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DURATION OF DUS TESTS IN THE FRUIT SECTOR

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INTRODUCTION

1. The Technical Working Party for Fruit crops (TWF), at its forty-fifth session in 2014, agreed that the standard wording currently used in some fruit Test Guidelines with regard to minimum duration period and the number of growing cycles, might be improved in some cases. It therefore requested the leading experts to propose suitable wording for their draft Test Guidelines in 2015 and requested the expert from the European Union to collate the options developed by the leading experts and to seek to develop possible new standard wording options (see document TWF/45/32 "Report", paragraph 76).

2. The Community Plant Variety Office of the European Union (CPVO) financed an R&D project (presented also at the forty-fifth session of the TWF) on "Reducing the number of obligatory periods". The outcome of this project was that it would be possible, in some cases, to conclude a DUS examination before the standard 2 years period of observation foreseen as a routine in UPOV Test guidelines. As a consequence, The CPVO proposed to change the wording on the UPOV level so that the possibility of concluding the testing earlier than foreseen by the minimum duration could be more explicit (see document TWF/45/27).

Survey among the leading experts and CPVO entrusted examination offices:

3. The Leading experts' for this year TGs were requested to express their opinion about the "standard" wording used in these TGs for the number of growing cycles and the definitions of growing cycles taking into account the following questions:

- The term "minimum duration" – is it appropriate? Would other wording be preferable, for example "standard duration" or "regular duration" or to delete the word "minimum" and leave only "normally"? Should the aim be mentioned, for example for the purpose of establishing a variety description?
- Should there be any reference to overall duration of the test (for example, that the overall duration of the test will normally include ... satisfactory fruiting periods)?
- Should there be a different wording for non-fruiting varieties covered by "fruit" TG (for example rootstock varieties, for example would it be relevant for *Juglans* TGs)?
- Is the definition of fruit species with clearly defined dormant period necessary? If so, would it need any rewording to better reflect practice (for example that the observations terminate after fruiting without waiting for swelling of new season buds)?

4. The following proposal for the modification of wording based on the discussions were presented in the survey:

ASW 2 (TG Template: Chapter 3.1) – Number of growing cycles

(a) Single growing cycle

“The minimum duration of tests should normally be a single growing cycle for the purpose of establishing a variety description.”

(b) Two independent growing cycles

“The minimum duration of tests should normally be two independent growing cycles for the purpose of establishing a variety description. However, if differences observed between varieties are so clear and the expression of the variety considered representative more than one growing cycle is not necessary.”

The above proposal was also presented to the CPVO entrusted examination offices.

In general, they agreed to the proposal with the addition of the phrase with the following changes:

- “for the purpose of establishing DUS and a variety description”,
- to reflect also the situations when a negative decision is to be taken.

Number of growing cycles

5. The experts commented in particular:

- the wording like “minimum” and “normally” could be more specific and it could refer for example to yield to fit also non-fruiting varieties,
- the word “minimum” could be deleted,
- the key issues are the start of the test and the end of the test (when there is sufficient information in order to take a decision),
- in addition to deletion of the “minimum” under the proposal option for (a) to add the wording “*However, if differences observed between varieties are so clear and the expression of the variety considered representative more than one growing cycle is not necessary*”,
- to cover also situations when a negative decision can be taken at an earlier stage.

6. The following concrete proposals were formulated by the leading experts in addition to the CPVO proposal presented in the survey:

- A. The duration of tests should be a single growing cycle following an adequate period of plant establishment. At the end of the growing cycle, the competent authority can determine whether or not a second growing cycle is required to confirm or add to the observations and data recorded in the first growing cycle.
- B. For the purpose of establishing a variety description, the duration of test should be normally (a single / two independent) growing (cycle/s) unless in the opinion of the examiner there are no doubts that the outcome is negative.

Definitions of growing cycles

7. As regards the definitions of growing cycles, the leading experts felt that there was not need to change it.

PROPOSAL

8. Taking into account the comments and proposal received in relation to the wording on the number of growing cycle as presented above, the following proposal for changes to the wording on the number of growing cycles is made:

“ASW 2 (TG Template: Chapter 3.1) – Number of growing cycles

“The duration of tests should be (a single/two) independent growing cycle(s) for the purpose of observation of characteristics following an adequate number of growing cycles for establishment of plants; at the end of each growing cycle(s) for the purpose of observation of characteristics the competent authority will determine whether or not the following growing cycle(s) is required. As soon as it can be established with certainty that the outcome of the DUS test will be negative, it can be stopped independently from the number of growing cycles carried out so far.”

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