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# INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

## TECHNICAL COMMITTEE

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#### REVISION OF DOCUMENT TGP/7: COVERAGE OF THE TEST GUIDELINES

*Document prepared by the Office of the Union*

*Disclaimer: this document does not represent UPOV policies or guidance*

1. The purpose of this document is to present a proposal for revision of document TGP/7 "Development of Test Guidelines", Chapter 4.2: "Examination of uniformity", concerning guidance for varieties with types of propagation that are not specified in the Test Guidelines.

2. The following abbreviations are used in this document:

CAJ:	Administrative and Legal Committee
TC:	Technical Committee
TC-EDC:	Enlarged Editorial Committee
TWA:	Technical Working Party for Agricultural Crops
TWC:	Technical Working Party on Automation and Computer Programs
TWF:	Technical Working Party for Fruit Crops
TWO:	Technical Working Party for Ornamental Plants and Forest Trees
TWV:	Technical Working Party for Vegetables
TWPs:	Technical Working Parties

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## BACKGROUND

4. The TC, at its fiftieth session held in Geneva, from April 7 to 9, 2014, agreed to request the Office of the Union to develop guidance for Test Guidelines that are developed on the basis of varieties with one type of propagation when varieties may be developed in the future with other types of propagation (see document TC/50/36 "Report on the Conclusions", paragraph 69).

5. In the case of Test Guidelines with only one type of propagation, Chapter 4.2: "Uniformity" either specifies the type of propagation (ASW 8 (a)(i)) or makes no reference to the type of propagation (ASW 8 (c)(i)), as follows:

### ASW 8 (a)(i):

*"(a) Cross-pollinated varieties*

*"(i) Test Guidelines covering only cross-pollinated varieties*

"The assessment of uniformity should be according to the recommendations for cross-pollinated varieties in the General Introduction."

### ASW 8 (c)(i):

*"(c) Uniformity assessment by off-types (all characteristics observed on the same sample size)*

*"(i) Test Guidelines covering only varieties with uniformity assessed by off-types*

"For the assessment of uniformity, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed."

## POSSIBLE APPROACHES FOR CONSIDERATION

6. Three possible approaches were presented to the TWP's for consideration at their sessions in 2014:

### Approach 1: No change

7. Make no reference to the type of propagation in Chapter 4.2 and revise the Test Guidelines if varieties with new types of propagation are developed. This is the same approach that is used for many aspects of the Test Guidelines, such as for new states of expression and new characteristics. ASW 8 (a)(i) and ASW 8 (c)(i) would remain unchanged.

### Approach 2: Specify existing type of propagation

8. Recommend the uniformity according to a specific method of propagation (see ASW 8 (a)(i)) and revise the Test Guidelines if varieties with new types of propagation are developed. No change would be required to ASW 8(a)(i). This approach would require an amendment to ASW 8 (c) to read as follows:

"ASW 8 (TG Template: Chapter 4.2) – Uniformity assessment

[...]

*"(c) Uniformity assessment by off-types (all characteristics observed on the same sample size)*

~~*(i) Test Guidelines covering only varieties with uniformity assessed by off-types*~~

~~"For the assessment of uniformity, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed."~~

~~*(ii) Test Guidelines covering varieties with uniformity assessed by off-types and other types of varieties*~~

“For the assessment of uniformity of [self-pollinated] [vegetatively propagated] [seed-propagated] varieties, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed.’

[...]

### Approach 3: Specify existing type of propagation and anticipate future developments

9. Recommend the uniformity according to a specific method of propagation (see ASW 8 (a)(i)) and provide specific guidance on how to deal with new types of propagation of varieties in Section 4.2. This approach would require an amendment to ASW 8 to read as follows:

“ASW 8 (TG Template: Chapter 4.2) – Uniformity assessment

(a) *“Cross-pollinated varieties*

(i) *“Test Guidelines covering only cross-pollinated varieties*

“The assessment of uniformity should be according to the recommendations for cross-pollinated varieties in the General Introduction.’

“These Test Guidelines have been developed for the examination of cross-pollinated varieties. For varieties with other types of propagation the recommendations in the General Introduction and document TGP/13 “Guidance for new types and species”, Section 4.5: “Testing Uniformity” should be followed.”

[...]

(c) *Uniformity assessment by off-types (all characteristics observed on the same sample size)*

~~(i) *Test Guidelines covering only varieties with uniformity assessed by off-types*~~

~~“For the assessment of uniformity, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed.”~~

~~(ii) *Test Guidelines covering varieties with uniformity assessed by off-types and other types of varieties*~~

“For the assessment of uniformity of [self-pollinated] [vegetatively propagated] [seed-propagated] varieties, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed.’

“These Test Guidelines have been developed for the examination of [type of propagation] varieties. For varieties with other types of propagation the recommendations in the General Introduction and document TGP/13 “Guidance for new types and species”, Section 4.5: “Testing Uniformity” should be followed.”

### COMMENTS BY THE TECHNICAL WORKING PARTIES IN 2014

10. At their sessions in 2014, the TWO, TWF, TWC, TWV and TWA considered documents TWO/47/13, TWF/45/13, TWV/48/13, TWC/32/13 and TWA/43/13, respectively, which contained the three proposed approaches on guidance for Test Guidelines that are developed on the basis of varieties with one type of propagation when varieties may be developed in the future with other types of propagation, as set out in paragraphs 7 to 9 of this document.

11. The TWO, TWF, TWC, TWV and TWA agreed that Approach 3 “Specify existing type of propagation and anticipate future developments” was the most appropriate guidance for Test Guidelines that are developed on the basis of varieties with one type of propagation when varieties may be developed in the future with other types of propagation.

12. The TWO, TWF, TWC and TWV agreed that ASW 8 should be amended according to the proposal in Approach 3, as set out in paragraph 9 of this document (see documents TWO/47/28 “Report”, paragraph 36; TWF/44/31 “Report”, paragraph 24; TWC/31/32 “Report”, paragraph 67; and TWV/47/34 “Report”, paragraph 28).

13. The TWA agreed that the new proposed paragraph in Approach 3 with guidance on procedures in case varieties are developed in the future with other types of propagation would become repetitive if Test Guidelines were developed on the basis of varieties with more than one type of propagation and agreed that ASW 8 should be amended to read as follows (see document TWA/43/27 "Report", paragraphs 24 and 25):

"ASW 8 (TG Template: Chapter 4.2) – Uniformity assessment

(a) *"Cross-pollinated varieties*

(i) *"Test Guidelines covering only cross-pollinated varieties*

"The assessment of uniformity should be according to the recommendations for cross-pollinated varieties in the General Introduction."

[...]

(c) *Uniformity assessment by off-types (all characteristics observed on the same sample size)*

~~(i) *Test Guidelines covering only varieties with uniformity assessed by off-types*~~

~~"For the assessment of uniformity, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed."~~

~~(ii) *Test Guidelines covering varieties with uniformity assessed by off-types and other types of varieties*~~

"For the assessment of uniformity of [self-pollinated] [vegetatively propagated] [seed-propagated] varieties, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed."

14. The TWA agreed that the new proposed paragraph in Approach 3 with guidance on procedures in case varieties are developed in the future with other types of propagation should be presented separately as a new standard wording in the TG template to read as follows (see document TWA/43/27 "Report", paragraph 26):

"These Test Guidelines have been developed for the examination of [type or types of propagation] varieties. For varieties with other types of propagation the recommendations in the General Introduction and document TGP/13 "Guidance for new types and species", Section 4.5: "Testing Uniformity" should be followed."

15. The TWV agreed that the amendment in document TGP/7 and its use in Test Guidelines would cover existing types of propagation and also possible future developments for the species.

16. The TWV noted that the expert from the European Union expressed some reserve about the current wording in relation to uniformity assessment in Test Guidelines (see document TWV/47/34 "Report", paragraphs 29 to 31).

## PROPOSAL

17. On basis of the comments by the TWPs, at their sessions in 2014, it is proposed to amend document TGP/7 to add new standard wording in the TG template, Chapter 4.2 "Uniformity" and amend ASW 8 (c) to read as follows:

New standard wording: TG template, Chapter 4.2:

"These Test Guidelines have been developed for the examination of [type or types of propagation] varieties. For varieties with other types of propagation the recommendations in the General Introduction and document TGP/13 "Guidance for new types and species", Section 4.5: "Testing Uniformity" should be followed."

## ASW 8 (c)

(c) *Uniformity assessment by off-types (all characteristics observed on the same sample size)*

~~(i) Test Guidelines covering only varieties with uniformity assessed by off-types~~

~~“For the assessment of uniformity, a population standard of { x }% and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed.”~~

~~(ii) Test Guidelines covering varieties with uniformity assessed by off-types and other types of varieties~~

~~“For the assessment of uniformity of [self-pollinated] [vegetatively propagated] [seed-propagated] varieties, a population standard of { x } % and an acceptance probability of at least { y } % should be applied. In the case of a sample size of { a } plants, [{ b } off-types are] / [1 off-type is] allowed.”~~

18. *The TC is invited to consider the proposal to amend document TGP/7 to add new standard wording in the TG template, Chapter 4.2 “Uniformity”, and amend ASW 8 (c) to provide guidance for Test Guidelines that are developed on the basis of varieties with one type of propagation when varieties may be developed in the future with other types of propagation, as set out in paragraph 17 of this document.*

[End of document]