



TC/44/12

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DATE: April 9, 2008

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

TECHNICAL COMMITTEE

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

REPORT ON THE CONCLUSIONS

adopted by the Technical Committee

Opening of the session

1. The Technical Committee (TC) held its forty-fourth session in Geneva from April 7 to 9, 2008. The list of participants is reproduced in Annex I to this report.
2. The session was opened by Mr. Chris Barnaby (New Zealand), Chairperson of the TC, who welcomed the participants, especially those from Dominican Republic and Turkey, which had become members of the Union since the forty-third session of the TC. He noted that Spain had acceded to the 1991 Act of the UPOV Convention since the forty-third session.

Adoption of the Agenda

3. The TC adopted the agenda as presented in document TC/44/1.

Report on developments in UPOV including relevant matters discussed in the last sessions of the Administrative and Legal Committee, the Consultative Committee and the Council

4. The Vice Secretary-General provided an oral report on the fifty-fifth and fifty-sixth sessions of the Administrative and Legal Committee (CAJ), the seventy-third and

the seventy-fourth sessions of the Consultative Committee as well as the twenty-fourth extraordinary session and the forty-first ordinary session of the Council.

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

5. 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), the Technical Working Party for Vegetables (TWV) and the *Ad hoc* Crop Subgroups on Molecular Techniques (Crop Subgroups) for Maize, Potato and Rose. The TC noted that no session of the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) had been held since the forty-third session of the TC.

Matters arising from the Technical Working Parties

6. The TC considered documents TC/44/3 and TC/44/3 Add..

I. MATTERS FOR INFORMATION AND FOR A POSSIBLE DECISION TO BE TAKEN BY THE TECHNICAL COMMITTEE

Test Guidelines

7. The TC noted the practical guide for drafters of Test Guidelines (Practical Guide) presented in document TC/44/3, Annex I. It also noted the creation of a new web page (TG webpage) which was accessible by a password issued to all Leading Experts.

8. The TC discussed the possible establishment of a list of experts willing to provide guidance in the development of authority test guidelines and agreed to consider that matter in its discussion on items to be considered in the revision of document TGP/7 “Development of Test Guidelines”.

9. The TC agreed to recommend to the Technical Working Parties (TWPs), at their sessions in 2008, to consider the results of the shape exercise, as presented in document TWV/41/10 Rev., in conjunction with their discussions on document TGP/14 and agreed to the organization of a meeting to discuss the development of TGP/14/1 Section 2, Subsection 3 “Color” on May 30 and 31, 2008.

10. The TC agreed to request the TWA to consider document BMT-TWA/Maize/2/8 with regard to the discriminatory power of morphological characteristics.

Matters arising after the grant of a breeder’s right

11. The TC noted the TWV proposal for the possible development of a document to provide guidance on matters concerning distinctness, uniformity, stability and novelty which are

brought to the attention of an authority after the grant of a breeder's right and the status and use of the "official" variety description. The TC also noted the comments of the TC-EDC that there would be practical advantages in dealing with all aspects of stability in a single document and the proposal of the TC-EDC that the TC, in conjunction with the CAJ, might consider an amendment to the title of TGP/11, with the document being clearly separated into two parts:

- Part I: Examining Stability (Article 12 "Examination of the Application", of the 1991 Act of the UPOV Convention)
- Part II: Stability after the grant of a breeder's right (Article 22(1) "Cancellation of the Breeder's Right", of the 1991 Act of the UPOV Convention)

12. The TC agreed that the view of the CAJ should be sought with regard to whether it would be appropriate to pursue those proposals.

Exchangeable software and database to search for TWC working documents

13. The TC agreed that, as proposed by the TWC, the title of the database to search for TWC working documents should be amended to "Database to research TWC working documents" and agreed that a warning on the status of the documents and the purpose of the database should be automatically presented at each opening of the database. It also agreed that the CDs containing the database should only be distributed to the participants at the relevant TWC session. The TC noted that the TWC had confirmed the value of the database as a tool for TWC experts to develop new methods.

14. The Chairman proposed that, in order for information on exchangeable software to be more accessible to members of the Union and to facilitate regular updating, it might be appropriate to present information, on an annual basis, in a TC document similar to document TC/44/4 "List of genera and species for which authorities have practical experience in the examination of distinctness, uniformity and stability". That document could provide members of the Union with information on the existence and availability of software. He proposed that the document should include software concerning, for example, databases of images / photographs, image analysis etc.. It was further proposed that the software should be presented and discussed at a TWC session prior to inclusion in the document. The TC agreed with the proposal and requested the TWC to formulate the structure and content of the document for consideration by the TC at its forty-fifth session.

Chairmanship of the Technical Working Parties

15. The TC noted that the terms of office for the Chairpersons of the TWP's and the BMT would expire with the ordinary session of the Council in 2008. As suggested by the respective TWP, the TC proposed to the Council that it elect, in its session in October 2008, the following persons as Chairpersons for the period 2009-2011:

- TWA: Mr. Dirk Theobald (European Community)
- TWC: Mr. Gerie van der Heijden (Netherlands)
- TWF: Mrs. Bronislava Bátorová (Slovakia)
- TWO: Ms. Andrea Menne (Germany)
- TWV: Mrs. Radmila Safarikova (Czech Republic)

II. MATTERS FOR INFORMATION

16. The TC noted the matters for information provided in document TC/44/3.

TGP documents

17. The TC considered documents TC/44/5 and TC/44/11.

(a) TGP documents to which the Technical Committee has given highest priority:

TGP/4: Constitution and Maintenance of Variety Collections

18. The TC proposed the adoption of document TGP/4/1 by the Council at its twenty-fifth extraordinary session, to be held in Geneva on April 11, 2008, on the basis of document TGP/4/1 Draft 10, amended as follows:

1.4	to add the following sentence (copied from Section 3.1.2.1) at the end of Section 1.4 of the Introduction: “For the purposes of this document, maintenance of living plant material refers to the way the living plant material is maintained in storage (e.g. seed) or under cultivation (e.g. vegetatively propagated varieties).”
2.2.2.1 (iv)	to amend to read: “(iv) any list including varieties which are publicly available within plant collections (varieties included in genetic resource collections, collection of old varieties, etc.);”
3.1.2.2.2	last sentence to be updated according to the title of document TGP/5, Section 11
3.1.2.2.3	to delete “: e.g. to verify the identity of material obtained on the market,”.

TGP/9: Examining Distinctness

19. The TC noted that the Council, at its twenty-fifth extraordinary session, to be held in Geneva on April 11, 2008, would be invited to adopt document TGP/9/1 on the basis of document TGP/9/1 Draft 10.

TGP/10: Examining Uniformity

20. The TC considered document TC/44/11 in conjunction with document TGP/10/1 Draft 9.

21. With regard to applications covering a combination of lines, as considered in document TC/44/11, the TC noted the discussions in the TWPs and noted that the conclusions of the TWPs were reflected in the proposals concerning document TGP/10/1 Draft 9, Section 1.2 (Introduction) and Section 2.4 “Segregating characteristics”. It agreed that further specific examples might be put forward by for consideration by the TWPs at their sessions in 2008,

and subsequently by the TC at its forty-fifth session. However, it agreed that the title of any future agenda item and document should be “Combination of lines or varieties”.

22. The TC proposed the adoption of document TGP/10/1 by the Council at its forty-second ordinary session, to be held in Geneva on October 30, 2008, on the basis of document TGP/10/1 Draft 9, amended as follows:

4.2.3.3	to read “In cases where there is still uncertainty at the end of a growing cycle about whether or not a plant is an off-type, in particular concerning the genetic basis or otherwise of atypical expression, the variety could be observed in a further growing cycle. This can be carried out on the existing material for a second cycle, or on new material. Depending on the circumstances, new plants or plant material may be requested from the breeder and/or plants may be propagated from existing DUS trial material, <u>including from the plants with atypical expression</u> . That would also allow measures to be taken concerning the phytosanitary status of the material, if that was considered to be a possible cause of the atypical expression. In cases where a new batch of plants is requested, a sample of the original material should be retained, where possible, to check the conformity of the new material with the original material.”
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23. The TC noted that the French, German and Spanish language versions of document TGP/10/1 Draft 9, as amended above, would be checked by the respective language experts of the Editorial Committee before submission to the Council for adoption.

(b) Revision of TGP documents:

TGP/5: Experience and Cooperation in DUS Testing

24. The TC proposed that all sections of document TGP/5 should be reviewed with regard to the possibility of confusion arising from their application to use in relation to official registers, for example, of varieties admitted to trade (e.g. National List, Official Catalogue etc.).

25. The TC made the following proposals concerning the Introduction and Sections 1, 2, 4, 5, 6, 7 and 11 of document TGP/5:

Introduction Draft 2: Introduction

	no comments
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Section 1/2 Draft 5: Model Administrative Agreement for International Cooperation in the Testing of Varieties;

	no comments
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Section 2/2 Draft 5: UPOV Model Form for the Application for Plant Breeders' Rights;

General	the TC agreed that it would be important to consider the outcome of the discussions of the electronic application systems meeting before finalizing document TGP/5 Section 2/2, in particular with regard to the structure and layout of the form, on the basis that it might be appropriate to make further modifications to facilitate harmonization in electronic applications.
Box (before 1.)	to delete “with the following State or Intergovernmental Organization” and to move the remaining text in this part of the form to Item 7, with any consequential editorial amendments.
1. (a)	to delete “(Breeder)”, whilst retaining footnote “ ² ”
5. (a)	to delete the tick box and to present the text “To the best of my/our knowledge there is no other person who bred, or discovered and developed the variety” as a statement, either as a new subparagraph 5. (b), or within Item 9.
9. (a)	to amend to read as follows: <div style="margin-left: 40px;"> <input type="checkbox"/> has already been completed in _____ <div style="margin-left: 100px;">date completed: _____</div> <input type="checkbox"/> is in progress in _____ <div style="margin-left: 100px;">date started: _____</div> <input type="checkbox"/> has not yet been carried out _____ </div>
B Item 3	(i) to consider the deletion of “In respect of period of protection, fees or conditions for obtaining protection in respect of the applicant’s nationality, place of residence or registered offices” from Item 3.1 (b) (ii) to consider the use of separate paragraphs to address technical and legal considerations; (iii) to consider amending “law” to cover situations where the genera and species are specified in, for example, regulations; and (iv) to use paragraph numbering 3.1.1, 3.1.2 etc. instead of (a), (b) etc.
B Item 8.4	to amend the text to clarify that “prior commercial use” refers to commercial use prior to the filing of the application.

Section 4/2 Draft 5: UPOV Model Form for the Designation of the Sample of the Variety;

1.	tick boxes to read as follows: <div style="margin-left: 40px;"> <input type="checkbox"/> has already been completed in _____ <div style="margin-left: 100px;">date completed: _____</div> <input type="checkbox"/> is in progress in _____ <div style="margin-left: 100px;">date started: _____</div> <input type="checkbox"/> is to be performed in _____ </div>
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Section 5/2 Draft 5: UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results;

	no comments
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Section 6/2 Draft 5: UPOV Report on Technical Examination and UPOV Variety Description;

<i>UPOV Report on Technical Examination</i>	
16. (a)	to amend “Other variety from which it is not distinct (if applicable)” to read “Variety(ies) from which ...”
16. (b)	to replace line “.....” with “are provided in an annex to this report”
16. (c)	to replace line “.....” with “are provided in an annex to this report”
16. (d)	to replace “the annex” with “an annex” and to delete “, for which there may be an additional cost”
<i>UPOV Variety Description</i>	
15.	15. header line to be moved above column header row
17.	to add “(if appropriate)” after “Photograph”

Section 7/2 Draft 5: UPOV Interim Report on Technical Examination;

16.	to include “no plant material received”, “requirements for plant material not met” and “test failed, observations” as examples of general information to be provided in Item 16.
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Section 11/1 Draft 3: Examples of Policies and Contracts for Material Submitted by the Breeder.

	no comments
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TGP/7 “Development of Test Guidelines”

26. The TC noted the proposals made with regard to the revision of document TGP/7/1, as set out in Annex II to document TC/44/5, and agreed that the following additional proposals should be included for discussion in relation to the revision of document TGP/7/1:

- (i) to consider the possible inclusion of the matters covered in Section 6 “Combining observations for all characteristics” of document TGP/10 (see document TC/43/12 “Report on the Conclusions”, paragraph 25);
- (ii) to discuss the inclusion of example varieties in Test Guidelines (see document TWA/36/10 “Report”, paragraph 50);

(iii) to consider developing a more detailed section within TGP/7 for guidance on the development of an authority's own guidelines in the absence of UPOV Test Guidelines and, in particular, to include the possibility of providing a list of experts willing to provide guidance in the development of such guidelines (see document TWV/41/13 "Report", paragraph 80);

(iv) to consider the possibility of introducing a table of trade names associated with the denominations of the example varieties (see document TWO/40/10 "Report", paragraph 58);

(v) to review the wording of ASW 9 (TG Template: Chapter 4.3.2) – Stability assessment: general):

“Where appropriate, or in cases of doubt, stability may be tested, either by growing a further generation, or by testing a new [seed or plant] stock to ensure that it exhibits the same characteristics as those shown by the previous material supplied.”,

with a view to the possible deletion of “, either by growing a further generation, or” for some Test Guidelines, such as those covering synthetic varieties. In that respect, it is noted that the wording in ASW 9 is reproduced from the General Introduction, Chapter 7.3.1.2 (TC-EDC at its meeting on January 8, 2008);

(vi) to review whether ASW 4(1.) “Fruit species”, and similar such explanations concerning satisfactory growing cycles, should be included in Chapter 3.1 of the Test Guidelines “Number of Growing Cycles”. It noted that a consequential change would also need to be made to GN 9 (TC-EDC at its meeting on January 8, 2008);

(vii) to consider whether it would be useful to make reference in document TGP/7 to the “drafters kit”, including the “Practical Guide for Drafters (Leading Experts) of UPOV Test Guidelines”, posted on the first-restricted area of the UPOV website (see document TC/44/3); and

(viii) to consider whether the revision of Test Guidelines might not fully follow the guidance on the presentation of characteristics in document TGP/7 if that would involve substantial revision of databases of variety descriptions, which would not otherwise be necessary.

(c) Other TGP documents:

TGP/8: Use of Statistical Procedures in DUS Testing

27. The TC considered the proposed structure and content of document TGP/8/1 Draft 9 and agreed the following:

Section II	(i) methods used for distinctness to be placed before methods used for uniformity; (ii) to invite the TWPs to advise if there is a need for additional off-type tables to cover new combinations of population standards and acceptance probabilities;
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	<p>(iii) to provide a weblink to the International Seed Testing Association (ISTA) “seedcalc” method for calculating Type I and Type II errors;</p> <p>(iv) to structure the section into separate sections on parametric and non-parametric methods and to include further methods for non-parametric methods, to be drafted by Australia;</p> <p>(v) for each of the statistical methods included in document TGP/8, to provide an explanation of the requirements for its application and the situations where it would be appropriate to apply the method;</p> <p>(vi) to invite the TWPs to consider if it would be necessary to conduct a comparison of the results of different statistical methods as a condition for their inclusion in TGP/8; and</p> <p>(vii) to consider including statistical methods for very small sample sizes, subject to suitable methods which are in use by members of the Union being provided.</p>
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TGP/11: Examination of Stability

28. The TC considered document TGP/11/1 Draft 4. It recalled that it had agreed to invite the CAJ to consider an amendment to the title of TGP/11 (see paragraph 11) and did not have any further comments on document TGP/11/1 Draft 4 in detail.

TGP/12: Special Characteristics

29. The TC considered document TGP12/1 Draft 4 and agreed the following:

1.2.2	to invite the TWPs, in particular the TWV, to review the sentence “In general, for DUS purposes, ‘tolerance’ is not a suitable characteristic in relation to biotic factors.” and to modify the sentence to read “In many instances, for DUS purposes, tolerance may not be a suitable characteristic.”. As a part of the review, to consider the definition of “tolerance” for biotic factors and to consider whether it would be appropriate to explain why, in most instances, it is not used as DUS characteristic.
2.2.6 (iii)	<p>- to amend heading to read “technical requirements”; and</p> <p>- to amend the first sentence to read “The technical requirements of disease tests can, for some DUS testing authorities, be an obstacle for the use of such characteristics.”</p>

TGP/13: Guidance for New Types and Species

30. The TC considered document TGP/13/1 Draft 11 and agreed the following:

2.4.2 (i)	to read “a variety obtained by propagation from a plant originating from a population in the wild, of a species not in cultivation. [...]”
2.4.2 (ii)	to read “a variety obtained by propagation from a plant in a population of a species which is in commercial production. [...]”

2.7.3	to include a recommendation to consider the range of variation within the plant species
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TGP/14: Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents

31. The TC agreed that the TWPs, at their sessions in 2008, should consider the results of the shape exercise, as presented in TWV/41/10 Rev., in conjunction with their discussions on document TGP/14.
32. The TC agreed to the organization of a meeting to discuss the development of TGP/14/1 Section 2, Subsection 3 “Color” on May 30 and 31, 2008.
33. The TC agreed that “Section 1: Technical Terms” should be updated with relevant terms from documents TGP/4 and TGP/9 and heard that Australia would make some suggestions to the Office in that respect.
34. The TC agreed that it would consider whether to await the adoption of document TGP/8 before finalizing TGP/14, if that became necessary.

(d) Program for the Development of TGP Documents

35. The TC agreed the program for the development of TGP documents, as set out in Annex III to document TC/44/5, subject to CAJ consideration of whether to delay the adoption of the TGP/5 Sections until 2009.

Molecular techniques

36. The TC considered documents TC/44/7 and BMT Guidelines (proj.11).

Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction (“BMT Guidelines”)

37. The TC noted the comments from China, Ukraine and the United States of America incorporated in document BMT Guidelines (proj.11). It noted that a number of the comments concerned technical aspects of the BMT Guidelines and concluded that, in the first instance, those were matters which would need to be addressed by the BMT. The TC agreed that the BMT should be invited to consider those matters in the form of a new draft of the BMT Guidelines at its eleventh session, to be held in Madrid, from September 16 to 18, 2008.
38. The TC noted the request of the Consultative Committee that consideration be given to the status of documents TC/38/14 CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. with regard to their reference in the introduction of document BMT Guidelines (proj.11). The TC noted that documents TC/38/14 CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. would need to be reviewed in conjunction with discussions on the approach presented in documents BMT/10/14 and BMT TWA/2/11, as explained in document TC/44/7, paragraph 30. On that basis, it agreed that it would be appropriate to submit a revised version

of documents TC/38/14 CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. to the Council in conjunction with the BMT Guidelines.

Ad Hoc Crop Subgroups on Molecular Techniques (Crop Subgroups)

39. The TC considered the conclusions of the Crop Subgroups for Rose, Potato and Maize and agreed to:

(a) invite ISTA and OECD to make a presentation on their joint work on harmonization in the development of sets of markers which might be used for variety verification, at the eleventh session of the BMT;

(b) the proposal for the Crop Subgroup for Rose to hold its third session in conjunction with the eleventh session of the BMT, at which time the matters raised in paragraph 25 of document TC/44/7 would be considered further;

(c) to propose to the CAJ that the approach presented in documents BMT/10/14 and BMT TWA/2/11 be put forward for consideration at the BMT Review Group as a potential option for the use of molecular markers in DUS examination (see paragraphs 30 and 34 of document TC/44/7); and

(d) the proposal for the Crop Subgroup for Maize to hold its next session in late 2009, tentatively in conjunction with the maize and sorghum breeders' meeting in the United States of America, as set out in paragraph 34 of document TC/44/7.

Technical Working Parties

40. The TC noted the reports of discussions in the TWPs and approved Mr. Michael Camlin (United Kingdom) as Chairman of the Crop Subgroup for Wheat and Barley.

41. The TC noted the change of date and location of the eleventh session of the BMT, which will be held in Madrid, Spain, from September 16 to 18, 2008.

UPOV information databases

42. The TC considered document TC/44/6.

GENIE database

43. The TC noted that the GENIE database would be launched in all four UPOV languages on the freely available area of the UPOV website in 2008.

UPOV Code System

44. The TC considered document TC/44/6. It noted that there was no immediate need to allow flexibility in the species element of the UPOV code in order to cover a classification into, for example, subgenera and/or sections, between the genus and species level of classification.

45. The TC noted the information provided in the Annex to document TC/44/6 and noted that, since that report was made, Australia and Spain were providing UPOV codes for their UPOV-ROM entries and that France was providing UPOV codes for all its entries.

46. The TC noted the plans for the TWP sessions in 2008 for the checking of UPOV codes by the relevant authorities, according to the procedure set out in Section 3.3 of the Guide to the UPOV Code System (see http://www.upov.int/genie/en/upov_code.html).

47. The TC noted that the Office would need to amend a small number of UPOV codes in accordance with the procedure set out in the “Guide to the UPOV Code System”, Section 3 “Procedure for the introduction and amendment of UPOV codes” (see http://www.upov.int/genie/en/upov_code.html).

48. With regard to advice for members of the Union on the botanical classification of varieties under examination, Mr. Kees van Ettekoven (Netherlands), President of the International Association for Cultivated Plant Taxonomy (IACPT) informed the TC that the IACPT might be able to provide assistance in such matters and suggested that experts raise any requests via their website (www.iacpt.net).

49. At the proposal of the Delegation of the Republic of Korea, the TC agreed that an item on the inclusion of UPOV codes in UPOV-ROM data be included in the workshop on data handling, to be held in conjunction with the twenty-sixth session of the TWC in Jeju, Republic of Korea.

Plant Variety Database

50. The TC noted the offer of the Community Plant Variety Office of the European Community (CPVO) for assistance in the collection of data for all UPOV-ROM contributors on behalf of which it does not currently provide data (see “Memorandum of Understanding between UPOV and the CPVO” (MoU)). It was recognized that further practical guidance on how to submit data under such an arrangement would need to be provided. The TC noted that all background information concerning the data included in the UPOV-ROM, in particular the information in the “Content.pdf” document, would also be maintained by the CPVO in such an approach.

51. With regard to the general information documents which would no longer be included in the UPOV-ROM, as set out in document TC/44/6, paragraph 19, the TC agreed that the Office should specify which documents would no longer be included.

52. The TC agreed that the proposal made in document TC/44/6, paragraphs 15 to 22, and a draft revised “Memorandum of Understanding between UPOV and the CPVO” (MoU), based on that proposal, be prepared for consideration by the Consultative Committee at its seventy-sixth session, to be held in Geneva on October 29, 2008.

53. The TC noted that the introduction of a field in the Plant Variety Database to indicate the dates on which a variety was commercialized for the first time in the territory of application and other territories as provided in the UPOV Model Form for the Application for Plant Breeders’ Rights (see document TGP/5: Section 2/2 Draft 1, item 8.) was primarily a matter for the CAJ. Some delegations explained the benefits of including such information in the UPOV-ROM, whilst some delegations expressed concerns with regard to the data which would be included. It was noted that data on commercialization would, in most cases, need to

be based on information provided by the applicant and the TC agreed this aspect should be taken into account when considering such an approach.

54. The TC noted the situation concerning the development of a web-based version of the Plant Variety Database and the development of a common search platform.

Variety denominations

55. The TC considered document TC/44/8.

56. The TC received an oral report from Mr. Kees van Ettehoven (Netherlands), IACPT President, on the aims of the IACPT.

57. The TC agreed to invite the TWV to propose a clarification of Class 211, as set out in paragraphs 4 and 5 of document TC/44/8.

Publication of variety descriptions

58. The TC noted the report presented in document TC/44/9.

Preparatory workshops

59. The TC noted the report of the preparatory workshops held in 2007 and the proposals for the proposed program for 2008 as set out in document TC/44/10.

Applications covering a combination of lines

60. The TC noted that document TC/44/11 had been considered in conjunction with document TGP/10/1 Draft 9.

Vice-chairperson of the Technical Committee

61. The TC proposed to the Council that it elect, at its session in October 2008, Mr. Joël Guiard (France) as Vice-Chairperson of the TC for the term 2008 to 2010.

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

62. The TC proposed to the Council that it elect, at its session in October 2008, Mr. Andrew Mitchell (United Kingdom) as Chairperson of the BMT for the term from 2009 to 2011.

Test Guidelines

63. The TC considered document TC/44/2.

64. 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, and the linguistic changes recommended by the TC-EDC:

Document No. N°. du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
TG/16/8 Annex	Rice: example varieties (North East Asia)	Riz: exemples de variétés (Asie du Nord-Est)	Reis: Beispielssorten (Nordostasien)	Arroz: variedades ejemplo (Asia del Nordeste)	Oryza sativa L.
TG/22/10(proj.3)	Strawberry	Fraisier	Erdbeere	Fresa, Frutilla	Fragaria L.
TG/24/6(proj.3)	Poinsettia	Poinsettia	Poinsettie, Weihnachtsstern	Flor de Pascua	Euphorbia pulcherrima Willd. ex Klotzsch
TG/40/7(proj.5)	Blackcurrant, Black Currant	Cassis	Schwarze Johannisbeere	Grosellero negro, Casis	Ribes nigrum L.
TG/46/7(proj.5)	Onion, Shallot, Grey Shallot	Oignon, Échalote, Échalote grise	Zwiebel, Schalotte, Graue Schalotte	Cebolla, Chalota	Allium cepa (Cepa Group), Allium cepa (Aggregatum Group) and Allium oschaninii O. Fedtsch. and hybrids between them
TG/50/9(proj.3)	Grapevine	Vigne	Rebe	Vid	Vitis L.
TG/60/7(proj.3)	Beetroot, Garden Beet	Betterave rouge, Betterave potagère	Rote Rübe, Rote Bete	Remolacha de cocona, Remolacha de mesa, Remolacha roja	Beta vulgaris L. var. conditiva Alef., Beta vulgaris L. ssp. vulgaris var. esculenta L., Beta vulgaris L. ssp. vulgaris var. hortensis
TG/78/4(proj.4)	Kalanchoe	Kalanchoe	Flammendes Käthen	Kalancho	Kalanchoe blossfeldiana Poelln. and its hybrids
TG/85/7(proj.3)	Leek	Poireau	Porree	Puerro	Allium porrum L.
TG/152/4(proj.4)	Chamomile	Camomille	Kamille	Manzanilla	Matricaria recutita L., Chamomilla recutita (L.) Rauschert
TG/176/4(proj.3)	Osteospermum	Ostéospermum	Osteospermum	Osteospermum	Osteospermum L. and hybrids with Dimorphotheca Vaill.
TG/193/1(proj.5)	Bird's foot trefoil; Big trefoil; Broad leaf trefoil; Narrow leaf trefoil; Lotus subbiflorus	Cornette, cube, Lotier corniculé; - ; Lotier velu; Lotier des marais; - ; -	Hornschotenklee, Hornklee; - ; Sumpfschotenklee, Sumpf-Hornklee; Schmalblättriger Hornklee; -	Loto de los prados; Lotus pedunculatus; Loto de los pantanos; Lotus tenuis; Lotus subbiflorus	Lotus corniculatus L.; Lotus pedunculatus Cav.; Lotus uliginosus Schkuhr; Lotus tenuis Waldst. et Kit. ex Willd., Lotus glaber Mill.; Lotus subbiflorus Lag., Lotus suaveolens Pers.
TG/AMARAN(proj.9)	Amaranth	Amarante	Amarant, Fuchsschwanz	Amaranto	(Amaranthus L. excluding ornamental varieties)
TG/COFFEE(proj.7)	Coffee	Caféier	Kaffee	Cafeto	Coffea arabica L.; C. canephora Pierre ex A. Froehner; C. arabica × C. canephora hybrids
TG/FESTL(proj.5)	Festulolium	Festulolium	Festulolium	Festulolium, Festuca, Canuëla	×Festulolium Aschers. et Graebn.
TG/HAWTH(proj.6)	Hawthorn	Aubépine	Weißdorn	Espino, Espinero, Manzanilla, Marjoletto, Marzoletto, Tejocote	Crataegus L.
TG/HIPPH(proj.4)	Common Sea Buckthorn, Sallowthorn, Sea-buckthorn	Argasse, Argousier, Grisset	Sanddorn	Espino amarillo, Espino falso	Hippophae rhamnoides L.

Document No. N° du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
TG/NEMES(proj.3)	Nemesia	Nemesia	Nemesia	Nemesia	Nemesia Vent.
TG/PORTU(proj.4)	Portulaca, Purslane	Pourpier	Portulak	Verdolago	Portulaca oleracea L.
TG/ROCK_DIP(proj.2)	Lincoln's-weed, Sand mustard, Sand rocket, Wall rocket, Wild rocket	Roquette sauvage	Wilde Rauke	Roqueta silvestre	Diploaxis tenuifolia (L.) DC.
TG/ROCK_ERU(proj.2)	Arugula, Cultivated Rocket, Garden Rocket, Rocket-salad, Rugula, Salad Rocket	Roquette cultivée	Ölrauke, Rauke, Ruke, Rukola, Senfrauke	Oruga común, Roqueta	Eruca sativa Mill.
TG/TEA(proj.6)	Tea	Théier	Tee, Teestrauch	Té	Camellia sinensis (L.) O. Kuntze

65. With regard to the adoption of the Test Guidelines for Coffee (document TG/COFFEE(proj.7)), the TC further agreed that the adoption was subject to any further asterisked characteristics being agreed by the TWA and TWF, either by correspondence or at their respective sessions.

66. With regard to the adoption of the Test Guidelines for Poinsettia (document TG/24/7(proj.3)), the TC further agreed that the adoption was subject to any changes to the example varieties being agreed by the TWO, either by correspondence or at its forty-first session.

67. The Delegation of the Republic of Korea reported that it had identified an additional state of expression for characteristic 23 in the Test Guidelines for Onion TG/46/7(proj.5). It was agreed that that development should be considered by the TWV at its session in 2008 but that, in the meantime, the Test Guidelines for Onion should be adopted on the basis of document TG/46/7(proj.5), as amended in Annex II to this document. The TC noted that an additional state of expression could be accommodated by a partial revision of the Test Guidelines at a subsequent TC session.

68. The TC noted that the note "(3)" had been omitted from the end of the comment on Char. 9 of the comments concerning the Test Guidelines for Beetroot TG60/7(proj.3).

69. The TC noted a report from the Delegation of Japan that, at the thirty-ninth session of the TWF, to be held in 2008, there would be an item on the possibility of developing a set of example varieties for North East Asia which would then require a partial revision of the Test Guidelines for Strawberry in 2009 or 2010.

70. With regard to document TC/44/2, Annex II, the TC heard that the Leading Expert from Israel had requested that the European Community take over the role of Leading Expert for the Test Guidelines for Gypsophila. The TC agreed to that change.

List of genera and species for which authorities have practical experience in the examination of distinctness, uniformity and stability

71. The TC noted the information provided in document TC/44/4 and heard that the number

of genera and species for which members of the Union had practical experience had increased from 2,010 in 2007 to 2,179 in 2008.

72. In response to the observation of the Delegations of Spain, France and Germany, that some of the data contained in the document was not correct, the Office clarified that it was a matter for each member of the Union to notify the Office of any need for amendments. Those amendments would be made in the GENIE database as soon as possible and would subsequently be reflected in the corresponding document at the forty-fifth session of the TC.

73. The TC noted that there were some mistakes in the ISO codes and country names in pages 2 to 5 of document TC/44/4, which the Office undertook to correct in a revised version of the document.

74. The TC agreed that document TC/44/4 should be updated for the forty-fifth session of the TC.

Program for the forty-fifth session

75. The following draft agenda was agreed for the forty-fifth session of the TC to be held in Geneva in 2009:

1. Opening of the session
2. Adoption of the agenda
3. Report on developments in UPOV including 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. UPOV information databases
8. Molecular techniques
9. Variety denominations
10. Publication of variety descriptions
11. Preparatory workshops
12. Applications covering a combination of lines or varieties
13. List of exchangeable software

14. Electronic application systems
15. Test Guidelines
16. List of genera and species for which authorities have practical experience in the examination of Distinctness, Uniformity and Stability
17. Program for the forty-sixth session
18. Adoption of the report on the conclusions reached in the session (if time permits)
19. Closing of the session

76. The TC adopted this report at the close of the session.

[Annexes follow]

ANNEXE I / ANNEX I / ANLAGE I / ANEXO I

LISTE PROVISOIRE DES PARTICIPANTS / PROVISIONAL LIST OF PARTICIPANTS /
VORLÄUFIGE TEILNEHMERLISTE / LISTA PROVISIONAL 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)

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[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-FOURTH SESSION OF
THE TECHNICAL COMMITTEE (TC)

TG/22/10(proj.3)	Strawberry (Revision)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

3.5	to read “Unless otherwise indicated, all observations on single plants should be made on 20 plants or parts taken from each of 20 plants and any other observations made on all plants in the test. In the case of observations of parts taken from single plants, the number of parts to be taken from each of the plants should be 2.”
4.2.2, 4.2.3	to be combined to read “4.2.2 For the assessment of uniformity, a population standard of 1% and an acceptance probability of at least 95% should be applied. In the case of a sample size of 20 plants, 1 off-type is allowed. In the case of a sample size of 40 plants, 2 off-types are allowed.”
Char. 7	to check whether state 1 should be “absent or sparse”
Char. 13	to have the states: shorter (1); equal (2); moderately longer (3); much longer (4)
Char. 15	to delete “incisions of”
Char. 21	“VG” to be deleted
Char. 23	to read “Flower: arrangement of petals”
Char. 26	to have the states: much shorter (1); moderately shorter (2); equal (3); moderately longer (4); much longer (5)
Char. 28	to have the states: much shorter (1); moderately shorter (2); equal (3); moderately longer (4); much longer (5)
Char. 30	to amend states to “ovoid” (4); “rhomboid” (6); “obloid” (7); and “globose” (8)
Char. 31	“(+)” to be added
Char. 31, 8.1 (d)	to check whether to add note (d) and to resolve the contradictory definition of “secondary fruit” in Ad. 31 and Chapter 8.1 (d) (“secondary fruit” in relation to the terms “primary fruit” or “terminal fruit”). In Chapter 8.1 to add an explanation of whether to observe on the first crop or second crop.
Char. 40 Ad. 40	to read “Fruit: diameter of calyx in relation to diameter of fruit”
Ad. 48	to replace “runners” with “stolons”
8.1 (a)	to read “Observations on the plant and leaf which should be made on plants shortly before the beginning of fruit ripening. Observations on the leaf which should be made on a fully-developed leaves.”
8.1 (b)	to read “Observations on the stipule and the stolon which should [...]”
8.1 (c)	- to read “Observations of the inflorescence (including the flower) which should [...]”; - to explain if the observations should be done on the first or second flowering. (see also comments on 8.1 (d))
8.1 (d)	to read “Observations on the fruit which should [...]”

8.1. (d)	see comments for Ad. 31
Ad. 15	to correct “intermediate” to “serrate and crenate”
Ad. 18, 21	to replace with illustrations provided below
Ad. 33	to replace with photographs provided below
Ad. 35	to replace with photographs provided below

Ad. 18: Petiole: attitude of hairs

Ad. 21: Pedicel: attitude of hairs



1
upwards



2
slightly
outwards



3
horizontal

Ad. 33: Fruit: evenness of color



1
even or very
slightly uneven



2
slightly uneven



3
strongly uneven



Ad. 35: Fruit: evenness of surface



1
even or very
slightly uneven



2
slightly uneven



3
strongly uneven

TG/24/7(proj.3)	Poinsettia (Revision)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

2.5	to add “If it has been treated, full details of the treatment must be given.”
5.3 (c) (d) (e)	to check whether in all color groupings (also in TQ) pink should come before red
Example varieties	<ul style="list-style-type: none"> - to check whether “Fisson Piz” is widely available and, if necessary, to be replaced - to check the spelling of “Marble Star” / “Marblestar” - to check whether “Fismars White” was finally registered as “Fismars Crème” <p>Note: the TC-EDC proposed that changes to the example varieties would need to be agreed by the TWO.</p>
Char. 6	to specify “anthocyanin” coloration, or to provide explanation on how this characteristic differs from Char. 5
Char. 10	state 2 to read “deltate” and state 5 to read “rounded”
Char. 13	to read “ <u>Only varieties with one color on upper side: [...]</u> ”
Chars. 14, 15	to read “ <u>Only varieties with more than one color on upper side: [...]</u> ”
Char. 16	to read “ <u>Only varieties with more than two colors on upper side: [...]</u> ”
Char. 18	to change state 1 to “none or few” or state 2 to “intermediate”
Chars. 20	to check whether to add note (a) and/or review the wording of note (a) to read “... which should...”
Char. 23	to add underlining to “upper”
Chars. 25-28	to provide an explanation of transitional leaves
Char. 25, 26	to check whether to read “Plant: number of partly bract-colored transitional leaf blades”
Char. 27	to be indicated as QN
Char. 27	to check whether to delete note (a), or add note (a) to Chars. 25 and 26
Char. 27	example variety “Fisson Piz” is no longer produced
Char. 28	to read “Transitional leaves: curvature of main vein ...” (to be consistent with Char. 20)
Char. 31	to delete “(including petiole)”

Char. 32	- state 3 “lanceolate” to be moved before state 1 - example variety “Dueavant” to be indicated for only one state and new example variety to be provided for state 4 or 5, as appropriate
Char. 32, Ad. 32	example variety and illustration / photograph to be provided
Char. 34	to read “ <u>Only varieties with one color of upper side: [...]</u> ”
Char. 35	to read “ <u>Only varieties with more than one color of upper side: [...]</u> ”
Char. 35	to check the example varieties (i.e. to check whether Marblestar has no marbling)
Char. 36-38, 42-44	to read “ <u>Only varieties with marbling of upper side:...</u> ”
Char. 39	to be indicated as QN
Char. 41	to read “ <u>Only varieties with one color of upper side: [...]</u> ”
Char. 45	to read “ <u>Only varieties with spotting of upper side:...</u> ”
Char. 46	- to check whether to read “Bract: folding” - to check if QL, or if should be changed to QN with three states
Chars. 49, 50-52	to check whether the terms “Cyme” and “Cyathium” are correct
Ad 14-16, 36-38, 42-44	to replace with note (b) in Chapter 8.1
Ad. 25, 26, 29	to check whether to delete Ad. 29 and photographs for state 1, 2, 3
Ad. 32	photograph for state 3 to be provided
Ad. 35	to check if present and absent are indicated correctly
Ad. 46	to replace photograph for state 9 with a leaf which is not curved along the vein, or with an illustration
Ad. 49	to add line to indicate width

TG/40/7(proj.5)	Blackcurrant (Revision)
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(a) Changes to document TG/40/7(proj.4), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2008, which are already incorporated in the draft Test Guidelines (document TG/40/7(proj.5)), submitted to the TC:

Char. 2	to check whether to be indicated as QN with notes 1, 3, 5 <i>Leading Expert: to be indicated as QN, with notes 1, 2, 3</i>
Char. 5	note 1 to read “adpressed or slightly held out”
Chars. 24, 25	to use only the term “berry” or “fruit” <i>Leading Expert: to replace “berry” with “fruit” in Char. 24</i>
Ad. 24	to change “present on” to “within”
Ad. 25	(i) to explain what is meant by “representative” berries, because there is a range of berry size; (ii) to add “of fruit flesh” after “density” <i>Leading Expert: to read “Fruit size can be assessed by weight because the density of fruit flesh of all varieties is very similar. Fruit size should be determined by the weight of a minimum of 50 fruits, covering all fruit sizes present, harvested from the 5 plants.”</i>

(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines, submitted to the TC:

	no changes proposed
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TG/46/7(proj.5)	Onion, Shallot (Revision)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

page header	to check whether to change to “Onion, Echalion; Shallot; Grey Shallot” in English and corresponding changes in other languages
4.2.2	to be split and to read as follows: “4.2.2 The assessment of uniformity for cross-pollinated varieties should be according to the recommendations for cross pollinated varieties in the General Introduction.” “4.2.3 The assessment of uniformity for hybrid varieties depends on the type of hybrid and should be according to the recommendations for hybrid varieties in the General Introduction.”
5.3 (a)	to amend the wording to correspond to Chars. 10 and 11 in the Table of Characteristics
Char. 5	to check whether state 1 should be “absent or weak”.
Char. 11	to delete “ <u>Vegetatively propagated varieties only:</u> ” (see note (b))
Char. 16	to amend “top” to “stem end” and “base” to “root end”
Char. 18	state 2 to read “medium ovate”
Char. 19	to amend “top” to “stem end”
Char. 20	to amend “base” to “root end”
8.1 (b)	to read “to be judged on material directly grown from submitted bulbs or from re-planted bulbs harvested from seed-propagated varieties”
Ad. 36	to provide a table with % male sterility corresponding to notes 1, 2, 3.

TG/50/9(proj.3)	Grapevine (Vitis L.)
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(a) Changes to document TG/50/9(proj.2), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2008, which are already incorporated in the draft Test Guidelines (document TG/50/9(proj.3)), submitted to the TC:

2.2	to check whether to read: “The material is to be supplied in the form of: (a) plants on their own roots; (b) <u>rooted grafts with</u> scions grafted on a rootstock to be specified by the competent authority; (c) <u>top graft cuttings</u> budwood to produce grafted plants; or
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	(d) cuttings to produce plants on their own roots. <i>Leading Expert: agreed</i>
Char. 27	to add (+) with illustration (photograph) <i>explanation provided by Leading Expert</i>
Char. 33	to change “loose” to “lax”
Char. 42	to add further example varieties to cover all flavors other than Muscat, foxy and herbaceous <i>provided by Leading Expert</i>
Ad. 1	to check whether to change first sentence to read “The time of bud burst is when 50% of the plants are at the bud burst stage. A plant is at bud burst stage when 50% of the buds are at growth stage 09.” <i>Leading Expert: to read “The time of bud burst is when 50% of the plants are at the bud burst stage. A plant is at bud burst stage when 50% of the buds are at least at growth stage 07.”</i>
Ad. 2	to amend the boxes in state 4 and 5 to cover the same part of the plant as for states 1, 2 and 3, or to explain the positioning of the box <i>new illustration provided by Leading Expert</i>
Ad. 18	to reverse the formatting of lines: dotted lines to be made solid and solid lines to be made dotted <i>new illustration provided by Leading Expert</i>
Ad. 34	illustration to be provided <i>provided by Leading Expert</i>
8.3 and Chapter 9	to add a reference to Meier, U., 1997
8.4	(i) to check whether to add ‘Harslevelu’ as a synonym of ‘Lipovina’; <i>Leading Expert: agreed</i> (ii) to check example variety ‘Nero’ (corresponds to several varieties) <i>Leading Expert: no change</i> (iii) (at end of table) to check whether to amend “R = rose” to “Rs = rose” <i>Leading Expert: agreed</i>
TQ 5	to add header row
TQ 6	to replace “Chasselas blanc” with “Example”

(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines, submitted to the TC:

Ad. 27	to be added in French, German and Spanish versions
8.4	to check example variety ‘Moscatel de grano menudo rojo’

TG/60/7(proj.3)	Beetroot (Revision)
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(a) Changes to document TG/60/7(proj.2), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2008, which are already incorporated in the draft Test Guidelines (document TG/60/7(proj.3)), submitted to the TC:

2.3	to check whether to change “9000 seeds” to “9,000 seed clusters” <i>Leading Expert: agreed</i>
3.5	to read “Unless otherwise indicated, all observations on single plants should be made on 40 plants or parts taken from each of 40 plants and any other

	observations made on all plants in the test.”
Char. 9	to amend the states to be suitable for a quantitative characteristic <i>Leading Expert: to have the states: mainly green (1); green and red (2); mainly red (3)</i>
Char. 17	state 2 to read “transverse medium elliptic” and state 6 to read “very narrow obovate”
Char. 21	state 4 to read “depressed”
Ad. 1	to check whether to read “Germity should be observed on 200 seed clusters. Monogerm varieties are genetically monogerm and at least 90% of seed clusters lead to single plants. Seed clusters of multigerm varieties lead to less than 90% single plants.” <i>Leading Expert: agreed</i>
Ad. 21	to amend the illustrations to clarify that the “base” is at the stem end (if that is the case) and to invert the illustrations <i>Leading Expert: to amend characteristic to read “Root: shape of tip”</i>
Ad. 27	(i) second paragraph to amend text in brackets to read “(2°C minimum temperature, ventilation at 7°C and above)”; (ii) third paragraph to read “The number of bolted plants (with shoot axis elongated by more than 5 cm) should be counted at least once a week.”

(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines, submitted to the TC:

	no changes proposed
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TG/78/4(proj.4)	Kalanchoe
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(a) Changes to document TG/78/4(proj.3), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2008, which are already incorporated in the draft Test Guidelines (document TG/78/4(proj.4)), submitted to the TC:

5.3	to check whether to add the characteristics included in the Chapter 10 “Technical Questionnaire”, Section 5 <i>Leading Expert: to add Char. 31</i>
Char. 15	to indicate type of expression <i>Leading Expert: to be indicated as QL</i>
Chars. 32, 38	(i) state 4: to replace “as” with “in”; (ii) state 8: to check whether there is a better term than “brindled” <i>Leading Expert: no better term than “brindled”</i>
Char. 35	to remove underlining from “Outer”
8.1 (d)	to delete “whirl of the” from the text and “whirl of” from the illustration (twice)
Ad. 12	to add indication of flower end and add stem
Ad. 32, 38	to indicate that the illustrations are of single-flower varieties

(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines, submitted to the TC:

	no changes proposed
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TG/85/7(proj.3)	Leek (Revision)
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(a) Changes to document TG/85/7(proj.2), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2008, which are already incorporated in the draft Test Guidelines (document TG/85/7(proj.3)), submitted to the TC:

header	to correct to read “TG/85/7...”
3.5.2	to read “Vegetatively propagated varieties: unless otherwise indicated, all observations on single plants should be made on 20 plants or parts taken from each of 20 plants and any other observations made on all plants in the test.”
Char. 7	to delete the hyphens in state 1, 3 and 4
Char. 17	add (+) with explanation of how to observe male sterility and how to determine the states <i>Leading Expert: explanation to read “The observation of male sterility should be done at full flowering. Male sterility can be observed by rubbing a piece of black paper gently over the flower head: if the flowers are sterile, no pollen will be seen on the paper. In addition, in the case of male varieties, the anthers are empty and desiccate very quickly.”</i>
8.1 (a) – (e)	to be reviewed and order of characteristics in the Table of Characteristics to be amended accordingly <i>Leading Expert: to amend as follows:</i> <i>(a) observations should be made when the outer (oldest) leaf blades start to senesce;</i> <i>(b) observations on the leaf blade should be made on the fully developed leaf;</i> <i>(c) observations should be made at harvest maturity;</i> <i>(d) to be observed on plants produced by vegetative propagation;</i> <i>(note (e) to be deleted – see new Ad. 17)</i> <i>Char. 2 to be moved after Char. 10 and to replace note (a) with note (c).</i>
Ad. 11, 12, 13	to amend illustration to indicate Chars. 11 and 12
Ad. 13	to remove the line indicating shaft length
Ad. 16	to position the arrow more precisely with regard to the [top/middle/base] of the bulb <i>provided by Leading Expert</i>
TQ 4.2.1 (b), (c)	to be clarified <i>provided by Leading Expert</i>
TQ 5.4, 5.5	characteristic numbers to be corrected
TQ 5	to check whether to add Char. 17 (grouping characteristic) <i>Leading Expert: to be added with note that only relevant if the variety is vegetatively propagated</i>

(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines, submitted to the TC:

Ad. 17	to amend “male varieties” to read “male sterile varieties”
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TG/152/4(proj.4)	Chamomile (Revision)
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(a) Changes to document TG/152/4(proj.3), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2008, which are already incorporated in the draft Test Guidelines (document TG/152/4(proj.4)), submitted to the TC:

4.2.2	to read: “4.2.2 The assessment of uniformity for cross-pollinated varieties should be according to the recommendations for cross-pollinated varieties in the General Introduction.”
Chars. 4, 7; Chapter 8.1	to check whether to amend the order in accordance with the time of observation, as follows: <ul style="list-style-type: none"> • Char. 4 to be moved before Char. 2 • Char. 7 to be moved before Char. 6 • reorder (a), (b), (c) as follows: <ul style="list-style-type: none"> (a) bud stage (b) beginning of flowering (c) full flowering <i>Leading Expert: agreed</i>
Char. 5	to delete “(add.)” and “no ex. variety for”
Char. 7	to check whether to reverse the order of states to” coarse (3); medium (5); fine (7) <i>Leading Expert: agreed</i>
Char. 12	<i>Leading Expert: After reconsideration of all available results and information we propose to delete the total amount of essential oil. There is a clear genetic component but precise observation is difficult and it is too much influenced by the environment.</i>
Char. 13	<i>Leading Expert: After reconsideration of all available results and information we propose to delete the amount of chamazulene. Genetic variation is not high enough in relation to environmental effects.</i>
Char. 14, Ad. 14	States 1 to 9 do not correspond with the definition that there are 2 types of oil (high/low alpha-Bisabolol). Table with oil composition to be modified or to be deleted. Possible composition and appropriate description to be clarified. <i>Leading Expert: to read: “Flower head: content of (-)-α-bisabolol in essential oil” with 3 states of expression:</i> <ul style="list-style-type: none"> (1) low Bodegold, Camoflora, Margaritar (2) medium Promyk (3) high Manzana, Novbona, Robumille
Ad. 13, 14	to review for correspondence with characteristics 13 and 14 and to provide the necessary information on: <ul style="list-style-type: none"> - “Gas chromatography (2.2.28)” (in “Tests”) - “Figures 1836.-1 and 1836.-2” (in “System suitability”) <i>new explanation provided by Leading Expert</i>
TQ 4.2	to add “4.2.2 Other (please provide details) []”

(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines, submitted to the TC:

Ad. 12	sentence before table to read “In relation to (-)α-bisabolol, there are 3 levels:” and to amend “type” to “level” in the table.
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TG/176/4(proj.3)	Osteospermum (Revision)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

cover page	to correct to read “Dimorphotheca Vaill.” in title and “Alternative names” table
5.3(f)	to align wording with Char. 22
Char. 7	to read “Leaf: intensity of green color of upper side”
Char. 8	to read “RHS Colour Chart”
Char. 9	to add (+) and note (c) or to amend Chapter 8.1 (c) to read “Observations on the flower which should [...]”
Char. 10	formatting of note 3 to be amended
Char. 17	to delete “approximate”
Chars. 20 to 25	to check whether to add note (d) (includes indication of portion not to be observed)
8.1 (b)	to become Ad. 8
8.1 (d)	to check whether lowest portion of the ray floret to be labelled “portion of base not to be observed (in determining number of colors)”
TQ 1	to check whether to request species information for hybrids
TQ 4.1.3	to read “Discovery and development [...]”
TQ 5.1	to add the example varieties from the Table of Characteristics
TQ 5.4	to update the example varieties from the Table of Characteristics
TQ 5.6i, ii	to add underlining according to the Table of Characteristics

TG/193/1(proj.5)	Lotus (Revision)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

Header	to be changed to cover all species (“Trefoil, Lotus” in English)
2.4	to delete the paragraph number
Chars. 3, 4	to add note (b)
Char. 12	note (b) to be formatted in bold
TQ 5.3	example varieties to be updated

TG/AMARAN(proj.9)	Amaranth
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Comments received from members of the Enlarged Editorial Committee in January 2008 or proposed by the Enlarged Editorial Committee in April 2008, 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>Amaranthus</i> L., but have been developed on the basis of varieties used for grain production. The main grain species are <i>Amaranthus caudatus</i> L., <i>Amaranthus cruentus</i> L. and <i>Amaranthus hypochondriacus</i> L.. In the case of ornamental varieties, it may, in particular, be necessary to use additional characteristics to those included in the Table of Characteristics in order to examine Distinctness, Uniformity and Stability.” <i>Leading Expert: agreed</i>
Char. 8	to be indicated as QN and to have 3 states
Char. 10	<i>Leading Expert: to delete states 3, 4 and 6</i>
Char. 12	to delete “type of” <i>Leading Expert: agreed</i>
Char. 13	Note (d) to be deleted.
Char. 14	to read “Time of flowering”
Char. 16	- to be indicated as PQ and to have 3 states - to check presentation of example variety “BRS ALEGRÍA”
Char. 28	to be indicated as QN <i>Leading Expert: agreed</i>
Char. 29	to read “Inflorescence: length of bract relative to utricle”, with the states: shorter (1); equal (2); longer (3)
Char. 34	to change “height” to “length” <i>Leading Expert: agreed</i>
Char. 36	to read “Stem: shape in cross section” <i>Leading Expert: agreed</i>
Char. 38	to be indicated as QL <i>Leading Expert: agreed</i>
8.1 (d)	to be deleted
8.1 (e)	to add “(see Ad. 14)”
8.1 (f)	to add “(see Ad. 33)”
Ad. 14	to read “The time of flowering is when 50 % of the plants have a panicle approximately 5 cm long, showing open flowers in its middle parts with separate stamens and with the stigma completely visible.”
Ad. 25	to read “Compactness of the inflorescence is defined by the angle ...” <i>Leading Expert: agreed</i>
Ad. 27	to read: “Inflorescence type should be observed from flowering stage up to fully developed grains. Amarantiform: if the glomerules are inserted in the secondary axes and the glomerules have an extended shape, the inflorescences are ‘amarantiform’. Glomerulate: if the glomerules are inserted in the primary axes and the glomerules have a spherical shape, the inflorescences are ‘glomerulate’.”

	<i>Leading Expert: agreed</i>
Ad. 29	to read: “Bract: Outer leaves enclosing the tepals.” and to correct the indication of the length of utricle in the diagrams to exclude the bracts. <i>Leading Expert: agreed</i>
Ad. 39	to provide a reference for the method
TQ 9.3	to be deleted <i>Leading Expert: agreed</i>

TG/COFFEE(proj.7)	Coffee
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

Table of Characteristics	to check whether further characteristics could be indicated with (*), subject to agreement by the TWA and TWF
Char. 1	to add (*) (TQ characteristic)
Char. 1	state 2 to read “ellipsoid”
Char. 9	to check whether note (b) should be deleted
Char. 14	to check spelling of “Bourbon”/ “Borbon” and whether should be “Catuai Amarelo” (upper case “A”)
Chars. 19, 22	to check whether to be observed on non-floating fruits: if so, to be explained in a note for Chars. 18 to 23
Char. 23	to move explanation in brackets to Ad. 23
Chars. 25, 26, 27	to change to notes 1, 2, 3, or to amend the scales in Ad. 25, 26, 27
Ad. 3	to change “measurement” to “observation”
Ad. 4	to provide an illustration of plagiotropic branches
Ad. 12	to provide an explanation of “domatia”
Ad. 13	To read “The number of flowers per axil ...” and to explain the stage at which the characteristic should be observed
Ad. 24	to provide explanation for time of flowering

TG/FESTL(proj.5)	Festulolium
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(a) Changes to document TG/FESTL(proj.4), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2008, which are already incorporated in the draft Test Guidelines (document TG/FESTL(proj.5)), submitted to the TC:

	no changes
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(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

	no changes proposed
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TG/HAWTH(proj.6)	Hawthorn (Crataegus L.)
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(a) Changes to document TG/HAWTH(proj.5), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2008, which are already incorporated in the draft Test Guidelines (document TG/HAWTH(proj.6)), submitted to the TC:

Cover page	in Spanish version, to add “Tejocote” in title box
3.5	to review the number of plants in line with Chapter 8.1 (g) <i>Leading Expert: Chapter 8.1 (g) to read “Fruit and endocarp: All observations on the fruit and endocarp should be made on 10 typical fruits taken from each plant, at the time of fruit ripening.”</i>
Char. 11	to check whether to have note (d) instead of (c) <i>Leading Expert: agreed</i>
Char. 16	to check whether to have note (d) <i>Leading Expert: agreed</i>
Char. 17	to read “Leaf blade: variegation” <i>Leading Expert: agreed</i>
Char. 21	to read “Leaf blade: surface” <i>Leading Expert: agreed</i>
Char. 29	to read “Flower: color of base of anther stalks” (<i>Leading Expert</i>)
Char. 35	state 3 to read “very rough” <i>Leading Expert: agreed</i>
Chars. 38, 42	QL to be in bold font
8.1 (a)	to delete “ <u>Plant, stem and branch:</u> ” and to read “Observations on the plant, stem and branch which should be made on the vegetative, current season's shoots after growth.” <i>Leading Expert: agreed</i>
8.1 (b)	to delete “ <u>Plant:</u> ” and to read “Observations on the plant which should be made on foliated plants in the spring.” <i>Leading Expert: agreed</i>
8.1 (c)	To be deleted. For shoot see (a). No characteristic on internodes. <i>Leading Expert: agreed</i>
8.1 (c) to (g)	to replace “All observations [...] should” with “Observations [...] which should” <i>Leading Expert: agreed</i>
8.1 (e)	to become Ad. 20 (only applies to Char. 20.) <i>Leading Expert: agreed</i>
Ad. 1	These diagrams may be somewhat confusing, especially because state 2 looks almost the same as state 1 in Ad. 2. Not all shrubs have upright habit so these pictures may be misleading. Perhaps there should be a clearer, written explanation to define what is a shrub, a semi-shrub and a tree. <i>Leading Expert: explanations provided</i>
Ad. 25	to be provided (has a (+) in the Table of Characteristics) <i>provided by Leading Expert</i>
Ad. 28	dotted line to be improved <i>provided by Leading Expert</i>
Ad. 31	illustration for state 1 is not “free” <i>Leading Expert: to consider amending state 1 to read “not touching” (the petals are separated by a sepal)</i>

TQ 6	delete the “e.g.” from third column
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(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

Char. 3	to delete “of canopy”
8.1 (e)	to read “[...] 10 typical fruits taken from each of 5 plants [...]”
Ad. 2	to correct spelling of “fastigate”
Ad. 28	to amend outline to ovate (currently cordate)
Ad. 31	new illustration for state 1: 

TG/HIPPH(proj.4)	TG/HIPPH(proj.4)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

Char. 5	to check whether to read “Plant: density of foliage”
Char. 6	to read “Plant: position of inflorescences”
Char. 6	to correct formatting of QL / (b)
Char. 8	to add (*) (Grouping characteristic)
Char. 9	to add (+)
Char. 10	to delete “(lanceolate)”
Char. 12	to check whether should be indicated as QN with 3 states
Char. 13	to check whether to be included as grouping and TQ characteristic
Char. 17	- to read “Fruit: shape” - states 5 and 6 to become states 1 and 2, respectively
Char. 20	to check whether to change “peduncle” to “stalk”
Ad. 10	to provide improved illustration for state 3
Ad. 21	to check whether to delete “buds”
TQ 5	to amend numbering of TQ 5.1 to 5.3

TG/NEMES(proj.3)	Nemesia
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

4.2	to check whether all types of propagation are found in Nemesia
Char. 1	to add (+) with explanation from Chapter 3.3.1
Char. 4	to check whether to read “Plant: density of foliage”
Char. 14	to check whether to delete notes (a), (b)
Char. 17, TQ 5.4	position of “:” to be amended
Char. 19	to correct spelling of (second) “length”
Char. 23	to amend the states to: “acute” (1); “obtuse” (2)
Char. 33	to check whether to read “Lower lobe of corolla: ...”
Chars. 33, 38	to check whether to add note (c)
Char. 35	to check spelling of “Inupspink8” / “Inupspink 8” (e.g. Char. 19)
Char. 38	to check whether to amend state 3 to read “apical and lateral zone”
Char. 46	to add (+)
Ad. 29	to have notes 3, 5, 7
Ad. 37	to correct wording according to the Table of Characteristics

TG/PORTU(proj.4)	Portulaca
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(a) Changes to document TG/PORTU(proj.3), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2008, which are already incorporated in the draft Test Guidelines (document TG/PORTU(proj.4)), submitted to the TC:

Char. 5	to delete “at middle third” and move that explanation to Chapter 8.2 <i>Leading Expert: agreed</i>
Char. 15	- to check whether to read “[...] Flower: shape in cross section” or “[...] Flower: shape in profile” <i>Leading Expert: to read “Flower: shape in lateral view”</i> - state 1: to change “to” to “or” <i>Leading Expert: agreed</i>
Char. 19	to check whether to add (“macule excluded”) <i>Leading Expert: agreed</i>
Char. 22	to change “third” to “tertiary” <i>Leading Expert: agreed</i>
Chars. 23, 24	to check whether to move before Char. 18 in order to define the macule, which is referred to in Chars. 18 to 22 <i>Leading Expert: agreed</i>
8.1	to delete “All” and change “should” to “which should” for notes (a) to (f) <i>Leading Expert: agreed</i>
8.1 (e)	to become Ad. 15, 16 and to check whether there is a conflict between 8.1 (d) and (e) in Chars. 15 and 16 <i>Leading Expert: note (e) to be deleted</i>

Ad. 19, 20	to amend to Ad. 19, 20, 21, 22 and to read: “The main color is the color with the largest surface area. The secondary color is the color with the second largest surface area. The tertiary color is the color with the third largest surface area” <i>Leading Expert: agreed</i>
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(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

3.3.2	to be deleted
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TG/ROCK_DIP(proj.2)	Rocket (Diplotaxis DC)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

Cover page	to amend reference in “Other associated UPOV documents”
Header	to change to “Wild Rocket”
Chars. 2, 3	to check whether QL is correct for Char. 2 and, if not, to combine Char. 3 as PQ characteristic
Char. 3	to check whether to have notes 1, 2, 3
Char. 4	to check whether should be VG/MS
Char. 5	to check whether should be VG/MS
Char. 9	to check whether “VG” can be deleted
Ad. 7	to read “The width of primary lobes should be observed in the middle part of the leaf.”

TG/ROCK_ERU(proj.2)	Rocket (Eruca Mill.)
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Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

Cover page	to amend reference in “Other associated UPOV documents”
Title	to check whether “Cultivated rocket” is an appropriate name
Header	to change to “Cultivated Rocket”, subject to comment on “Title”
Chars. 2, 3	to check whether QL is correct for Char. 2 and, if not, to combine Char. 3 as PQ characteristic
Char. 4	to check whether should be VG/MS
Char. 5	to check whether should be VG/MS
Char. 6	state 5 to read “medium”
Char. 8	state 5 to read “medium”
Char. 10	to check whether to be observed on upper side only
Char. 11	to check whether VG can be deleted
Char. 13	state 2 to read “cream”
Char. 14	to read “Flower: anthocyanin coloration of veins”

Ad. 7	to read “The width of primary lobes should be observed in the middle part of the leaf.”
TQ 5.3	to correct spelling of “weak”
TQ 5.4	to correct state 5 according to Table of Characteristics

TG/TEA(proj.6)	Tea
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(a) Changes to document TG/TEA(proj.5), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2008, which are already incorporated in the draft Test Guidelines (document TG/TEA(proj.6)), submitted to the TC:

Char. 9	to check whether to amend the states to: sparse (3); medium (5); dense (7) <i>Leading Expert: agreed</i>
Char. 10	to delete “the” <i>Leading Expert: agreed</i>
Char. 12	to check whether to delete MS <i>Leading Expert: agreed</i>
Char. 16	to check whether 3 states would be sufficient: light (1); medium (2); dark (3). (There are no example varieties for state 1 and normally, QN characteristics have 3, 5 or 9 states.) <i>Leading Expert: to have states: light (3); medium (5); dark (7)</i>
Char. 19	to check whether it would be more appropriate to read “Leaf: shape of apex” with states such as obtuse (1); acute (2); acuminate (3) and to be indicated as PQ <i>Leading Expert: agreed</i>
Char. 30	to check whether to amend the states to: sparse (3); medium (5); dense (7) <i>Leading Expert: agreed</i>
8.1 (a), (c)	to delete “diagram” after “Young shoot” and “Flower”. <i>Leading Expert: agreed</i>
Ad. 8	to check whether to be deleted (not necessary and not easy to see in photograph) <i>Leading Expert: agreed</i>
Ad. 10	to check whether to be deleted (not necessary and not easy to see in photograph) <i>Leading Expert: agreed</i>
Ad. 28	upper photo to be deleted (<i>Leading Expert</i>)
Ad. 35	state 1 to read “absent or very low $\leq 0.5\%$ ” <i>Leading Expert: agreed</i>

(b) Changes proposed by the Enlarged Editorial Committee in April 2008, which are to be included in the Test Guidelines submitted to the TC:

Table of Characteristics	to check the spelling of example variety “Hanlv” (e.g. Char. 3)
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