



TC/43/5

ORIGINAL: English

DATE: February 9, 2007

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

**TECHNICAL COMMITTEE**

**Forty-Third Session**  
**Geneva, March 26 to 28, 2007**

TGP DOCUMENTS

*Document prepared by the Office of the Union*

1. The purpose of this document is to report on developments since the forty-second session of the Technical Committee (TC), held in Geneva, from April 3 to 5, 2006, concerning the consideration of the TGP documents, to provide background information to assist the TC in its consideration of the drafts of individual TGP documents and to present a tentative program for the development of TGP documents.

I. BACKGROUND

2. The purpose of document TG/1/3 "General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants" (General Introduction), and the associated series of documents specifying Test Guidelines' Procedures (TGP documents), is to set out the principles which are used in the examination of DUS. The only binding obligations for members of the Union are those contained in the UPOV Convention itself. However, on the basis of practical experience, the General Introduction and the TGP documents seek to provide general guidance for the examination of all species in accordance with the UPOV Convention. In addition, UPOV has developed "Guidelines for the Conduct of Tests for Distinctness, Uniformity and Stability" (Test Guidelines), for many individual species or other variety groupings. The purpose of those Test Guidelines is to elaborate certain of the principles contained in the General Introduction and the associated TGP documents, into detailed practical guidance for the harmonized examination of DUS and, in particular, to identify appropriate characteristics for the examination of DUS and production of harmonized variety descriptions.

3. The situation with regard to the development of TGP documents can be summarized as follows:

Document reference	Title	Stage of development
TGP/0	List of TGP Documents and Latest Issue Dates	Approved (2005)
<i>TGP/1</i>	<i>General Introduction With Explanations</i>	-
TGP/2	List of Test Guidelines Adopted by UPOV	Approved (2005)
<i>TGP/3</i>	<i>Varieties of Common Knowledge</i>	<i>under discussion by CAJ</i>
<i>TGP/4</i>	<i>Constitution and [Maintenance] / [Management] of Variety Collections</i>	<i>under development</i>
TGP/5	Experience and Cooperation in DUS Testing	Approved (2005)
TGP/6	Arrangements for DUS Testing	Approved (2005)
TGP/7	Development of Test Guidelines	Approved (2004)
<i>TGP/8</i>	<i>Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability</i>	<i>under development</i>
<i>TGP/9</i>	<i>Examining Distinctness</i>	<i>under development</i>
<i>TGP/10</i>	<i>Examining Uniformity</i>	<i>under development</i>
<i>TGP/11</i>	<i>Examining Stability</i>	<i>under development</i>
<i>TGP/12</i>	<i>Special Characteristics</i>	<i>under development</i>
<i>TGP/13</i>	<i>Guidance for New Types and Species</i>	<i>under development</i>
<i>TGP/14</i>	<i>Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents</i>	<i>under development</i>
<i>TGP/15</i>	<i>New Types of Characteristics</i>	-

The General Introduction, approved TGP documents and adopted Test Guidelines are published on the UPOV website at [http://www.upov.int/en/publications/list\\_publications.htm](http://www.upov.int/en/publications/list_publications.htm).

4. At its forty-second session, the TC approved a program for the development of TGP documents (see document TC/42/12 "Report", paragraphs 104 and 105). According to that program, it was agreed that the TC would consider drafts of TGP/4, TGP/5 (Revision), TGP/8, TGP/9, TGP/10, TGP/12, TGP/13 and TGP/14 at its forty-third session. Whilst the TC has agreed that the revision of document TGP/7 should not start until 2008, this document also presents information on aspects of that document where revisions may be appropriate according to comments made by the Technical Working Parties (TWPs) and the Enlarged Editorial Committee (TC-EDC). The following section presents background information for each of those documents.

## II. DOCUMENTS TO BE CONSIDERED BY THE TECHNICAL COMMITTEE

5. At its thirty-ninth session (see document TC/39/16 “Report”, paragraph 102), the TC confirmed that documents TGP/4, TGP/9 and TGP/10 should continue to receive the highest priority after the approval of document TGP/7. This section considers first those TGP documents with highest priority.

### (a) TGP documents to which the TC has given highest priority

6. Drafts of documents TGP/4 (document TGP/4/1 Draft 6), TGP/9 (document TGP/9/1 Draft 6) and TGP/10 (document TGP/10/1 Draft 3) were considered by the TC at its forty-second session. Changes to the text agreed by the TC at its forty-second session were incorporated into subsequent drafts of those documents which were considered by the Administrative and Legal Committee (CAJ), the TWPs and the TC-EDC. Changes to the text agreed by the TC at its forty-second session, as a result of the considerations by the CAJ, the TWPs and the TC-EDC, have been highlighted in the documents to be considered by the TC at its forty-third session. The background information concerning those changes has been summarized in the form of endnotes. Those endnotes will be deleted from the adopted versions of those documents. By contrast, the footnotes which appear in the documents are intended to remain in the adopted versions of those documents.

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

7. Document TGP/4/1 Draft 9 is to be considered by the TC at its forty-third session and by the CAJ at its fifty-fifth session, to be held in Geneva on March 29, 2007. The schedule for the development of TGP documents indicates that document TGP/4/1 may be approved by the TC and by the CAJ at those sessions.

8. Any changes to the text of document TGP/4/1 Draft 9 proposed by the TC at its forty-third session will be reported to the CAJ for consideration at its fifty-fifth session. Subject to agreement of a common text by the TC and the CAJ, document TGP/4/1 would be put forward for adoption by the Council at its forty-first ordinary session, to be held in Geneva on October 25, 2007.

*9. The TC is invited to consider document TGP/4/1 Draft 9 as the basis for adoption of document TGP/4/1 by the Council, as set out in paragraph 8.*

### *TGP/9 “Examining Distinctness”*

10. Document TGP/9/1 Draft 9 is to be considered by the TC at its forty-third session and by the CAJ at its fifty-fifth session. The schedule for the development of TGP documents indicates that document TGP/9/1 may be approved by the TC and by the CAJ at those sessions.

11. Any changes to the text of document TGP/9/1 Draft 9 proposed by the TC at its forty-third session will be reported to the CAJ for consideration at its fifty-fifth session. Subject to agreement of a common text by the TC and the CAJ, document TGP/9/1 would be put forward for adoption by the Council at its forty-first ordinary session, to be held in Geneva on October 25, 2007.

*12. The TC is invited to consider document TGP/9/1 Draft 9 as the basis for adoption of document TGP/9/1 by the Council, as set out in paragraph 11.*

*TGP/10 “Examining Uniformity”*

13. The schedule for the development of document TGP/10/1 agreed by the TC at its forty-second session (see document TC/42/12 “Report”, paragraphs 104 and 105), indicated that document TGP/10/1 would be considered for approval by the TC and CAJ at their sessions in 2007. However, at their sessions in 2006, the Technical Working Party for Agricultural Crops (TWA) (see document TWA/35/12 “Report”, paragraph 34), the Technical Working Party for Fruit Crops (TWF) (see document TWF/37/14 “Report on Conclusions”, paragraph 11) and the Technical Working Party for Ornamental Plants and Forest Trees (TWO) (see document TWO/39/11 “Report on Conclusions”, paragraph 10) proposed that the TWPs should consider a new draft of document TGP/10/1 at their sessions in 2007. In that regard, the TC may wish to note that document TGP/10/1 Draft 6 contains, in particular, the following sections, for which the TC has not previously considered a substantial text:

Section 4.2	Plants which are not considered as off-types
Section 4.3	Determination of off-types by visual assessment
Section 4.4	Determination of off-types using measurements
Section 6	Combining observations for all characteristics.

*14. The TC is invited to comment on document TGP/10/1 Draft 6 and to consider whether a new draft of TGP/10 should be considered by the TWPs at their sessions in 2007.*

(b) Revision of TGP documents

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

15. At its forty-first session, the TC approved document TGP/5/1 “Experience and Cooperation in DUS Testing”. The TC noted that sections 1 to 7 of document 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 those sections, based on priority, in conjunction with the CAJ and Council, as appropriate.

16. Given the need for the CAJ to be involved in any revision of Sections 1 to 7, the CAJ was notified of developments in the TC in the oral report made by Ms. Julia Borys, Chair of the TC, at the fifty-first session of the CAJ held in Geneva on April 7, 2005. The CAJ agreed that the review of document TGP/5/1 fell within the work of the Administrative and Legal Committee Advisory Group (CAJ-AG) on the development of information materials in relation to Articles 7, 8 and 9 of the 1991 Act of the UPOV Convention. At its first session on October 20, 2006, the CAJ-AG agreed that the proposed revised Sections 1 to 7 of document TGP/5/1 should be submitted directly to the CAJ, without consideration by the CAJ-AG.

17. The proposed changes to the current sections of TGP/5 are highlighted in the documents to be considered by the TC, with deletions shown in strikethrough and additions shown by underlining.

18. With regard to elements to be considered in any revision of TGP/5, at its forty-first session, the TC proposed that suitable provisions should be made for genetically modified varieties in relevant sections. It is recalled that the model Technical Questionnaire in document TGP/7/1: Annex 1: TG Template: Chapter 10 (see TGP/5 Section 3/1) contains a specific Technical Questionnaire for varieties covered by the relevant Test Guidelines. That model Technical Questionnaire, in Section 8, contains a request for information on whether prior authorization for release under legislation concerning the protection of the environment, human and animal health is required. No amendments have been proposed in the other sections of TGP/5. Further background information concerning specific sections are presented below:

*Section 1: Model Administrative Agreement for International Cooperation in the Testing of Varieties*

19. With regard to elements which should be considered in any revision of TGP/5: Section 1/1, the following comments were made at the forty-first session of the TC:

(a) 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; and

(b) to review Article 7 with regard to the amount of 350 Swiss francs.

20. Article 6 has been amended in document TGP/5: Section 1/2 Draft 1, to provide the possibility of including the maintenance of reference collections in the main agreement.

*Section 2: UPOV Model Form for the Application for Plant Breeders' Rights and  
Section 3: Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights*

21. In addition to considering the revision of the text of TGP/5 Section 2/1 "UPOV Model Form for the Application for Plant Breeders' Rights", the TC is invited to note that the Office of the Union (Office) has been approached by the International Seed Federation (ISF) with regard to the development of an electronic version of the model application form and technical questionnaire.

22. The Office received a letter from ISF on January 18, 2007, proposing that UPOV should consider the development of an electronic version of the model application form and technical questionnaire for use by members of the Union. It was noted that such an approach would allow a standard application form and technical questionnaire to be completed in a language of the applicants choice and then converted electronically to the language of the member of the Union where an application was to be made. It was suggested that the individual members of the Union could have a separate appendix containing additional questions not covered by the standard application form and technical questionnaire, although ISF suggested that such appendices should be minimized. ISF clarified that the intention was to make the forms available for use by members of the Union as they considered appropriate.

23. The Office received a letter from the International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA) on January 19, 2007, supporting the proposal made by ISF. It requested, in addition, that any initiative should not lead to a result that application forms which were short and simple would become more complex. The Office also received a letter from the European Seed Association (ESA) on January 30, 2007, expressing its support for the proposal made by ISF.

24. In agreement with the TC Chairperson, ISF has been invited to make a presentation on its proposal at the forty-third session of the TC.

25. The TC is invited to note that, in consultation with the Chair of the CAJ, the CAJ will be invited at its fifty-fifth session, to be held in Geneva on March 29, 2007, to consider including a discussion of the ISF proposal in conjunction with its discussions on the revision of document TGP/5, at its fifty-sixth session to be held in Geneva on October 22 and 23, 2007.

*Section 4: UPOV Model Form for the Designation of the Sample of the Variety*

26. No specific matters have been raised.

*Section 5: UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results*

27. At its forty-first session, it was proposed that, in TGP/5: Section 5, consideration should be given to 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.

*Section 6: UPOV Report on Technical Examination and UPOV Variety Description and Section 7: UPOV Interim Report on Technical Examination*

28. No specific matters have been raised.

*Section 10: Notification of Additional Characteristics*

29. The approval of document TGP/5/1 “Experience and Cooperation in DUS Testing” by the TC at its forty-first session was also made on the basis that, with regard to Section 10/1, there would be a review of the notification of additional characteristics on the UPOV website after three years of operation. At its forty-second session, the TC agreed that the review of Section 10/1 should be undertaken in parallel with the revisions of Sections 1 to 7.

*Possible New Section: Examples of Contracts / Agreements between Authorities and Breeders*

30. During its consideration of document TGP/4/1 Draft 7, the TWA discussed the text which proposed that “in the particular case of parent lines submitted as a part of the examination of a candidate hybrid variety, living plant material should only be made available to other variety collectors in such a way that the legitimate interests of the breeder would be safeguarded.” In that respect, it proposed that UPOV might develop a model contract / agreement between authorities and breeders for inclusion in document TGP/5 as a part of the revision of that document (see document TWA/35/12 “Report”, paragraph 26).

31. At its at its fifty-fourth session, held in Geneva on October 16 and 17, 2006, the CAJ considered the TWA proposal for UPOV to develop a model contract / agreement between authorities and breeders. It agreed that it would be more appropriate to seek to provide examples of contracts / agreements between authorities and breeders in document TGP/5. The indication that UPOV will seek to provide, in document TGP/5, examples of contracts / agreements between authorities and breeders is reflected in document TGP/4/1 Draft 9, Section 3.1.2.2.2.

32. *The TC is invited to:*

*(a) consider the proposed revisions to Sections 1 to 7 of document TGP/5;*

*(b) comment on the proposal for the development of an electronic application form and technical questionnaire (see paragraphs 21-25);*

*(c) consider whether to retain Section 10 of document TGP/5; and*

*(d) invite members of the Union to provide examples of contracts / agreements between authorities and breeders for inclusion in a new section of TGP/5, subject to agreement to the inclusion of such an approach in document TGP/4/1, as set out in paragraphs 30 and 31.*

*TGP/7 “Development of Test Guidelines”*

33. At its forty-second session, the TC agreed that the revision of document TGP/7 should start in 2008, after document TGP/9/1 had been approved by the TC and in anticipation of document TGP/14 attaining a good level of agreement. The following paragraphs explain specific proposals which have already been made to the TC with regard to the revision of the text of TGP/7/1 and also present new proposals which have been made since the forty-second session of the TC.

34. At its forty-second session, the TC noted proposals which had already been made with regard to the revision of document TGP/7/1 (see document TC/42/5, Annex I) and also received a proposal to modify Additional Standard Wording ASW 9 “(TG Template: Chapter 4.3.2) – Stability assessment: general” (see document TC/42/12 “Report”, paragraph 103). Those proposals are reproduced in Annex I to this document.

35. As a result of discussions on the draft Test Guidelines for Spinach at its meeting on January 9, 2007, the TC-EDC agreed that there should be a discussion in the TC on the possibility of having Technical Questionnaire characteristics which did not have an asterisk in the Table of Characteristics. In that respect, it noted that the following extracts from document TGP/7/1, Annex III, GN 13 “Characteristics with specific functions” allowed such an approach:

1. *Asterisked characteristics*

“(d) particular care should be taken before selection of disease resistance characteristics.”

4. *Relationship between Asterisked, Grouping and TQ characteristics*

“(b) TQ characteristics selected from the Table of Characteristics should, in general, receive an asterisk in the Table of Characteristics and be used as grouping characteristics. TQ characteristics are not restricted to those characteristics used as grouping characteristics;” [underlining added for emphasis]

However, the TC-EDC noted that having Technical Questionnaire characteristics which did not have an asterisk in the Table of Characteristics would make the observation necessary for the applicant but not for the authority. The TC-EDC proposed that the outcome of the TC discussion on this matter should be applied to the draft Test Guidelines for Spinach, document TG/55/7(proj.3), characteristics 18 (Resistance to *Peronospora farinosa* f. *spinaciae*) and 19 (Resistance to Cucumber mosaic virus (CMV)).

36. At its fortieth session, held in Guanajuato, Guanajuato State, Mexico, from June 12 to 16, 2006 (see document TWV/40/11, paragraph 42), the Technical Working Party for Vegetables (TWV) agreed that the revision of TGP/7 should include elaboration of the two uses of the grouping characteristics, i.e.



TGP/7/1, Annex I: TG Template: Chapter 5.2

“(a) to select, either individually or in combination with other such characteristics, varieties of common knowledge that can be excluded from the growing trial used for examination of distinctness”; and

“(b) “to organize the growing trial so that similar varieties are grouped together”.  
[underlining added for emphasis]

and should consider indicating in Chapter 5.3 of the Test Guidelines for which of those purposes the grouping characteristics were intended.

37. At its meeting on January 9, 2007, the TC-EDC proposed that the revision of TGP/7/1 might include the development of a simple, generalized growth stage key for use in Test Guidelines covering crops and species for which where a suitable growth stage key had not been published.

38. In relation to the indications used in UPOV Test Guidelines for the method of observation and the type of record for the examination of distinctness (VG, VS, MG, MS), the TC may wish to consider revising document TGP/7/1 in line with the text which is adopted in document TGP/9/1 (see document TGP/9/1 Draft 9, Section 4.4).

39. In relation to the possible introduction of Section 6 “Combining observations for all characteristics” in document TGP/10, the TC is invited to consider whether the revision of document TGP/7/1 should make reference to such guidance.

40. *The TC is invited to:*

*(a) note the proposals made with regard to the revision of document TGP/7/1 as set out in Annex I to this document;*

*(b) consider the suitability of Technical Questionnaire characteristics which do not have an asterisk in the Table of Characteristics, as set out in paragraph 35, and conclude an approach to be taken in the Test Guidelines for Spinach and in the revision of document TGP/7/1; and*

*(c) consider whether the proposals made in paragraphs 35 to 39 should be included for discussion in relation to the revision of TGP/7/1.*

(c) Other TGP documents

*TGP/8 “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”*

41. At its forty-second session, the TC did not consider document TGP/8/1 Draft 3 in detail, but agreed that, as a result of its broadened scope, the title of TGP/8 should be changed to “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”. It also agreed that consideration should be given to splitting the document into two separate documents (Part I document and Part II document) in order to facilitate its consideration.

42. Document TGP/8/1 Draft 4 was considered by the TWPs at their sessions in 2006 and document TGP/8/1 Draft 5 was considered by the TC-EDC at its meeting on January 9, 2007. The TC-EDC did not have sufficient time to discuss the latter document and concluded that, in particular as a result of the substantial change in the scope and content of the TGP/8, which was reflected in the change of the title, the structure and content of TGP/8 would require substantial discussion in the TWPs in 2007. On that basis, and given the volume of the document, the TC-EDC in conjunction with the TC Chairperson, agreed that it would not be an appropriate use of UPOV’s resources to translate document TGP/8/1 Draft 6 into all UPOV languages. However, it agreed that it would be useful for the proposed table of contents of document TGP/8 to be translated to enable the TC to review the planned structure and content of the document. That proposed table of contents is provided as Annex II.

*43. The TC is invited to consider the proposed structure and content of TGP/8, as set out in Annex II and to comment on document TGP/8/1 Draft 6.*

*TGP/12 “Special Characteristics”*

44. At its forty-second session, the TC considered document TGP/12 Section 1 Draft 2 “Development of Characteristics Based on a Response to an External Factor” and a subsequent draft was considered by the TWPs at their sessions in 2006. At its forty-first session, the TC considered TGP/12 Section 2/1 Draft 2 “Chemical Constituents: Protein Electrophoresis”, but agreed that that section should not be adopted at that time and should be brought forward for adoption in conjunction with the other sections of TGP/12. A first draft of Section 3 “Examination of Combined Characteristics Using Image Analysis”, was prepared for consideration by the TC-EDC at its meeting on January 9, 2007. However, there was insufficient time for discussion of the document at that meeting.

*45. The TC is invited to comment on document TGP12/1 Draft 1.*

*TGP/13 “Guidance for New Types and Species”*

46. Changes to document TGP/13/1 Draft 5, agreed by the TC at its forty-second session, were incorporated into document TGP/13/1 Draft 6, which was considered by the TWPs at their sessions in 2006. The comments made by the TWPs were incorporated into document

TGP/13/1 Draft 7, prepared for consideration by the TC-EDC at its meeting on January 9, 2007. The TC-EDC did not have sufficient time to consider document TGP/13/1 Draft 7. Changes to the text agreed by the TC at its forty-second session, as a result of the considerations by the TWPs, have been highlighted in document TGP/13/1 Draft 8.

*47. The TC is invited to comment on document TGP13/1 Draft 8.*

*TGP/14 “Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents”*

48. Document TGP/14/1 Draft 2 is the first draft of TGP/14 to be considered by the TC. Drafts of various sections have been discussed in the TWPs, starting in 2002; however, a complete draft has not been considered by the TWPs. A first consolidated draft, document TGP/14/1 Draft 1, was prepared for consideration by the TC-EDC at its meeting on January 9, 2007. The TC-EDC did not have sufficient time to discuss that document and concluded that, the structure and content of TGP/14 would require substantial discussion by the TWPs at their sessions in 2007. On that basis, and given the volume of the document, the TC-EDC in conjunction with the TC Chairperson, agreed that it would not be an appropriate use of UPOV’s resources to translate document TGP/14/1 Draft 2 into all UPOV languages. However, it agreed that it would be useful for the table of contents of that document to be translated to enable the TC to review the planned structure and content of the document. That proposed table of contents is provided as Annex III.

*49. The TC is invited to consider the proposed structure and content of TGP/14, as set out in Annex III and to comment on document TGP/14/1 Draft 2.*

### III. PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

50. Annex IV to this document proposes a program of development for TGP documents on the basis of the program agreed by the TC at its forty-second session and the discussions at the TWP sessions in 2006. That program reflects the request of the TWA, TWF and the TWO to consider a new draft of document TGP/10/1 at their sessions in 2007.

51. At its first session on October 20, 2006, the CAJ-AG noted that the program for the development of TGP documents agreed by the TC at its forty-second session (document TC/42/5, Annex II), proposed that a draft of TGP/3 might be considered by the CAJ-AG in 2007. At that first session, the CAJ-AG concluded that it would be difficult to find agreement on any text which suggested that plant material needed to be in existence for a variety to be taken into account for distinctness. In particular, concern was raised with regard to a situation where a breeder reproduced a previous crossing program in order to “re-breed” an extinct variety. In that respect, the breeder might be considered to be the breeder of the variety and might be able to protect a previously extinct variety unless the existence of that variety was considered to be a matter of common knowledge. The CAJ-AG noted that the General Introduction already provided clear guidance with respect to the term “common knowledge”. On that basis, the program of development for TGP documents set out in Annex IV to this document does not anticipate any further work on TGP/3.

*52. The TC is invited to consider the program for the development of TGP documents as set out in Annex IV to this document.*

[Annexes follow]

## ANNEX I

## PROPOSED REVISIONS TO TGP/7/1

*Section 2: Procedure for the Introduction and Revision of UPOV Test Guidelines*

2.2.4	<p>consideration to be given to introducing deadlines for the submission of non-final draft Test Guidelines to the Technical Working Parties.</p> <p>(TWA: document TWA/34/14, paragraph 36)</p>
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*Annex 1: TG Template*

3.5 / ASW 7	<p><i>3.5 Number of Plants / Parts of Plants to be Examined</i></p> <p>Paragraph 3.5 to be moved within Section 4.1 “Distinctness”, to clarify that this section recommends the number of plants / parts of plants to be examined for distinctness. In addition, ASW 7 to be amended to the following:</p> <p><u>“ASW 7 (Chapter 3.5) – Number of plants / parts of plants to be examined</u></p> <p>Alternative 1:</p> <p>Unless otherwise indicated, all observations should be made on {x} plants or parts taken from each of {x} plants.</p> <p>Alternative 2:</p> <p>Unless otherwise indicated, all observations should be made on {x} plants or parts taken from each of {x} plants. In the case of observations of parts of plants, the number of parts to be taken from each of the plants should be {y}.”</p> <p>(Mrs. Beate Rücker (Germany))</p>
6.3	<p><u>Quantitative characteristics</u></p> <p>the Test Guidelines should explain the use of the 3, 5, 7 abbreviated notes in the 1-9 scale for quantitative characteristics.</p> <p>(TWV: document TWV/38/9, paragraph 57)</p>

*Annex 2: Additional Standard Wording (ASW) for the TG Template*

ASW 4: 2(b)	<p><u>(TG Template: Chapter 3.3) – Conditions for conducting the examination: Information for conducting the examination of particular characteristics: Type of observation</u></p> <p>TGP/7 to be amended according to the wording agreed for TGP/9.</p> <p>(TWA: document TWA/34/14, paragraph 40 (Table ref. 4.1.2))</p>
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ASW 4: 2(d)	<p><u>(TG Template: Chapter 3.3) – Conditions for conducting the examination: Observation of color by eye</u></p> <p>to add that the color chart and the version of the color chart used should be specified with the variety description (TWF: document TWF/35/11, paragraph 54)</p>
ASW 9	<p>to be modified because it would not be appropriate to test stability by growing a further generation for cross-pollinated varieties. Also proposed that the text "... to ensure that it exhibits the same characteristics as those shown by the previous material supplied." should be amended to read "... to ensure that it exhibits the same characteristics as those shown by the initial material supplied."</p> <p>(see document TC/42/12 "Report", paragraph 103)</p>
ASW 16	<p><u>(TG Template: Chapter 10: TQ 7.3) – Where a photograph of the variety is to be provided</u></p> <p>to add text indicating that guidance would be provided by the authority to enhance the usefulness of the photograph (e.g. to include a metric scale in the picture, to define what parts of the plant should be included; light conditions, background color, etc)</p> <p>(see document TGP/9/1 "Examining Distinctness" Draft 6, Section 2.4.2)</p>
New 1.	<p><u>Chapter 1 of the Test Guidelines: Subject of these Test Guidelines</u></p> <p>to seek to develop Additional Standard Wording (ASW) for the following situations:</p> <ul style="list-style-type: none"> <li>(i) where there are separate Test Guidelines for different types of variety within the same genus/species (TWF: document TWF/35/11, paragraph 55);</li> <li>(ii) for Test Guidelines for rootstock varieties which do not include flower or fruit characteristics (TWA: document TWA/33/16, paragraph 31);</li> <li>(iii) for Test Guidelines covering hybrids with species / genera which are covered by other Test Guidelines (TWF: document TWF/35/11, paragraph 40).</li> </ul>
New 2.	<p><u>Chapter 3.1</u></p> <p>to provide a new Additional Standard Wording (ASW) for crops where the two independent growing cycles are recommended to be in the form of two separate plantings, e.g. "The two independent growing cycles should be in the form of two separate plantings".</p> <p>(TWA: see proposals concerning Test Guidelines for Ryegrass TG/4/8(proj.3))</p>
New 3.	<p><u>Chapter 8</u></p> <p>to provide a standard definition of time of eating maturity .</p> <p>(TWF: document TWF/35/11, paragraph 54).</p>

*Annex 3: Guidance Notes (GN) for the TG Template*

GN 19 (3)	<u>Numbers</u> requirement for numbers lower than 10 to be written and higher numbers to be indicated numerically to be deleted  (Office)
GN 20 (1)	<u>Presentation of characteristics: States of expression according to type of expression of a characteristic</u>  to clarify that adjectives such as moderately, medium, etc. (e.g. much smaller (1), moderately smaller (3), etc. / light green (1), medium green (2), etc.) should be used for pseudo-qualitative characteristics and for quantitative characteristics where there are one or more fixed states (Office in communication with Mrs. Elise Buitendag (South Africa), Coordinator of document TGP/7)
GN 20 (3)	<u>Quantitative characteristics: Explanation</u>  to explain that the notes for quantitative characteristics should be meaningful in relation to the range of variation of the characteristic and for the assessment of distinctness  (see TGP/9 “Examining Distinctness”)
GN 20 (3)	<u>Quantitative characteristics</u>  to provide guidance on the use of a scale with more than 9 notes  (TWA: document TWA/33/16, paragraph 67).
GN 20 (3)	<u>3.5 “Condensed” range</u>  to consider accepting a 3-state range where there is no fixed point, e.g. weak/medium/strong, on the basis that the second state should read “intermediate”  (TC-EDC: January 2006)

*Annex 4: Collection of Approved Characteristics*

Introduction	to be clarified that characteristics contained in adopted UPOV Test Guidelines may be omitted from the “Collection of approved characteristics” (document TGP/7, Annex 4) where considered appropriate by the TC, on the basis of recommendations by the Enlarged Editorial Committee (TC-EDC)  (TWA: document TWA/34/14, paragraph 15)
	to explain that the indication of the characteristic number, the method of observation, type of characteristic and the indications of (+) and (*) had been retained from the Table of Characteristics from which the characteristic had originated, but to clarify that that information might not be appropriate for other Test Guidelines  (TWA: document TWA/34/14, paragraph 16)

	<p>to explain to drafters of Test Guidelines that, for characteristics where any element of the characteristic is changed after copying from the collection, the translations into French, German and Spanish should be deleted</p> <p>(TWV: document TWV/38/9, paragraph 40)</p>
Collection	<p>examples of color characteristics developed in conjunction with TGP/14 Section 2.3: “Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents: Botanical Terms: Color” to be incorporated into TGP/7: Annex 4 “Collection of Approved Characteristics”. (It was noted that that might require the organization of the TGP/7 to be modified to some extent.)</p> <p>(TWF: document TWA/36/8, paragraph 35)</p>
	<p>to consider incorporating characteristics which are used in most Test Guidelines (e.g. Leaf: length) into the electronic template. To consider developing electronic templates for variety types (e.g. seed-propagated vegetables) which would incorporate more standard characteristics for the varieties concerned</p> <p>(TWV: document TWV/38/9, paragraph 40)</p>
	<p>to consider including a collection of approved illustrations and to consider making that collection available to breeders to assist in their applications for PBR. (see also TGP/14 Section 2.1: Plant shapes)</p> <p>(TWO: document TWO/38/12, paragraph 60)</p>
	<p>to consider the development of tools such as CD-ROMs containing photographs to enhance the understanding of the characteristics used in the Test Guidelines and thereby reduce observer error</p> <p>(TWA: document TWA/34/14, paragraph 54)</p>

[Annex II follows]



## ANNEX II

Overview of TGP/8 “Trial Design and Techniques Used in the Examination of  
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ANNEX III

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2. Developing shape-related characteristics
3. Shape illustrations

II: Structure

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III: Definitions for Shape and Structure Terms

Subsection 3: COLOR

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**Section 3: Statistical Terms**

**INDEX OF ALL TERMS**

[Annex IV follows]

TC/43/5  
ANNEX IV

Ref.	Title of document	Current approved* documents	Drafter (TWP)	Drafter (Name)	Interested Experts	2006								2007				2008			
						TC-EDC	TC	TWV	TWC	TWA	TWF	TWO	CAJ (Oct.)	TC-EDC	TC	TWPs	CAJ	TC-EDC	TC	TWPs	CAJ
TGP/0	List of TGP Documents and Latest Issue Dates	TGP/0/1 ADOPTED																			
TGP/1	General Introduction with Explanations	-	Office			---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
TGP/2	List of Test Guidelines Adopted by UPOV	TGP/2/1 ADOPTED																			
TGP/3	Varieties of Common Knowledge	C(Extr.)/19/2 Rev.	Responsibility of CAJ			---	---	---	---	---	---	CAJ-AG	---	---	---	---	---	---	---	---	
TGP/4	Constitution and [Maintenance] / [Management] of Variety Collections					draft 5	draft 6	draft 7	draft 7	draft 7	draft 7	draft 7	draft 7	draft 8	draft 9 / Approve	---	draft 9 / Approve				
TGP/5	Experience and Cooperation in DUS Testing											CAJ-AG									
	Model Administrative Agreement for International Cooperation in the Testing of Varieties	Section 1/1 Adopted												Section 1/2 draft 1	Section 1/2 draft 2	Section 1/2 draft 2	Section 1/2 draft 2	Section 1/2 draft 3	Section 1/2 draft 4 / approve	Section 1/2 draft 4 / approve	
	UPOV Model Form for the Application for Plant Breeders' Rights	Section 2/1 Adopted												Section 2/2 draft 1	Section 2/2 draft 2	Section 2/2 draft 2	Section 2/2 draft 2	Section 2/2 draft 3	Section 2/2 draft 4 / approve	Section 2/2 draft 4 / approve	
	Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights	Section 3/1 Adopted																			
	UPOV Model Form for the Designation of the Sample of the Variety	Section 4/1 Adopted												Section 4/2 draft 1	Section 4/2 draft 2	Section 4/2 draft 2	Section 4/2 draft 2	Section 4/2 draft 3	Section 4/2 draft 4 / approve	Section 4/2 draft 4 / approve	
	UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results	Section 5/1 Adopted												Section 5/2 draft 1	Section 5/2 draft 2	Section 5/2 draft 2	Section 5/2 draft 2	Section 5/2 draft 3	Section 5/2 draft 4 / approve	Section 5/2 draft 4 / approve	
	UPOV Report on Technical Examination and UPOV Variety Description	Section 6/1 Adopted												Section 6/2 draft 1	Section 6/2 draft 2	Section 6/2 draft 2	Section 6/2 draft 2	Section 6/2 draft 3	Section 6/2 draft 4 / approve	Section 6/2 draft 4 / approve	
	UPOV Interim Report on Technical Examination	Section 7/1 Adopted												Section 7/2 draft 1	Section 7/2 draft 2	Section 7/2 draft 2	Section 7/2 draft 2	Section 7/2 draft 3	Section 7/2 draft 4 / approve	Section 7/2 draft 4 / approve	
	Cooperation in Examination	Section 8/1 Adopted																			
	List of Species in Which Practical Knowledge has Been Acquired or For Which National Test Guidelines Have Been Established	Section 9/1 Adopted																			
	Notification of Additional Characteristics	Section 10/1 Adopted																			
	Examples of contracts / agreements between authorities and breeders													Review Discuss	Review [Draft 1]	[Draft 1]	Review [Draft 2]	Review [Draft 3]	Review [Draft 3]		
TGP/6	Arrangements for DUS Testing	TGP/6/1 ADOPTED																			
TGP/7	Development of Test Guidelines	TGP/7/1 ADOPTED																		draft 1 revisions	
TGP/8	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Coordinator: Office / TWC Chairperson)					draft 2	draft 3	draft 4	draft 4	draft 4	draft 4	draft 4	---	draft 5	draft 6	draft 7		draft 8	draft 9	draft 10	
TGP/9	Examining Distinctness (Coordinator: Office)					draft 5	draft 6	draft 7	draft 7	draft 7	draft 7	draft 7	draft 8	draft 9 / Approve	---	draft 9 / Approve					
TGP/10	Examining Uniformity (Coordinator: Office)	TC/33/7; TC/34/5				draft 2	draft 3	draft 4	draft 4	draft 4	draft 4	draft 4	draft 5	draft 6	draft 7			draft 8	draft 9 / approve	draft 9 / approve	
TGP/11	Examining Stability (Coordinator: Office)					---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
TGP/11.1	Examination of Stability and "Verification"		TWV	Mr. Semon (OZ)		---	---	draft 1	---	---	---	---	---	---	draft 2	---	draft 3	---	draft 4	draft 5	draft 6
TGP/12	Special Characteristics (Coordinator: Office)					---	---	---	---	---	---	---	---	draft 1	draft 2	---	---	draft 3	draft 4 / approve	---	---
Section 1	Characteristics Expressed in Response to External Factors					draft 1	draft 2	draft 3	draft 3	draft 3	draft 3	draft 3	---	draft 4							
Section 2	Chemical Constituents: Protein Electrophoresis		TWA	Mr. Camlin (GB) / Mr. Guard (FR)										draft 2							
Section 3	Examination of Combined Characteristics Using Image Analysis		TWC	Mr. Law (GB)		---	---	---	to discuss	---	---	---	---	draft 1							
TGP/13	Guidance for New Types and Species (Coordinator: Mr. Kwakkenbos (OZ))		TWO	Mr. Kwakkenbos (OZ)	TWA: Mr. Camlin; TWF: Mr. Barnaby (NZ) / Mr. Barrientos-Priego	draft 4	draft 5	draft 6	draft 6	draft 6	draft 6	draft 6	---	draft 7	draft 8	draft 9	---	draft 10	draft 11 / approve	draft 11 / approve	
TGP/14	Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents (Coordinator: Office)					---	---	---	---	---	---	---	---	draft 1	draft 2	draft 3	---	draft 4	draft 5	draft 6	---
Section 1	Technical Terms		Office			---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
Section 2	Botanical Terms: (Coordinator: Mrs. Buitendij (ZA))					---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
2.1 & 2.2	Plant shapes [and structures]		TWF	Mrs. Buitendij (ZA)	TWF: Mr. Barnaby (NZ); Mr. Barrientos-Priego (MX); Mr. Bergamini (IT); Ms. Lean (GB); TWF: Mr. Sergio Semon (OZ); TWF: Mr. Bar-Tel (IL); Ms. Scott (GB) + Chairpersons	---	---	draft 5	draft 5	draft 5	draft 5	draft 5									
2.3.1	Color: Color characteristics		TWO	Mr. Kwakkenbos (OZ)		---	---	draft 2	---	---	draft 2	draft 2									
2.3.2	Color: Color groups		TWO	Ms. Menne (DE)		---	---	draft 4	---	---	draft 4	draft 4									
Section 3	Statistical Terms		TWC / TWA	Mr. Keizer (NL)	Mr. Hossain (AU) / Mr. Roberts (GB)	---	---	---	draft 3												
TGP/15	New Types of Characteristics (Coordinator: Office)					---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	