



TC/44/9

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

TECHNICAL COMMITTEE

Forty-Fourth Session
Geneva, April 7 to 9, 2008

PUBLICATION OF VARIETY DESCRIPTIONS

Document prepared by the Office of the Union

1. At its forty-third session, held in Geneva, from March 26 to 28, 2007, the Technical Committee (TC) noted the report on developments in the *Ad hoc* Working Group on the Publication of Variety Descriptions (WG-PVD), Administrative and Legal Committee (CAJ) and the Technical Working Parties (TWP), as presented in document TC/43/9.
2. The TC considered the list of criteria for the use of descriptions obtained from different locations and sources, as set out in the Annex to document TC/43/9, and agreed to the amendments proposed in paragraphs 17 and 18 of document TC/43/9. On that basis, the list of criteria for consideration by the TWP for the use of descriptions obtained from different locations and sources is as follows:
 - (a) to consider the species for which they see a real interest in creating an international database with variety descriptions;
 - (b) to specify the aim and benefits expected;
 - (c) to select the characteristics for which descriptions should be published;
 - (d) to specify for each characteristic the degree of harmonization already achieved or aimed at (in the latter case, to specify if actions should be planned in order to improve the level of harmonization: ring tests, revision of the description of the way of observation in the guideline, ...);

- (e) to study the pertinence of a “regional approach”, rather than an “international approach” (to consider groups of countries and to compare descriptions within those groups only);
 - (f) to propose minimum distances when making comparisons of data, for the relevant characteristics;
 - (g) to list the countries which would contribute to the publication;
 - (h) to consider the type of access (free or restricted to the contributors); and
 - (i) to consider the cost of any project.
3. The TC noted that the work in the TWV would be reported at the forty-fourth session of the TC and agreed that no further meeting of the WG-PVD should be arranged unless or until specific proposals were developed for the consideration of the WG-PVD by the TC or by a TWP.
4. This document presents a summary of the discussions in the TWPs at their sessions in 2007.

Technical Working Party for Agricultural Crops

5. At its thirty-sixth session, held in Budapest, Hungary, from May 28 to June 1, 2007, the Technical Working Party for Agricultural Crops (TWA) considered document TWA/36/6.
6. The representative of ESA recalled that he had tried to raise enthusiasm for the project to consider the publication of variety descriptions, and reluctantly accepted that the project would not be taken further for the time-being.
7. The TWA noted that there were significant problems in harmonizing variety descriptions at the international level, which was also leading to a discussion on the role of example varieties in the UPOV Test Guidelines.
8. The Chairperson invited experts to provide information on ring-tests. The expert from the Community Plant Variety Office of the European Community (CPVO) reported that the CPVO was coordinating a project on wheat, involving 7 member States of the European Community: the main aim of that project was to seek to harmonize the assessment of uniformity. Discussions would also take place concerning the assessment of uniformity of triticale varieties. An expert from Poland noted the value of both ring tests and technical visits. An expert from the Republic of Korea recalled the project concerning ring tests for rice between China, Japan and the Republic of Korea and that a report on that project would be made later in the TWA session. He noted that the ring test had been very useful and reported that an exchange of crop experts between those countries was also planned for rose in July. An expert from the Czech Republic noted that the lack of a legal basis for ring tests could make it difficult to justify the organization of the necessary field meetings.
9. The expert from Australia reported that the publication of variety descriptions was a legal requirement in Australia and requested information on the situation for other members of the Union. An expert from Canada explained that Canada published the descriptions of varieties at the examination phase on its website, but that was not a legal requirement. The expert from Argentina reported that Argentina published descriptions of varieties of soybean and wheat, but that was not a legal requirement. The expert from the CPVO reported that the CPVO was involved in a pilot project where the descriptions of varieties of barley, pea and, in the future, wheat, were provided on a restricted part of the website with access for technical

examination officers. The Chairperson noted that that initiative was relevant in relation to ring-tests and reference collections. An expert from the Netherlands explained that any person could request the description of a variety and could subscribe to receive that information on a periodical basis. He explained that requests were most frequently received for descriptions of varieties of vegetables. The Chairperson explained that, in Germany, the variety files were publicly available. She also reported that they had received requests for descriptions of varieties for consideration as a similar variety in relation to the examination of the distinctness of a candidate variety in another territory.

Technical Working Party for Vegetables

10. At its forty-first session, held in Nairobi, Kenya, from June 11 to 15, 2007, the Technical Working Party for Vegetables (TWV) considered document TWV/41/6.

11. The TWV agreed that the survey in respect of the use of grouping and other characteristics for tomato in a regional approach in the European Community (see document TWV/41/6, Annex), demonstrated that it would be useful for the partial revision of the Test Guidelines for Tomato (document TG/44/10), which was scheduled to be considered by the TWV at its forty-second session, to include a review of the allocation of grouping, Technical Questionnaire and asterisked characteristics.

12. It was agreed that the experts from France would conduct a survey amongst interested experts from UPOV members on the use of grouping, Technical Questionnaire and asterisked characteristics in pea, for consideration in the revision of the Test Guidelines for Pea.

Technical Working Party for Ornamental Plants and Forest Trees

13. At its fortieth session, held in Kunming, China, from July 2 to 6, 2007, the Technical Working Party for Ornamental Plants and Forest Trees (TWO) noted the report on developments provided in document TWO/40/6.

Technical Working Party for Fruit Crops

14. At its thirty-eighth session, held in Jeju, Republic of Korea, from July 9 to 13, 2007, the Technical Working Party for Fruit Crops (TWF) noted the information provided in document TWF/38/6.

Technical Working Party on Automation and Computer Programs

15. At its twenty-fifth session, held in Sibiu, Romania, from September 3 to 6, 2007, the Technical Working Party on Automation and Computer Programs (TWC) noted the information provided in document TWC/25/6.

16. During its discussions on developments within UPOV concerning molecular techniques, an expert from United Kingdom reported on a project on oilseed rape, financed by the CPVO. He explained that, in that project, the biggest problems in harmonization had been with morphological data rather than with molecular data. An expert from France reported that a database containing descriptions of maize varieties from France, Germany and Spain had been developed. It was explained that the degree of consistency of descriptions from one location to another varied from characteristic to characteristic: for some characteristics, the descriptions were very consistent, whereas in others there was insufficient consistency to

provide useful information for other locations. The experts from France and Germany explained that that database had proved to be very useful for the management of reference collections and had resulted in greater efficiency in the work at the national level. They reported that the database could incorporate data from other countries and could be used for other crops.

17. The TWC agreed to invite experts from France, Germany and Spain to make a presentation at the next session of the TWC on the development and operation of the maize database and the benefits which it offered for the participating partners. In that respect, it agreed that such a presentation would be an important opportunity to provide information to other UPOV experts on the issues which the participating countries had faced in developing the database, which could then help other experts wishing to pursue a similar initiative, as well as offering the possibility to consider if there might be other partners which it might be beneficial to include in the maize database in future. The TC is invited to note that this matter is also reported under agenda item 8 “Molecular techniques” (see document TC/44/7, paragraphs 48 and 49).

18. The TC is invited to note the discussions which took place in the TWPs.

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