

## Technical Working Party for Fruit Crops

TWF/54/12

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**ACCESS TO PLANT MATERIAL FOR THE PURPOSE OF MANAGEMENT OF VARIETY COLLECTIONS AND DUS EXAMINATION**

*Document prepared by an expert from the European Union*

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1. The TWF noted in a past review a series of challenges in relation to access to plant material for the purpose of management of variety collection and DUS examinations (see document [TWF/51/6](#)). The TWF agreed in particular that breeders are an important source of information and living plant material, noted the importance to safeguard the legitimate interest of variety owners when plant material is provided by breeders and the need to have a high level of trust between PVP offices and breeders to ensure fruitful cooperation.

2. The Community Plant Variety Office of the European Union (CPVO) reported on its policy on the subject matter in further working parties and the TWF agreed in 2023 to invite the European Union with the support of Canada, France, Germany, Italy and New Zealand to draft a list of elements to be included in requests for submission of plant material of the candidate variety and for varieties of common knowledge for DUS examination. The TWF agreed that the draft elements may be developed for a future guidance document.

3. The following list of elements could be included or referred to as general in the request for material:

- Letter to be addressed to the PVP holder of the variety or their formal representative in the territory
- Technical details, especially quality, quantity, date and place of submission. In the fruit sector, material of the desired quality should be prepared sometimes more than one year in advance. The authority should accept some flexibility in its availability.
- Detailed explanation of the purpose
  - Variety collection
  - Side by side comparison with a candidate variety potentially similar
- What will/will not be done with the material during and after the trial, including DNA sampling and DNA profiles
  - Responsible body to enforce the policy is the PVP authority
  - Triggering purpose is the DUS test
  - Physical location of the material, possibility to have access for the owner, description of due care and cultivation circumstances
  - Ownership of the material
  - Clarification of possible other uses, e.g. other official purposes, which ones
  - Under which circumstances the material may be made available to another party/authority
  - Clarification of situations necessitating the consent from the breeder or not
  - Who has access to the material
  - Which information will need to be made available to the public as a requirement (photographs, descriptions)

4. *Experts are invited to express their views on this proposal.*

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