

Technical Committee

TC/58/15

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VARIETY DENOMINATIONS

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EXECUTIVE SUMMARY

1. The purpose of this document is to report on the 2021 revision of the “Explanatory Notes on Variety Denominations under the UPOV Convention” (document UPOV/EXN/DEN/1), the possible development of a UPOV similarity search tool for variety denomination and the expansion of the content of the PLUTO database.

2. The TWPs are invited to note developments concerning the “Explanatory Notes on Variety Denominations under the UPOV Convention” (document UPOV/EXN/DEN/1), the possible development of a UPOV similarity search tool for variety denomination and the expansion of the content of the PLUTO database.

3. The following abbreviations are used in this document:
- CAJ: Administrative and Legal Committee
 - TC: Technical Committee
 - TWA: Technical Working Party for Agricultural Crops
 - TWF: Technical Working Party for Fruit Crops
 - TWM: Technical Working Party on Testing Methods and Techniques
 - TWO: Technical Working Party for Ornamental Plants and Forest Trees
 - TWPs: Technical Working Parties
 - TWV: Technical Working Party for Vegetables

4. The structure of this document is as follows:

EXECUTIVE SUMMARY.....	1
NEW PROPOSALS FOR VARIETY DENOMINATION CLASSES FOR <i>ALLIUM</i> , <i>BRASSICA</i> AND <i>PRUNUS</i>	1
POSSIBLE DEVELOPMENT OF A UPOV SIMILARITY SEARCH TOOL FOR VARIETY DENOMINATION PURPOSES	2
EXPANSION OF THE CONTENT OF THE PLUTO DATABASE.....	2
New Developments	2
NEW PROPOSALS FOR VARIETY DENOMINATION CLASSES FOR <i>ALLIUM</i> , <i>BRASSICA</i> AND <i>PRUNUS</i>	1
Annex I New proposals for variety denomination classes for <i>Allium</i> , <i>Brassica</i> and <i>Prunus</i>	
Annex II Expansion of the content of the PLUTO database	

NEW PROPOSALS FOR VARIETY DENOMINATION CLASSES FOR *ALLIUM*, *BRASSICA* AND *PRUNUS*

5. The TWV, at its fifty-sixth session, and the TWF, at its fifty-third session, considered documents TWV/56/4 and TWF/53/4 “Variety Denominations”, respectively. The TWV and TWF considered the changes proposed to variety denomination classes for *Brassica* and the creation of new classes within *Allium* and *Prunus*, as presented by an expert from the Czech Republic (see documents TWV/56/22 “Report, paragraphs 52 to 54; and TWF/53/14 “Report”, paragraphs 28 to 30).

6. The TWV considered the different species within the proposed classes for *Allium* and *Brassica* and agreed that further discussion was required. The TWV agreed that *Allium* species used as vegetable crops should be individually listed to create a separate denomination class from other species used as ornamental plants.
7. The TWV agreed to invite the experts from the Czech Republic and the Netherlands to develop a new proposal to amend the denomination classes for *Allium* and *Brassica*, to be presented to the TWV at its fifty-seventh session.
8. The TWF considered how to address the interspecific hybrids of *Prunus* from species in different proposed denomination classes and agreed that further discussion would be required, including the participation of denomination experts. The TWF noted that hybrid varieties from *Prunus* species in different denomination classes could lead to different approaches in assigning the denomination class.
9. The TWF agreed to invite the expert from the Czech Republic to further develop the proposal in collaboration with the European Union, France, Germany, Japan and New Zealand and to report developments at the fifty-fourth session of the TWF.
10. The proposals considered by the TWV and TWF are reproduced in Annex I to this document.

11. The TC is invited to note discussions on new proposals for denomination classes of the genera Allium, Brassica and Prunus, as set out in paragraphs 5 to 10 of this document.

POSSIBLE DEVELOPMENT OF A UPOV SIMILARITY SEARCH TOOL FOR VARIETY DENOMINATION PURPOSES

12. A report on developments concerning the development of a UPOV denomination similarity search tool is provided in document TC/58/INF/7 "UPOV denomination similarity search tool".

EXPANSION OF THE CONTENT OF THE PLUTO DATABASE

13. The background to this matter is provided in Annex II to this document.

New Developments

14. The new version of the PLUTO database was launched on October 11, 2021, at the new URL <https://pluto.upov.int>.
15. The new version of the PLUTO database defines a PLUTO specific unique identifier for variety records in the PLUTO database, based on two parameters:
 - the authority : where the variety is subject to protection or national listing and,
 - the variety identifier : if not provided by the contributors, the variety identifier is the application number or the grant number. If neither are available, PLUTO generates a unique identifier.
16. The unique identifier enables contributors to submit only modified and new records. It is no longer mandatory to submit the full data set every time.
17. The new PLUTO database accepts accents and special characters and to add information on denominations, common name, parties concerned in non-Roman alphabet, as defined in ISO/IEC Standard 8859 1: 1998.
18. The "Guidance on the "TAG" format for the transmission of data to PLUTO" is available at PLUTO Information website under item "HOW TO CONTRIBUTE DATA TO PLUTO" of "How to use PLUTO" at <https://www.upov.int/pluto/en/help.html> along with Excel template for contributors.

19. The TC is invited to note developments concerning the expansion of the content of the PLUTO database.

[Annexes follow]

NEW PROPOSALS FOR VARIETY DENOMINATION CLASSES FOR *ALLIUM*, *BRASSICA* AND *PRUNUS*

Document prepared by an expert from the Czech Republic

20. The purpose of this document is to propose changes to the variety denomination classes for *Brassica* and the creation of new variety denomination classes within *Allium* and *Prunus*.

21. We encounter problems when assessing the variety denominations for the genera *Brassica*, *Allium* and *Prunus*. These genera are wide and sometimes difficult to find a variety denomination especially for oilseed rape (Colza), garlic, onion and fruit trees of the genus *Prunus*.

22. Variety denominations for Oilseed rape are often rejected because Chinese cabbage (for example) already has the same or similar denomination; for Garlic, because Onion (for example) already has the same or similar name and for Peach because Plum (for example) has already the same or similar name.

23. Examples:

- rejected denomination 'Amelie' for Turnip (vegetables) variety because of the existence Oilseed rape variety 'Amelie'
- rejected denomination 'Rusalka' for Garlic variety because of the existence Onion variety 'Rusalka'
- rejected denomination 'Luisa' for Sweet cherry variety because of the existence Peach variety 'Luisa'

24. We propose, taking into account the frequency of registration (national listing) of these species, dividing some variety denomination classes according to use of the species and visual differences of an adult plant (or fruit). In the case of garlic (*Allium sativum*), the method of propagation also plays a role (garlic x onion).

25. Other countries may have other or maybe similar proposals and that it should be a matter of discussion of the experts from the relevant Technical Working Parties.

Proposal:

26. The following changes are proposed to document UPOV/EXN/DEN/1 "Explanatory Notes on Variety Denominations" Annex I (changes indicated in highlighting and ~~striketrough~~ for deletions and highlighting and underline for additions):

Part I: Classes within a genus

	<u>Botanical names</u>	<u>UPOV codes</u>	<u>USE</u>	<u>Common name</u>
Class 1.1	<u>Brassica oleracea</u>	<u>BRASS_OLE</u>		
Class 1.2	<u>Brassica other than Brassica oleracea</u>	<u>other than BRASS_OLE</u>		
Class 1.2	<u>Brassica rapa L. subsp. chinensis (L.) Hanelt</u> <u>Brassica rapa L. subsp. pekinensis (Lour.) Hanelt</u>	<u>BRASS RAP CHI</u> <u>BRASS RAP PEK</u>	<u>Leaves - vegetables</u>	<u>Pakchoi</u> <u>Chinese cabbage</u>
Class 1.3	<u>Brassica napus var.napus</u> <u>Brassica rapa L. subsp. campestris (L.) A. R. Clapham</u>	<u>BRASS NAP NUS</u> <u>BRASS RAP CAM</u>	<u>Seeds, fodder crops</u>	<u>Swede rape, Colza</u> <u>Turnip rape, Navette</u>
Class 1.4	<u>Brassica napus var. napobrassica (L.) Rchb.</u> <u>Brassica rapa L. var. rapa (L.) Thell.</u>	<u>BRASS NAP NBR</u> <u>BRASS RAP RAP</u>	<u>Bulbs - vegetables or fodder crops</u>	<u>Swede, Chou-navet</u> <u>Turnip (vegetables), Navet</u>
Class 1.5	<u>Brassica other than classes 1.1, 1.2, 1.3, 1.4 and 214 (mustard)</u>	<u>other than classes 1.1, 1.2, 1.3, 1.4 and 214</u>		

[...]

Class 5.1	<u>Allium sativum L.</u> <u>Allium ursinum L.*</u> <u>Allium L. - all ornamental Allium species</u>	<u>ALLIU SAT</u> <u>ALLIU URS</u> <u>ALLIU</u>	<u>Vegetables garlic and ornamental ALLIUM species (or medicinal herbs)</u>	<u>Garlic</u> <u>Bear onion, Ail des ours</u> <u>all ornamental Allium species</u>
Class 5.2	<u>Allium other than class 5.1</u>	<u>Other ALLIU</u>	<u>vegetables</u>	

Class 6.1	<u>Prunus avium (L.) L.</u> <u>Prunus cerasus L.</u>	<u>PRUNU AVI</u> <u>PRUNU CSS</u>	<u>Similar fruit</u>	<u>Sweet cherry</u> <u>Sour cherry</u>
Class 6.2	<u>Prunus domestica L.</u>	<u>PRUNU DOM</u>		<u>Plum</u>
Class 6.3	<u>Prunus armeniaca L.</u> <u>Prunus persica (L.) Batsch.</u>	<u>PRUNU ARM</u> <u>PRUNU PER</u>	<u>Similar fruit</u>	<u>Apricot</u> <u>Peach</u>
Class 6.4	<u>Prunus other than classes 6.1, 6.2 and 6.3</u>	<u>other than classes 6.1, 6.2 and 6.3</u>		

*comment: Maybe not necessary to detach, included in all ornamental Allium species

Part II: Classes encompassing more than one genus

	<u>Botanical names</u>	<u>UPOV codes</u>		
[...]				
Class 214	<u>Brassica juncea (L.) Czern.</u> <u>Brassica nigra L. W.D. J. Koch</u> <u>Sinapis alba L.</u>	<u>BRASS JUN</u> <u>BRASS NIG</u> <u>SINAP ALB</u>	<u>Food-mustard</u>	<u>Brown mustard</u> <u>Black mustard</u> <u>White mustard</u>

[Annex II follows]

EXPANSION OF THE CONTENT OF THE PLUTO DATABASE

Working Group on Variety Denominations in 2019

27. The background to this matter is provided in document TC/55/INF/7, paragraphs 11 to 17.
28. The WG-DEN, at its sixth meeting, received a presentation on the possible introduction of a unique identifier for variety records in the PLUTO database.
29. The WG-DEN noted the plans for the introduction of a unique identifier for variety records in the PLUTO database.
30. The WG-DEN considered the proposals on additional data to be included in the PLUTO database and agreed with the proposal to add common names in other languages to the PLUTO database, as far as resources allowed.
31. The WG-DEN noted that the TC was considering how to address matters concerning variety types for DUS testing purposes and agreed that developments in the TC should be reported to the CAJ.

Administrative and Legal Committee in 2019

32. The CAJ, at its seventy-sixth session, noted the developments reported in document CAJ/76/6 Add. concerning "Expansion of the content of the PLUTO database", and plans for the introduction of a unique identifier for variety records in the PLUTO database (see document CAJ/76/9 "Report", paragraphs 40 to 42).
33. With regard to the inclusion of other varieties (new data) in the PLUTO database, the CAJ noted the proposals for additional data to be included in the PLUTO database and agreed with the proposal to add common names in other languages to the PLUTO database.
34. The CAJ noted that the TC was considering how to address matters concerning variety types for DUS testing purposes and agreed that developments in the TC should be reported to the CAJ.

[End of Annex II and of document]