states as proposed by the TC-EDC</i>
Char. 42	to read “Fruit: pubescence”
Char. 43, 44	to delete “of skin”
Char. 43	to check suitability of example variety ‘Moorpark’ for state 1 <i>Leading Expert / TWF Chairman:</i> <i>example variety ‘Moorpark’ to be deleted</i> to check suitability of example variety ‘Moniquí’ for state 2 <i>Leading Expert / TWF Chairman:</i> <i>example variety ‘Moniquí’ to be deleted</i>

Char. 45	to check if this should read “Fruit: relative area of over color”, as for Test Guidelines for Apple (TG/14/9(proj.4)), with the states being “small” instead of “low” and “large” instead of “high” <i>Leading Expert / TWF Chairman:</i> <i>agree change proposed by TC-EDC</i>
Char. 48	to check if this should read “Fruit: pattern of over color”, as for Test Guidelines for Apple (TG/14/9(proj.4)) <i>Leading Expert / TWF Chairman:</i> <i>agree change proposed by TC-EDC</i>
Char. 53	to check suitability of example variety ‘Cafona’ for state 5 <i>Leading Expert / TWF Chairman:</i> <i>example variety ‘Cafona’ to be deleted</i>
Char. 54	to check if the order of shapes would be better from overall narrowest to broadest and starting with broadest point below the middle i.e. ovate, oblong, elliptic, circular, obovate. <i>Leading Expert / TWF Chairman:</i> <i>agree change proposed by TC-EDC</i>
Ads. 29, 30	to add “(not applicable for characteristic 30)” for state 8 (see also comments for Chars. 29, 30 above)
8.2 Table of synonyms	to be headed as Section 8.3. Spelling of example variety ‘Earle Orange’ and synonyms to be checked. Synonyms for ‘Magyar kajszí’ and ‘Pineapple’ to be presented in alphabetical order

(b) Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

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None

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<b>TG/136/5(proj.3)</b>	<b>Parsley</b>
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(a) Changes proposed by the Enlarged Editorial Committee in January 2005 to document TG/136/5(proj.2), which are already incorporated in the Test Guidelines submitted to the TC

1.	delete “(leaf parsley and root parsley)”
2.3	delete “at least” in both instances
Chars. 3, 6, 7, 9, 14-16	replace “VS” with “VG”
Char. 7	delete underlined section
Char. 8	to consider re-wording states as: sparse (3), medium (5), dense (7), or to amend the notes to 1, 2, 3 or 1, 3, 5 <i>Leading expert: re-word states as: sparse (3); medium (5); dense (7)</i>
Char. 9	to read “...: Leaf blade: upward reflexing of lobes”

Ads. 10 –18	to delete reference to “nodes” in the leaf. To amend the illustration to show the relevant arrow clearly pointing to the point of branching of the second pair of leaflets. To consider moving the illustration to Chapter 8.1, with a note for each relevant characteristic in the Table of Characteristics. <i>Leading expert: new illustration provided</i>
9.	to delete “Petersilie im”
TQ 1.2	to delete “(leaf parsley and root parsley)”

(b) Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

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None

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<b>TG/143/4(proj.2)</b>	<b>Chick-Pea</b>
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Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

Char. 1	to be moved after Char. 3
Char. 2	to read “Plant: habit”. To be indicated as QN
Char. 3	to read “Plant: ramification”
Chars. 3, 4	to provide information on the stage of observation
Char. 8	to add “(b)”, subject to the agreement of the Leading Expert
Char. 12	to be indicated as QN. Note (c) to be deleted
Char. 14	to add “(as for 13)” Example varieties to be provided in a combination table with Char. 14 or (*) to be deleted
Char. 18	to replace “VG” with “MG”
Char. 19	to read “Time of dry seed maturity”
Ad. 12	to read: predominantly one: percentage of pods with <u>at least 2</u> seeds =< 10% one and two: 10 % < percentage of pods with <u>at least 2</u> seeds =< 60% predominantly two: 60 % < percentage of pods have <u>at least 2</u> seeds
Ad. 16	illustration to be improved to clarify differences between states.

<b>TG/172/4(proj.2)</b>	<b>Industrial Chicory</b>
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Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

Char. 1	state 5 to be deleted.
Char. 16	state 3 to read “moderately rounded”
Char. 22	(+) to be added

8.1(b)	move “assessment of total sugar content within a week from harvesting the roots <del>etc.</del> ” to the explanation for Char. 17
Ad. 22	to read:  “Check presence of pollen on stamen:  (a) if pollen on stamen is present than male sterility is absent; (b) if pollen on stamen is absent than male sterility is present.”

<b>TG/186/1(proj.2)</b>	<b>Sugarcane</b>
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Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

3.3.2	to read “All characteristics should be observed on plants aged between 10 to 12 months, in the first vegetative cycle of the crop (from planting to the first harvest).”
3.5.3	delete “and any other observation made on all culms in the test”
5.3 (a)	color groups to be provided
6.5	reference to QL, QN, PQ to be deleted
Char. 7	to read “...(from the base to the base of the TVD leaf)”
Char. 50	to amend note “2” to “9”
Ad. 7	to delete “quantitative” and to delete “Node –1 through –8” etc. To word as “TVD leaf = top visible dewlap leaf = 1” To indicate height in the drawing
Ad. 8 to 17	to move after Ad. 7
Ads. 31 to 43; 32 and 33	to modify illustrations in order that hair group 57 and 60 positions are consistent in the two illustrations
Ads. 35 and 36	to read “Ligule width is the distance from the point of attachment at the junction of the leaf blade and the leaf sheath and the upper margin of the ligule at the widest point (middle of ligule).” Move after Ad. 32 and 33
TQ 5.4	color group option to be provided (as for 5.3 (grouping characteristics))

<b>TG/ANTIR(proj.3)</b>	<b>Antirrhinum</b>
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(a) Changes proposed by the Enlarged Editorial Committee in January 2005 to document TG/ANTIR(proj.2), which are already incorporated in the Test Guidelines submitted to the TC

Alternative names	to replace “Common snap dragon” with “Common snapdragon”
2.3	to delete “preferably in 6 portions”

2.3	to check if seed weight would be better than number <i>Leading Expert: no change (seed can be counted easily)</i>
4.2.2, 4.2.3, 4.2.4	to check if all types of varieties (vegetatively propagated; self-pollinated; cross-pollinated; hybrids) are currently known. Test Guidelines should only include known types of varieties. If all types are possible, further details are necessary in TQ 4.2.2 <i>Leading Expert: seed-propagated varieties are self-pollinated or single cross hybrids. Section 4.2 and TQ 4.2.2 amended accordingly</i>
4.3.3	to check if hybrid varieties are known and, if so, whether the assessment of parent lines is used. Otherwise, section to be deleted <i>Leading Expert: section deleted</i>
Char. 2	to be indicated as QN to read: “Plant: attitude of shoots”
Char. 5	To have the states: upper half only (1); along entire stem (2); lower half only
Char. 6	to check if this characteristic only applies to varieties with bushy growth habit. <i>Leading Expert: no change (applies to all varieties)</i>
Char. 12	example variety to read Balu <u>m</u> white
Char. 20	to delete “of lobe”
Char. 21	state 1 to read “absent or very weak”
Char. 25	to add the word “cusp” as for Char. 24
Char. 26	to check if “upper” should be replaced by “inner” <i>Leading Expert: no change</i>
Char. 27	to check if “lower” should be replaced by “outer” <i>Leading Expert: no change</i>
Ad. 2	numbering of states to be corrected
Ads. 20, 25-28	to delete arrow pointing to upper lip
TQ 1.2	to read “Antirrhinum, Common snapdragon”

(b) Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

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None

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<b>TG/ARGYR(proj.4)</b>	<b>Argyranthemum</b>
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(a) Changes proposed by the Enlarged Editorial Committee in January 2005 to document TG/ARGYR(proj.3), which are already incorporated in the Test Guidelines submitted to the TC



Char. 1	to consider an alternative term for “rounded” (state 2) <i>Leading expert and TWO Chairman: retain “rounded” as the varieties are quite circular.</i>
Char. 15	to read “Ray floret: curvature of longitudinal axis”
8.1 (a)	to delete the characteristic headings above the illustration
Ad. 11	to replace “largest” with “longest”

(b) Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

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None

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<b>TG/BRACHY(proj.4)</b>	<b>Brachyscome</b>
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Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

1.	to read “These Test Guidelines apply to all varieties of <i>Brachyscome</i> Cass. of the family <i>Asteraceae</i> .”
Table of Characteristics	to delete note (a) for characteristics with note (c)
Chars. 10, 15, 29	to read “circular” instead of “orbicular” (state 5) and “obtriangular” instead of “cuneate” (state 9) To order the states according to overall narrowest to broadest, starting with broadest point below the middle, as follows:

	<u>Char. 10</u>		<u>Char. 15</u>		<u>Char. 29</u>	
	old	new	old	new	old	new
linear	1	<b>2</b>	1	<b>3</b>	1	<b>2</b>
ovate	2	<b>1</b>	2	<b>2</b>	2	<b>1</b>
oblong	3	<b>3</b>	3	<b>4</b>	3	<b>3</b>
elliptic	4	<b>4</b>	4	<b>5</b>	4	<b>4</b>
deltoid			5	<b>1</b>		
<del>orbicular</del> circular	5	<b>5</b>	6	<b>6</b>		
oblanceolate	6	<b>6</b>	7	<b>7</b>	5	<b>5</b>
spatulate	7	<b>8</b>	8	<b>9</b>	6	<b>7</b>
obovate	8	<b>7</b>	9	<b>8</b>	7	<b>6</b>
<del>cuneate</del> obtriangular	9	<b>9</b>	10	<b>10</b>		

Char. 16	to be indicated as QL
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Char. 17	to replace “lobing” with “divisions”
Char. 20	to read “Flower: bud color”
Char. 21	state 1 to read “same level”
Char. 26	to add “(when all disc florets open)” and notes (a) and (c) to be deleted
8.1(d)	to read “observations on the ray floret should be made without removing the ray floret from the flower head. Observations are made on only the strap shaped corolla or ligule.”
Ad. 11	to replace “incisions” with “divisions”
Ad. 18	to clarify the flower stem to be observed
Ad. 27, 28	to add closing bracket after (27)

<b>TG/GINSENG(proj.4)</b>	<b>Ginseng</b>
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Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

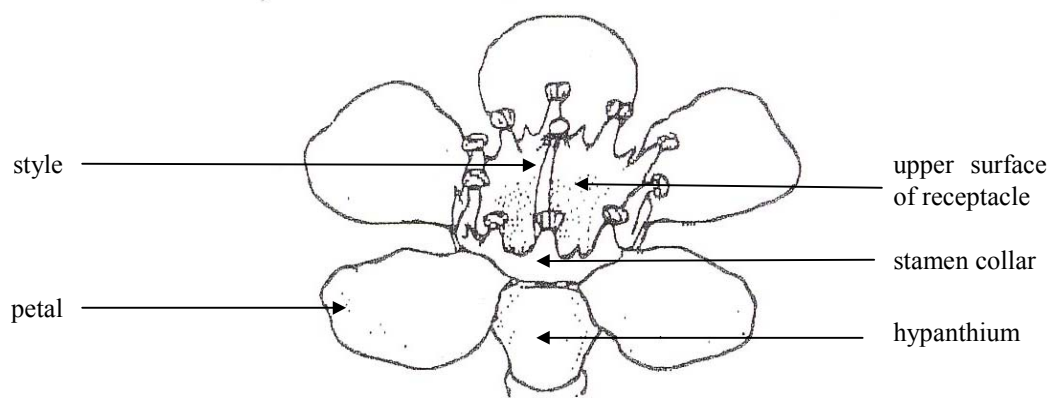
4.2.2	to read “For the assessment of uniformity, a population standard of 3 % and an acceptance probability of at least 95 % should be applied. In the case of a sample size of 60 plants, 4 off-types are allowed.”
Char. 1	delete “main”
Char. 7	to read: “Stem: number of leaves”; To be moved before Char. 5.
Char. 8	to read “Leaf: presence of stipules” with the states: absent or very few (1); medium (2); many (3)
Char. 11	to be indicated as QN
Char. 13	change states to: narrow elliptic (1); broad elliptic (2); spatulate (3). Asterisk to be deleted and characteristic to be removed from 5.3 (grouping) and TQ 5.
Char. 15	to replace “moderate” with “medium”. Asterisk to be deleted
Char. 16	to be indicated as MG
Char. 19	to read “Umbel: attitude of lower florets” with notes 1, 3, 5
Char. 20	to read “Berry: time of maturity”. “VS” to be replaced by “MG”
Char. 22	to replace “kidney shape” with “eight-shaped”, or another appropriate term
Char. 27	to replace “stolon” with “stolons”
Ad. 22	improve illustration to show if it is a view from the top and to show the stalk
8.3	to read “Flower and rhizome differentiation...” and “umbel” instead of “spike”
4.2 (b)	to replace “vegetative propagation” with “other (please provide details)”

<b>TG/WAXFL(proj.4)</b>	<b>Waxflower</b>
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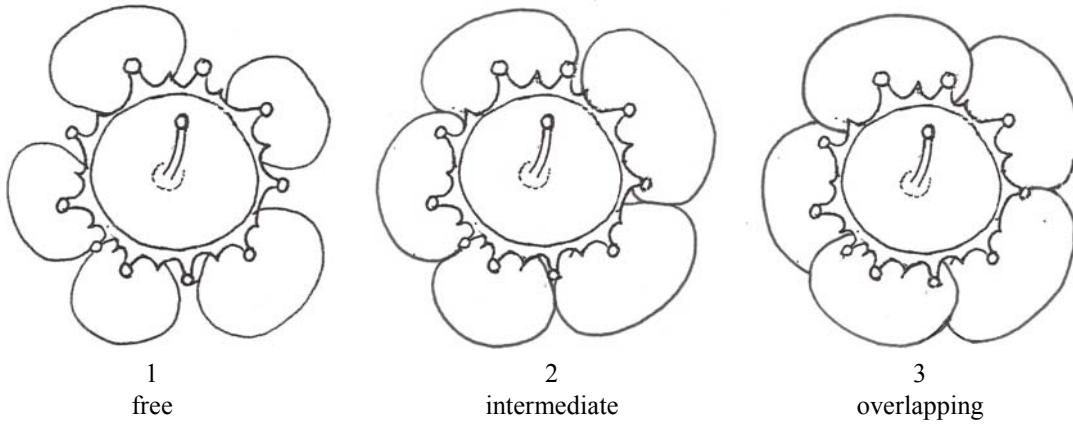
Changes proposed by the Enlarged Editorial Committee in April 2005, which are to be included in the Test Guidelines submitted to the TC

1.	to read “These Test Guidelines apply to all varieties of <i>Chamelaucium</i> Desf. of the family <i>Myrtaceae</i> and their hybrids with <i>Verticordia plumosa</i> Desf. (Druce).
Char. 4	to read “Flowering branch: angle in relation to axillary shoot (5th node from distal end)”
Char. 9	to be indicated as QN. State 2 to read “intermediate”
Chars. 17 to 20	to replace “Calyx tube” with “Hypanthium”
Char. 21	characteristic to be deleted at the proposal of the Leading Expert, subject to agreement by the Technical Working Party for Ornamental Plants and Forest Trees
Chars. 22, 23	to replace “Hypanthium” with “Receptacle” and move after Char. 28
Char. 24	(+) to be added
8.1 (b)	to become Ad. 6 and to be clarified
8.1 (d)	new illustration provided below
Ad. 9	new illustration provided below
Ads. 20, 21	new illustration provided below
Ad. 24	illustration to be provided

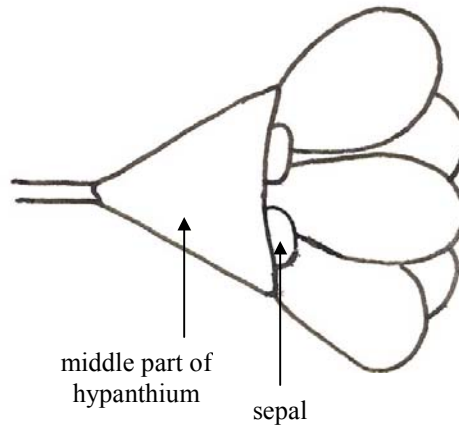
8.1 (d) Illustration



Ad. 9: Flower: arrangement of petals



Ads. 20, 21 (to be renumbered) Hypanthium: main color at middle part (20), Sepal: main color (21)



[End of Annex II and of document]