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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

TECHNICAL COMMITTEE

Fifty-Second Session
Geneva, March 14 to 16, 2016

MATTERS ARISING FROM THE TECHNICAL WORKING PARTIES

Document prepared by the Office of the Union

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EXECUTIVE SUMMARY

1. This document summarizes matters arising from the 2015 sessions of the Technical Working Parties (TWPs) which are not expressly covered by specific agenda items. The matters arising are presented in two sections. The first section, "Matters for information and for a possible decision to be taken by the Technical Committee (TC)", identifies matters raised by the TWPs, which may require a decision to be taken by the TC. The Office of the Union (Office) has highlighted aspects where the TC may wish to take a decision by introducing a proposed decision paragraph. The second section, "Matters for information", is provided for the information of the TC but does not require decisions at this stage.

2. The TC is invited to:

(a) consider requesting UPOV members' experts to provide data to the United Kingdom for developing the methodology for excluding varieties of common knowledge from the second growing cycle when COYD is used, as set out in paragraph 6; and

(b) consider whether to include the development of a methodology for excluding varieties of common knowledge from the second growing cycle when COYD is used as an agenda item for the fifty-third session of the TC;

(c) note developments in the TWPs concerning:

(i) experiences with new types and species;
(ii) new issues arising from DUS examination;
(iii) use of disease resistance characteristics in DUS examination;
(iv) influence of different sources on vegetatively propagated material used in DUS examination;
(v) examples of different growing practice in DUS testing;
(vi) management of reference collections;
(vii) harmonized example varieties for apple: historical data and possible new development;
(viii) Application Management System (AMS) and Variety Description Database (VDD) in China;
(ix) Image Analysis System in China;
(x) hand-held data capture systems in France and Germany;
(xi) weighting matrix in the GAIA software for soybean

(xii) meeting documents from previous TWPs sessions;
(xiii) TWPs schedule of the week (Workplan); and
(xiv) distance learning course “DL-305”;

as reported in this document, and to consider whether any of these matters should be included as an agenda item for the fifty-third session of the TC.

3. The structure of this document is as follows:

MATTERS FOR INFORMATION AND FOR A POSSIBLE DECISION TO BE TAKEN BY THE TECHNICAL COMMITTEE (TC) 3
A RATIONALE FOR EXCLUDING VARIETIES OF COMMON KNOWLEDGE FROM THE SECOND GROWING CYCLE WHEN COYD IS USED 3
MATTERS FOR INFORMATION 3
EXPERIENCES WITH NEW TYPES AND SPECIES 3
Technical Working Party for Vegetables 3
Technical Working Party for Automation and Computer Programs 3
Technical Working Party for Agricultural Crops 3
Technical Working Party for Fruit Crops 4
Technical Working Party for Ornamental Plants and Forest Trees 4
NEW ISSUES ARISING FROM DUS EXAMINATION 4
USE OF DISEASE RESISTANCE CHARACTERISTICS IN DUS EXAMINATION 4
INFLUENCE OF DIFFERENT SOURCES ON VEGETATIVELY PROPAGATED MATERIAL USED IN DUS EXAMINATION 5
EXAMPLES OF DIFFERENT GROWING PRACTICE IN DUS TESTING 5
MANAGEMENT OF REFERENCE COLLECTIONS 5
HARMONIZED EXAMPLE VARIETIES FOR APPLE: HISTORICAL DATA AND POSSIBLE NEW DEVELOPMENT 5
APPLICATION MANAGEMENT SYSTEM (AMS) AND VARIETY DESCRIPTION DATABASE (VDD) IN CHINA 5
IMAGE ANALYSIS SYSTEM IN CHINA 6
HAND-HELD DATA CAPTURE SYSTEMS IN FRANCE AND GERMANY 6
WEIGHTING MATRIX IN THE GAIA SOFTWARE FOR SOYBEAN 6
MEETING DOCUMENTS FROM PREVIOUS TWPS SESSIONS 6
TWPS SCHEDULE OF THE WEEK (WORKPLAN) 6
DISTANCE LEARNING COURSE “DL-305” 6

4. 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
TWPs:	Technical Working Parties
TWV:	Technical Working Party for Vegetables

MATTERS FOR INFORMATION AND FOR A POSSIBLE DECISION TO BE TAKEN BY THE TECHNICAL COMMITTEE (TC)

A rationale for excluding varieties of common knowledge from the second growing cycle when COYD is used

5. The TWC, at its thirty-third session, held in Natal, Brazil, from June 30 to July 3, 2015, considered the information provided in document TWC/33/20 "Revised Calculated Thresholds for Excluding Varieties of Common Knowledge from the Second Growing Cycle when COYD is used" and received a presentation by an expert from the United Kingdom. A copy of the presentation is provided in document TWC/33/20 Add.

6. The TWC noted the request by the expert from the United Kingdom for further data to be tested for developing the proposed methodology, preferably with 10 or more growing cycles (see document TWC/33/30 "Report", paragraphs 77 to 79).

7. The TC is invited to consider:

(a) requesting UPOV members' experts to provide data to the United Kingdom for developing the methodology for excluding varieties of common knowledge from the second growing cycle when COYD is used, as set out in paragraph 6; and

(b) whether to include the development of calculated thresholds for excluding varieties of common knowledge from the second growing cycle when COYD is used as an agenda item for the fifty-third session of the TC.

MATTERS FOR INFORMATION

Experiences with new types and species

Technical Working Party for Vegetables

8. The TWV, at its forty-ninth session, held in Angers, France, from June 15 to 19, 2015, received the following presentations, copies of which were provided in document TWV/49/28 Add. (in order of presentation) (see document TWV/49/32 "Revised Report", paragraph 79):

- *Zataria multiflora* Boiss. (Shirazi Thyme) (presentation made by an expert from Oman);
- *Solanum pimpinellifolium* x *Solanum habrochaites*: A new interspecific cross for tomato rootstock (presentation made by an expert from Spain);
- Seaweed (*Saccharina latissima)* (presentation made by an expert from Netherlands);
- *Stevia rebaudiana* (presentation made by an expert from France).

Technical Working Party for Automation and Computer Programs

9. The TWC, at its thirty-third session, held in Natal, Brazil, from June 30 to July 3, 2015, noted that applications had been filed for the following new types and species (see document TWC/33/30 "Report", paragraph 114):

- *Trichloris crinite* in Argentina;
- *Baccharis trimera* and *Achyrocline satureioides* in Brazil; and
- seed-propagated potato, medicinal hemp and seaweed in the Netherlands.

Technical Working Party for Agricultural Crops

10. The TWA, at its forty-forth session, held in Obihiro, Japan, from July 6 to 10, 2015, noted the report by an expert from Argentina on new varieties of *Trichloris crinita*, which had been granted plant variety protection and listed in the National List.

11. An expert from the Netherlands reported on applications for new varieties of *Solanum sisymbriifolium* and for an application for a potato variety propagated by true potato seed (TPS) (see document TWA/44/23 “Report”, paragraphs 76 and 77).

Technical Working Party for Fruit Crops

12. The TWF, at its forty-sixth session, held in Mpumalanga, South Africa, from August 24 to 28, 2015, received a presentation by an expert from Morocco on experience with new varieties of Argania (*Argania spinosa* (L.) Skeels). A copy of the presentation is presented in document TWF/46/26 Add. (see document TWF/46/29 “Report”, paragraph 84).

Technical Working Party for Ornamental Plants and Forest Trees

13. The TWO, at its forty-eighth session, held in Cambridge, United Kingdom, from September 14 to 18, 2015, received an oral presentation by an expert from Germany on DUS examination of a new variety of Calibrachoa with a high tendency to change flower color with temperature change. The TWO noted that the new variety was very sensitive to changes in temperature under standard conditions of cultivation in greenhouses and was different from other varieties in this feature. The TWO noted that similar changes in flower color and intensity of spots due to temperature and light intensity had also been observed in Chrysanthemum and Phalaenopsis varieties, respectively (see document TWO/48/26 “Report”, paragraph 88).

<u>New issues arising from DUS examination</u>

14. The TWV, at its forty-ninth session, received a presentation by an expert from the European Union on “Effect of seed Priming on vegetable DUS tests”, a project organized by the Community Plant Variety Office of the European Union (CPVO), as reproduced in addendum of document TWV/49/30. The TWV invited the European Union to make a report on further developments and the final conclusions of the project at its fiftieth session.

15. The TWV received a presentation on “Photos in the variety collection” by an expert from the Netherlands, as reproduced in the addendum to document TWV/49/30.

16. The TWV received an oral presentation on “Vegetatively propagated varieties in a normally seed propagated species” by an expert from the Netherlands. The TWV agreed that the issue was relevant for the vegetable sector and that the guidance provided in UPOV documents did not cover the situation. It further invited the expert from the Netherlands, with the support from experts from France, to provide information on the issues for DUS examination caused by vegetatively propagated varieties in a normally seed-propagated species and to investigate potential next steps (e.g. revision of existing guidance), for consideration by the TWV at is fiftieth session (see document TWV/49/32 “Revised Report”, paragraphs 82 to 84 and 139).

<u>Use of disease resistance characteristics in DUS examination</u>

17. The TWV, at its forty-ninth session, received a presentation on “Use of disease resistance characteristics in DUS examination” by an expert from the European Union as reproduced in the addendum to document TWV/49/31.

18. The TWV agreed it might be appropriate to review document TGP/7 in order to introduce a delay before asterisked disease resistance characteristics needed to be examined by all members of the Union. It further invited the expert from the European Union, with the support of experts from France, Italy, Netherlands, Oman, Slovakia and Spain to draft a proposal for consideration at is fiftieth session.

19. The TWV highlighted the importance of the explanation provided in the methodology for disease resistance characteristics the Test Guidelines, in order to ensure harmonization within members of the Union in the examination of those characteristics.

20. The TWV invited the European Union to report on matters related to the use of disease resistance characteristics in the European Union at its fiftieth session (see document TWV/49/32 “Revised Report”, paragraphs 85 to 88).

Influence of different sources on vegetatively propagated material used in DUS examination

21. The TWO, at its forty-eighth session, received a presentation on “Effects of the origin of plant material on DUS characteristics” by an expert from the Netherlands. A copy of the presentation was provided in document TWO/48/25 Add.

22. The TWO noted the influence of source of plant material in Tulip and Phalaenopsis and agreed that, for some crops, it may be useful for authorities to request breeders to provide information on the source of plant material submitted for DUS examination to address possible effects in the expression of characteristics (see document TWO/48/26 “Report”, paragraphs 89 and 90).

Examples of different growing practice in DUS testing

23. The TWO, at its forty-eighth session, received a presentation on “Arrangements for growing trials” by an expert from New Zealand. A copy of the presentation was provided in document in document TWO/48/24 Add.

24. The TWO noted that, in general, the method of growing ornamental plants (e.g. in containers, in raised beds, on soil) did not affect the expression of DUS characteristics. The TWO noted that, while plant growth habit could be altered for plants in the ground, the characteristic could still be observed in comparison to other plants in the growing trial (see document TWO/48/26 “Report”, paragraphs 91 and 92).

Management of reference collections

25. The TWV, at its forty-ninth session, received a presentation on “DUS Reference collection: French approach” by an expert from France as reproduced in the addendum to document TWV/49/29.

26. The TWV suggested to use the terminology in UPOV documents in relation to “variety collections” (see document TGP/4) (see document TWV/49/32 “Revised Report”, paragraphs 80 and 81).

27. The TWF, at its forty-sixth session, noted that in some UPOV members reference varieties of fruit crops were not managed directly by the authority and were kept by the breeders under different forms of partnerships (see document TWF/46/29 “Report”, paragraph 85).

Harmonized example varieties for Apple: historical data and possible new development

28. The TWF, at its forty-sixth session, considered document TWF/46/27 “Harmonized example varieties for Apple: historical data and possible new developments”.

29. The TWF agreed that it would be useful to develop guidance on minimizing variation between authorities and agreed to study the possible development of a calibration book for the harmonization of variety descriptions.

30. The TWF agreed that Mr. Jean Maison (European Union) would coordinate the project and would search varieties that had been described by different UPOV members using the current version of the Test Guidelines for Apple.

31. The TWF agreed that the different descriptions for the same varieties should be compared and the causes of variation identified (environment and/or observer). The TWF agreed that participants to the development of the calibration book for harmonized variety descriptions in apple could meet by electronic means and provide information on developments to the TWF, at its next session (see document TWF/46/29 “Report”, paragraphs 90 to 93).

Application management system (AMS) and variety description database (VDD) in China

32. The TWC received a presentation by an expert from China on Application Management System (AMS) and Variety Description Database (VDD) in China. A copy of the presentation is provided in document TWC/33/23 (see document TWC/33/30 “Report”, paragraph 80).

Image analysis system in China

33. The TWC received a presentation by an expert from China on the new plant variety protection image analysis system in China. The TWC noted that the presentation had been amended from the version in document TWC/33/28 and was provided as document TWC/33/28 Rev. (see document TWC/33/30 "Report", paragraph 81).

Hand-held data capture systems in France and Germany

34. The TWC considered the information provided in document TWC/33/24 "Hand-held Data Capture Systems in France and Germany", introduced by the experts from France and Germany. The TWC noted the properties of the systems used in France and Germany for data capture in DUS. The TWC noted the small differences in size, weight, screen size, keyboard, water- and dust-resistance and battery life of the data logger models used. Both systems were available in English versions (see document TWC/33/30 "Report", paragraph 111).

Weighting matrix in the GAIA software for soybean

35. The TWC received a presentation on the weighting matrix in the GAIA software for soybean by an expert from Brazil. A copy of the presentation was provided as an Addendum to document TWC/33/29 "Weighting matrix in the GAIA Software for Soybean". The TWC agreed that the presentation should be made available to the TWA and noted that Brazil planned to provide information on the use of GAIA for inclusion in document UPOV/INF/16.

36. The TWC agreed to invite Brazil to make a presentation at its thirty-fourth session on the statistical methods used for defining the weighing matrix for the GAIA software (see document TWC/33/30 "Report", paragraph 112).

Meeting Documents from Previous TWPs Sessions

37. The TWC, at its thirty-third session, noted that the meeting documents from previous sessions of the TWC had been scanned by the UPOV Office and would be made available online on the UPOV website, where they could be searched. The TWC thanked the experts from Germany for having organized a database of documents with search function and agreed on the importance of the documents with search functions (see document TWC/33/30 "Report", paragraph 8).

TWPs Schedule of the Week (Workplan)

38. The TWV, at its forty-ninth session, agreed that the circulation in advance of the session of the draft workplan of the week with the link to the documents was useful and should be continued (see document TWV/49/32 "Revised Report", paragraph 6).

Distance Learning Course "DL-305"

39. The TWA, at its forty-forth session, agreed to propose that the on-line distance learning course DL-305 be held twice in 2016, once in the Spring and once in the Autumn, to allow maximum participation of DUS experts (see document TWA/44/23 "Report", paragraph 9).

40. The TC is invited to note developments in the TWPs concerning:

(a) experiences with new types and species;

(b) new issues arising from DUS examination;

(c) use of disease resistance characteristics in DUS examination;

(d) influence of different sources on vegetatively propagated material used in DUS examination;

(e) examples of different growing practice in DUS testing;

(f) management of reference collections;

(g) harmonized example varieties for apple: historical data and possible new development;

(h) Application Management System (AMS) and Variety Description Database (VDD) in China;

(i) Image Analysis System in China;

(j) hand-held data capture systems in France and Germany;

(k) weighting matrix in the GAIA software for soybean;

(l) meeting documents from previous TWPs sessions;

(m) TWPs schedule of the week (Workplan); and

(n) distance learning course "DL-305";

as reported in this document, and to consider whether any of these matters should be included as an agenda item for the fifty-third session of the TC.

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