



TC/51/5

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# INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

## TECHNICAL COMMITTEE

### Fifty-First Session Geneva, March 23 to 25, 2015

#### TGP DOCUMENTS

*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 provide an overview and to present proposals concerning revisions of TGP documents, including:

- (a) TGP documents proposed for revision in 2015:
  - (i) TGP/0/7 "List of TGP Documents and Latest Issue Dates" (Revision)
  - (ii) TGP/5 "Experience and Cooperation in DUS Testing" (Revision)
    - (a) Section 3/1: Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights
    - (b) Section 8/1: Cooperation in Examination
    - (c) Section 9/1: List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established
  - (iii) TGP/9/1: Examining Distinctness (Revision)
    - (a) Section 1.6: Schematic Overview of TGP Documents Concerning Distinctness
    - (b) Section 2.5: Photographs
    - (c) Sections 4.3.2 and 4.3.4 Method of Observation (Single Measurement – MG)
  - (iv) TGP/14/2 "Glossary of Terms Used in UPOV Documents"
    - (a) Section 2.4: Apex/Tip Shape Characteristics (Revision)
    - (b) Subsection 3 "Color" (Correction - French)
- (b) Proposals for future revisions of documents TGP/7, TGP/8 and TGP/10
- (c) Possible future revisions of documents TGP/5, TGP/7 and TGP/14
- (d) Program for the development of TGP documents

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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I. MATTERS FOR ADOPTION BY THE COUNCIL IN 2015

4. The TC, at its fiftieth session, and the CAJ, at its sixty-ninth session, approved the program for the development of TGP documents, as set out in the Annex to documents TC/50/5 and CAJ/69/3, respectively (see document TC/50/36 "Report on the Conclusions", paragraph 75, and document CAJ/69/13 "Report", paragraph 66, respectively).

5. The following revisions of TGP documents were agreed to be proposed for adoption by the Council at its forty-ninth ordinary session, to be held in Geneva on October 29, 2015:

TGP/9: Examining Distinctness

6. Annex I to this document contains a new section already agreed by the TC for document TGP/9 "Examining Distinctness".

7. The following proposals for revision of document TGP/9 will be considered on the basis of document TC/51/23:

- (i) *Revision of document TGP/9: Section 1.6: Schematic Overview of TGP Documents Concerning Distinctness*
- (ii) *Revision of document TGP/9: Section 2.5: Photographs*
- (iii) *Revision of document TGP/9: Sections 4.3.2 and 4.3.4 Method of Observation (Single Measurement – MG)*

8. *The TC is invited to note:*

(a) *the new section on "Guidance on number of plants to be examined (for Distinctness)" already agreed by the TC for document TGP/9, as set out in Annex I to this document;*

(b) *that the proposals for revision of document TGP/9 Sections 1.6, 2.5, 4.3.2 and 4.3.4 will be considered in document TC/51/23.*

TGP/14: Glossary of Terms Used in UPOV Documents

9. The following proposal for revision of document TGP/14 will be considered on the basis of the indicated document:

- (i) *Revision of document TGP/14: Section 2.4: Apex/Tip Shape Characteristics*  
See document TC/51/25

10. *The TC is invited to note that the revision of document TGP/14 Section 2.4 will be considered in document TC/51/25.*

- (ii) *Revision of document TGP/14: Subsection 3: "Color"*

11. The French translation of the color group "dark purple red" should be corrected to read "rouge-pourpre foncé".

12. *The TC is invited to note the correction to the French translation of the color group "dark purple red" to read "rouge-pourpre foncé" in to document TGP/14 Subsection 3: "Color".*

TGP/0: List of TGP Documents and Latest Issue Dates

13. Document TGP/0/7, adopted by the Council at its forty-eighth session, held on October 16, 2014, will need to be updated (to become document TGP/0/8) to reflect any adoptions or revisions of TGP documents by the Council at its forty-ninth session.

14. *The TC is invited to note that the Council will be invited to adopt document TGP/0/8, in order to reflect the adoption of TGP documents.*

II. FUTURE REVISION OF TGP DOCUMENTS

15. The following future revisions of TGP documents were agreed to be considered by the TC at its fifty-first session:

TGP/7: Development of Test Guidelines

(i) *Revision of document TGP/7: Drafter's Kit for Test Guidelines*

16. The TC, at its fiftieth session, held in Geneva, from April 7 to 9, 2014, agreed that document TGP/7 Section 4.3: "Drafter's Kit for Test Guidelines" and Annex 4 "Collection of Approved Characteristics" should be revised, subject to the introduction of the web-based TG Template in 2014 (see document TC/50/36 "Report on the Conclusions", paragraph 70).

17. It is proposed that a detailed proposal for a revision of document TGP/7 be presented to the TWPs, at their sessions in 2015.

(ii) *Revision of document TGP/7: Plant Material Submitted for Examination*  
See document TC/51/14

(iii) *Revision of document TGP/7: Coverage of the Test Guidelines*  
See document TC/51/15

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

(i) *Revision of document TGP/8: Part I: DUS Trial Design and Data Analysis, New Section: Minimizing the Variation due to Different Observers*  
See document TC/51/16

(ii) *Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, Section 9: the Combined-Over-Years Uniformity Criterion (COYU)*  
See document TC/51/17

(iii) *Revision of document TGP/8: Part II: Selected Techniques used in DUS Examination, New Section 11: Examining DUS in Bulk Samples*  
See document TC/51/18

(iv) *Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, New Section: Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions*  
See document TC/51/19

(v) *Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, New Section: Guidance for Blind Randomized Trials*  
See document TC/51/20

(vi) *Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, New Section 12: Examining Characteristics Using Image Analysis*  
See document TC/51/21

*Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination,  
New Section: Statistical Methods for Visually Observed Characteristics  
See document TC/51/22*

TGP/10: Examining uniformity

- (i) *Revision of document TGP/10: New section: Assessing Uniformity by Off-Types on Basis of More than One Sample or Sub-Samples  
See document TC/51/24*

18. *The TC is invited to note the proposals under development for future revision of TGP documents to be considered on the basis of the documents indicated in paragraphs 15 to 17.*

III. POSSIBLE FUTURE REVISION OF TGP DOCUMENTS

19. New proposals for possible future revision of TGP documents have been developed for consideration by the TC as follows:

TGP/5: Experience and Cooperation in DUS Testing

- (i) *Revision of document TGP/5: Section 3: Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights*

20. Document TGP/5: Section 3 currently states that:

"A model Technical Questionnaire is provided in document TGP/7 "Development of Test Guidelines": Annex 1: TG Template: Chapter 10. The UPOV Test Guidelines (<http://www.upov.int/en/publications/tg-rom/index.html>) contain, in Chapter 10, a specific Technical Questionnaire for varieties covered by those Test Guidelines.

21. Following the launching of the redesigned UPOV website on November 1, 2011, the web link provided in document TGP/5: Section 3 needs to be amended to read as follows:

"A model Technical Questionnaire is provided in document TGP/7 "Development of Test Guidelines": Annex 1: TG Template: Chapter 10. The UPOV Test Guidelines ([http://www.upov.int/edocs/tgpdocs/en/tgp\\_7.pdf](http://www.upov.int/edocs/tgpdocs/en/tgp_7.pdf)) contain, in Chapter 10, a specific Technical Questionnaire for varieties covered by those Test Guidelines."

22. *The TC is invited to consider whether to revise the web link provided in document TGP/5: Section 3: "Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights".*

- (ii) *Revision of document TGP/5: Section 8: Cooperation in Examination*

23. Document TGP/5: Section 8 currently states that:

"A synopsis of cooperation in examination between authorities is provided in the form of a Council document:

"C/[session]/5 (e.g. C/38/5), ([http://www.upov.int/en/documents/index\\_c.htm](http://www.upov.int/en/documents/index_c.htm))."

24. Following the launching of the redesigned UPOV website on November 1, 2011, the web link provided in document TGP/5: Section 8 needs to be amended to read as follows:

“A synopsis of cooperation in examination between authorities is provided in the form of a Council document:

“C/[session]/5 (e.g. C/49/5), ([http://www.upov.int/meetings/en/topic.jsp?group\\_id=251](http://www.upov.int/meetings/en/topic.jsp?group_id=251)).”

25. *The TC is invited to consider whether to revise the web link provided in document TGP/5: Section 8: “Cooperation in Examination”.*

(iii) *Revision of document TGP/5: Section 9: List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established*

26. Document TGP/5: Section 9 currently states that:

“A list of genera and species in which practical knowledge has been acquired or for which national test guidelines have been established is provided in the Technical Committee document:

“TC/[session]/4 (e.g. TC/41/4), ([http://www.upov.int/restrict/en/tc/index\\_tc.htm](http://www.upov.int/restrict/en/tc/index_tc.htm)).

27. Following the launching of the redesigned UPOV website on November 1, 2011, the web link provided in document TGP/5: Section 9 needs to be amended to read as follows:

“A list of genera and species in which practical knowledge has been acquired or for which national test guidelines have been established is provided in the Technical Committee document:

“TC/[session]/4 (e.g. TC/51/4), ([http://www.upov.int/meetings/en/topic.jsp?group\\_id=254](http://www.upov.int/meetings/en/topic.jsp?group_id=254)).

28. *The TC is invited to consider whether to revise the web link provided in document TGP/5: Section 9: “List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established”.*

#### TGP/7: Development of Test Guidelines

(i) *Use of proprietary photographs and illustrations in Test Guidelines*

29. The Enlarged Editorial Committee (TC-EDC), at its meeting in January 2015, considered the use of photographs and illustrations in Test Guidelines and recommended the development of guidance for drafters in relation to text, photographs or illustrations that could be subject to third party rights.

30. *The TC is invited to consider whether to develop guidance for drafters of Test Guidelines in relation to text, photographs or illustrations that could be subject to third party rights.*

(ii) *Regional sets of example varieties*

31. The TC-EDC, at its meeting in January 2015, considered the establishment of regional sets of example varieties in relation to the Test Guidelines for Apple Rootstocks. The TC-EDC recommended that clarification be provided on the term “region” and the basis for selecting example varieties in a region (see also document TC/51/2 “Test Guidelines”, paragraph 15).

32. *The TC is invited to consider whether to develop guidance on the term “region” and the basis for selecting example varieties in a region in relation to the establishment of regional sets of example varieties for Test Guidelines.*

TGP/14: Glossary of terms used in UPOV documents

(i) *Definition of color groups from RHS Colour Charts*

33. The TC-EDC, at its meeting in January 2015, recommended that consideration be given to developing guidance in document TGP/14 on possibilities to use RHS Colour Chart references as a basis for defining color groups for the purposes of grouping of varieties and organization of the growing trial (Test Guidelines: Section 5 “Grouping characteristics”) and characteristics of the variety to be indicated by the applicant (Test Guidelines: Technical Questionnaire, Section 5 “TQ Characteristics”).

34. As a first step, the TC may wish to invite members of the Union to present to the TWPs, at their sessions in 2015, how varieties are currently allocated to color groups.

*35. The TC is invited to consider whether to invite members of the Union to present to the TWPs, at their sessions in 2015, how varieties are allocated to color groups.*

IV. PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

36. Annex II to this document proposes a program for the development of TGP documents on the basis of the conclusions by the TC, at its fiftieth session, the CAJ, at its sixty-ninth session, the Technical Working Parties at their sessions in 2014 and the TC-EDC at its meeting in January 2015 (see document TC/50/36 “Report on the Conclusions”, paragraph 75, and document CAJ/69/12 “Report on the Conclusions”, paragraph 64, respectively).

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

[Annexes follow]

REVISION OF DOCUMENT TGP/9: MATTERS APPROVED BY THE TC

Section 5.5 (New): Guidance on Number of Plants to be Examined (for Distinctness)

To add new Section 5.5 as follows (see document TC/49/41 "Report on the Conclusions", paragraph 84):

"Number of Plants / Parts of Plants to be Examined (for distinctness)

"1. The observation of the 'typical' expression of characteristics of a variety in a given environment is essential for the assessment of distinctness. The precision of the observed (mean) expression of the varieties to be compared is a critical element for the consideration of whether a difference is a clear difference.

"2. In the case of qualitative characteristics, a low number is sufficient to identify the expression of a variety. In general, the number of plants for the assessment of distinctness is not a limiting factor for the number of plants in the trial. Thus, the number of plants for the assessment of qualitative characteristics is not essential for harmonization.

"3. In case of quantitative characteristics (and pseudo-qualitative characteristics), the variation within the variety has to be taken into account for defining a clear difference (by expert judgment or exact statistics). Due to the relation between variation within the varieties and the required difference to be considered as a clear difference for the establishment of distinctness the precision of records is important. The precision of records (mean values) is influenced by the sample size. Therefore, the appropriate sample size should be indicated in the Test Guidelines for the purpose of harmonization.

"4. The following general principals should be taken into account:

*"Considerations for the number of plants to be observed for distinctness in case of QN (in some cases PQ)*

- (a) Observation on the plot as a whole (VG/MG)
  - the indicated number should be considered as minimum number
- (b) Observation on subsample from plot (VG/MG)
  - the indicated number should be considered as minimum number
- (c) Observations on individual plants (VS/MS)
  - the number of plants is important for precision of record
  - the specific number should be indicated

*"Considerations for the number of plants for candidate varieties and varieties to be compared with the candidate varieties*

"5. The required precision of records depends on the size of the difference between the candidate variety and the varieties of common knowledge. If two varieties are very similar it is important to ensure the same precision of the records for both varieties. The number of plants indicated in the Test Guidelines applies to both the candidate variety and the similar variety of common knowledge. In other cases, it may be possible to include in the trial a lower number of plants for the variety of common knowledge, provided that uniformity does not have to be assessed for that variety, i.e. varieties in the variety collection."

[Annex II follows]

TC/51/5  
ANNEX II  
PROGRAM FOR TGP DOCUMENTS

Title of document	Current approved* documents	2014						2015						2016							
		TC-EDC	TC/50	CAJ/69	TWPs	CAJ/70	C/48	TC-EDC	TC/51	CAJ/71	TWPs	CAJ/72	C/49	TC-EDC	TC/52	CAJ/73	TWPs	CAJ/74	C/50		
TGP/0	List of TGP Documents and Latest Issue Dates	TGP/0/7 ADOPTED						TGP/0/7 Adopt							TGP/0/8 Adopt						TGP/0/9 Adopt
TGP/1	General Introduction with Explanations	-	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
TGP/2	List of Test Guidelines Adopted by UPOV	TGP/2/2 ADOPTED	TGP/2/2 Draft 1	TGP/2/2 Draft 2	TGP/2/2 Draft 3			TGP/2/2 Adopt													
TGP/3	Varieties of Common Knowledge	C(Extr.)/19/2 Rev.																			
TGP/4	Constitution and Maintenance of Variety Collections	TGP/4/1 ADOPTED																			
TGP/5	Experience and Cooperation in DUS Testing	ADOPTED																			
	Section 3: Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights	Section 3/1 Adopted							TC-EDC/Jan15/2	TC/51/5	CAJ/71/7				Section 3/2 Adopt						
	Section 8: Cooperation in Examination	Section 8/1 Adopted							TC-EDC/Jan15/2	TC/51/5	CAJ/71/7				Section 8/2 Adopt						
	Section 9: List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established	Section 9/1 Adopted							TC-EDC/Jan15/2	TC/51/5	CAJ/71/7				Section 9/2 Adopt						
	Section 10: Notification of Additional Characteristics	Section 10/3 Adopted	TC-EDC/Jan14/2	TC/50/5	CAJ/69/3				Sec. 10/3 Adopt												
TGP/6	Arrangements for DUS Testing	TGP/6/1 ADOPTED																			
TGP/7	Development of Test Guidelines	TGP/7/4 ADOPTED																			
	TC Approved Revisions (document TC/50/5 Annex I)		TC-EDC/Jan14/2	TC/50/5	CAJ/69/3				TGP/7/4 Adopt												
	Drafter's Kit for Test Guidelines (Drafter: Office of the Union)			TC/50/5						TC-EDC/Jan15/2	TC/51/5		x		x	x				TGP/7/5 Adopt	
	Plant Material Submitted for Examination (Drafter: Jens Wegner (European Union))		TC-EDC/Jan14/5	TC/50/17						TC-EDC/Jan15/3	TC/51/14										
	Coverage of the Test Guidelines (Drafter: Office of the Union)			TC/50/5						TC-EDC/Jan15/4	TC/51/15					x				TGP/7/5 Adopt	
TGP/8	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability	TGP/8/2 ADOPTED	see Appendix					TGP/8/2 Adopt	see Appendix					see Appendix					TGP/8/3 Adopt		
TGP/9	Examining Distinctness	TGP/9/1 ADOPTED																			
	TC Approved Revisions (document TC/50/5 Annex III)		TC-EDC/Jan14/2	TC/50/5	CAJ/69/3						CAJ/71/7				TGP/9/2 Adopt						
	Revision of Section 2.5: Photographs (Drafter: Beate Ruecker (Germany))									TC-EDC/Jan15/13	TC/51/23	CAJ/71/7			TGP/9/2 Adopt						
	Method of Observation (single measurement - MG) Drafter (Office of the Union)									TC-EDC/Jan15/13	TC/51/23	CAJ/71/7			TGP/9/2 Adopt						
	Schematic Overview of TGP Documents Concerning Distinctness Drafter (Office of the Union)									TC-EDC/Jan15/13	TC/51/23	CAJ/71/7			TGP/9/2 Adopt						
TGP/10	Examining Uniformity	TGP/10/1 ADOPTED	TC-EDC/Jan14/23	TC/50/12						TC-EDC/Jan15/5	TC/51/24		x		x	x				TGP/10/2 Adopt	
TGP/11	Examining Stability	TGP/11/2 ADOPTED																			
TGP/12	Guidance on Certain Physiological Characteristics	TGP/12/2 ADOPTED																			
TGP/13	Guidance for New Types and Species	TGP/13/1 ADOPTED																			
TGP/14	Glossary of Terms Used in UPOV Documents	TGP/14/2 ADOPTED																			
	Section 2.4: Apex/Tip Characteristics Drafter (Office of the Union)									TC-EDC/Jan15/24	TC/51/25	CAJ/71/7			TGP/14/3 Adopt						
TGP/15	Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)	TGP/15/1 ADOPTED																			

[Appendix follows]

TC/51/5  
ANNEX II, APPENDIX  
PROGRAM FOR REVISION OF DOCUMENT TGP/8

Title of document	2014						2015						2016						
	TC-EDC	TC/50	CAJ/69	TWPs	CAJ/70	C/48	TC-EDC	TC/51	CAJ/71	TWPs	CAJ/72	C/49	TC-EDC	TC/52	CAJ/73	TWPs	CAJ/74	C/50	
<b>TGP/8 PART I: DUS TRIAL DESIGN AND DATA ANALYSIS</b>																			
TC Approved Revisions (document TC/50/5 Annex II)		TC/50/5	CAJ/69/3			TGP/8/2 Adopt													
Minimizing variation due to different observers (Drafter: Nik Hulse (Australia))	TC-EDC/Jan14/9	TC/50/21		TWP/xx/15			TC-EDC/Jan15/6	TC/51/16		x			x	x	x				TGP/8/3 Adopt
<b>TGP/8 PART II: TECHNIQUES USED IN DUS EXAMINATION</b>																			
TC Approved Revisions (document TC50/5 Annex II)		TC/50/5	CAJ/69/3			TGP/8/2 Adopt													
Method of Calculation of COYU (Drafter: Adrian Roberts (United Kingdom))	TC-EDC/Jan14/10	TC/50/22		TWP/xx/16			TC-EDC/Jan15/7	TC/51/17		x			x	x	x				TGP/8/3 Adopt
Examining DUS in Bulk Samples (Drafter: Office of the Union)	TC-EDC/Jan14/12	TC/50/24		TWP/xx/17			TC-EDC/Jan15/8	TC/51/18		x			x	x	x				TGP/8/3 Adopt
Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions (Drafter: Office of the Union)	TC-EDC/Jan14/13	TC/50/25		TWP/xx/18			TC-EDC/Jan15/9	TC/51/19		x			x	x	x				TGP/8/3 Adopt
Guidance of Data Analysis for Blind-Randomized Trials (Drafter: Richard Brand (France))	TC-EDC/Jan14/14	TC/50/26		TWP/xx/19			TC-EDC/Jan15/10	TC/51/20		x			x	x	x				TGP/8/3 Adopt
Examining Characteristics Using Image Analysis (Drafter: Jean Maison (European Union))	TC-EDC/Jan14/15	TC/50/27		TWP/xx/20			TC-EDC/Jan15/11	TC/51/21		x			x	x	x				TGP/8/3 Adopt
Statistical Methods for Visually Observed Characteristics (Drafter: TWC to identify)	TC-EDC/Jan14/16	TC/50/28		TWP/xx/21			TC-EDC/Jan15/12	TC/51/22		x			x	x	x				TGP/8/3 Adopt

[End of Annex II and of document]