



TWC/24/3

ORIGINAL: English only

DATE: May 29, 2006

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

**TECHNICAL WORKING PARTY ON AUTOMATION AND
COMPUTER PROGRAMS**

**Twenty-Fourth Session
Nairobi, June 19 to 22, 2006**

TGP DOCUMENTS

Documents prepared by the Office of the Union

1. The purpose of this document is to provide an update concerning the development of TGP documents.

PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

2. At its forty-second session, held in Geneva, from April 3 to 5, 2006, the Technical Committee (TC) approved the program for the development of TGP documents, as set out in Annex II to document TC/42/5, with the following amendments:

- (a) the title of document TGP/4 to be confirmed as “Constitution and Management of Variety Collections” (without brackets); and

- (b) the title of document TGP/8 would be changed to “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”;

3. The TC noted, in particular, that:

- (a) the Administrative and Legal Committee Advisory Group (CAJ-AG) will be invited to consider the development of document TGP/3 and the revision of document TGP/5,

in preparation for submission of documents to the Administrative and Legal Committee (CAJ);

(b) documents TGP/4, TGP/9 and TGP/10 are scheduled to be approved in parallel (in April 2007);

(c) revision of document TGP/5 is scheduled to allow a review of Section 10 in parallel with revisions of Sections 1 to 7;

(d) revision of document TGP/7 is scheduled to start in 2008, after document TGP/9 has been approved by the TC and in anticipation of document TGP/14 attaining a good level of agreement; and

(e) finalization of document TGP/13 is scheduled after the approval of documents TGP/4, TGP/9 and TGP/10.

4. On April 10 and 11, 2006, following the forty-second session of the TC, a meeting of the TGP/14 Shape and Color Subgroups was held to progress document TGP/14: Section 2: Botanical Terms (Plant Shapes and Color). The discussions in that meeting indicated that the Technical Working Party for Vegetables (TWV) had an important interest in TGP/14.2.3 "Color" and their comments on the relevant documents would be important for the advancement of the document in 2006. Therefore, it was agreed with the TWV Chairman that documents TGP/14 Section 2.3.1: Color Draft 2 and TGP/14 Section 2.3.2: Color Groups Draft 4 would be presented to the TWV in 2006.

5. Further information concerning certain of the TGP documents is presented below.

DRAFT TGP DOCUMENTS DISCUSSED BY THE TC

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

TGP/4 "Constitution and Management of Variety Collections"

6. The TC agreed the text as presented in document TGP/4/1 Draft 7, except for the highlighted sections which represent new text drafted at the request of the TC. The text shown in highlighting was drafted after the TC session and, therefore, has not yet been reviewed by the TC.

TGP/9 "Examining Distinctness"

7. The TC agreed the text as presented in document TGP/9/1 Draft 7, except for the highlighted sections which represent new text drafted at the request of the TC. The text shown in highlighting was drafted after the TC session and, therefore, has not yet been reviewed by the TC.

TGP/10 "Examining Uniformity"

8. The TC agreed the text as presented in document TGP/10/1 Draft 4, except for the highlighted sections which represent new text drafted at the request of the TC. The text

shown in highlighting was drafted after the TC session and, therefore, has not yet been reviewed by the TC.

(b) Other TGP documents

TGP/8: Use of Statistical Procedures in DUS Testing (document TGP/8/1 Draft 3)

9. The TC heard at its forty-second session that consideration of the comments made by the Technical Working Parties (TWPs) at their sessions in 2005 and by the Enlarged Editorial Committee (TC-EDC) at its meeting on January 10, 2006, had led the Chairperson of the Technical Working Party on Automation and Computer Programs (TWC) and Coordinator of TGP/8, Mrs. Sally Watson (United Kingdom), in conjunction with the Office of the Union (Office), to conclude that a re-structuring of the document and a review of the content in conjunction with the TWC would be appropriate before the document was considered in detail by the TC. The TC agreed that Mrs. Watson and the Office should prepare a new draft for consideration by the TWC, taking into account the comments of the TWPs and the TC-EDC, on the basis of the notes in document TGP/8/1 Draft 3.

10. The TC did not consider document TGP/8/1 Draft 3 in detail, but agreed that, as a result of its broadened scope, the title of TGP/8 should be changed to “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”. It also agreed that consideration should be given to splitting the document into two separate documents (Part I document and Part II document) in order to facilitate its consideration.

TGP/12: Special Characteristics: Section 1: Characteristics Expressed in Response to External Factors

11. Document TGP/12 Section 1 Draft 3 incorporates the comments made by the TC at its forty-second session.

12. At its forty-first session, the TC considered document TGP/12 “Special Characteristics”: Section 2/1 Draft 2: Chemical Constituents: Protein Electrophoresis. It agreed that document TGP/12 Section 2 “Chemical Constituents: Protein Electrophoresis” should not be adopted at that time and should be brought forward for adoption in conjunction with the other sections of document TGP/12.

13. In relation to the development of document TGP/12 Section 3 “Examination of Combined Characteristics Using Image Analysis”, the TWC considered document TWC/23/20 at its twenty-third session held from June 13 to 16, 2005 in Ottawa, Canada. The TWC concluded that the possible development of a document for TGP/12 Section 3 should be considered at its next session, but that a new document should not be prepared.

TGP/13: Guidance for New Types and Species

14. Document TGP/13/1 Draft 6 incorporates the comments made by the TC at its forty-second session.

15. In response to a request for clarification of how to address a single application for a plant breeder’s right for a combination of different lines, the TC agreed that a document should be prepared for consideration at the forty-third session of the TC.

REVISION OF TGP/7 “DEVELOPMENT OF TEST GUIDELINES”

16. At its forty-first session, the TC agreed that, where proposals to update document TGP/7/1 “Development of Test Guidelines” were agreed by the TC, document TGP/7/1 should be revised and a new version adopted (document TGP/7/2 in the first instance). Such revisions would also be reflected in the electronic template and drafters’ kit.

17. A number of specific proposals have been made with regard to the revision of document TGP/7/1. Those proposals, and references to the origin of those proposals, are set out in the Annex to this document. It has become apparent that certain proposals arise as a consequence of discussions concerning other TGP documents and, in particular, TGP/9 “Examining Distinctness” and TGP/14 “Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents”. On that basis, the TC agreed that the revision of document TGP/7 should be scheduled to start in 2008, after document TGP/9 has been approved by the TC and in anticipation of document TGP/14 attaining a good level of agreement.

[Annex follows]

PROPOSED REVISIONS TO TGP/7/1

Section 2: Procedure for the Introduction and Revision of UPOV Test Guidelines

| | |
|-------|--|
| 2.2.4 | <p>consideration to be given to introducing deadlines for the submission of non-final draft Test Guidelines to the Technical Working Parties.</p> <p>(TWA: document TWA/34/14, paragraph 36)</p> |
|-------|--|

Annex 1: TG Template

| | |
|----------------|--|
| 3.5 / ASW 7 | <p><i>3.5 Number of Plants / Parts of Plants to be Examined</i></p> <p>Paragraph 3.5 to be moved within Section 4.1 “Distinctness”, to clarify that this section recommends the number of plants / parts of plants to be examined for distinctness. In addition, ASW 7 to be amended to the following:</p> <p><u>“ASW 7 (Chapter 3.5) – Number of plants / parts of plants to be examined</u></p> <p>Alternative 1:</p> <p>Unless otherwise indicated, all observations should be made on {x} plants or parts taken from each of {x} plants.</p> <p>Alternative 2:</p> <p>Unless otherwise indicated, all observations should be made on {x} plants or parts taken from each of {x} plants. In the case of observations of parts of plants, the number of parts to be taken from each of the plants should be {y}.”</p> <p>(Mrs. Beate Rücker (Germany))</p> |
| 6.3 | <p><u>Quantitative characteristics</u></p> <p>the Test Guidelines should explain the use of the 3, 5, 7 abbreviated notes in the 1-9 scale for quantitative characteristics.</p> <p>(TWV: document TWV/38/9, paragraph 57)</p> |

Annex 2: Additional Standard Wording (ASW) for the TG Template

| | |
|----------------|---|
| ASW 4: 2(b) | <p><u>(TG Template: Chapter 3.3) – Conditions for conducting the examination: Information for conducting the examination of particular characteristics: Type of observation</u></p> <p>TGP/7 to be amended according to the wording agreed for TGP/9.</p> <p>(TWA: document TWA/34/14, paragraph 40 (Table ref. 4.1.2))</p> |
|----------------|---|

| | |
|----------------|--|
| ASW 4: 2(d) | <p><u>(TG Template: Chapter 3.3) – Conditions for conducting the examination: Observation of color by eye</u></p> <p>to add that the color chart and the version of the color chart used should be specified with the variety description (TWF: document TWF/35/11, paragraph 54)</p> |
| ASW 16 | <p><u>(TG Template: Chapter 10: TQ 7.3) – Where a photograph of the variety is to be provided</u></p> <p>to add text indicating that guidance would be provided by the authority to enhance the usefulness of the photograph (e.g. to include a metric scale in the picture, to define what parts of the plant should be included; light conditions, background color, etc).</p> <p>(see document TGP/9/1 “Examining Distinctness” Draft 6, Section 2.4.2)</p> |
| New 1. | <p><u>Chapter 1 of the Test Guidelines: Subject of these Test Guidelines</u></p> <p>to seek to develop Additional Standard Wording (ASW) for the following situations:</p> <p>(i) where there are separate Test Guidelines for different types of variety within the same genus/species (TWF: document TWF/35/11, paragraph 55);</p> <p>(ii) for Test Guidelines for rootstock varieties which do not include flower or fruit characteristics (TWA: document TWA/33/16, paragraph 31);</p> <p>(iii) for Test Guidelines covering hybrids with species / genera which are covered by other Test Guidelines (TWF: document TWF/35/11, paragraph 40).</p> |
| New 2. | <p><u>Chapter 3.1</u></p> <p>to provide a new Additional Standard Wording (ASW) for crops where the two independent growing cycles are recommended to be in the form of two separate plantings, e.g. “The two independent growing cycles should be in the form of two separate plantings”.</p> <p>(TWA: see proposals concerning Test Guidelines for Ryegrass TG/4/8(proj.3))</p> |
| New 3. | <p><u>Chapter 8</u></p> <p>to provide a standard definition of time of eating maturity .</p> <p>(TWF: document TWF/35/11, paragraph 54).</p> |

Annex 3: Guidance Notes (GN) for the TG Template

| | |
|--------------|---|
| GN 18, 19 | <p>to avoid use of the word “the” in the wording of characteristics and states of expression in the Table of Characteristics</p> <p>(Office in communication with Mrs. Elise Buitendag (South Africa), Coordinator of document TGP/7)</p> |
|--------------|---|

| | |
|--------------|---|
| GN 19 (3) | <u>Numbers</u> requirement for numbers lower than 10 to be written and higher numbers to be indicated numerically to be deleted (Office) |
| GN 20 (1) | <u>Presentation of characteristics: States of expression according to type of expression of a characteristic</u> to clarify that adjectives such as moderately, medium, etc. (e.g. much smaller (1), moderately smaller (3), etc. / light green (1), medium green (2), etc.) should be used for pseudo-qualitative characteristics and for quantitative characteristics where there are one or more fixed states (Office in communication with Mrs. Elise Buitendag (South Africa), Coordinator of document TGP/7) |
| GN 20 (3) | <u>Quantitative characteristics: Explanation</u> to explain that the notes for quantitative characteristics should be meaningful in relation to the range of variation of the characteristic and for the assessment of distinctness. (see TGP/9 “Examining Distinctness”) |
| GN 20 (3) | <u>Quantitative characteristics</u> to provide guidance on the use of a scale with more than 9 notes (TWA: document TWA/33/16, paragraph 67). |
| GN 20 (3) | <u>3.5 “Condensed” range</u> to consider accepting a 3-state range where there is no fixed point, e.g. weak/medium/strong, on the basis that the second state should read “intermediate”. (TC-EDC: January 2006) |

Annex 4: Collection of Approved Characteristics

| | |
|--------------|---|
| Introduction | to be clarified that characteristics contained in adopted UPOV Test Guidelines may be omitted from the “Collection of approved characteristics” (document TGP/7, Annex 4) where considered appropriate by the TC, on the basis of recommendations by the Enlarged Editorial Committee (TC-EDC). (TWA: document TWA/34/14, paragraph 15) |
| | to explain that the indication of the characteristic number, the method of observation, type of characteristic and the indications of (+) and (*) had been retained from the Table of Characteristics from which the characteristic had originated, but to clarify that that information might not be appropriate for other Test Guidelines. (TWA: document TWA/34/14, paragraph 16) |

| | |
|------------|---|
| | <p>to explain to drafters of Test Guidelines that, for characteristics where any element of the characteristic is changed after copying from the collection, the translations into French, German and Spanish should be deleted.</p> <p>(TWV: document TWV/38/9, paragraph 40)</p> |
| Collection | <p>examples of color characteristics developed in conjunction with TGP/14 Section 2.3: “Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents: Botanical Terms: Color” to be incorporated into TGP/7: Annex 4 “Collection of Approved Characteristics”. (It was noted that that might require the organization of the TGP/7 to be modified to some extent.)</p> <p>(TWF: document TWA/36/8, paragraph 35)</p> |
| | <p>to consider incorporating characteristics which are used in most Test Guidelines (e.g. Leaf: length) into the electronic template. To consider developing electronic templates for variety types (e.g. seed-propagated vegetables) which would incorporate more standard characteristics for the varieties concerned.</p> <p>(TWV: document TWV/38/9, paragraph 40)</p> |
| | <p>to consider including a collection of approved illustrations and to consider making that collection available to breeders to assist in their applications for PBR. (see also TGP/14 Section 2.1: Plant shapes)</p> <p>(TWO: document TWO/38/12, paragraph 60)</p> |
| | <p>to consider the development of tools such as CD-ROMs containing photographs to enhance the understanding of the characteristics used in the Test Guidelines and thereby reduce observer error.</p> <p>(TWA: document TWA/34/14, paragraph 54)</p> |

[End of Annex and of document]