



TWF/38/9

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

TECHNICAL WORKING PARTY FOR FRUIT CROPS

Thirty-Eighth Session
Jeju, Republic of Korea, July 9 to 13, 2007

REPORT

adopted by the Technical Working Party for Fruit Crops

Opening of the Session

1. The Technical Working Party for Fruit Crops (TWF) held its thirty-eighth session in Jeju, Republic of Korea, from July 9 to 13, 2007. The list of participants is reproduced in Annex I to this report.
2. The session was opened by Mr. Alejandro F. Barrientos-Priego (Mexico), Chairman of the TWF, who welcomed the participants and, in particular, new participants to the TWF.
3. The TWF was welcomed by Mr. Jae-Ouk Lee, Director, Plant Variety Protection Division, National Seed Management Office (NSMO). A copy of Mr. Lee's opening address is reproduced as Annex II to this document. Mr. In-Tae Bae, Director General, NSMO, welcomed the participants to Jeju.

Adoption of the Agenda

4. The TWF adopted the agenda as reproduced in document TWF/38/1 Rev.

Short Reports on Developments in Plant Variety Protection

(a) Reports from Members and Observers

5. Mr. Keun-Jin Choi, Senior Examiner, Plant Variety Protection Division, NSMO, made a presentation on plant variety protection in the Republic of Korea and Dr. Yong-Uk Shin, Director, Fruit Tree Research Division, National Horticultural Research Institute (NHRI), Rural Development Administration (RDA), provided an introduction to fruit breeding and cultivation in the Republic of Korea. Copies of those presentations are provided in Annex III to this document.

6. The expert from Brazil reported that most of the applications for protection filed in Brazil were for varieties of agricultural crop species bred in Brazil. The total number of applications was approximately 1200, of which 40% was for soybean varieties. There were 43 applications (4% of the total applications) for fruit crops, most of which were for apple and grapevine varieties. 40 titles for protection had been granted and 3 applications were under examination. She explained that new national test guidelines for tropical fruit crops were under preparation to extend the protection to cover more such fruit crops.

7. The expert from Canada reported that, of the 499 applications received in 2006, 5% were for fruit, 80% were for ornamentals, 9% were for agricultural crops and 6% were for vegetables. The applications filed for fruit crops included applications for 7 strawberry varieties, 3 apple varieties and blackberry varieties.

8. An expert from China reported that China had hosted the fortieth session of the Technical Working Party for Ornamental Plants and Forest Trees (TWO) in Kunming from July 2 to 6, 2007. She informed the TWF that 140 genera and species were eligible for protection. A project to extend the protection to further genera and species was being prepared and, in parallel, further national test guidelines were under preparation. A proposal to reduce the PVP fees was being considered by the Government. A two-year training program between China and the Netherlands had been launched in 2007. The total number of applications filed with the Ministry of Agriculture at the end of June 2007 was 4,197, of which 103 were for fruit varieties, 3,798 were for agricultural crops, 171 for vegetables, 122 for ornamental plants and 3 for forage crops. For fruit varieties, 30 titles for protection had been granted.

9. The expert from the Community Plant Variety Office (CPVO) of the European Community reported that, in 2006, the CPVO had received 2,735 applications and had granted nearly 2,300 titles for Community protection which had resulted in almost 13,000 titles being in force. The Council of the European Union had decided to nominate Mr. Bart Kiewiet as President of the CPVO for another five years as from August 1, 2006. On February 22, 2007 Mr. Carlos Pereira Godinho had been nominated Vice-President of the CPVO for five years. A so-called “strategic discussion” about the modalities of DUS testing in an enlarged Community had taken place. The conclusions were that strict quality requirements should be applied which should be assessed in a technically-audited entrustment in order for an examination office to be entitled to the status of a “competent” examination office for the CPVO. DUS reports issued from competent examination offices should be accepted for plant variety protection procedures and for listing purposes in the so-called “one key–several doors” principle. In its policy to strengthen plant variety rights, the CPVO had recently organized four enforcement seminars, in Brussels, Rome, Warsaw and Madrid. The CPVO had published on its website a PVR case law database. It was a searchable database, a

compilation of case laws in the plant variety rights sector. The legislation governing Community plant variety rights would be subject to changes in order to allow applicants to file their applications on-line. That possibility should be made available during 2008. The variety denomination database which had been set up by the CPVO in close collaboration with its Examination Offices and the UPOV Office was now also available for applicants of Community plant variety rights. The CPVO Extranet was now available to the public for all information of applications which could be made available for public access according to the relevant regulation and for specific information to applicants in order to allow them to consult the progress of their applications at any moment of the procedure. The variety denomination guidelines applied by the CPVO had been adapted to the revised UPOV variety denomination classes. As a result of the entering into force of a new fees regulation, examination fees to be paid by the applicant had increased, mainly in the fruit, vegetable and ornamental sectors. In the fruit sector, the year 2006 saw a 22% increase in applications from the previous year, from 138 to 168. That increase had been due to a steep rise in applications for peach/nectarine varieties (32 applications in 2005, compared to 53 in 2006). A large increase in apricot applications had been observed, which had more than trebled in number (8 applications in 2005 compared to 29 in 2006), thus outlining the healthy state of *Prunus* breeding. By contrast, apple had seen marked decreases in 2006: 30 applications in 2005 compared to 18 in 2006. Another notable figure was that for the number of grants of Community plant variety rights awarded to fruit varieties in 2006, which had increased by 45% from 84 titles in 2005 to 122 in 2006. Conversely, the first half of 2007 had seen a 25% decrease in fruit applications compared to the same period in 2006. The CPVO was looking into whether to give the go-ahead for the co-funding of a collaborative research and development project between its examinations offices for *Prunus persica* (L.) Batsch in France, Spain, Italy and Hungary on the “Management of peach tree reference collections”. The aim of the proposed project was to create (via phenotypic data and SSR markers) and implement a coordinated peach/nectarine tree database containing all the information needed for the studies aiming at optimising the management of variety reference collections in *Prunus persica* (L.) Batsch in the framework of the delivery of plant breeders’ rights at EU and national levels.

10. The expert from Germany reported that, in 2007, a total of 127 DUS tests had been conducted for 13 fruit species, including apple (29), strawberry (19), raspberry (17), blueberry (14), plum (13) and pear (13). The Federal Variety Office (Bundessortenamt) was preparing a descriptive variety list for strawberry. The Bundessortenamt was participating in a project of the Tropical Fruit Network (TF-Net) to conduct a survey of the plant variety protection situations for fruit crops in 8 countries in Asia, and in Bangladesh, China, India and Malaysia, in particular. A report would be published by the end of July 2007. The examination branches of the Bundessortenamt in Marquardt and Wurzen had received visits from Japan, the Republic of Korea, Turkey and the CPVO.

11. An expert from Japan reported that the total number of applications in the 2006 fiscal year (April 2006 to March 2007) was 1,290, showing a 7% decrease in comparison to the previous fiscal year. During the same period, 1,235 titles for protection had been granted. In the fruit crop sector, 50 applications had been filed and 55 titles had been granted. In May 2007, the Plant Variety Protection and Seed Act had been amended to strengthen penal provisions against infringements of the plant breeders’ rights. The average duration for examination had been shortened from 3.2 years in the 2006 fiscal year to 2.9 years. That would be further reduced to 2.5 years by 2008. Approximately 500 national test guidelines were under revision with a view to bringing them in harmony with the UPOV Test Guidelines. 120 UPOV Test Guidelines would be adopted as national test guidelines. That work would be completed within two years. Cooperation had started in 2006 with the CPVO

for petunia, calibrachoa and cut-flower rose. In 2007, the cooperation was expected to cover also chrysanthemum (spray type), garden rose and verbena.

12. The expert from Mexico reported that there had been no relevant changes in the Plant Variety Protection Office since the last TWF session. One relevant issue was the review of the Plant Variety Protection Law in order for it to conform the provisions of the 1991 Act of the UPOV Convention. To July 2007, 43% of the applications were for agricultural crops, 27 % for ornamentals, 21% for fruit crops and 8% for vegetables. Applications had been filed for a total of 147 species. 20% of the total applications were filed for maize, 19% for rose and 11% for strawberry. For fruit crops, 64 applications had been filed for strawberry, 20 for raspberry, 15 for grapevine, 13 for avocado, 9 for blueberry, 8 for apple, 7 for blackberry and 23 for other fruit species such as mango, mandarin, lime, papaya and apple. National test guidelines for pitaya (*Stenocereus*), cacao and vanilla were under preparation.

13. The expert from New Zealand reported that a draft law had been prepared which would conform with the provisions of the 1991 Act of the UPOV Convention. The draft would not be sent to the Parliament before the end of 2007. The number of applications for all genera and species had been in decline in the previous few years. That decline appeared to have stopped and so far that year the number of applications had seemed to be increasing. A review of testing for kiwifruit, pipfruit and stone fruit had been carried out. One of the reasons for the review was the increase in opposition from some breeders to the central testing carried out by the Horticulture Research Institute, which also conducted breeding work and was effectively a competitor. The testing of *Cyphomandra betaceae* and *Acca swellenonia* had resumed after some years of absence of applications and the first trial for a variety of *Rubus occidentalis* (black raspberry) had started. A Japanese pear variety had been rejected after several years of testing, for the reason that it had been found not to be distinct. The breeder had objected to that decision on the basis that the variety was resistant to Japanese Pear Black Spot. That disease did not exist in New Zealand and, therefore, could not be tested in New Zealand. That variety would continue to receive further consideration.

14. An expert from South Africa reported that the number of applications for fruit varieties in 2006 was 67. 50 fruit varieties had been approved for protection in the same year. Most of the applications were for stone fruits, particularly nectarine, peach and cherry. The fruit producing areas were expanding from traditional areas to new areas previously not known for fruit production. That could be supported by the efforts made by breeders to breed new varieties adapted to specific environmental conditions in such new fruit producing areas, such as varieties resistant to low chilling requirements. Because of overproduction of fruit, fruit producers had expand their fruit basket by including so-called alternative fruits such as berries, olives, pomegranates and figs, in order to remain profitable. The olive industry, in conjunction with the Government, was in the process of compiling a national variety list for olives under the Plant Improvement Act. That Act stipulated that plant material could be certified.

15. The expert from Spain reported that technical examinations of varieties were carried out by the Spanish Plant Variety Office (OEVV), for the protection of new varieties and for the Commercial Register of Varieties (Variety Catalogue). The OEVV was also competent for commercial imports and for the coordination of the certification systems for seed and nursery plants and for the control of the production of the internal market. The OEVV worked on a wide range of fruit species, including subtropical, Mediterranean and continental species and had concluded agreements with ten examination centres in different regions of Spain. In 2006, the OEVV had received 71 applications for the national plant variety protection system,

29 of which were for fruit and ornamental varieties, as well as 308 applications for the national register of commercial varieties (of which 30 were for fruit and ornamental varieties). An important part of the technical examinations were conducted in collaboration with the CPVO. Nevertheless, the most important part of the technical examination work for fruit varieties was for the management of the Variety Catalogue. It had become possible to collect all information on applications for protection and on protected varieties, at national level, from the website of the Ministry of Agriculture (www.mapa.es). In Spain, important breeding programs for strawberry, peach, olive and citrus had started some years earlier and, accordingly, the spectrum of varieties of those crops on the domestic market had become broader. In the case of *Citrus* L., new technologies such as irradiation were now applied to breeding, to produce seedless varieties. It had, therefore, been proposed that a study should be conducted to include new characteristics in Test Guidelines to distinguish new, irradiated varieties. Contacts with the OIV experts continued with a view to harmonizing the OIV descriptor and UPOV Test Guidelines for grapevine (document TG/50/8). Questions raised in that process would be tabled during the grapevine subgroup meeting during the TWF session. The expert from Spain thanked the Office of the Union for the organization of the Distance Learning Course on PVP, which the Spanish experts had found useful.

(b) Reports on Developments Within UPOV

16. The TWF received an oral report from the Office of the Union on the latest developments within UPOV. A copy of the presentation is attached as Annex IV to this document.

Molecular Techniques

17. The TWF noted the information provided in document TWF/38/2.

TGP Documents

18. The TWF considered the TGP documents below on the basis of documents TWF/38/3 and TWF/38/3 Add.

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

TGP/10 Examining Uniformity

19. The TWF agreed the following with respect to document TGP/10/1 Draft 7:

1.2	the TWF noted the proposed change of wording by the TWA to the highlighted sentence in square brackets (“[Hence, ...]”) but supported the preference, as expressed by the TWV and TWO, for the sentence to be deleted completely.
2.1	in accordance with the TWA, TWV and TWO proposal, to delete “[is always present to some extent and]”

2.2	in accordance with the TWA, TWV and TWO proposal, final sentence to read “As a general rule, the states of expression of qualitative characteristics are not influenced by the environment.”
2.3.1(c)	in accordance with the TWA, TWV and TWO proposal, first sentence to read “in cross-pollinated varieties (including synthetic varieties), the expression of characteristics within varieties results from both genetic and environmental components.”
2.4.1	in accordance with the TWV proposal, last sentence to read “In addition, for varieties maintained by near-isogenic maintainer lines (e.g. male sterile lines) and for synthetic varieties, a segregation of certain characteristics is acceptable if it is compatible with the method of propagation of the variety.”
2.4.2	in accordance with the TWA, TWV and TWO proposal, first sentence to read “Thus, for the varieties covered by paragraph 2.4.1, a segregation for certain characteristics, in particular for qualitative characteristics, is accepted if it is compatible with the expression of the parental lines and the method of propagating the variety.
4.2	in accordance with the TWA, TWV and TWO proposal, Section 4.2 to be moved after Section 4.6
4.2.1.1	(e) to amend to refer to propagation effects and to add example of positional effects according to where the material is taken on the mother plant
4.2.1.1	to add new notes to cover atypical expression resulting from damage (e.g. herbicide scorch, wind damage, adverse environmental conditions etc.) and lack of pollination (rather than fertilization)
4.2.2.1	in accordance with the TWO proposal, to retain the sentence “Within-plant variation can be caused by an external influence (e.g. light levels of the inner and outer plant) or can be genetically based.”
4.2.2.1	to add the following text from Section 4.3.2.5: “A second example can be seen in apple fruit coloration and patterning. The fruit color, color intensity, amount of overcolor and pattern of overcolor can have atypical expression present, but it is the frequency of the variation which requires consideration.”
4.3.2.4	to add after the final sentence “However, in some cases, the presence or absence alone of atypical expression for a characteristic may not be sufficient and the frequency and proportion of the atypical expression may also need to be considered (e.g. a single fruit with atypical expression in a relevant characteristic caused by genetic factors in a tree, may not result in an off-type plant).”
4.3.2.5	to be deleted
4.3.3.3	in accordance with the TWO proposal, to retain the highlighted sentence, but to revise to read “This can be carried out on the existing material for a second cycle or on new material” and to add that a sample of the original material should be retained, where possible, to check the conformity of any new material.
4.5.1	in accordance with the TWV and TWO proposal, title to read “Self-pollinated, vegetatively propagated and single-cross hybrid varieties”

4.5.1.4, 4.5.1.5	in accordance with the TWA, TWV and TWO proposal, to retain the existing version
4.5.1.7	in accordance with the TWA, TWV and TWO proposal, to delete “[The sample size and maximum acceptable number of off-types must be selected with care in order to produce a good test.]”
4.6	to make no additions to the existing text
5.2.1	in accordance with the TWA, TWV and TWO proposal, to retain the word “comparable”
5.2.2	in accordance with the TWA, TWV and TWO proposal, to delete “with comparable expression of characteristics” from the final sentence
5.2.4	the TWF noted that a paper on LSD had been prepared by experts from Australia and would be considered by the Technical Working Party on Automation and Computer Programs at its twenty-fifth session, to be held in Sibiu, Romania, from September 3 to 6, 2007
5.3	in accordance with the TWA, TWV and TWO proposal, to delete “[, but closely related,]”

(b) *Other TGP Documents:*

TGP/8 Trial Designs and Techniques used in the Examination of Distinctness, Uniformity and Stability (document TGP/8/1 Draft 7)

20. In accordance with the TWO, the TWF proposed that document TGP/8/1, Part I, Section 2 “Trial Design” should cover the possibility of having separate trials to examine plants at different stages of development, e.g. young trees and mature trees. However, the TWF agreed that it would be more appropriate to have a detailed discussion on TGP/8 at its thirty-ninth session in 2008, when the document would be more advanced.

21. The TWF proposed that document TGP/8, Part II: Techniques used in DUS Examination, Section 6 “Examining DUS in bulk samples”, should provide guidance for the examination of characteristics using bulk samples in crops observed for only one growing cycle.

TGP/11 Examination of Stability (document TGP/11/1 Draft 2)

22. The TWF discussed document TGP/11/1 Draft 2 up to Section 2.2.4 and agreed that the document should be revised to differentiate between issues of stability and uniformity and address only those issues which concerned stability. The TWF agreed that the document should continue to be developed. With regard to the text of document TGP/11/1 Draft 2 up to Section 2.2.4, the TWF made the following comments:

2.2.1	in accordance with the TWO proposal, to be revised to avoid stating that the assessment of distinctness and uniformity is not possible without the assumption that the variety is stable in the expression of its characteristics
2.2.3	in accordance with the TWO proposal, to avoid relating off-types to the assessment of stability

2.2.3 (b)	in accordance with the TWO proposal, to delete “and inbred lines of hybrid varieties”
2.2.4	in accordance with the TWO proposal, to revise the sentence “The real reason as to why the variety is deemed being not uniform resulting from the higher than tolerable numbers of off-types may be due to its genetic make up: the variety is inherently not stable.”
2.5.4	in addition to the points made up to Section 2.2.4, the TWF agreed with the TWV and TWO that Section 2.5.4 should be deleted from TGP/11 because it was subsequent to the DUS examination.

23. The TWF noted that a new draft of TGP/11 would be prepared by the experts from European Community, in conjunction with the United Kingdom, by October 2007 in time for the development of the draft to be considered by the Technical Committee.

24. The TWF agreed with the TWV proposal that, in addition to continuing the development of TGP/11, it would be of practical assistance to seek to develop a document on how to address problems concerning stability which were brought to the attention of an authority after the grant of a plant breeder’s right. It noted the TWV comment that such a document could also be extended to address problems concerning distinctness, uniformity and novelty which were brought to the attention of an authority after the grant of a plant breeder’s right and also to consider the status and use of the “official” variety description. It was noted that the development of such a document would be outside the framework of the DUS examination and, therefore, outside the scope of the General Introduction and TGP documents. It also noted the need for such a document to be endorsed by the Technical Committee and the Administrative and Legal Committee and agreed to await the views of those committees before starting work on such a document.

TGP/12 Special Characteristics (document TGP/12/1 Draft 2)

25. The TWF considered document TGP/12/1 Draft 2.

26. With respect to the TWO proposal that consideration be given to including frost tolerance in document TGP/8/1, the TWF proposed to first check whether frost tolerance had been used as a DUS characteristic.

TGP/13 Guidance for New Types and Species (document TGP/13/1 Draft 9)

27. The TWF agreed to propose the following with respect to document TGP/13/1 Draft 9:

1.3	in accordance with the TWA, TWV and TWO proposal, final sentence to read “The starting point in each section of this document is the information provided in the Technical Questionnaire or application form [...]”.
2.1.1	in accordance with the TWA, TWV and TWO proposal, to reverse the order of (a), (b) and (c)
2.1.3	in accordance with the TWA, TWV and TWO proposal, to be revised to make reference to the basic principles set out in documents TGP/4 and TGP/9 and to delete the example of <i>Festulolium</i>

2.2	in accordance with the TWA, TWV and TWO proposal, to add “or application form” after “Technical Questionnaire”
2.3.4	in accordance with the TWO proposal, to replace the highlighted text between square brackets with an explanation that the need for the development of (UPOV) Test Guidelines should be based on the guidance in document TGP/7
2.4.2	section to be revised to make reference to TGP/4 and TGP/9 and to be revised to be aware of the possibility of the non-existence of varieties of common knowledge and, in particular, to explain that there could be cases where there would be no varieties of common knowledge
2.5.3	in accordance with the TWO proposal, to replace the highlighted section with a reference to TGP/10
2.6	in accordance with the TWA, TWV and TWO proposal, to delete “and Verification”
2.7	in accordance with the TWA and TWV suggestion, to include advice to seek information on variation within the species and not just variation between varieties of common knowledge and to include advice to seek such information from other sources than just botanical references
2.7.4	in accordance with the TWA, TWV and TWO proposal, final sentence to read “It would, therefore, be advisable to avoid the extreme states of expression for such a characteristic (very small (1) and very large (9)) to describe the first varieties within a species.”
3.	in accordance with the TWO proposal, to avoid repetition of the elements in Section 2 and to consider only matters specific for interspecific / intergeneric hybrids, such as uniformity requirements and how to use the Test Guidelines for the “parent” species for DUS testing of the interspecific / intergeneric hybrid
4.2	in accordance with the TWA, TWV and TWO proposal, to add “or application form” after “Technical Questionnaire”

TGP/14 Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents (document TGP/14/1 Draft 3)

28. The TWF discussed document TGP/14/1 Draft 3.
29. The TWF agreed to propose the following with respect to document TGP/14/1 Draft 3:

Section 2 “Botanical Terms”: Subsection 2 “Shapes and Structures

Section 2.2	<p>the TWF noted the following comments made by the TWV:</p> <p>“With respect to document TWV/41/10 Rev., the TWV concluded that the results of the exercise on shape demonstrated that the observation of the individual components of shape (e.g. position of broadest part, length/width ratio, lateral outline) provided information which was more precise and consistent and which was more powerful for discriminating between varieties. However, the TWV noted that such components of shape might not be easily understood, particularly by applicants for</p>
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	<p>characteristics included in the Technical Questionnaire, and agreed that it would be helpful to develop meaningful states: for example, “very elongated”, rather than “very high” for length/width ratio. The TWV confirmed its view expressed at its fortieth session, that a characteristic describing the overall shape, in addition to the individual components of shape, could be useful for variety description purposes and agreed that, in order to make such an overall shape characteristic as useful as possible, it would be worthwhile considering the inclusion of charts such as that in TGP/14/1 Draft 3, Section 2.2, Examples 4 and 5 in the explanation for such characteristics in Chapter 8 of the Test Guidelines. The TWV agreed that it might be helpful for other Technical Working Parties (TWPs) to see the results of the shape exercise, as presented in TWV/41/10 Rev., for their discussions on document TGP/14 and agreed that the Office might present those results to other interested TWPs. The TWV agreed that Section 2.2 should be reviewed accordingly.”</p> <p>The TWF agreed that the approach of the TWV represented a good balance between the need for precise and consistent observations and the need for shape to be presented in a practical way for the purposes of description. It agreed that that approach for shape should be used for drafting Test Guidelines for at least those drafts to be considered for the first time at its thirty-ninth session.</p>
II, 3.4 Margins	to add an additional illustration for dentate, to be provided by Germany, showing incurved margins (like a holly leaf)
General	it was agreed that any proposals concerning specific terms should be sent to the Office of the Union for consideration by the TGP/14 Shape subgroup

Section 2 “Botanical Terms”: Subsection 3 “Color”

General	<p>the TWF noted that the discussions on draft Test Guidelines at the fortieth session of the TWO had identified the following issues which needed to be resolved with regard to the development of color characteristics:</p> <ul style="list-style-type: none"> (a) characteristics for “number of colors”; (b) strategies for sets of characteristics to describe color patterns; (c) describing color patterns where those are in addition to the variegation in variegated varieties; (d) the consideration of whether pigments, such as anthocyanin, should be considered as a color; and (e) explanation of conspicuousness (e.g. whether it relates to color <i>per se</i>, color contrast, etc. and excludes the area covered by the color) <p>The TWF noted that the TWO had agreed that it would be difficult to make progress on those matters within the TWO session in a timely and effective way and supported the TWO proposal to hold a separate meeting to discuss the development of TGP/14/1 Section 2, Subsection 3 “Color” on the Friday afternoon and Saturday morning immediately prior to the TWF or TWO session in 2008, whichever was the earliest. It noted that an invitation to that meeting would be sent to all TC and TWP experts. The TWF noted that, in order to ensure that the meeting was as productive as possible, it had been agreed that a</p>
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new draft of TGP/14/1, seeking to address as far as possible the issues raised above, would be produced before that meeting and that, in addition, a comprehensive set of examples and photographs would be prepared for discussion in the meeting.

30. With regard to the proposal of the TWA to await the adoption of document TGP/8 before finalizing TGP/14, Section 3 in order to ensure that all terms are covered, the TWF supported the TWO proposal that the adoption of TGP/14 should not be delayed by awaiting the adoption of TGP/8.

(c) *Revision of TGP documents:*

TGP/5 Experience and Cooperation in DUS Testing

31. With regard to the proposed clarification of the terms “breeder”, “applicant” and “original breeder” in document TGP/5, the TWF noted that this would imply a significant change to the way in which those terms were used by many members of the Union and proposed to avoid introducing a new term such as “original breeder” by using the phrase “the person who bred, or discovered and developed, the variety”.

Section 1/2 Draft 2: Model Administrative Agreement for International Cooperation in the Testing of Varieties

32. The TWF agreed to propose the following with respect to document TGP/5/Section 1/2 Draft 2:

page 2	in accordance with the TWO proposal, to retain the proposed new paragraph in the Model Administrative Agreement unless it can be moved to another document where it would be brought to the attention of members of the Union considering the need for establishing an agreement for cooperation
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Section 2/2 Draft 2: UPOV Model Form for the Application for Plant Breeders’ Rights

33. The TWF agreed to propose the following with respect to document TGP/5/Section 2/2 Draft 2:

1.	in accordance with the TWO proposal, to consider whether applicants would only be required to complete either (b) (by individuals) or (d) (by companies)
2.	in accordance with the TWO proposal, to create a separate subsection to indicate whether there is a procedural representative (proxy / agent)
3.	in accordance with the TWA and TWO proposal, to request only the following information, in line with the information requested in the standard Technical Questionnaire: “(a) Botanical name “(b) Common name”

6.	in accordance with the TWA, TWV and TWO proposal, to amend to read “Other applications”. In accordance with the TWA and TWO the TWF noted the importance of this information being provided by breeders.
A 0.3	in accordance with the TWO proposal, to amend “Dates should be written in year-month-day order (example: 76-01-14);” to read “The format of dates should be specified and should include a requirement for the year to be provided in 4-digit format (e.g. 2007)”
B 1.1	to replace “Telephone and telex numbers” with “Telephone number(s), e-mail and fax number”

34. The TWF noted the discussions which had taken place at the TC concerning the proposal of the International Seed Federation (ISF) for consideration to be given to the development of an electronic version of the model application form and technical questionnaire for use by members of the Union. It noted that the CAJ had agreed to extend an invitation to members of the Union and ISF to present their experiences and initiatives for the development of electronic application forms and technical questionnaires at the fifty-sixth session of the CAJ.

Section 4/2 Draft 2: UPOV Model Form for the Designation of the Sample of the Variety

35. The TWF did not have any comments with respect to document TGP/5/Section 4/2 Draft 2.

Section 5/2 Draft 2: UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results

36. The TWF agreed to propose the following with respect to document TGP/5/Section 5/2 Draft 2:

UPOV Request: 8.	with respect to the TWO proposal to provide a field to indicate the status of the variety (applied for PBR; applied for official registration; granted PBR; entered in official register), the TWF did not consider that to be necessary
UPOV Request: 8.	in accordance with the TWA, TWV and TWO proposal, to provide a field to indicate the status of the denomination, i.e. approved or proposed
UPOV Answer: 3.	in accordance with the TWA, TWV and TWO proposal, to provide a field for the variety denomination for indication of the status of the denomination, i.e. approved or proposed
UPOV Answer: 3.	to provide a field to indicate the status of the variety (applied for PBR; applied for official registration; granted PBR; entered in official register).
UPOV Answer: 4.	to check whether the “back of this form” was provided in the original version.
UPOV Answer: 5.	in accordance with the TWO proposal, to add new item before (a) for “is enclosed”; and to modify (c) to read “will be forwarded” (to delete “by (approximate date)”))

37. The TWF supported the TWO proposal to suggest to the TC and CAJ to consider whether to include a request for the requesting authority to inform the reporting authority on the outcome of the use of the examination results.

Section 6/2 Draft 2: UPOV Report on Technical Examination and UPOV Variety Description

38. The TWF agreed to propose the following with respect to document TGP/5 Section 6/2 Draft 2:

<i>UPOV Report on Technical Examination</i>	
10.	in accordance with the TWV and TWO proposal, to provide a field to indicate the status of the denomination, i.e. approved or proposed
16.	<p>in accordance with the TWA, TWV and TWO proposal, to simplify the section to read as follows:</p> <p>“(a) Report on Distinctness</p> <p>The variety</p> <p>- is distinct []</p> <p>- is not distinct []</p> <p>“(b) Report on Uniformity</p> <p>The variety</p> <p>- is uniform []</p> <p>- is not uniform []</p> <p>“(c) Report on Stability</p> <p>The variety</p> <p>- is stable []</p> <p>- is not stable []</p> <p>In the case of a positive conclusion, a description of the variety is provided in an annex to this report.”</p>
<i>UPOV Variety Description</i>	
2.	in accordance with the TWA, TWV and TWO proposal, term in brackets to be deleted
[new] (after 7.)	in accordance with the TWO proposal, to provide a field to indicate the status of the variety (applied for PBR; applied for official registration; granted PBR; entered in official register)
16.	in accordance with the TWO proposal, to be harmonized with Section of the Technical Questionnaire in document TGP/7/1
17 (new)	to add a new line to indicate the RHS Colour Chart version used for the variety description
[new] (after 17.)	the TWF noted that, as explained in documents TGP/4 and TGP/9, not all the varieties considered in the process of examining distinctness would be included in the DUS growing trial. In that respect, it was noted that information on similar varieties was requested in Section 16. It was also observed that requirements concerning information on the reference collections used in the examination of distinctness were included as an

element within the Model Administrative Agreement (document TGP/5 Section 1/1). The TWF proposed that such a new section should not be introduced in TGP/5 Section 6: UPOV Variety Description.

Section 7/2 Draft 2: UPOV Interim Report on Technical Examination

39. The TWF agreed to propose the following with respect to document TGP/5/Section 7/2 Draft 2:

10.	in accordance with the TWV and TWO proposal, to provide a field to indicate the status of the denomination, i.e. approved or proposed
[new] (after 10.)	in accordance with the TWO proposal, to provide a field to indicate the status of the variety (applied for PBR; applied for official registration; granted PBR; entered in official register)
16.	in accordance with the TWO proposal, to consider replacing (a) to (c) with a blank space for completion

Section 10: Notification of Additional Characteristics

40. The TWF noted that the approval of document TGP/5/1 “Experience and Cooperation in DUS Testing” by the TC at its forty-first session was made on the basis that, with regard to Section 10/1, there would be a review of the notification of additional characteristics on the UPOV website after three years of operation. The TWF noted that, at its forty-third session, the TC had noted that no additional characteristics had been notified to the Office of the Union, but had considered that the system was very useful and had agreed to retain Section 10 in document TGP/5.

Discussion on Draft Test Guidelines

Banana (Musa L.) (revision)

41. The subgroup discussed document TG/123/4(proj.5), as presented by Mrs. Vera Lúcia dos Santos Machado (Brazil) and Mr. Richard Brand (France), and agreed the following:

2.2, 2.3	to replace “vitro” with “ <i>in vitro</i> ”
3.3	to read “The tests should be carried out under conditions ensuring satisfactory growth for the expression of the relevant characteristics of the variety and for the conduct of the examination. In particular, it is essential that the plants produce a satisfactory crop of fruit in each of the two growing cycles and observations should not be made on the first crop of fruit.”
3.4.1	to read “Each test should be designed to result in a total of at least 15 plants.”
3.5	to read “Unless otherwise indicated, all observations should be made on 15 plants or parts taken from each of 15 plants.”
Char. 1	to read “Ploidy”
Char. 4a	to read “Pseudostem: overlapping of leaf sheaths” and (+) to be added with an

	illustration
Char. 5	to read “Pseudostem: tapering along length”, with the states: absent or weak (1); medium (2); strong (3) and (+) to be added with an illustration
Char. 8a	(+) to be added with an illustration to be taken from Ad. 9 and example variety ‘Gross Michel’ to be moved to state 3
Char. 9	to be deleted
Char. 12	to add example variety ‘Nzumoheli’ for state 1
Char. 13	to read “Petiole: attitude of wings at base”, (*) to be deleted and to be indicated as QN. State 3 to read “slightly curved inwards” and state 4 to read “moderately curved inwards”
Char. 13a	to be deleted
Char. 13b	to be deleted
Char. 15	to check whether to add new states “yellow” and “black purple”
Char. 16	state 1 to read “both sides rounded” and state 2 to read “one side rounded and one side acute”
Char. 21	to be deleted
Char. 22	to check whether QL
Char. 26	to add state 1 “absent or weak” and to correct spelling of “weak” in state 3
Char. 28	state 2 to read “cylindrical to conical”
Char. 29a	to be deleted
Char. 29	to read “Bunch: attitude of fruits” and state 1 to read “turned up to horizontal”
Char. 31	example varieties to be checked
Char. 32	example varieties to be checked
Ad. 1	method to be provided
Ad. 2	to relabel “sucker” as “above ground sucker”
Ad. 27	illustration to be replaced
Ad. 34	to reorder illustrations to correspond to the Table of Characteristics

42. The subgroup did not have sufficient time to discuss beyond Char. 32 in the Table of Characteristics.

Black Currant (revision)

43. The subgroup discussed document TG/40/7(proj.3), as presented by Mr. Christopher J. Barnaby (New Zealand), and agreed the following:

1.	to delete “for fruit production”
5.3	to delete (c) (Fruit: size)
Table of Chars.	to check whether ‘Wellington XXX’ is a different variety to ‘Wellington’
Char. 2	(+) to be added with an illustration and an explanation. State 3 to have the

	example variety 'Tenah'
Char. 3	state 3 to have the example variety 'Baldwin Hilltop' and state 7 to have the example variety 'Blacksmith'
Char. 4	state 1 to have the example variety 'Tenah' and state 3 to have the example varieties 'Hatton Black, Jet'
Char. 5	state 2 to read "moderately held out" and state 3 to read "strongly held out"
Char. 6	state 1 to have the example variety 'Ben Tirran'
Char. 7	to have the states: narrow acute (1); broad acute (2); rounded (3). State 2 to have the example variety 'Ben Nevis' and state 3 to have the example variety 'Goliath'
Char. 8	state 3 to have the example variety 'Ben Nevis'
Char. 9	(+) to be added with an explanation that "bloom" refers to glaucosity
Char. 10	state 7 to have the example variety 'Malvern Cross'
Char. 13	state 3 to have the example variety 'Narjadnaja', state 5 to have the example varieties 'French, Rosenthals Langtraubige' and state 7 to have the example varieties 'Silvergieters Schwarze, Wassil'
Char. 14	to have the states: strongly open (1) (example variety 'French'); moderately open (2) (example variety 'Tor Cross'); weakly open (3) (example variety 'Ometa'); touching (4) (example variety 'Ben Nare'); overlapping (5) (example variety 'Veloy')
Char. 15	state to have the example varieties 'Magnus, Strata'
Char. 16	state 1 to read "absent or weak" and state 2 to have the example varieties 'Andorine, Titania'
Char. 17	to delete "intensity of"
Char. 18	to read "Plant: number of inflorescences per axil", state 1 to read "one and two" and (+) to be added with an explanation
Char. 19	state 3 to have the example variety 'Ometa'
Char. 20	state 7 to have the example variety 'Ometa'
Char. 21	state 3 to have the example varieties 'Chereshneva, Hatton Black'
Char. 22	state 5 to have the example variety 'Chereshneva'
Char. 23	to read "Infructescence: type" and to check whether botanical names exist for the types
Char. 24	to read "Infructescence: range of berry size", with the states: small (1); medium (2); large (3)
Char. 25	to replace note (d) with new note (e), state 5 to have the example variety 'Baldwin', state 7 to have the example variety 'Titania' and state 9 to have the example variety 'Bona'
Char. 26	to replace note (d) with new note (e)
Char. 27	to replace note (d) with new note (e)
Char. 28	to delete note (d) and state 7 to have the example variety 'Ben Lomond'
Char. 29	state 1 to have the example varieties 'Brødtorp, Ceres', state 3 to have the example varieties 'Kimberley, Malvern Cross', state 5 to have the example

	varieties ‘Cotswold Cross, Goliath’, state 7 to have the example varieties ‘Black Reward, Laxton’s, Tinker’ and state 9 to have the example varieties ‘Ben Avon, Jet’
Char. 30	state 1 to have the example varieties ‘Boskoop Giant, Kimberley’, state 3 to have the example varieties ‘Andega, Magnus’, state 5 to have the example varieties ‘Baldwin Hilltop, Goliath’, state 7 to have the example varieties ‘Ben Alder, Ben Lomond, Hatton Black’ and state 9 to have the example variety ‘Jet’
8.1 (d)	to read “ <u>Infructescence</u> : Unless otherwise stated, all observations should be made just before harvest.
8.1 (e) (new)	to read “Fruit: Unless otherwise stated, all observations should be made after harvest.”
Ad. 7	to add a circle around the apex of the bud
Ad. 19	to read “The inflorescence length includes the peduncle.” and to add an illustration to be provided by Germany
Ad. 23	to replace the illustration with version to be provided by the expert from Germany
Ad. 25	to read “Fruit size can be assessed by weight because the density of all varieties is very similar. Fruit size should be determined by the weight of a minimum of 50 representative berries, harvested from the 5 plants.”
Ad. 28, 29, 30	to add “The” at the beginning of the sentence
9.	to replace “United Kingdom” with “GB”

Coffee

44. The subgroup discussed document TG/COFFEE(proj.6), as presented by Mrs. Vera Lúcia dos Santos Machado (Brazil), and agreed the following:

2.2	to read “The material is to be supplied in the form of (a) six-month- to one-year-old plants on their own roots; (b) scions grafted on a rootstock to be specified by the competent authority; (c) budwood to produce grafted plants; (d) cuttings to produce plants on their own roots; or (e) seed”
2.3	to read “The minimum quantity of plant material, to be supplied by the applicant, should be: Vegetatively propagated varieties: 8 plants, or budwood or cuttings sufficient to produce 8 plants. Seed-propagated varieties: 50 seeds”
3.1	to read “3.1.1 The minimum duration of tests should normally be two independent growing cycles.

	3.1.2 The growing cycle is considered to be the duration of a single growing season, beginning with vegetative growth, followed by flowering and fruit harvest.”
3.3.2	to be deleted
6.5	“VG-MG: see Section 3.3.1” to be deleted
Char. 1	state 2 to have example variety ‘Bourbon’, but to be checked
Char. 4	to add missing note “7”
Char. 7	states 7 and 9: to replace “wide” with “broad”
Char. 9	to read “Young leaf: anthocyanin coloration”, with the states: absent or weak (1) (to add example variety ‘Mundo Novo IAC 376-4’); medium (2); strong (3)
Char. 12	to change note “2” to note “9”
Char. 14	example varieties of <i>C. canephora</i> to be provided and states to be reallocated accordingly
Char. 16	example variety to be provided for state “orange” and characteristic to have notes 1, 2, 3
Char. 17	(+) to be deleted and to have notes 1, 2, 3
Char. 20	state 5 to read “broad”
Char. 21	to have notes 3, 5, 7
Char. 24	to add (*)
Char. 25	to be deleted
Char. 29	to be deleted
8.	numbering and headings to be corrected
Ad. 13	to explain that the number of inflorescences per axil should be observed on the middle third of the plant
Ad. 24 (29)	to explain that the time of harvesting is when 50% of the berries have reached mature color
Ad. 23 (28)	to read “Only non-floating fruits and flat-type seeds, excluding pea-berry seeds, should be observed.”
Ad. 26-28 (32-34)	methods to be provided
9.	literature to be provided, including references for methods to be used for Chars. 26-28
TQ 5	to have Chars. 1, 2, 16, 24
TQ 6	example to be provided
TQ 7.3	to be deleted

Common Sea Buckthorn (*Hippophae rhamnoides L.*)

45. The subgroup discussed document TG/HIPPH(proj.3), as presented by Mr. Erik Schulte (Germany) in the absence of the leading expert, Mrs. Bronislava Bátorová (Slovakia), and agreed the following:

1	to delete the words “vegetatively propagated”
3.3.2	to consider whether this paragraph to be deleted
Char.4	to be placed before Char.1
Char.15	to provide example varieties to notes 5 and 7
Char.17	the states of expression to read: “transverse elliptic (1), circular (2), elliptic (3), oblong (4), pear-shaped (5), ovate (6)”;
Char.18	to provide an example variety to note 1
Char.21	to provide an example variety to note 1
Char.22	to be a QN characteristic
TQ 6	the word “silverish” to be placed in the column “ your candidate variety”

46. The TWF agreed that the Test Guidelines for Common Sea Buckthorn should be sent to the TC for adoption at its forty-fourth session, to be held in Geneva in April 2008, on the basis of document TG/HIPPH(proj.3) and the comments set out above, subject to the agreement of the leading expert.

Dragon-fruit (Hylocereus undatus (Haw.) Britton et Rose)

47. The subgroup discussed document TG/DRAGON(proj.1), as presented by Mr. Alejandro F. Barrientos-Priego (Mexico), and agreed the following:

Cover page	to read “DRAGON FRUIT; UPOV Code: HYLOC_UND; <i>Hylocereus undatus</i> (Haw). Britton et Rose”
Cover page	to consider in “ <i>Botanical name</i> ” only: “ <i>Hylocereus undatus</i> (Haw). Britton et Rose”
Cover page	to consider in “ <i>French</i> ” only: “Pitahaya, Oeil de dragon”
Cover page	to consider in “ <i>German</i> ” only: “Pitahaya, Drachen-Frucht”
Cover page	to consider in “ <i>Spanish</i> ” only: “Pitahaya”
Cover page	to consider in “ <i>French</i> ” only: “pitahaya, oeil de dragon”
1	to read “These Test Guidelines apply to all varieties of <i>Hylocereus undatus</i> of the family <i>Cactaceae</i> .”
2.3	to read “5 one-year old plants, or if accepted by the competent authority,”
2.3	to read “10 stem segments, each sufficient to propagate 5 plants.”
3.5	to read “Unless otherwise indicated, all observations should be made on 5 plants or parts taken from each of 5 plants.”
4.2.2	to read “In the case of a sample size of 5 plants, no off-types are allowed.”
5.3 (a)	to read “Young shoot: reddish color intensity (characteristic 2);”
5.3	to add “(e) Fruit: color of flesh (characteristic 48).”

Char. 1	to be deleted
Char. 3	to read “Young shoot: reddish color intensity.”
Char. 5	to read “Stem: maximum width”
Char. 7	to be QL and to check if is suitable
Char. 9	to be QL and to read Note 3
Char. 10	to read Note: 3, 5 and 7
Char. 12	to be deleted
Char. 13	to read “Stem: grey coloration of areoles” and to have states: light (1); medium (2); dark (3)
Char. 15	to be QL
Char. 16	to be QL and to check if state is suitable
Char. 17	to have the states: narrow elliptical (1); medium elliptical (2); circular (3); ovate (4)
Char. 18	to be PQ
Char. 21	to read “Flower pericarpel: width at broadest part”
Char. 24	to be QL and to check if there are other shapes
Char. 26	to be PQ
Char. 27	to be PQ and to read “Flower: main color of sepals”
Char. 28	to be check if is suitable and to read Note 2
Char. 30	(+) to be added with a drawing
Char. 31	(+) to be added with a drawing
Char. 32	to be QL
Char. 33	to be PQ and to check if is suitable
Char. 36	to read “Fruit: width at broadest part”
Char. 37	to read “Fruit: ratio length/width at broadest part”
Char. 38	(+) to be added, state 1 to read “narrow elliptical” and state 2 to read “medium elliptical
Char. 39	to read state: conic (1).
Char. 40	to delete (+)
Char. 42	(+) to be added with a drawing
Char. 43	to read “Fruit: thickness of peel”
Char. 47	to read “Fruit: main color of peel” and to check all states
Char. 48	to read state 5 “medium red”, to add 6 “dark red” and to check if state “purple (7)” is suitable
Char. 51	to check if is more accurate a condensed range

Char. 54	to be deleted
Char. 55	to be QL
8.2	in general to be updated according to the changes
8.2	to read “ <u>Ad. 5: Stem: maximum width</u> To be taken at the middle part of the annual stem section” and to improve the drawing to accurately consider the maximum width
Ad. 20	to draw a circle to show the apex
Ad. 22	to indicate the sepal
9	to read “ <i>Hylocereus</i> ”
TQ 1.1	to read “ <i>Hylocereus undatus</i> (Haw). Britton et Rose”
TQ 5	number to be updated according to changes
TQ 5.1	to read “Young shoot: reddish color intensity”
TQ 5.5	to read state 5 “medium red”, to add 6 “dark red”

Fig (*Ficus carica* L.)

48. The subgroup discussed document TG/FIG(proj.2), as presented by Mr. Pedro Chomé Fuster (Spain), and agreed the following:

3.1	the first sentence to be numbered as 3.1.1; the second sentence to be numbered as 3.1.2 and to reproduce the standard wording
Chapter 7 (general)	Example varieties to be provided at least for asterisked QN characteristics
Char.1	to replace PQ by QN; to receive notes 1-3-5
Char.2	to receive a (+); the spelling of “secondary” to be corrected
Char.6	to be split into two characteristics reading: “Plant: bark tubers (*) (+)QL” with the states of expression “absent (1), present (9)” and “Plant number of bark tubers (*) (+)QN” with the states of expression “few (3), medium (5), many (7)”
Char.7	QL to be replaced by PQ
Char.14	ES to provide an appropriate naming of the characteristic corresponding “trayectoria de las ramas”
Char.15	ES to check whether this characteristic to be QL or QN; the spelling of “five-lobed” to be corrected
Char.16	to read: “Shoot: number of leaves” with the states of expression “few (3), medium (5), many (7), very many (9)”
Char.17	to read: “ <u>Only varieties with lobed leaves</u> : Leaf: shape of central lobe”
Char.18	to read: “ <u>Only varieties with lobed leaves</u> : Leaf: Leaf: ratio length of central lobe/length of blade”
Chars.20 to	ES to check whether each pair of example varieties (one lobed variety and one

24	entire variety) indicate the same state of expression; if not, each of characteristics 20 to 24 to be split into two characteristic, one being applicable to lobed varieties and the other applicable to entire varieties
Char.25	QN to be replaced by PQ
	the Subgroup ended its discussion after having examined Char.25
Ad.6	small tubers to be indicated by arrows
Ad.12	ES to check the first sentence, in particular the optimal light conditions; to delete the remaining description
Ad.19	to improve the drawing for note 4; to delete the explanations at the bottom of the page

Grapevine (Vitis L.)

49. The subgroup discussed document TG/50/9(proj.1), as presented by Mr. Pedro Chomé Fuster (Spain) and Mr. Erik Schulte (Germany), and agreed the following:

2.2	to read “The material is to be supplied in the form of (a) plants on their own roots; (b) scions grafted on a rootstock to be specified by the competent authority; (c) budwood to produce grafted plants; or (d) cuttings to produce plants on their own roots”
2.3	to read “The minimum quantity of plant material, to be supplied by the applicant, should be: 5 plants, or budwood or cuttings sufficient to produce 5 plants.”
2.4	to be deleted
3.3.4	to be moved to Chapter 6.5
3.4.1	to read “Each test should be designed to result in a total of at least 5 plants.”
3.5	to read “Unless otherwise indicated, all observations should be made on 5 plants or parts taken from each of 5 plants.”
4.2.2	to read “For the assessment of uniformity, a population standard of 1 % and an acceptance probability of at least 95 % should be applied. In the case of a sample size of 5 plants, no off-types are allowed.”
6.4	to read: “Where appropriate, example varieties are provided to clarify the states of expression of each characteristic. “For the example varieties – other than rootstocks –the color of the berry of the example varieties is indicated in the table in Chapter 8.4, following the standardized code used within the European Union for the classification of vine varieties: B = white, G = grey, N = black, Rg = red, Rs = rose. That table also provides synonyms of certain example varieties.”
Table of	all species to be deleted from the column for example varieties

Chars.	
Char. 2	to include the states “slightly open” (2) and “wide open” (4)
Char. 3	to delete “density of” and to have the states: absent or very sparse (1); sparse 3, medium (5); dense (7); very dense (9)
Char. 5	to delete “ <u>Only varieties not for fruit production:</u> ” and “density of” and to have the states: absent or very sparse (1); sparse 3, medium (5); dense (7); very dense (9)
Char. 7	to delete “density of” and to have the states: absent or very sparse (1); sparse (3); medium (5); dense (7); very dense (9)
Char. 8	to delete “density of” and to have the states: absent or very sparse (1); sparse 3, medium (5); dense (7); very dense (9)
Chars. 10, 11, 12, 13	to be indicated as QN and to provide explanation that the states correspond to anthocyanin coloration: absent or weak (1); medium (2); strong (3)
Char. 14	to delete “ <u>Only varieties not for fruit production:</u> ” and “density of” and to have the states: absent or very sparse (1); sparse (3); medium (5); dense (7); very dense (9)
New (i)	to be deleted
New (ii)	to be deleted
Char. 15	to be deleted
Char. 20	to be deleted
Char. 22	to be indicated as QN
Char. 26	to be deleted
Char. 30	to read “Mature leaf: proportion of main veins on <u>upper</u> side of blade with anthocyanin coloration”, with the states: absent or very low (1); low (3); medium (5); high (7); very high (9)
Char. 31	to delete “density of” and to have the states: absent or very sparse (1); sparse (3); medium (5); dense (7); very dense (9)
Char. 32	to delete “density of” and to have the states: absent or very sparse (1); sparse (3); medium (5); dense (7); very dense (9)
Char. 33	(+) to be added with an illustration and to change “slightly” to “moderately” in states 2 and 4
Char. 34	to delete “ <u>Only varieties for fruit production:</u> ” and “(veraison)” (in English version)
Char. 40	to add example variety ‘Palatina’ for state 3
New (iii)	to swap the example varieties for states 1 and 3
Char. 41	to have notes 1, 2, 3
Char. 43	to have the states: soft or slightly firm (1); moderately firm (2); very firm (3) and to add example variety ‘Sugraone’ for state 3
Char. 44	to be deleted
Char. 47	to be deleted
8.1	to delete notes (c) and (d)
Ad. 1	to read “Pruning can influence the time of bud burst, therefore, all material

	should undergo the same pruning management.”
Ad. 2 to 5	illustrations to be provided for states 2 and 4
Ad. 6	to provide an explanation that the states 3 to 6 correspond to the amount of anthocyanin coloration
Ad. 9	to explain that it is difficult to observe the characteristic if the trial is situated in a windy location
Ad. 19	to add the following clarification for the states: cordate: rounded lateral outline; wedge-shaped: forms a pentagon with parallel sides; pentagonal: forms a pentagon with broadest part towards base; circular: forms a pentagon with broadest part towards apex; and kidney-shaped: broader than long
Ad. 28	to correct spelling of “ratio”
Ad. 34	to explain how to determine time of beginning of berry ripening using Brix method
9.	further literature to be provided

Hawthorn (Crataegus L.)

50. The subgroup discussed document TG/HAWTH(proj.4), as presented by Mr. Alejandro F. Barrientos-Priego (Mexico), in conjunction with a report on the proposals made by the Technical Working Party for Ornamental Plants and Forest Trees at its fortieth session and agreed the following:

5.3	to add Chars. 1, 4 and 34
Table of Chars.	to delete all species from the column of example varieties: (Chlorosarca), (Grignonensis), (Laciniata), (Persimilis), (Lavalleeii), (Pheanopyrum), (Prunifolia), (Chrysocarpa), (Pedicellata) and (Ellwangeriana)
Char. 1	in accordance with the TWO proposal, to correct spelling of “fastigate”
Char. 2	to have the states: semi-circular (1); ovate (2); oblong (3); circular (4); transverse elliptic (5); obovate (6)
Char. 4	to add (*), state 2 to read “semi-shrub” and to move before Char. 1
Char. 5	in accordance with the TWO proposal, to be deleted
Char. 8	in accordance with the TWO proposal, state 2 to read “medium”
Char. 12	(*) to be deleted
Char. 18	to read “Leaf blade: anthocyanin coloration”, with the states: absent or weak (1); medium (2); strong (3) and to be indicated as QN
Char. 19	in accordance with the TWO proposal, state 1 to read “absent or weak”
Char. 20	to move before Char. 18
Char. 26	in accordance with the TWO proposal, (+) to be added and explanation to be provided

Char. 27	in accordance with the TWO proposal, to read “Flower: diameter” and the explanation “with petals pressed into horizontal position” to be moved to Ad. 27
Char. 29	in accordance with the TWO proposal, state 5 to read “medium purple”
Char. 31	in accordance with the TWO proposal, to be indicated as QN, state 2 to read “touching” and (+) to be added with an illustration
Char. 32	to be deleted
Char. 33	state 3 to read “ovate” and to be moved before Char. 29
Char. 35	to have the states: conical (1); elliptic (2); circular (3); oblate (4); obovate (5)
Char. 37	(+) to be added with explanation that the length includes the neck (if present)
Char. 42	(+) to be added for explanation of main color and to be moved after Char. 45
Char. 43	to read “Fruit glossiness of skin” and to be moved after Char. 34
Char. 44	in accordance with the TWO proposal, to be moved after Char. 34
Char. 45	in accordance with the TWO proposal, to have the states: smooth or slightly rough (1); moderately rough (2); very rough (3) and to be moved after Char. 34
Char. 46	in accordance with the TWO proposal, state 1 to read “absent or weak” and to be moved after Char. 34
Char. 49	in accordance with the TWO proposal, to read “Endocarp: width”
Char. 52	in accordance with the TWO proposal, to be deleted
8.1 (a), (c)	in accordance with the TWO proposal, “DE” to be deleted
Ad. 17	to be provided
Ad. 24	position of line to be improved
Ad. 27	to illustrate with petals in horizontal position
Ad. 33	illustration for state 3 to be inserted
TQ 1	in accordance with the TWO proposal, to add box for indication of species
TQ 5	to add Char. 4
TQ 7.3	to add a subsection for indication of fruit or ornamental type

Papaya (*Carica papaya* L.)

51. The subgroup discussed document TG/PAPAYA(proj.3), as presented by Mr. Alejandro F. Barrientos-Priego (Mexico), and agreed the following:

1.	to delete the words “seed-propagated and vegetatively propagated”
2.3	to retain the sentence “In the case of seed, the seed should meet the minimum requirements for germination, species and analytical purity, health and moisture content, specified by the competent authority.”
4.2.2	the number of off-types allowed in the case of 25 hermaphrodite plants to be <u>one</u>
Char.1	to note that state “green and purple (2)” being bicolor; to check whether any other color combination exists
Char.2	to be deleted

Char.3	the first two states of expression to read: “solitary flowers <u>only</u> (1), inflorescences <u>only</u> (2)”
Char.4	to read: “Plant: height to first <u>fruit</u> ”
Char.5	to be deleted (a)
Char.7	to read: “Stem: number of nodes from ground to first <u>fruit</u> ”
Char.8	to read: “Stem: length of internode at the middle between ground and first flower”
Char.21	to be deleted
Char.23	to delete the word “medium” appearing twice in states of expression; the state yellow green and purple” to be understood having two colors and BR to check whether any other combination of colors exists
Char.25	to have the states of expression “green (1), yellow (2), orange (3)”
Char.29	the state “constricted at middle (7) to be deleted
Char.30	the order of the states of expression to be reversed
Char.33	QN to be replaced by QL
Char.34	to be split into two characteristics reading: “Ripe fruit: ridges QL” with the states of expression “absent (1), present (9)” and “Ripe fruit: prominence of ridges QN” with the states of expression “weakly expressed (1), moderately expressed (2), strongly expressed (3)”
Char.36	to have the states of expression “yellow (1), orange (2), red orange (3)”
Char.37	to be deleted
Char.38	after this characteristic, a new characteristic to be added to read: “Ripe fruit: sweetness QN” with the states of expression “low (3), medium (5), high (7)”
Chars.40 to 42	to replace “Fruit” by “Ripe fruit”
Chars.40 to 51	(f) to be replaced by (g)
Char.43	to be deleted; after this characteristic to add a new characteristics with an (*) reading: “Ripe fruit: seeds QN” with the states of expression “absent or very few (1), few (3), medium (5), many (7) very many (9)”
Char.44	the state of expression “brown black (4)” to be replaced by “dark brown”
Char.49	to be deleted
Char.50	to be deleted
8.1.(f) and (g)	MX to provide definitions for “maturity for harvest” and “when the fruit is ready for eating”

Passion Fruit

52. The subgroup discussed document TG/PASSI(proj.3), as presented by Mrs. Carensa Petzer (South Africa), and agreed the following:

Cover page	the additional Spanish name “Maracuyá”
5.3	to delete the comment from JP
Chapter 7 (general)	example varieties to be provided by BR, JA and ZA, in particular, to the asterisked quantitative characteristics
Char.1	to have the states of expression “light green (1), medium green (2), dark green (3), green purple (4), purple (5)”
Char.2	to delete the asterisk
Char.4	to be deleted
Char.5	to read: ”Leaf blade: depth of sinus”
Char. 6	to be split into two characteristics reading: “Leaf blade: blistering (QL)(*)” with the states of expression “absent (1), present (9)” and “ <u>Varieties with blistering only</u> : Leaf blade: degree of blistering (QN)” with the states of expression “weak (3), medium (5), strong (7)”
Char.7a	IL to provide drawings
Chars.8 to 14	to receive a (+) and explanation for inclusion under 8.2
Char.13	ZA and JP to provide explanation for inclusion under 8.2
Char.16	to receive a (+) and explanation to be provided by ZA for inclusion under 8.2
Chars.18,19	to receive a (+) and explanation for inclusion under 8.2
Char.23	to have the states of expression “light yellow (1), yellow (2), yellow orange (3), pink red (4), red (5), green purple (6), red purple (7), purple (8), dark purple (9)”
Char.23a	to retain QL
Char.28	IL to provide a more appropriate wording; BR to provide additional states of expression (additional colors); to replace QL by PQ
Char.29	to have the states of expression “whitish (1), green yellow (2), yellow (3), yellow orange (4), orange (5)”
Char.30	to read: ”Time of first crop bearing”; to receive a (+) and explanation under chapter 8.2
Char.31	to receive a (+) and explanation under chapter 8.2
8.1 (a)	to read: “ <u>Vine</u> : Observations should be made on vigorous current season shoots.”
8.1 (d)	to retain the current wording
Ad.1a	to be deleted

Ad.4b	to be improved to indicate the part for observation
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Peach (partial revision)

53. The subgroup discussed document TG/53/6 Rev. (proj.1), as presented by Mr. Richard Brand (France), and agreed the following:

Cover page	to delete “Nectarine” from the title and to delete the following common names from the table of Alternative Names: “Brugnonier” (French); Pfirsichbaum (German); Abridor (Spanish)
Assoc. documents	to add reference to the Test Guidelines for Prunus Rootstocks, document TG/187/1
1.	to read “These Test Guidelines apply to all varieties of peach (including nectarine) of the species <i>Prunus persica</i> (L.) Batsch.”
2.2	to read “The material is to be supplied in the form of budsticks, dormant shoots for grafting, or trees grafted on appropriate peach rootstock to be selected by the competent authorities.”
3.3.3 to 3.3.8	to be moved to Chapter 8.1 and indicated as notes (a), (b), etc. against the relevant characteristics in the Table of Characteristics
3.3.9	to be deleted
3.3.2, 3.4.1	to replace “[trees] / [plants]” with “trees”
3.5	to read “Unless otherwise indicated, all observations should be made on 5 plants or parts taken from each of 5 plants. In the case of parts of plants, the number to be taken from each of the plants should be 5.”
6.5	reference to MG, MS, VG, VS to be deleted
Char. 1	to be indicated as QN
Char. 3	to be indicated as QN and example varieties for state 4 to be deleted
Char. 4	to be indicated as QN
Chars. 4, 5, 8	to check whether the term “brindilles” should be replaced in English and to move the explanation in brackets “(excluding brindilles)” to Chapter 8.1 as a note and to replace “(as for 4)” in Chars. 5 and 8 with that note
Char. 4a	not to be added
Char. 5	to be indicated as QN
Char. 6	to be deleted
Char. 7	to read “Flowering shoot: anthocyanin coloration (shaded side)”, to add as state 1 “absent or very weak” and to be indicated as QN
Char. 8	(*) to be deleted, to be indicated as QN and (+) to be added with an explanation to observe at 1 meter in the shoot
Char. 9	to be deleted
Char. 10	to be indicated as QL and to have the states: campanulate (1); rosette (2), with the alternative terms “non-showy” and “showy” to be moved to Ad. 10, to be

	accompanied by an illustration
Char. 11	to be indicated as QL
Char. 12	to read “Corolla: main color (inner side)”, with (+) to be added for an explanation of main color and to be indicated as PQ
Char. 13	to be indicated as PQ and to add state “ovate” as new state 1, with an example variety to be provided
Char. 14	to be indicated as QN and notes 1, 3, 5, 7, 9 to be added
Char. 15	to be indicated as QL and to be moved after Char. 10
Char. 16	to be indicated as QN
Char. 17	to be indicated as QN and to add notes 1, 2, 3
Char. 18	to be indicated as QL and to add notes 1, 9
Char. 19	to be deleted
Char. 20	to be indicated as QN
Char. 21	to be indicated as QN and example varieties to be provided
Char. 22	to be indicated as QN and example varieties to be provided
Char. 23	to be indicated as QN
Char. 24	to be indicated as QN
New (i) (after Char. 24)	to read “Leaf: margin”, with the states: serrate (1); crenate (2) and to be indicated as QL
Char. 25	to be deleted
Char. 26	to be indicated as QN and to have the states: acute (1); right-angle (2); obtuse (3)
Char. 27	to be indicated as QN
Char. 28	to be indicated as PQ and to have the states: greenish yellow (1); light green (2); medium green (3); dark green (4); purplish red (5)
Char. 28a	to be indicated as QL
Char. 29	to be indicated as QN
Char. 30	to be indicated as QL
Char. 31	to be indicated as QL
Char. 32	to be deleted
Char. 33	to be indicated as QN
New (ii) (after 33)	to read “Fruit: length”, with the states: short (3); medium (5); long (7), to be indicated as QN
New (iii) (after 33)	to read “Fruit: height”, with the states: short (3); medium (5); tall (7), to be indicated as QN
New (iv) (after 33)	to read “Fruit: ratio length/height”, with the states: low (3); medium (5); high (7), to be indicated as QN
New (v) (after 33)	to read “Fruit: position of broadest part”, with the states: at middle (1); slightly towards stalk end (2); moderately towards stalk end (3)

Char. 34	state 3 to read “circular”
Char. 35	to read “Fruit: shape of pistil end (excluding mucron tip)”, with the states: pointed (1); flat (2); depressed (3), (*) to be deleted and to be indicated as QN
New (vi) (after 35)	to read “Fruit: mucron tip at pistil end”, with the states: absent (1); present (9) and to be indicated as QL
Char. 36	to be indicated as QN and to have the states: symmetric (1); moderately asymmetric (2); strongly asymmetric (3)
Char. 37	to be indicated as QN
Char. 38	to be indicated as QN
Char. 39	to be indicated as QN
Char. 40	to be indicated as PQ, to delete example variety ‘Redhaven’ for state 9 and to replace by another example variety to be provided by Spain, to add new state “not visible” and to review the other states on the basis of the comments received
Char. 41	to be indicated as QL
Char. 42	to read “Fruit: over color” and to be indicated as PQ
Char. 43	(*) to be deleted and to be indicated as PQ
Char. 44	to read “Fruit: area of over color” and (*) to be deleted
Char. 45	to be indicated as QL and entries in column of example varieties to be deleted
Char. 46	to be indicated as QN
New (vii) (after 46)	to read “ <u>Only varieties with fruit pubescence: absent:</u> Fruit: glossiness”, with the states: absent or weak (1); medium (2); strong (3) and to be indicated as QN
New (viii) (after 46)	to read “ <u>Only varieties with fruit pubescence: absent:</u> Fruit: size of lenticels”, with the states: small (1); medium (2); large (3) and to be indicated as QN
Char. 47	to have the states: thin (1); medium (2); thick (3) and to be indicated as QN
Char. 48	to be indicated as QN and to delete “absent or” from state 1
Char. 49	to be indicated as QN (+) to be added with explanation to be observed at eating ripeness
Char. 50	to read “Fruit: main color of flesh”, to be indicated as PQ and (+) to be added to explain main color
Char. 51	to be indicated as QN and to have the states: absent or weak (1); medium (2); strong (3)
Char. 52	to be indicated as QN and to have the states: absent or very weak (1); medium (3); very strong (5)
Char. 53	to read “Fruit: anthocyanin coloration of flesh around stone”, with the states: absent or weak (1); medium (2); strong (3) and to be indicated as QN
Char. 54	to read “Fruit: flesh fiber”, with the states: absent (1); present (9) and to be indicated as QL
New (ix) (after 54)	to read “Fruit: flesh type”, with the states: melting (1); non-melting (2); stony hard (crisp) (3) and (+) to be added for explanation
Chars. 55 to 68	the subgroup did not have sufficient time to consider Chars. 55 to 68, nor the remainder of the Test Guidelines

54. As a result of the number of changes proposed to the adopted Test Guidelines for Peach, document TG/53/6, the TWF agreed that there should be a full revision of the Test Guidelines for Peach.

Pecan Nut

55. The subgroup discussed document TG/PECAN (proj.5) and agreed the following:

2.3	to check the possibility of reducing the minimum quantity necessary to obtain 5 plants
3.3.2	to be deleted
Char.3	to read: “Tree: growth habit”, with the states of expression “upright (1), semi-upright (2), spreading (3)”;
Char.4	to replace PQ with QL
Char.4	the state of expression (2) to read “ <u>medium</u> brown”
Char.12	to check the Spanish term corresponding to “petiolule”
Char.13	to check whether a more specific term exist to replace “asymmetric”
Char.14	<u>Only varieties with asymmetric lateral leaflets:</u> lateral leaflet: position of broadest width of leaflet and to include explanation under Chapter 8.2 on what part should be observed
Char.16	PQ to be replaced by QN
Char.17	the drawings in Chapter 8.2 to be improved
Chars.19, 20	to check whether the terms “husk” and “vaina” being the most appropriate botanical terms
Char.20	to be QN
Chars.22, 23	the drawings in Chapter 8.2 to be improved to indicate the lateral and ventral views
Char.26	to improve the drawings under Chapter 8.2 and to check whether this characteristic to be QN,
Char.27	to add a drawing to note 2 in Ad.27
Char.27b	to receive an explanation under Chapter 8.2 on which part to be observed, if not, to delete this characteristic
Char.33	to correct the Spanish wording
Char.37	to correct the Spanish wording to “Epoca de caida de las hojas”

Pineapple (Ananas comosus (L.) Merr.)

56. The subgroup discussed document TG/PINEAP(proj.3), as presented by Mr. Richard Brand (France), and agreed the following:

Cover page	the German alternative name to be “Ananas, eßbare Sorten”
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3.4.1	to insert the following: “Each test should be designed to result in a total of 5 plants.” The current 3.4.1 to be numbered “3.4.2”.
Chapter 7 general	BR and FR to check all example varieties, taking into account the synonyms as indicated at the top of Chapter 7
Char.1	to correct the wordings under Ad.1, in order for them to correspond to the wording used in Chapter 7
Char.2	to read: “Plant: number of leaves (produced from 4 months after planting to flower induction)”
Char.4	the state of expression for note 7 to read “broad”
Char.5	to delete the word “ou pourpre” from note 4 in French
Chars.7 to 9	to be deleted
Char.10	the state of expression for note 1 to read: ”absent or very weak” with the example varieties “Spanish vert, MD2-Gold”
Char.12	to be deleted
Char.13	to receive the notes “1-3-5”
Char.14	to receive the additional example variety “Singapore Canning (1) and “Ananas bouteille (9)
Char.15	to replace the example variety “Samba” with “Ananas bouteille”
Char.16	to read: “Leaf: raised margin (piping)”; to receive a (+) and explanation under Chapter 8.2; to receive the notes “1-9”
Char.17	to be deleted; FR to consider how to address the state of expression “sand paper” in relation to Ch.15]
Char.20	to be deleted
Char.24	the states of expression to read: “flowering proceeds from bottom to top (1) and “flowering proceeds in any order (2)”
Char.25	FR to provide example varieties for notes 1 and 3
Char.26	to be deleted
Char.28	to be deleted
Char.29	to read: “Stamen: length in relation to style” with the states of expression “shorter than style (1), same as style (2), longer than style (3)”
Chars.30 to 32	to be deleted

Prunus padus L. (Bird cherry)

57. In the absence of the leading expert, the TWF did not discuss document TG/PRUNU_PAD(proj.1), but agreed that the interested experts should send their comments to the Leading Expert.

Strawberry (revision)

58. The subgroup discussed document TG/22/10(proj.2), as presented by Mr. Kiyofumi Nakamura (Japan), and agreed the following:

2.3	to read: “The minimum quantity of plant material, to be supplied by the applicant, should be: Vegetatively propagated varieties: 20 young plants Seed propagated varieties: sufficient seed to produce 40 plants, or 40 young plants”
3.3.3	to replace “trees” with “plants”
4.2.2	to read: “4.2.2 For the assessment of uniformity of vegetatively propagated varieties, a population standard of 1% and an acceptance probability of at least 95% should be applied. In the case of a sample size of 20 plants, 1 off-type is allowed. “4.2.3 For the assessment of uniformity of seed-propagated varieties, a population standard of 1% and an acceptance probability of at least 95% should be applied. In the case of a sample size of 40 plants, 2 off-types are allowed.”
5.3	to add Char. 1 “Plant: growth habit”
6.4	to delete “Note: Characteristics of ‘Akihime’ and ‘Tochiotome’ were assessed in greenhouse. Other varieties were assessed in open field.” and example varieties ‘Akihime’ and ‘Tochiotome’ to be deleted from the Table of Characteristics
General	to check the use of the terms “stolon” and “runner” for consistency throughout the document
Char. 1	to add (*)
Char. 5	to add state 1 “absent or very few”, with example varieties ‘Rügen, Leo Alba’
Char. 6	(+) to be added with explanation to observe in the middle third
Char. 8	(+) to be added with an illustration and to clarify that the size excludes the petiole and stipules
Char. 9	to delete example variety ‘Elsanta’
Char. 15	to read “Terminal leaflet: incisions of margin” and state 2 to read “serrate to crenate”
Char. 17	(+) to be added with explanation of which petiole should be observed
Char. 18	state 3 to read “horizontal”
Char. 20	to delete “/ inflorescence”
Char. 21	state 3 to read “horizontal”
Char. 23	to be indicated as QN
Char. 25	to add (*)
Char. 27	order of states 1 and 2 to be reversed
Char. 29	(+) to be added to explain that the size is determined by the length, height and thickness

Char. 30	to have the states: reniform (1); conical (2); cordate (3); ovate (4); cylindrical (5); rhombic (6); oblate (7); circular (8); wedged (9)
Char. 31	note (d) to be deleted, (+) to be added with explanation that “primary” relates to the first crop and “secondary” to the second crop and example variety name ‘Sengana’ to be corrected to ‘Senga Sengana’ in state 3
Char. 32	state 2 to read “light orange; state 3 to read “medium orange”; state 5 to read “medium red”; and state 7 to read “blackish red”
Char. 37	(+) to be added with an illustration of the position in profile
Char. 38	to read “Fruit: position of calyx attachment” with the states: inserted (1); level with fruit (2); raised (3)
Char. 39	to read “Fruit: attitude of sepals”
Char. 41	example variety name ‘Sengana’ to be corrected to ‘Senga Sengana’ in state 5
Char. 47	to read “Time of beginning of fruit ripening” and example varieties to be deleted
8.1 (a)	to read “All observations on the plant and leaf should be made on plants shortly before the beginning of fruit ripening. Observations on the leaf should be made on a fully-developed leaf”
8.1 (b)	to read “All observations on the stipule and the stolon should be made after the end of bearing (excluding day-neutral varieties)”
8.1 (c)	to read “Unless otherwise indicated, all observations of the inflorescence (including the flower) should be made on plants when they are in full flower. Unless otherwise indicated, observations on the flower should be made on the secondary flower (i.e. not the terminal flower). In the case of remontant varieties, the characteristics should be observed on the first flush of flowers.”
8.1 (d)	to read “Unless otherwise indicated, all observations on the fruit should be made on secondary fruit (i.e. not the terminal fruit)”
Ad. 33	illustrations from Germany and Japan to be included
Ad. 35	illustrations from Germany to be included
Ad. 36	to replace illustrations with photographs
Ad. 39	to amend states in illustration
Ad. 40	to read “The diameter of calyx is measured with the sepals held flat.”
Ad. 48	to read: “Not remontant: flowering and fruiting only once in a season; “Partly remontant: the potential to flower and fruit twice in a season, but strongly influenced by the environment; “Fully remontant: flowering and fruiting twice in a season, largely irrespective of the environment; “Day neutral: flowering and fruiting multiple times, continuously in a season. Do not require decreasing daylength for flower induction. In cases where runners are observed, therefore, runners produce flowers and fruits in the same season as the plant producing the runner.”
TQ 1	to add box to indicate species
TQ 5	to add Char. 1 “Plant: growth habit”
TQ 7.3	to add indication of use: fruit or ornamental

59. The TWF agreed that the Test Guidelines for Strawberry should be sent to the TC for adoption at its forty-fourth session, to be held in Geneva in April 2008, on the basis of document TG/22/10(proj.2) and the comments set out above. The TWF also agreed to receive a report from Japan at the thirty-ninth session of the TWF, to be held in 2008, on the possibility of developing a set of example varieties for North East Asia which would then require a partial revision of the Test Guidelines in 2009 or 2010, at which time other specific revisions could also be incorporated.

UPOV Information Databases

60. The TWF noted the information provided in document TWF/38/4.

61. With regard to the proposal in paragraph 8 of document TWF/38/4, concerning the possibility of allowing flexibility in the species element of the UPOV code in order to cover a classification into, for example, subgenera and/or sections, between the genus and species level of classification, the TWF agreed with the TWO conclusion that there was no immediate need for such a change.

Variety Denominations

62. The TWF noted the report on developments provided in document TWF/38/5.

Project to Consider the Publication of Variety Descriptions

63. The TWF noted the information provided in document TWF/38/6.

Practical Guide for Drafters of UPOV Test Guidelines

64. The TWF considered document TWF/38/7.

65. The UPOV Office explained that, in the final version of the Practical Guide for Drafters of UPOV Test Guidelines (Guide), it also planned to include some recommendations on the placement of photographs and illustrations to ensure that their location in the document could be fixed. It was also explained that the UPOV Office planned to circulate a copy of the Guide to all Leading Experts after the TWP sessions, together with a Word version of their draft Test Guidelines discussed at the TWP session to help in preparation of the subsequent draft. It was further clarified that the Guide would be included in the Drafters' Kit, which was available on the first-restricted area of the UPOV website.

66. In order to facilitate the involvement of breeders in the drafting of Test Guidelines for vegetatively propagated varieties, it was noted that the representative of the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Varieties (CIOPORA) at the TWO session would consult on whether it would be helpful for CIOPORA to be included in the group of interested experts for Test Guidelines of interest, in order to comment on the interim drafts. It was also agreed that the UPOV office should be included in the circulation of draft Test Guidelines at the "final stage" in order to make editorial comments before the draft was prepared for the TWF session.

Assistance in the Development of Authorities' Guidelines

67. The TWF agreed that it would be useful to consider developing a more detailed section within TGP/7 for guidance on the development of an authority's own guidelines in the absence of UPOV Test Guidelines and, in particular, to include the possibility of providing a list of experts willing to provide guidance in the development of such guidelines. The following expert agreed to the inclusion of their names on such a list:

Mr. Erik Schulte (Germany)

Combinations of Lines

68. The TWF considered document TWF/38/8 in conjunction with its discussions on document TGP/10/1 Draft 7, Section 1.2.

Recommendations on Draft Test Guidelines

(a) *Test Guidelines to be put forward for adoption by the Technical Committee*

69. The TWF agreed that the following draft Test Guidelines should be sent to the TC for adoption at its forty-fourth session, to be held in Geneva in April 2008, on the basis of the following documents and the comments in this report:

- Black Currant (revision) (document TG/40/7(proj.3))
- Coffee (document TG/COFFEE(proj.6))
- Common Sea Buckthorn (*Hippophae rhamnoides* L.)¹ (document TG/HIPPH(proj.3))
- Grapevine (*Vitis* L.) (document TG/50/9(proj.1))
- Hawthorn (*Crataegus* L.) (document TG/HAWTH(proj.4))
- Strawberry (revision) (document TG/22/10(proj.2))

(b) *Test Guidelines to be discussed at the thirty-ninth session*

70. The TWF agreed to re-discuss the following draft Test Guidelines at its thirty-ninth session:

- Banana (*Musa* L.) (revision)
- Dragon-fruit (*Hylocereus undatus* (Haw.) Britton et Rose)
- Fig (*Ficus carica* L.)
- Papaya (*Carica papaya* L.)
- Passion Fruit (Fruit species)
- Peach (revision)
- Pecan nut
- Pineapple (*Ananas comosus* (L.) Merr.)

¹ subject to the agreement of the leading expert

- *Prunus padus* L. (Bird cherry)

71. The TWF agreed that it should start to establish or revise Test Guidelines for the following at its thirty-ninth session:

- Cacao (*Theobroma cacao* L.)
- Japanese plum (Revision)
- Pistachio (*Pistacia vera* L.)
- Pomegranate (*Punica granatum* L.)

72. The leading experts, interested experts and timetables for the development of the Test Guidelines, are summarized in Annex V.

(c) *Test Guidelines to be considered for discussion at the fortieth session*

73. With regard to the Test Guidelines which the TWO agreed that it should consider in conjunction with the TWF, the TWF proposed the following:

- (a) Chinese chestnut (*Castanea mollissima* Bl. and *C. crenata*): to invite the proposed leading expert, Mr. Hou Liqun (China), in conjunction with the interested experts, to check whether the existing Test Guidelines for *Castanea sativa* Mill. (document TG/124/3) could be extended to cover *Castanea mollissima* Bl. and *C. crenata*;
- (b) Chinese date (*Zyziphus jujuba* Mill.): to review in 2009;
- (c) *Juglans mandshurica* Maxim.: to invite the proposed leading expert, Ms. Pei Dong (China), in conjunction with the interested experts, to check whether the existing Test Guidelines for *Juglans regia* L. (document TG/125/6) could be extended to cover *Juglans mandshurica* Maxim.; and
- (d) *Prunus mume* Sieb. et Zucc. (ornamental): to invite the proposed leading experts, Prof. Zhangqixiong and Dr. Lu Yingming (China), in conjunction with the interested experts, to check whether the existing Test Guidelines for *Prunus mume* Sieb. et Zucc. (document TG/160/3) could be extended to cover ornamental varieties.

74. The TWF agreed that it should consider the development of Test Guidelines for the following at a future session:

- *Actinidia* Lindl. (Revision) (document TG/98/6)

Future Program, Date and Place of the Next Session

75. At the invitation of Portugal, the TWF agreed to hold its thirty-ninth session in Lisbon, Portugal from June 2 to 6, 2008.

76. The TWF proposed to discuss the following items at its next session:
1. Opening of the session
 2. Adoption of the agenda
 3. Short reports on developments in plant variety protection
 - (a) Reports from members and observers (oral reports by the participants).
 - (b) Reports on developments within UPOV (oral report by the Office of the Union)
 4. Molecular techniques:
 - (a) Developments in UPOV concerning the use of molecular techniques
 - (b) *Ad hoc* Crop Subgroups (oral report)
 5. TGP documents
 6. UPOV information databases
 7. Development of a set of example varieties for North East Asia for the Test Guidelines for Strawberry
 8. Discussion on draft Test Guidelines
 9. Recommendations on draft Test Guidelines
 10. Date and place of the next session
 11. Future program
 12. Adoption of report (if time permits)
 13. Closing of the session

Chairperson

77. The TWF agreed to propose to the TC that it recommend to the Council to elect Mrs. Bronislava Bátorová (Slovakia) as the next chairperson of the TWF.

Visits

78. On the afternoon, Wednesday, July 11 2007, the TWF visited the Citrus Research Center of the National Institute of Subtropical Agriculture (NISA) of the Rural Development Administration (RDA), Segipo Agriculture Technique Extension Service Center and a tea plantation company and tea museum.

79. *The TWF adopted this report at the close of the session.*

[Annexes follow]

LIST OF PARTICIPANTS

I. MEMBERS

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Alejandro F. BARRIENTOS-PRIEGO, Chairman

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[Annex II follows]

ANNEX II

Opening Address by Mr. Jae-Ouk Lee
Director, Plant Variety Protection Division
National Seed Management Office (NSMO)
Monday, July 9, 2007, Jeju, Republic of Korea

Mr. Alejandro F. Barrientos-Priego, Chairman of the Technical Working Party for Fruit Crops,

Mr. Peter Button, technical director of UPOV,
Distinguished participants, and ladies and gentlemen

Welcome to the 38th UPOV TWF meeting!

Let me first extend my sincere gratitude to the TWF Chairman and the UPOV secretariat for giving us this opportunity to host the UPOV 38th TWF meeting in Jeju, Korea.

In 2002, we hosted the UPOV/ASIA Regional Technical Meeting for Plant Variety Protection, in Seoul and discussed how to enhance cooperation in the field of plant variety protection among Asian countries. Since 2004, four UPOV meetings have been held in the Republic of Korea, namely of the TWV, TWO, BMT and this TWF meeting. Of those, three have been the 38th meetings which is a coincidence.

As such, the Republic of Korea has been a very active member of the organization. I hope that we will also be the host country for 38th TWA session in the Republic of Korea in 2009.

Mr. Chairman,
and honorable delegates from members countries,

The Republic of Korea legislated the Seed Industry Law in 1995 and has implemented its plant variety protection scheme since 1997. Joining the UPOV as the 50th member State in January, 2002, we have been fully committed to protecting plant varieties through cooperation with UPOV members.

As a member of UPOV, the government of the Republic of Korea will continue to play a leading role in fulfilling its obligations as a member State and in actively protecting intellectual property rights of new varieties. In this regard, I heard that the workshop organized yesterday was very helpful for the participants in understanding DUS testing for fruits from other member countries of UPOV.

Again, I would like to thank the UPOV secretariat and our staff for organizing the workshop and all the speakers for giving us excellent presentations.

Mr. Chairman, distinguished delegates,

The cooperation among UPOV members is important in harmonizing DUS testing for plant variety protection. I hope that your active participation, presentations and deep discussions in this meeting will provide members with an excellent opportunity to advance plant variety protection under the UPOV system.

During our meeting in Jeju, I hope you all have a pleasant stay, enjoying the cultural experience and beautiful natural scenery of Jeju island. Volcanoes and lava tubes on Jeju Island were recently registered as World Natural Heritage.

It is the first time for a Republic of Korea natural heritage to be put on the list of the United Nations Educational, Scientific and Cultural Organization (UNESCO), as decided by the UNESCO World Heritage Committee at its 31st session, held in Christchurch, New Zealand on June 27th, 2007.

Everyone here is very lucky and happy to have an opportunity to visit this newly registered UNESCO world natural heritage site.

Once again, I would like to thank Mr. Alejandro F. Barrientos-Priego, Chairman of the TWF and Mr. Button of the UPOV Office for organizing this meeting, and I wish you all good health and a pleasant stay in the Republic of Korea and the beautiful Jeju island.

Thank you.

[Annex III follows]

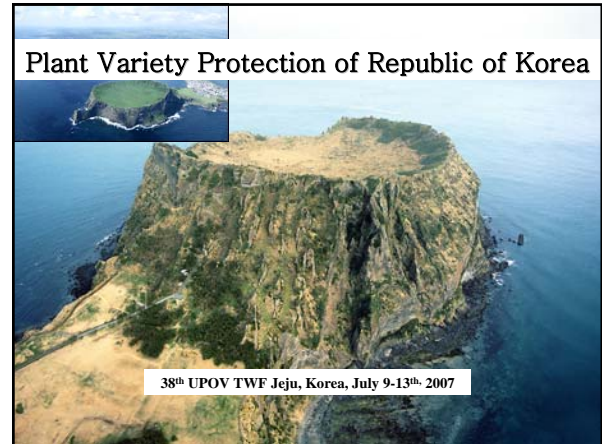


Table of Contents

- I Seed Industry Law
- II Plant Variety Protection
- III Examination System
- IV Statistics
- V Appeal Committee
- VI Future Challenges

Seed Industry Law


History of Seed Industry Law

History

- 1995. 5. Drafting Seed Industry Law
- 1995. 12. Established and published for public
- 1997. 12. Implemented on December 31, 1997
- 1997. 12. Revision of Law in few article
 - in 1999 (Law No. 5668), - in 2000 (Law No. 6190)
 - in 2001 (Law No. 6374), - in 2003 (Law No. 6999)

Member of UPOV

- Conformity with 1991 UPOV Act
- Joined as 50th UPOV member - January 7th, 2002



Seed Industry Law

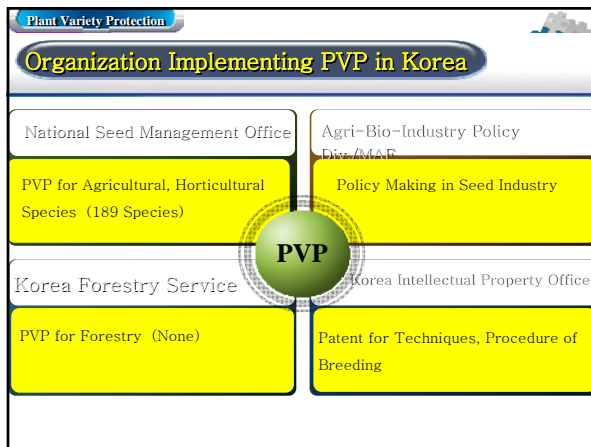
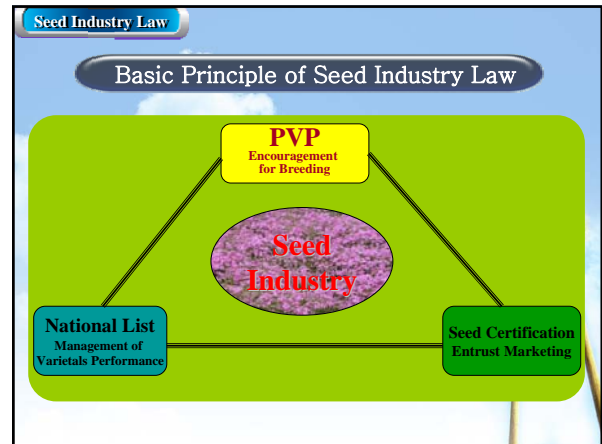
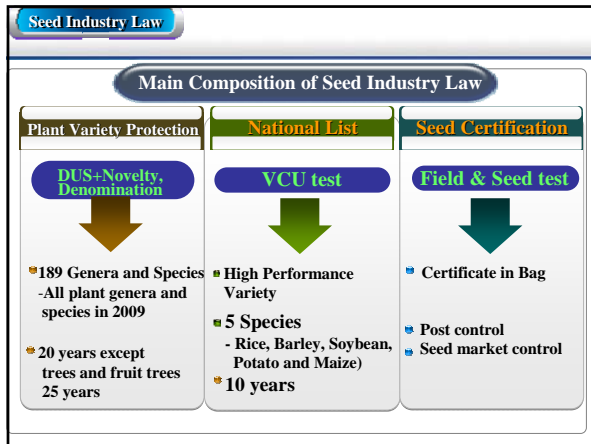
Background of Establishment of Seed Industry Law

Introducing New System for Development of Seed Industry

- Plant Variety Protection
- National List
- Seed Certification

Implementing WTO/TRIPS Agreement

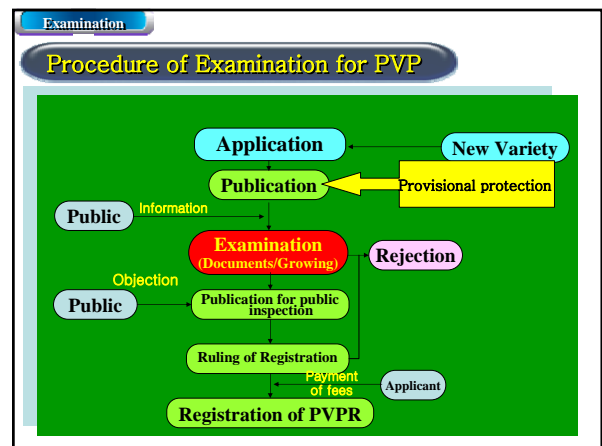
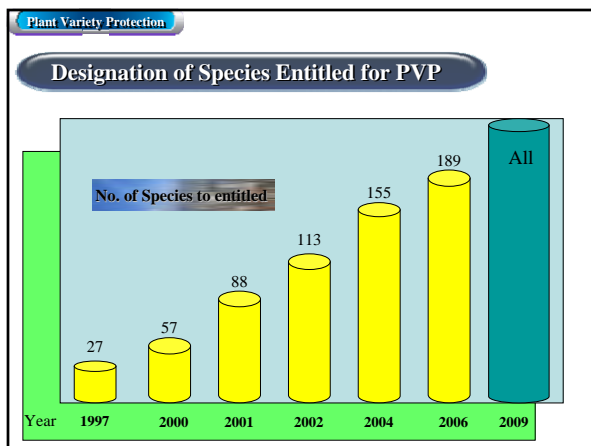
- TRIPS 27.3 (b)
- Protection for New Plant Variety



Plant Variety Protection

Designation of PVP entitled and Development of Test Guidelines (TG) for the Conduct of DUS test


Year	1997	2000	2001	2002	2004	2006	Total	
No. of Species to be entitled	27	30	31	25	42	34	189	
TG	UPOV	26	11	7	5	20	6	75
	National	1	19	19	11	8	6	64
	Sub-total	27	30	26	16	28	12	139
Not available	-	-	5	9	14	22	50	



Examination

Way of Examination for PVP

- **Examination**
 - Examiner : 4 persons
 - DUS tester : 63 persons
 - * Examiners are in PVP div. HQ
- **Document test**
 - Novelty
 - Denomination
- **DUS test : 1 or 2 years in one site**




Way of Examination of variety denomination

Denomination Check : Article 109 of SIL (Requirement of Variety Denomination)

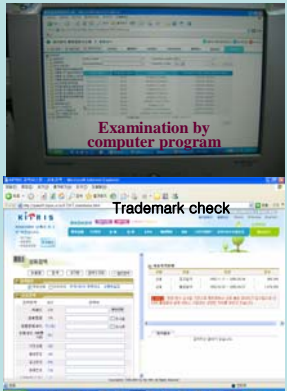
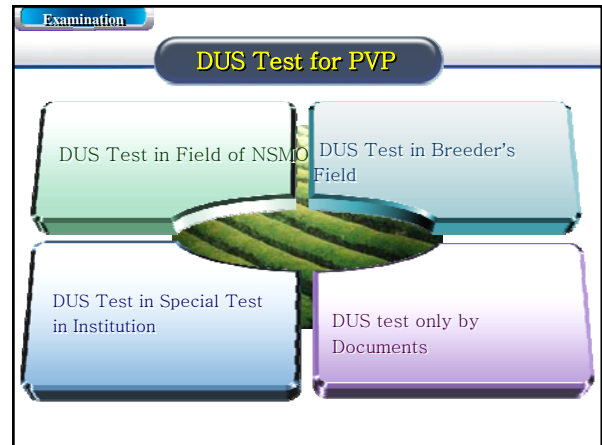
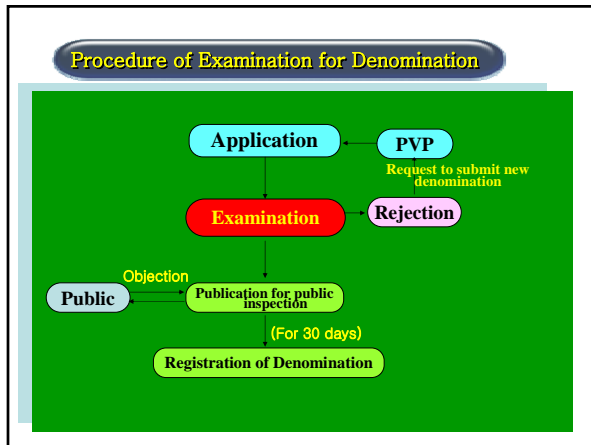
- 1 Denomination in 1 genera and species
- Trademark is not available as variety denomination

Examination by computer program

UPOV-ROM check



Trademark check


Examination

DUS Test in Field of NSMO

Field and Lab Test


DUS Test in the field

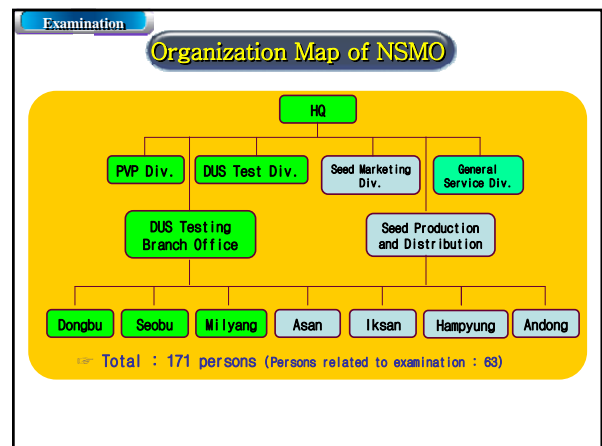
- Variety Testing
- Division
- 3 Branch Office



DNA & Molecular work

- Identification of Variety
- Assess of similar variety
- Development of new tool





Examination

Location of NSMO

HQ in Anyang

Dongbu Br.

Asan Br.

Andong Br.

Seobu Br.

Iksan Br.

Hampyung Br.

Milyang Br.

Plant Variety Protection Registration

Requirement of PVPR

- DUS + Novelty, Denomination
- Formality: Application fees
- 189 species for PVP
- Breeder or successor can have PVPR

DUS Test

- Examination by examiners
- Test for one or two years in one site
- Publication for Two times to information and objection provided
- Publish variety protection gazette every month

Fees for PVP

- \$38 for application
- \$50 for documentation
- \$500 for DUS test/year

Annual Fees

Year from Registration	Annual fees (Thousand won)		
	Group 1	Group 2	Group 3
1st to 5th	100	50	30
6th to 10th	150	75	45
11th to 15th	225	112	67
16th 20th	337	168	101
21st to 25th	506	253	151

Plant Variety Protection Right

Seeds of PVPR	Harvested Material	Processed Material
Exploitation By PVPR holder	X	X
X	Exploitation By PVPR holder	X
X	X	Exploitation By PVPR holder

Scope of effect of PVPR

- Essentially derived variety
- Not clearly distinguishable variety
- Requires the repeated use of the protected variety.

Scope of no effect of PVPR

- Self-consumption and non-commercial
- Experimental and research
- Breeding other varieties
- Farm saved seed

What are we doing for better system ?

22

Examination

DUS Test for PVPR

Infrastructure

- Test field, Automation of Glass house
- Setup the Manual for each Species

Manpower

- Training from developed countries
- Development of New Techniques for DUS

Development of laboratory techniques

- DNA marker for Identification (Rice, Pepper, Oriental melon)
- Chemical analysis of quality, Disease-resistance etc.)

Analysis of DNA Markers

Settlement of PVP System

Advancement of system for PVP

- Drafting New TG and Revising TG
- Automation for Examination
- Application by Internet
- Increasing Personals for DUS

Training for DUS expert

- Training to solve the issues during the DUS test in UPOV member countries
- One Research program for each DUS tester (seminar, workshop, etc)

International Cooperation

UPOV Meeting

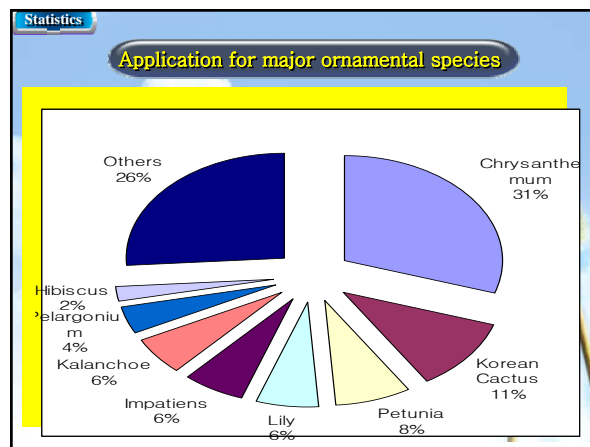
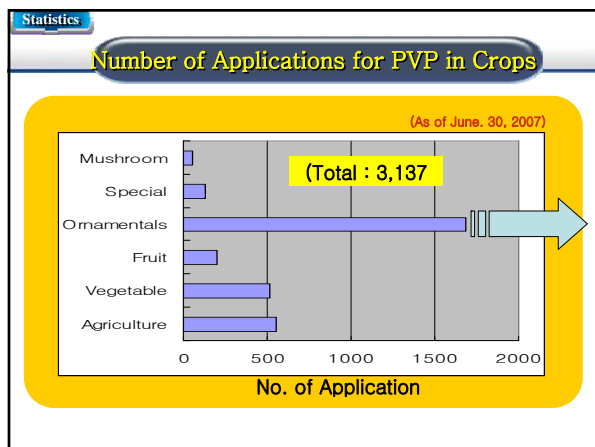
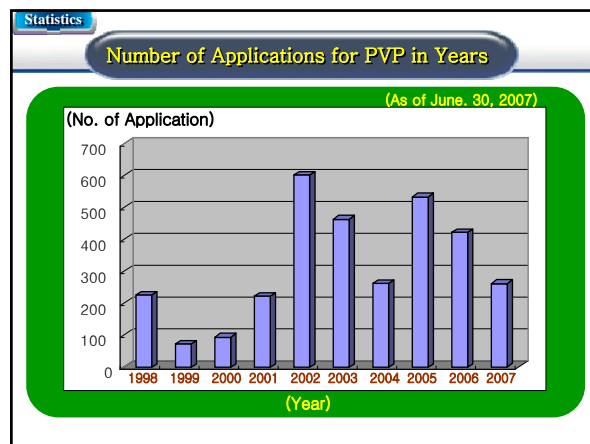
- Host UPOV Meeting in Korea
38th TWV('04)
38th TWO('05),
10th BMT('06) and 38th TWF('07)
- 38th TWF : JeJu, July 9-13, '07
- Collaboration with China and Japan



Offering for Train

- Training PVP for 15 countries
- From Aug 20th to Sep. 15th (4 weeks)
- PVP of Korea (PVP Act, DUS)
- PVP under UPOV system
- Financial support by KOICA



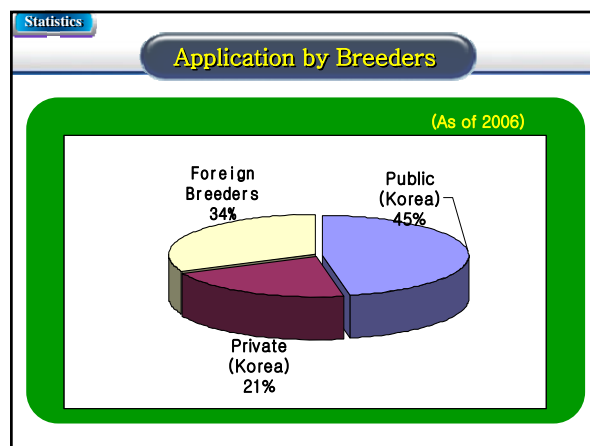


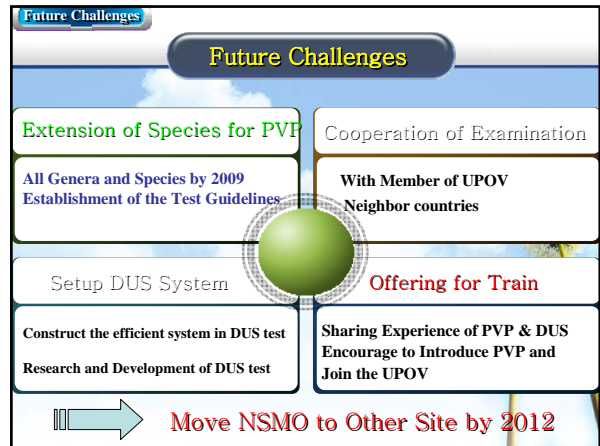
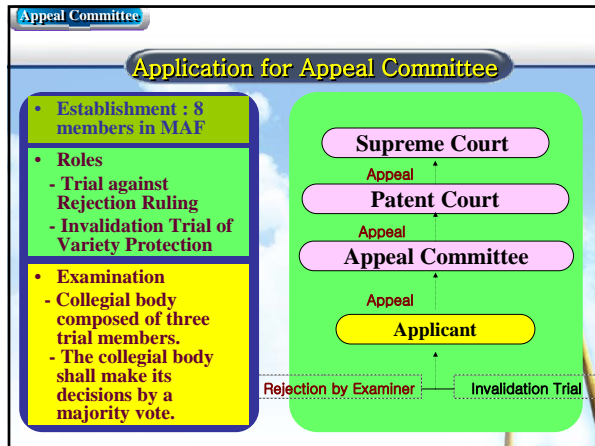
Statistics

Number of Rejection During Examination

(As of June 30, 2007)


	Application	Rejection	Registration
Total	3,137	8% 252	2,026
Food crop	556	14	452
Vegetable	520	47	279
Fruits	155	10	98
Ornamentals	1,724	10% 170	1,068
Grass	15	1	8
Industrial	131	7	106
Mushroom	36	3	15





**Introduction of
Fruit Breeding and Cultivation in Korea**

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Part I
**Introduction of
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and
National Horticultural Research Institute**



National Horticultural Research Institute, RDA 2



**Rural Development Administration
(RDA)**
<http://www.rda.go.kr>

National Horticultural Research Institute, RDA 3

Organization & Personnel



Natl. Inst. Agric. Biotech.
Natl. Inst. Agric. Sci. & Technol.
Natl. Inst. Agric. Engineer.
RDA Headquarter
Natl. Inst. Crop Sci.

8 Institutes, 1 College
Personnel 2,123
Research 1,186
Extension 80
Education 35
Administration 288
Technician 534

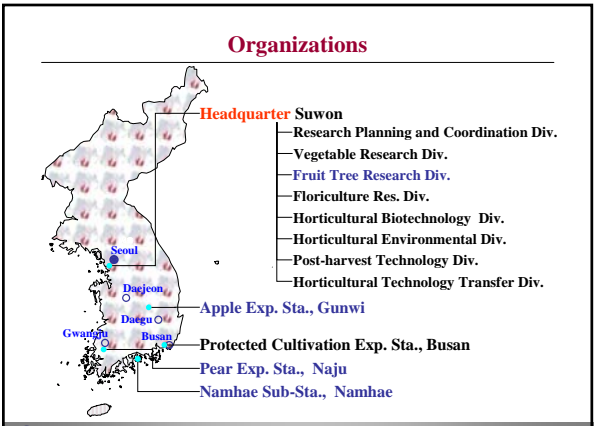
National Horticultural Research Institute, RDA 4



**National Horticultural Research Institute
(NHRI)**
<http://www.nhri.go.kr>

National Horticultural Research Institute, RDA 5

Organizations




Headquarter Suwon
— Research Planning and Coordination Div.
— Vegetable Research Div.
— Fruit Tree Research Div.
— Floriculture Res. Div.
— Horticultural Biotechnology Div.
— Horticultural Environmental Div.
— Post-harvest Technology Div.
— Horticultural Technology Transfer Div.

— Apple Exp. Sta., Gunwi
— Protected Cultivation Exp. Sta., Busan
— Pear Exp. Sta., Naju
— Namhae Sub-Sta., Namhae


National Horticultural Research Institute, RDA 6

Fruit Tree Research Division

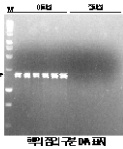
- Fruit breeding & genetics Lab
- Fruit Tree Physiology Lab
- Grape Breeding and Processing Lab
- Grapevine Cultivation and Protection Lab



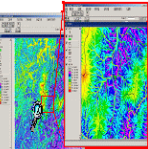
Columnar habit



Self-thinned apple



DNA marker on free and clingstone peach




Analysis of Micro-climate for adaptability

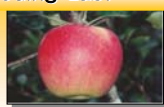
National Horticultural Research Institute, RDA 7

Apple Experiment Station


Breeding Lab.




Breeding of high-quality and labor-saving apple varieties





Development of apple rootstocks and propagation methods



Breeding of pest resistant edible crab apple and germplasm screening for functional materials









National Horticultural Research Institute, RDA 8


Cultivation Lab.




Establishment of high-density apple orchard management system



Studies on cultivation techniques of new apple cultivars released by NHRI




Protecting apple tree from climatic damages and wild life

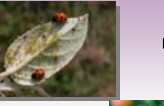


National Horticultural Research Institute, RDA 9


Environment Lab.




Establishment of integrated pest management system



Studies on ecology and control of major pests




Apple diseases and pests monitoring system by internet(www.iloveapple.co.kr)



National Horticultural Research Institute, RDA 10

Pear Experiment Station

- Breeding Lab
- Cultivation Lab
- Environment Lab.



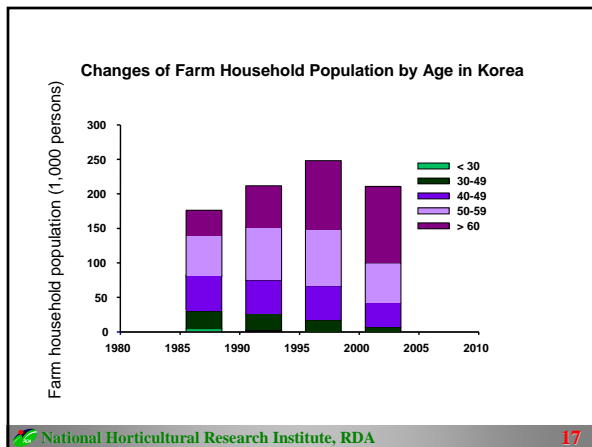
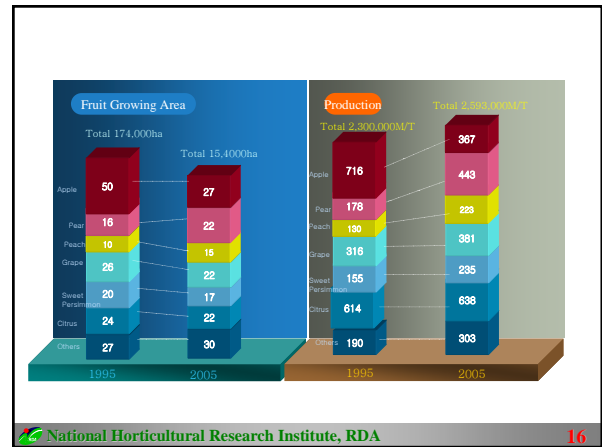
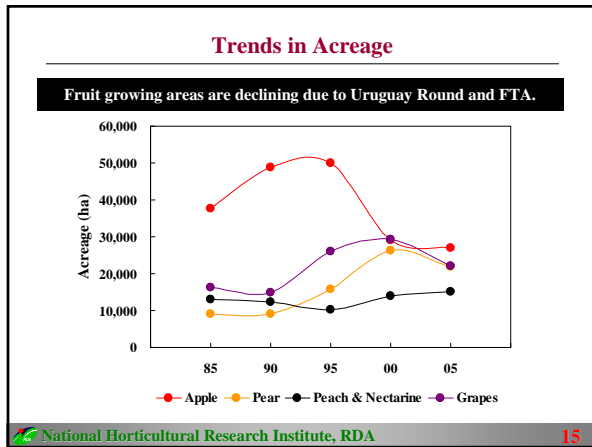
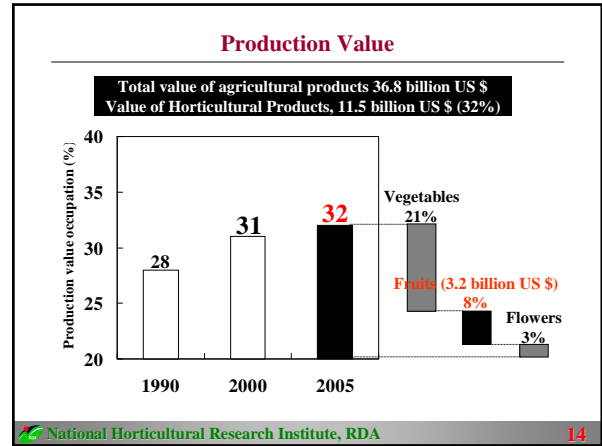
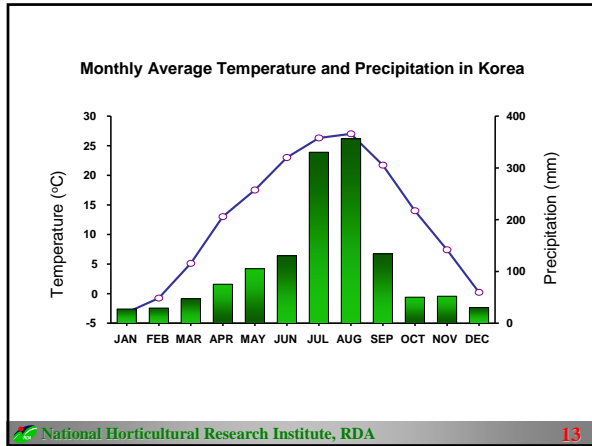
Poster content includes: Pear Experiment Station, Development of Techniques for the Production of Topper Fruit, Developing the Labor-saving and High-yielding Tree Shape, Research on Early-harvest/Prevalent Cold Management, etc.

National Horticultural Research Institute, RDA 11

Part II

Overview on Korean Fruit Industry

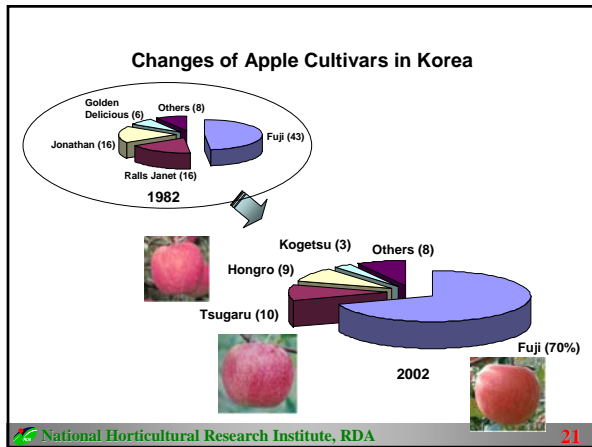
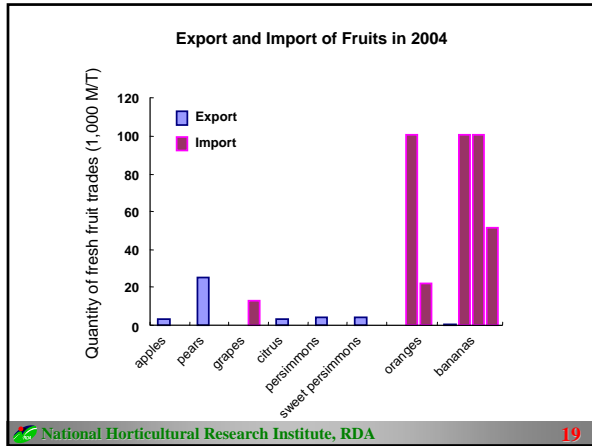
National Horticultural Research Institute, RDA 12



Proportion of farm households by fruits and their cultivation area in Korea (2003)

Fruit crop	Proportion of farm households (%)				
	< 0.7 ha	0.7-1.0 ha	1.0-1.5 ha	1.5-2.0 ha	> 2.0 ha
Citrus	66.1	13.1	11.5	5.0	4.3
Apple	66.8	13.8	11.3	4.4	3.8
Pear	74.9	9.4	8.0	3.7	3.9
Grape	82.6	9.9	5.6	1.4	0.5
Peach	83.5	8.3	5.5	1.6	1.1
Persimmon	85.5	5.5	4.2	2.0	2.8
Average	76.9	9.9	7.6	3.0	2.7

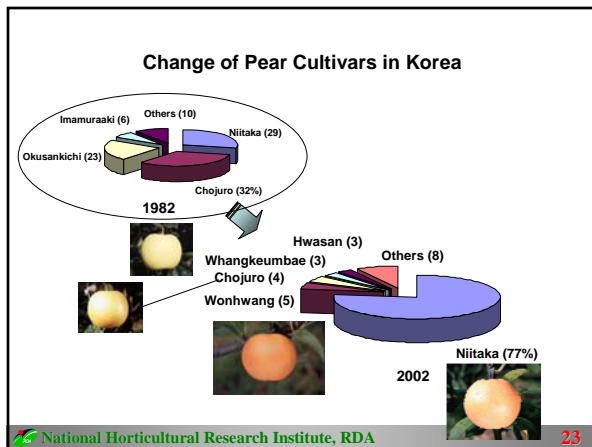
National Horticultural Research Institute, RDA 18



Apple

Variety	Ripening time	Weight (g)	Soluble solids (oBx)	Storability	Acreage (%; 2002)
Sunhong	Late Aug.	300	14.7	Medium	0.2
Tsugaru	Late Aug.	300	14.0	Weak	9.9
Hongro	Early Sept.	300	14.5	Medium	9.2
Kamhong	Early Oct.	400	17.8	Medium	1.2
Fuji	Late Oct.	300	15.0	Strong	69.9

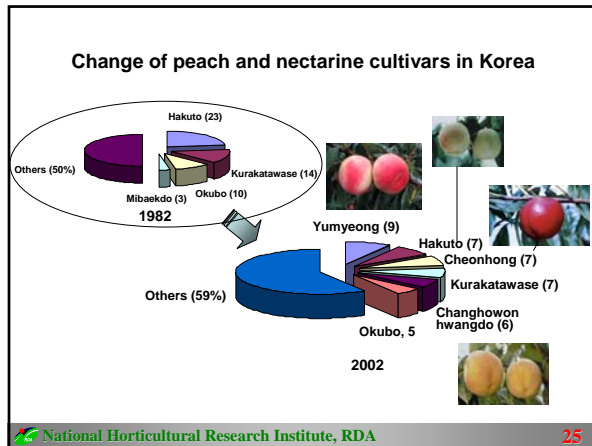
National Horticultural Research Institute, RDA 22



Pear

Variety	Ripening time	Weight (g)	Soluble solids (oBx)	Acreage (%; 2002)
Chojuro	Early Sept.	400	12.8	4.1
Whangkeum	Early Sept.	430	14.9	2.5
Wonhwang	Mid Sept.	550	13.4	4.8
Whasan	Early Oct.	550	12.9	2.5
Niitaka	Early Oct.	450	11.5	76.9
Gamcheon	Mid Oct.	600	13.3	2.2
Chuwang	Late Oct.	400	14.0	2.0

National Horticultural Research Institute, RDA 24

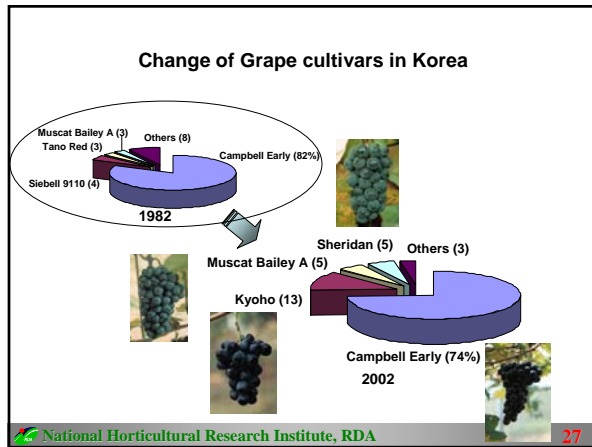


Peach & Nectarine

Variety	Ripening time	Weight (g)	Soluble solids (oBx)	Acreage (% 2002)
Yumyeong	Late Aug.	300	13.0	9.2
Cheonhong*	Early Aug.	235	12.0	7.3
Changhown Hwangdo	Mid Sept.	300	12.5	5.8
Kawanakajima Hakuto	Late Aug.	310	12.6	4.1

*Nectarine

National Horticultural Research Institute, RDA 26



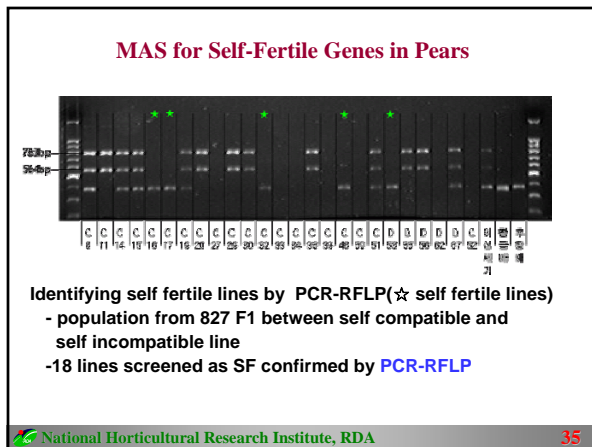
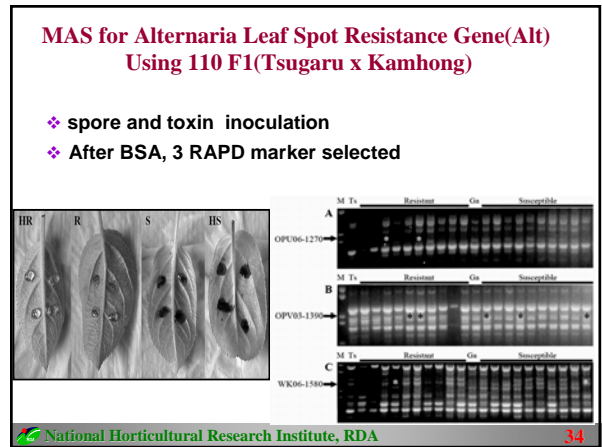
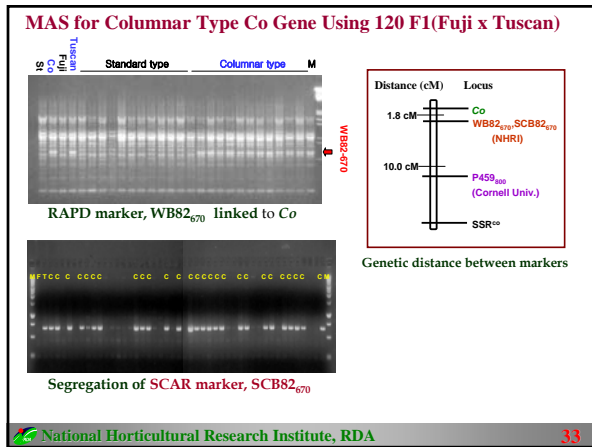
Grapes

Variety	Harvesting time	Cluster weight (g)	Berry weight (g)	Soluble solids (oBx)	Acreage (% 2002)
Campbell Early	Early Sep.	320	5.3	14.0	74.3
Kyoho	Mid. Sep.	450	12.0	18.0	13.1
Tamnara	Late Aug.	323	7.5	17.2	
Heukboseok	Early Sep.	452	10.6	18.4	
Heukgoosul	Mid. Sep.	450	14.4	18.4	

A: Cheongsoo, B: Hongdan, C: Tamnara, D: Hongisul, E: Jinok (2x), F: Heukgoosul, G: Heukboseok, H: Suok (4x)

National Horticultural Research Institute, RDA 28





- ### Shortcomings and Future Cooperation in Pipfruit and Stonefruit Breeding
1. Exchange of germplasm
 2. Introgression of desirable traits from wild species.
 - Verification of interspecific hybrids with RAPD.
 - Embryo rescue
 3. MAS and marker development : single gene and QTL analysis
 4. Durable disease and insect resistances
 5. Conventional breeding research combined with biotechnology
- National Horticultural Research Institute, RDA 36

Part V

Introduction of Fruit Tree Cultivation in Korea

National Horticultural Research Institute, RDA 37

Apple Cultivation System in Korea

Low density planting with modified central leader system for apple

High density planting with M9, spindle bush system for apple

National Horticultural Research Institute, RDA 38

Some Features in Apple Production

- Manual pruning and training
- Manual fruit thinning at early growing stage
- Bagging to protect pest damages and skin russet in some cultivars
- Removing bag to enhance fruit skin coloration, 30 days before harvest
- High-density planting with M.9 dwarf rootstock
- Defoliation, turning fruits, laying reflective film for better coloration

National Horticultural Research Institute, RDA 39

Pear

Peach

High density planting cultivation with Y-trellis system in pears and peaches

National Horticultural Research Institute, RDA 40

Some Features in Pear Production

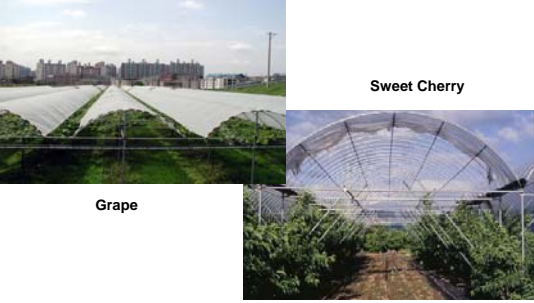
- Manual pruning and training
- Artificial pollination for preventing frost damage
- Manual fruit thinning at early growing stage
- Bagging to protect pest damages and skin russet
- Y-shape trellis

National Horticultural Research Institute, RDA 41

Some Features in Stone Fruit Production

- Manual pruning and training
- Manual fruit thinning at early growing stage
- Bagging to protect pest damages
- Open center or Y-shaped tree form

National Horticultural Research Institute, RDA 42



Sweet Cherry

Grape

Rain sheltering cultivation system with P. E. film

National Horticultural Research Institute, RDA 43

This slide features three photographs. The top-left photo shows a long, straight row of grapevines covered in white plastic mulch, with a city skyline in the background. The top-right photo shows a close-up of a grapevine covered in a white protective netting. The bottom photo shows a perspective view of a grapevine covered in a white protective netting, with a path leading through the rows.

Some Features in Grape Production

- Manual pruning and training
- Manual cluster trimming and berry thinning
- Gibberellin dipping treatment to produce seedless and large-sized berry
- Bagging to protect pest damages
- Rain-shelter production system
- Bury European varieties under ground during winter season
- Some forcing culture



National Horticultural Research Institute, RDA 44

This slide contains a list of seven features in grape production. Below the list are three small photographs: the first shows a close-up of a grape cluster on a vine; the second shows a perspective view of a grapevine covered in white protective netting; the third shows a person working in a field, possibly harvesting or tending to the vines.

Pending Problems

- Small-scaled orchard (0.5ha in average)
- Too old orchardists (52.6%, over than 60-year-old)
- Many orchards located in mountainous area
- Many spraying to control diseases and insects
- Absence of large-scaled packing house
- Insufficient quality control in skin color and sugar content
- Insufficient supplying system for virus free plant materials

National Horticultural Research Institute, RDA 45

This slide lists seven pending problems in grape production. The text is presented in a bulleted format.

Thank you!!



National Horticultural Research Institute, RDA 46

The slide features the text 'Thank you!!' in a bold, red font. Below the text is the 'DYNAMIC KOREA' logo, which consists of the word 'DYNAMIC' in blue and 'KOREA' in red, with a colorful, stylized 'K' that transitions from blue to red to yellow.

UPOV

RECENT DEVELOPMENTS IN UPOV

UPOV **OVERVIEW**

- UPOV Membership and Observers
- Variety Denominations and Databases
- Enforcement of Plant Breeders' Rights
- Molecular Techniques
- CAJ Advisory Group
- CAJ: EDV
- Technical Committee

UPOV **MEMBERSHIP OF UPOV
64 Members**

(63 States and the European Community)

New Members:

Morocco	October 8, 2006
Viet Nam	December 24, 2006
Dominican Republic	May 16, 2007

Accession to 1991 Act:

Ukraine	January 19, 2007
Spain	July 18, 2007

Laws examined:

	<u>Council Session</u>	<u>Advice</u>
Dominican Republic	October 19, 2006	positive
Guatemala	October 19, 2006	positive (amendments of draft law required)
Philippines	March 30, 2007	amendments of law required
Georgia	March 30, 2007	positive

UPOV **UPOV Membership/
Territories covered**

64 members

UPOV **Members of UPOV (green) and
initiating States and organizations
(yellow)**

Initiated the Procedure
18 States
1 intergovernmental organization

UPOV **UPOV Membership/
Territories covered**

39 members of the 1991 Act

UPOV

NEW OBSERVER

Observer status granted to:

- Seed Association of the Americas (SAA) in the Council, CAJ, Technical Committee and Technical Working Parties

UPOV

COUNCIL OF UPOV

- President:
Mr. Doug Waterhouse, Australia
- Vice-President:
Mr. Keun-Jin Choi, Republic of Korea

UPOV

VARIETY DENOMINATIONS

- Explanatory Notes on Variety Denominations (UPOV/INF/12/1) adopted and published on UPOV Website:
 - Explanatory notes to relevant provisions of UPOV Convention
 - UPOV variety denomination classes (Annex I)

UPOV

Enforcement of Plant Breeders' Rights

- Seminar at UPOV headquarters (Oct. 2005)
- Enforcement Workshops organized by UPOV members (Brussels, Warsaw, Tokyo, etc.)
- "Overview of existing activities of UPOV and possible future initiatives in relation to the enforcement of plant breeders' rights" is under preparation and will be made available to ISF and CIOFORA

UPOV

Molecular Techniques

- Role of UPOV Working Group on Molecular Techniques and DNA Profiling in particular (BMT) clarified in respect of variety identification:
 - "...open to DUS experts, biochemical and molecular specialists and plant breeders, whose role is to: [...] provide a forum for discussion of biochemical and molecular techniques in the consideration of essential derivation and variety identification."
- Work of crop specific subgroups of TWP in respect of use of molecular markers in DUS examination continues

UPOV

BMT Forum

"BREEDERS' DAY"
at BMT/11, May 2008, Spain

Use of molecular techniques in:

- **variety identification**
- **essential derivation**

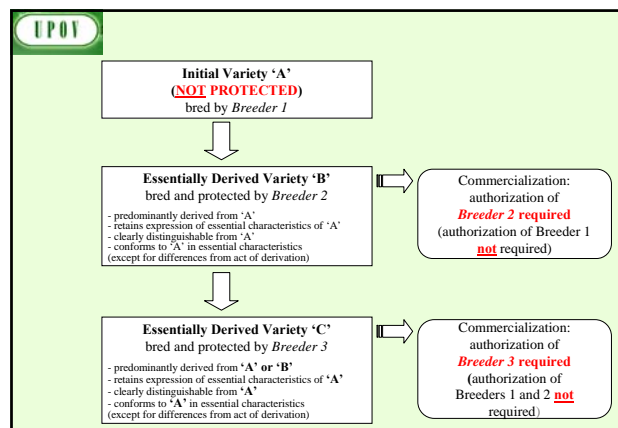
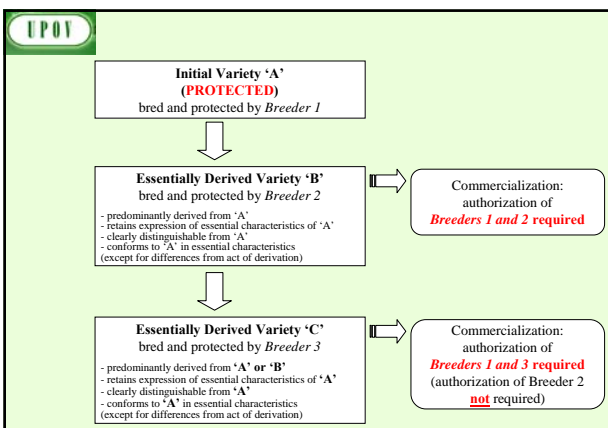
UPOV CAJ Advisory Group		
Article	Oct. 2007	Oct. 2008
Article 1 (iv) of the 1991 Act: Definition of breeder		Document for CAJ-AG (Await TC discussion on Article 1(v))
Article 1 (v) of the 1991 Act: Definition of variety		
Article 5(2): Conditions of Protection (Article 6(2) of the 1978 Act)		
Article 18 of the 1991 Act: Measures Regulating Commerce (Article 14 of the 1978 Act)	Document for CAJ-AG	
Article 12 of the 1991 Act: Examination of the Application	No further work in CAJ-AG	
Article 14(5) of the 1991 Act: Essentially derived and certain other varieties (ISF invited to provide guidance materials)	Re-discuss existing text in document CAJ-AG/06/1/2	
Article 14(2) of the 1991 Act: Acts in respect of harvested material (Article 5(4) of the 1978 Act)	Document for CAJ-AG	
Article 16 of the 1991 Act: Exhaustion of the Breeder's Right	Document for CAJ-AG	
Article 15 of the 1991 Act: Exceptions to the Breeder's Right (Article 5(3) of the 1978 Act)	Document for CAJ-AG	
Article 30(1)(f) of the 1991 Act: Implementation of the Convention: Provide for appropriate legal remedies for the effective enforcement of breeders' rights (Article 30(1)(g) of the 1978 Act)	Await CC conclusion	

UPOV

Essentially Derived Varieties (EDV's)

...a variety shall be deemed to be essentially derived from another variety ("the **initial variety**") when ...

INITIAL variety is not restricted to PROTECTED variety



UPOV

UPOV Distance Learning Course DL 205

"Introduction to the UPOV System of Plant Variety Protection Under the UPOV Convention"

UPOV UPOV Distance Learning Course DL 205

Objective:
To provide a comprehensive introduction to the UPOV system of plant variety protection under the International Convention for the Protection of New Varieties of Plants

Target Audience:

(a) Officials/officially appointed persons:

- Responsible for running PBR offices
- Responsible for drafting PBR legislation
- Key staff of PBR offices
- Organizers of DUS trials
- DUS examiners

(b) Private Sector:

- Breeders
- IP managers
- IP agents/attorneys
- Academia/Students

UPOV UPOV Distance Learning Course DL 205

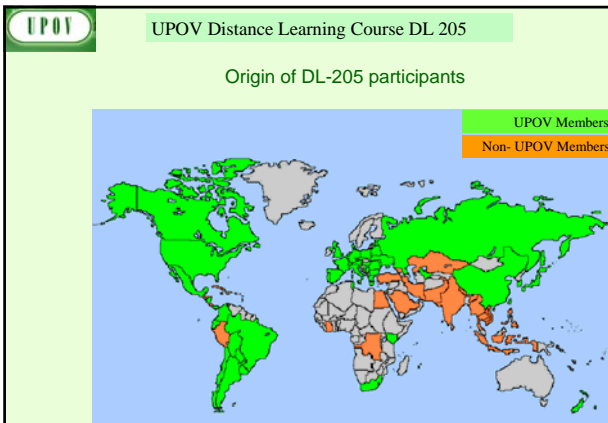
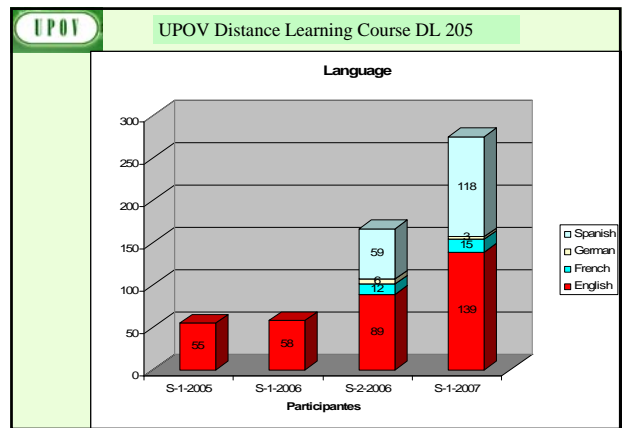
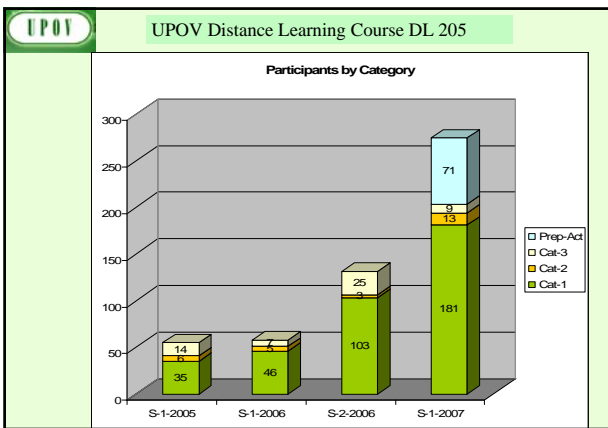
Category 1:
Government officials of members of the Union nominated by the relevant representative to the UPOV Council
No fee

Category 2:
Officials of observer States / intergovernmental organizations nominated by the relevant representative to the UPOV Council
(One non-fee paying student per State / intergovernmental organization; Additional students: CHF1,000 per student)

Category 3:
Others
Fee: CHF1,000

UPOV UPOV Distance Learning Course DL 205

PARTICIPATION



UPOV UPOV Distance Learning Course DL 205

2007	Session 1 E	April / May Registration : February 2007
	F	
G		
S		
2007	Session 2 E	September / October Registration : July 2007
	F	
	G	
	S	

UPOV

TECHNICAL COMMITTEE

UPOV **Developments in Technical Committee**

- 43rd session (March 2007)

items covered in the TWA agenda

- TGP documents
- UPOV-ROM; GENIE database; UPOV code
- Variety denominations
- Publication of variety descriptions
- Molecular techniques
- Practical guide for drafters of UPOV Test Guidelines
- Combinations of lines

UPOV

The Technical Committee proposed to the Council that it elect:

- **Mrs. Françoise Blouet** (France) as Chairperson of the Technical Committee
- **Mr. Chris Barnaby** (New Zealand) as Vice-Chairperson of the Technical Committee

UPOV **Test Guidelines adopted by Technical Committee**

Ref.	Crop / species	Drafter	TWP
TG/18/5	Elatior Begonia, Winter-flowering begonia ✓	DE	TWO
TG/49/8	Carrot	FR	TWV
TG/55/7	Spinach	NL	TWV
TG/61/7	Cucumber, Gherkin	NL	TWV
TG/70/4 Rev.	Apricot ✓	HU, QZ, FR	TWF
TG/137/4	Blueberry information to be provided	PL	TWF
TG/140/4	Pot Azalea	DE	TWO
TG/155/4	Pumpkin	ZA/FR	TWV
TG/215/1 Rev.	Clematis	CA	TWO
TG/ANGLN	Angelonia angustifolia Benth. and its hybrids	AU	TWO
TG/COM_MIL	Common Millet	UA	TWA

UPOV **Test Guidelines adopted by Technical Committee (cont.)**

Ref.	Crop / species	Drafter	TWP
TG/CUC_MOS	Butternut, Butternut Squash, Cheese Pumpkin, China Squash, Cushaw, Golden Cushaw, Musky Gourd, Pumpkin, Winter Crookneck Squash	FR	TWV
TG/DIASC	Diascia, Twinspur	CA	TWO
TG/HUSK	Husk Tomato	MX	TWV
TG/HYPER_PER	St. John's Wort, Common St. John's Wort, Goat weed, Klamath weed, Tipton weed	DE	TWV
TG/MOM	Balsma apple, Balsam pear, Bitter cucumber, Bitter gourd, Bitter melon, Cassila gourd	JP	TWV
TG/SUTERA	Sutera; Jamesbrittenia	DE	TWO
TG/TAGETE	Marigold	MX/FR	TWO
TG/45/7	Cauliflower (referred back to TWV to resolve technical issues)	FR	TWV
TG/46/7	Onion, Shallot (referred back to TWV to resolve technical issues)	NL/FR	TWV
TG/AMARAN	Amaranth (referred back to TWA to resolve technical issues)	MX	TWA

UPOV

- *The TC agreed that the Technical Working Parties should:*

ensure that the requirements for Test Guidelines to be submitted to the TC are fulfilled and agreed that Test Guidelines which do not fulfill those requirements should be referred back to the relevant TWP; and

should take into account the factors for prioritizing the commissioning of Test Guidelines, as set out in document TGP/7/1, Section 2.2.2.2, in order to establish a realistic workload.

UPOV

Test Guidelines

- **237 Test Guidelines** adopted
- **74 to be discussed** in 2007
 - 23 revisions / 51 new Test Guidelines
 - 33 “Final” draft Test Guidelines (16 revisions, 17 new)

see document [TC/43/2 Annex II](#)

UPOV

THANK YOU

LIST OF LEADING EXPERTS

**DRAFT TEST GUIDELINES TO BE SUBMITTED
TO THE TECHNICAL COMMITTEE IN 2008**

All requested information to be submitted to the Office of the Union

before August 24, 2007

Species	Basic Document	Leading expert(s)	Interested experts (States/Organizations) ²
Blackcurrant (Revision)	TG/40/7(proj.3)	Mr. Barnaby (NZ)	CA, CZ, DE, HU, PL, SK
Coffee	TG/COFFEE (proj.6)	TWA (BR)	KE, MX
Common Sea Buckthorn (<i>Hippophae rhamnoides</i> L.)	TG/HIPPH(proj.3)	Mrs. Bátorová (SK)	DE, FR, HU, PL, RO
Grapevine (<i>Vitis</i> L.)	TG/50/9(proj.1)	Mr. Chomé Fuster (ES), Mr. Schulte (DE)	AR, AU, BR, CZ, FR, HU, IL, KR, NZ, JP, MX, PL, SK, ZA
Hawthorn (<i>Crataegus</i> L.)	TG/HAWTH(proj.4)	Mr. Barrientos-Priego (MX)	DE, NL
Strawberry (Revision)	TG/22/10(proj.2)	Mr. Nakamura (JP)	AU, BR, CA, CL, DE, ES FR, HU, IL, KR, MX, NL, NZ, PL, QZ, SK, ZA

² for name of experts, see List of Participants

DRAFT TEST GUIDELINES TO BE DISCUSSED AT TWF/39

(* indicates possible final draft Test Guidelines)

New draft to be submitted to the Office of the Union

before April 18, 2008

(Guideline date for Subgroup draft to be circulated by Leading Expert: February 22, 2008

Guideline date for comments to Leading Expert by Subgroup: March 21, 2008)

Species	Basic Document(s)	Leading expert(s)	Interested experts (States/Organizations) ²
Banana* (<i>Musa</i> spp) (Revision)	TG/123/4(proj.5)	Mrs. dos Santos Machado (BR)	ES, FR, IL, KE, QZ, ZA, IPGRI (UPOV office)
Cacao (<i>Theobroma cacao</i> L.)	New	Mr. Barrientos-Priego (MX)	BR, FR, ISF
Dragon-fruit (<i>Hylocereus undatus</i> (Haw.) Britton et Rose)	TG/DRAGON(proj.1)	Mr. Barrientos-Priego (MX)	IL, JP
Fig* (<i>Ficus carica</i>)	TG/FIG(proj.2)	Mr. Chomé Fuster (ES)	AR, DE, ES, FR, IL, JP, PT, ZA, IPGRI (UPOV office)
Japanese plum (Revision)	TG/84/3	Mr. Semon (QZ)	FR, IT, JP, KR, ES, ZA, NZ, CN, CA
Papaya (<i>Carica papaya</i> L.)	TG/PAPAYA(proj.3)	Mr. Barrientos-Priego (MX)	AU, BR, IL, ZA
Passion Fruit* (Fruit species)	TG/PASSI(proj.3)	Mr. Venter (ZA)	BR, IL, JP, KE, MX, IPGRI (UPOV office)
Peach* (Revision)	TG/53/6 Rev.(proj.2)	Mr. Brand (FR)	AU, BR, CA, CL, CN, DE, ES, HU, IT, JP, KR, MX, NZ, PL, QZ, ZA (UPOV office)
Pecan nut	TG/PECAN(proj.5)	Mr. Labarta (AR)	BR, IL, MX, ZA, IPGRI
Pineapple* (<i>Ananas comosus</i>)	TG/PINEAP(proj.4)	Mr. Brand (FR) and Mr. Salaices (ES)	AU, BR, JP, KE, MX, PT, QZ, ZA, IPGRI (UPOV office)
Pistachio (<i>Pistacia vera</i> L.)	New	Mr. Bar-Tel (IL)	ES, ZA
Pomegranate (<i>Punica granatum</i> L.)	New	Mr. Bar-Tel (IL)	ES, ZA
<i>Prunus padus</i> L.	TG/PRUNU_PAD (proj.1)	TWO (HU)	KR, NZ, QZ

DRAFT TEST GUIDELINES TO POSSIBLY BE DISCUSSED IN 2009

Species	Basic Document(s)	Leading expert(s)	Interested experts (States/Organizations) ²
<i>Actinidia</i> Lindl. (Revision)	TG/98/6	NZ	BR, CN, IT, JP, KR, QZ, ZA
Chinese chestnut (<i>Castanea mollissima</i> Bl. and <i>C. crenata</i>)	New (TG/124/3)	Mr. Hou Liqun (CN)	KR
Chinese date (<i>Zyziphus jujuba</i> Mill.)	New	Mr. Huang Jian (CN)	KR
<i>Juglans mandshurica</i> Maxim.	New (TG/125/6)	Ms. Pei Dong (CN)	KR
<i>Prunus mume</i> Sieb. et Zucc. (ornamental)	TG/160/3 (fruit)	Prof. Zhangqixiong, Dr. Lu Yingming(CN)	

[End of Annex V and of document]