



TWO/37/12

ORIGINAL: English

DATE: August 26, 2004

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

**TECHNICAL WORKING PARTY
FOR
ORNAMENTAL PLANTS AND FOREST TREES**

**Thirty-Seventh Session
Hanover, Germany, July 12 to 16, 2004**

REPORT

*adopted by the
Technical Working Party for Ornamental Plants and Forest Trees*

Opening of the Session

1. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its thirty-seventh session in Hanover, Germany, from July 12 to 16, 2004. The list of participants is reproduced in Annex I to this report.
2. The TWO was welcomed by Mr. Udo von Kröcher, President of the Bundessortenamt.
3. The session was opened by Mr. Chris Barnaby (New Zealand), Chairman of the TWO, who welcomed the participants and, in particular, new participants to the TWO.

Adoption of the Agenda

4. The TWO adopted the revised agenda as reproduced in document TWO/37/1 Rev.

Short Reports on Developments in Plant Variety Protection*(a) Reports from members and observers*

5. Mr. Udo von Kröcher (Germany), President of the Bundessortenamt, made a presentation on the work of the Bundessortenamt, a copy of which is attached as Annex II to this document. He reported that there were approximately 3,300 plant breeders' rights (PBR) titles in force in Germany, with approximately 300 new applications each year.

6. An expert from Canada reported that there had been a total of 555 applications for PBR since July 2003, of which 433 (approximately 80%) concerned varieties of ornamental plants. Of those 433, 430 had been made by foreign breeders. A decision had been taken that foreign test reports would be accepted for varieties examined in the greenhouse, with the breeder paying for the cost of purchasing the report. The criteria for accepting the DUS reports were that they were produced by a member of the Union following the relevant UPOV Test Guidelines. Plant patents issued in the United States of America were not accepted. It was reported that a field grow out in Canada might still be required. The expert noted that there had been very few requests for the purchase of DUS reports at that time. With regard to other matters, the expert reported that the majority of DUS trials of ornamental varieties in Canada were conducted by two independent consultants. It was recalled that Canada was still bound by the 1978 Act of the UPOV Convention and that recent initiatives to reintroduce new legislation in line with the 1991 Act had been stalled by the recent election and appointment of a new Minister for Agriculture.

7. The representatives of the Community Plant Variety Office (CPVO) reported that around 2,500 applications had been received in 2003, of which 65% represented ornamental plants. Applications for varieties of ornamental plants in the first quarter of 2004 indicated a slight decrease in number of around 4.5%, whilst the overall number of applications was stable. In 2003, the greatest number of applications concerned Rose and Chrysanthemum, followed by Gerbera, lilies and Impatiens. The situation in 2004 was that there were increased numbers of applications for Kalanchoe, Hydrangea and Nemesia. Between July 2003 and July 2004, applications had been received for the first time in relation to 68 ornamental plant species. In particular, there had been demand for woody ornamental species, notably trees including Magnolia, Paulownia and Walnut, for wood production. In addition, there had been increased numbers of applications concerning pot plants and ornamental types of vegetable, agriculture and fruit species, such as pepper, cotton and banana. 30 new protocols, based on UPOV Test Guidelines, had been introduced with a further eight in preparation. Following the enlargement of the European Union, on May 1, 2004, the first steps had been taken towards integrating the examination offices from the new member States into the DUS testing work. In particular, the CPVO had identified the examination offices in Hungary, Latvia and Poland as possessing the necessary level of competence for DUS testing of ornamental plants and these would be integrated in the form of an interim period extending to January 2006. Consultations would take place with the existing member States of the European Union, the existing DUS testing centers and breeders. The TWO received information concerning the CPVO project to develop a centralized database on variety denominations, which was planned to be launched at the beginning of 2005, in the form of a Internet-based database available to contributors of data. The TWO noted that information on collaboration between the CPVO and UPOV in the development of their respective databases would be reported under the relevant agenda item. A report was made on the CPVO project, being conducted in Denmark, to investigate phytoplasma in Poinsettia. Twenty-five rootstock varieties had been screened and had shown differences in the presence of phytoplasma. Eight rootstock varieties have been selected for grafting with three phytoplasma-free varieties. Most of the graftings had been successful and 22 combinations

would be used for further study. A report was expected in Spring 2005. Finally, the TWO was informed of a project to develop a European Rose Database. The project was 50% funded by the CPVO and 50% funded by Germany, the Netherlands and the United Kingdom. The aim was to develop a database containing key morphological characteristics, pictures and DNA fingerprints. A DNA sample would also be retained. During 2004-2005, it was planned to introduce data on approximately 200 varieties included in the CPVO DUS trials.

8. The expert from Denmark reported that there had been no applications for varieties of ornamental plants in 2003, noting that all applications by Danish breeders were made with the CPVO. He further reported on the phytoplasma project being conducted by the CPVO and explained that the intention was to investigate whether differences in the presence of phytoplasma influenced the phenotype of Poinsettia varieties differently.

9. The expert from Israel recalled that, since the introduction of the PBR legislation in 1973, there had been approximately 3,500 applications and approximately 2,500 titles had been granted. On an annual basis, around 100 applications were received, of which 70% concerned ornamental plants. The greatest number of applications related to Rose, Gerbera and Waxflower.

10. The TWO heard from an expert from the Netherlands that there had been over 300 applications for varieties of Tulips in 2003. However, there had been a discontinuation of applications in 2004 following a fraud case. In 2003, with regard to ornamental plants, it was reported that there had been a marked shift in applications from indoor to outdoor crops. A report was also made on the introduction of a quality management system covering DUS testing, which had resulted in independent accreditation.

11. An expert from Poland noted that there had been a decrease in the number of applications for ornamental plants from 265 in 2002 to 144 in 2003, with 62 applications having been received in 2004. In total, for all ornamental crops, 142 applications had been received in 2004. In 2003, over 300 titles had been granted and, in 2004, this total was 163 ornamentals. A total of 1,235 titles had been granted for varieties of ornamental plants. The expert noted that the number of applications from domestic breeders was increasing.

12. The expert from Kenya reported that a total of 638 applications for PBR had been received. In 2003, 105 titles had been granted and, in 2004, 39 titles had been issued to July. In 2003, 33 applications had been received and, in 2004, 27 titles had been received by July. The majority of titles related to foreign breeders with 35 titles issued to local breeders, mainly in relation to industrial agricultural crops such as sugarcane, pyrethrum and barley. Kenya had taken over reports from France, Germany, Israel, the Netherlands and the CPVO as part of its cooperation with those authorities and expressed its appreciation. The Kenya Plant Health Inspectorate Service (KEPHIS) was conducting an outreach program to raise awareness of the PBR system in Kenya, particularly aimed at breeders involved with agricultural crops.

13. The TWO heard from the expert from Italy that there had been a dramatic decrease in the number of applications in 2004, with applications only being received for Rose (2) and Alstroemeria (1). This reflected the fact that most applications were made with the CPVO. He also reported that there was a trend in Carnation and Gerbera for PBR to be sought on a small number of varieties and trademark protection to be used to cover a wider range of varieties.

14. The expert from New Zealand recalled that PBR had been offered for almost 30 years and that the number of applications had reached a plateau of approximately 150 to 180 applications per annum, of which 70% were for ornamentals. There was a slight decrease in the number of

species for which first-time applications had been received, with more applications in the existing species. Purchase of DUS reports was accepted for greenhouse and indoor crops, but for the first time, in 2004, a report had been purchased for *Hypericum*, an outdoor crop. He reported that it was hoped that a new law incorporating the key elements of the 1991 Act of the UPOV Convention would be put to Parliament later in 2004.

15. The expert from Australia informed the TWO that the number of applications for PBR had continued to increase to approximately 400 per annum for all crops. She recalled that Australia operated a breeder-based testing system and explained that the publication of variety descriptions was an integral part of this system. The system of publication had been changed from printed gazette to a Web-based publication and a project to allow electronic submission of variety descriptions by breeders was also underway. A system was also being developed to allow breeders to develop descriptions for species for which test guidelines did not exist by collation of characteristics in existing descriptions. During 2002 and 2003, an intensive training program had been undertaken for qualified persons, and it was noted that this had been greatly supported by the adoption of the General Introduction and TGP/7 "Development of Test Guidelines".

16. The TWO heard from the expert from the United Kingdom that the number of applications for ornamental plants was stable, but there continued to be applications in many species for the first time. A quality management system was being introduced at NIAB. The DUS testing of Rose had been moved to the headquarters of NIAB. In addition to the European Rose Database project reported by the experts from the CPVO, NIAB was in the experimental phase of its project on the *Chrysanthemum* database "Digimium" which contained digitized images of flower heads. The next phase of the project would be parallel running with the normal system.

17. An expert from the Republic of Korea reported that there was a total of 463 applications in 2003, of which 329 were for ornamental crops. A total of 310 titles were issued in 2003. Protection was planned to be extended to a further 30 genera and species in 2004. A cooperation meeting between the Republic of Korea and Japan was held in the Republic of Korea in April and in Japan in May 2004. The purpose of those meetings was to establish a regional cooperation system for PBR among countries in North East Asia. It was recalled that the thirty-eighth session of the Technical Working Party for Vegetables (TWV) had been held in the Republic of Korea in June 2004 and was attended by approximately 60 participants. Prior to the TWV session, a one-day national workshop had been organized with the support of the UPOV Office and the TWV. The objective of that workshop had been to increase the understanding of the national experts concerning technical issues of PBR.

18. An expert from Germany reported that experts from the Bundessortenamt had been required to provide expert opinion in court cases concerning possible infringements of PBR.

19. An expert from Japan informed the TWO that it had received its highest ever number of PBR applications in 2003, being a total of 1,280, of which 85% concerned ornamental plants. The greatest numbers of applications were for *Chrysanthemum*, Rose and Carnation, in that order, representing 30% of all applications. Since the introduction of the new law in line with the 1991 Act, there had been applications for the first time in 174 species. It was noted that this made great demands for the development of national test guidelines, and the expert explained that it wished to cooperate with other members of the Union in that work.

20. An expert from Mexico reported that, since the introduction of PBR in 1996, a total of 569 applications had been received and titles had been granted for 151 varieties of ornamental plants (27%); 258 varieties of agricultural crops (44%); 118 fruit varieties (21%); 39 vegetable

varieties (7%) and three other varieties (1%). Titles had been granted for breeders from Mexico (38%); the United States of America (37%); France (10%); Netherlands (8%) and other countries (7%). The greatest number of titles had been granted for Rose (66 titles).

21. An expert from Brazil reported that there had been eight applications for roses in 2003. Protection had been granted to 10 varieties of rose and to eight varieties of Eucalyptus. Another expert explained the importance of Eucalyptus in Brazil and the importance of the development of UPOV Test Guidelines. The area of production of Eucalyptus was approximately 3 million hectares. The seed improvement program had been introduced 100 years before and Brazil had introduced over 1,000 seed lots in collaboration with Commonwealth Scientific & Industrial Research Organisation (CSIRO). The production of Eucalyptus for wood was very important in order to stop tropical forest devastation, and Brazil was the most important world producer of Eucalyptus-based pulp and paper.

22. The expert from France reported that Mr. Riba, formerly Scientific Director of Plant Products Research, National Institute of Agronomy Research (INRA), had been appointed as the new President of Groupe d'étude et de contrôle des variétés et des semences (GEVES). Mr. Marty, formerly Adviser at the General Directorate of INRA, had been appointed as the new Director of GEVES.

(b) Reports on developments within UPOV

23. The TWO received an oral report from the Office of the Union on the latest developments within UPOV.

Molecular Techniques

(a) Developments in UPOV concerning the use of molecular techniques in DUS testing (document TWO/37/2)

24. The Office of the Union introduced document TWO/37/2.

25. The TWO agreed with the recommendation of the Technical Committee, that the Annex to document TWO/37/2 would be a suitable summary of the current UPOV position. It agreed with the TWA that the situation might be further clarified by the addition of a summary paragraph and recommended the following amended version of the paragraph proposed by the TWA:

“3.4 Summary of current UPOV position

In conclusion, the current UPOV position is that, subject to fulfillment of the assumptions set out in relation to the proposals, approaches under Options 1(a) and 2 may be pursued. Approaches under option 3 have not, so far, been agreed.”

and recommended that the Administrative and Legal Committee (CAJ) be invited to consider this addition when reviewing the relevant document at its fiftieth session to be held in Geneva on October 18 and 19, 2004.

26. The TWO noted that the TC had agreed to propose to the CAJ that it consider the possible use of molecular tools for variety characterization in relation to the enforcement of plant

breeders' rights, technical verification of identity and the consideration of essential derivation and that it had proposed that these might be matters relevant for consideration by the BMT Review Group. The expert from Israel expressed his strong support for this development.

(b) *Ad hoc* Crop Subgroups (oral report)

27. The TWO heard that there had been no meetings of the *Ad hoc* Crop Subgroup for Rose since the thirty-sixth session of the TWO. It noted that a meeting would be arranged as and when there were sufficient papers for discussion. In that regard, an expert from the CPVO informed the TWO that results from the European Rose Project, as reported in his oral report, should be available by 2006. The expert from France reported that BIOGEVES was working on the use of molecular techniques in relation to commercial applications, but not in relation to DUS testing.

UPOV Information Databases

28. The TWO considered document TWO/37/3.

29. With regard to the checking of the UPOV codes presented in Annex III of document TWO/37/3, the TWO agreed that the checking of the codes should be undertaken by the relevant "using authorities" indicated in Annex III of that document. To aid the experts in the checking of these codes, the Office agreed to provide, by the end of August, 2004, an Excel spreadsheet containing all UPOV codes in which the codes to be checked by each expert would be highlighted. The Office also agreed to clarify the type of checking which was required by the experts. The TWO agreed that comments on the code should be sent to the Office no later than October 8, 2004.

Project to Consider the Publication of Variety Descriptions

30. The TWO noted document TWO/37/4 and welcomed the guidance for the presentation of the results of the model study as provided by the TWC in document TWO/37/4 Add.

31. The TWO welcomed the report of the results of the model study in document TWO/37/8, as presented by the coordinator Ms. Andrea Menne (Germany). It noted that the Test Guidelines for Petunia were only adopted in 2003 and, therefore, it would not be possible to obtain descriptions of varieties for characteristics in the Test Guidelines, other than those already obtained. The TWO noted that the high level of consistency for the states of expression across varieties indicated that the characteristics selected as Technical Questionnaire characteristics were appropriate for that purpose.

32. The TWO considered document TWO/37/10, presented by Mr. Joost Barendrecht (Netherlands), and heard that it was hoped that further descriptions would be received from at least one more country. Mr. Barendrecht explained that he would also seek information on the cultivation conditions for the varieties (e.g. indoor / outdoor, time of planting) for which descriptions had been received and would be requesting photographs of the varieties from the contributing countries. Mr. Barendrecht observed that there was a lot of variation for quantitative characteristics, which he would try to investigate further, for example checking to see if some countries limited the bottom of the scale to note 3, whereas others might use the scale down to note 1. He explained that the qualitative characteristics 16 and 20, for which there was

considerable variation in states of expression, would be deleted from the next version of the Test Guidelines. The information from the model study would be used to select the most appropriate example varieties for the Test Guidelines under revision by the TWO. A further report would be made at the thirty-eighth session of the TWO. It was agreed that the next report would provide an additional column indicating the color group for the characteristics recorded according to an RHS Colour Chart number.

Criteria for Determining Off-type Plants

33. The TWO considered document TWO/37/7-TWF/35/7, introduced by the Chairman. He reported that further information had been received from France.

34. It was agreed that the Chairman should produce a draft document seeking to provide guidance on the criteria for determining off-type plants. As a basis for the drafting, information would be provided by experts from Australia (Melia), France (Lavandula), Germany (Regal Pelargonium), New Zealand (Hebe, Phormium) and the United Kingdom (Hebe) by the end of December 2004. The Chairman would also draw on the information provided in document TWO/37/7-TWF/35/7 and the information provided by the experts from the CPVO in document TWO/36/5, as well as other relevant UPOV documents. It was agreed that if a consensus could be reached on such guidance, the guidance should be incorporated as a section within document TGP/10. The TWO agreed that it would not be appropriate to consider the development of different uniformity standards for variegated varieties.

35. The TWO noted the interest of the Technical Working Party on Automation and Computer Programs and agreed that the TWC should be invited to consider document TWO/37/7-TWF/35/7 and the comments of the TWO as set out above.

Variety Denomination Classes

36. The TWO considered document TWO/37/5.

37. The TWO agreed that the classes for families should be removed and, in general, the genera should follow the general rule. However, it considered that there may be some groups of genera within these families for which classes would be appropriate and agreed that the classes should not be deleted until that had been agreed. Therefore, it proposed that comments on the need for classes for groups covering more than one genus should be notified to the Office by September 18, 2004 and the comments considered by the Ad hoc Working Group on Variety Denominations (WG-VD) at its meeting in October 2004. It was noted that, in particular, classes might be appropriate for Chrysanthemum and Ajania; Petunia and Calibrachoa (proposal F in document TWO/37/5); Statice (TG/168/3); and Waxflower (TG/WAXFL(proj.2)) and considered that the International Commission for the Nomenclature of Cultivated Plants (ICNCP) recommendations should be consulted for other possible classes. The TWO also agreed that where more than one genus was covered by Test Guidelines, this might be taken as an indication to consider a single class covering those genera. The expert from ISF reported that ISF was in favor of retaining class 23 unchanged.

38. An expert from the CPVO noted that harmonized guidance on the use of colors in variety denominations could be useful. The TWO noted that this was a matter for consideration by the

WG-VD, but noted that document TGP/14 might be used in that context if an approach was agreed by the WG-VD.

TGP Documents

39. The TWO noted the comments made by the Technical Working Party for Agricultural Crops (TWA), the Technical Working Party on Automation and Computer Programs (TWC) and the Technical Working Party for Vegetables (TWV), as presented in document TWO/37/9-TWF/35/9, in relation to the following documents:

TGP/4 Draft 1: Management of Variety Collections

40. Document TGP/4 Draft 1 was introduced by Ms. Beate Rucker (Germany).

41. The TWO agreed to recommend the following amendments:

- | | |
|-------------|---|
| General | (a) to restrict the numbering to four levels. |
| | (b) to ensure that the document addresses both living and non-living collections of plant material and to indicate that authorities will always have a database of variety information, but will not always have plant material of all varieties. |
| 1.2 | (a) to explain the connection between varieties of common knowledge and variety collections |
| | (b) to find a term other than “risk” to explain the approach. |
| 1.3.1.1 | to delete “in its territory and other territories”. |
| 1.3.1.3 | to amend to reflect the fact that the consideration of varieties of common knowledge must be on a global basis. |
| 1.3.1.3 (i) | to be moved to TGP/13 “Guidance for New Types and Species”. |
| 1.3.2.1 | to amend to clarify that different types of variety in this context is not restricted to geoclimatic types and could include types of varieties to reflect types created by different breeding objectives e.g. shrub type / climbing type. |
| 1.3.3 | to be elaborated to explain the level of effort which should be made to obtain material, perhaps in relation to section 1.2. |
| Section 2 | to have a section on (seed) regeneration. |
| 2.1 | to add a subparagraph (iii) for photographs |
| 2.1.1.3.3 | to be moved to 2.1.1.4.2 |

42. It was agreed that further comments on document TGP/4 Draft 1 could be sent to the Office by the end of August 2004.

TGP/9 Draft 1 and TGP/9 Draft 1 Add: Examining Distinctness

43. The TWO considered documents TGP/9 Draft 1 and TGP/9 Draft 1 Add., introduced by Ms. Beate Rücker (Germany), and made the following recommendations:

- | | |
|----------------------------------|---|
| Introduction | The TWO agreed that the introduction should start by explaining the simplest method for examining distinctness (visual assessment) and explain the reasons why other more complicated methods might be required. It was also agreed that the introduction should provide an overview and coordination of the elements in the document. |
| Section 2 | to add a subparagraph (iii) for photographs |
| 2.1.3 | to provide an example of how grouping characteristics can be used:
(a) to select varieties of common knowledge that can be excluded from the growing trial used for examination of distinctness;
<i>(e.g. use of qualitative characteristics)</i>
and
(b) to organize the growing trial so that similar varieties are grouped together.
<i>(e.g. placing varieties with same color flower next to each other in the growing trial)</i> |
| Section 3 | to provide an introduction |
| 3.1 | to start with a general explanation before the specific fruit example. |
| 4.2.2 | to read “See section 4.2.1.” |
| 4.2.5 | to read “Rootstock varieties” |
| New section | to add a new section after 4.3, explaining the methods of observation (MS, MG, VS, VG) on the basis of document TGP/9 Draft 1 Add. in accordance with the comments below. |
| 5.3.4 | to include simple methods such as pair-wise comparisons using T-tests and/or Chi-square. |
| <u><i>TGP/9 Draft 1 Add.</i></u> | |
| General | to be incorporated into section 4 of TGP/9 |
| Annex I,
para 14 | to amend to specify that the expression of characteristics can be “recorded” as a result of a visual observation (V) or by a measurement (M) and that “records” can be made for single plants (S) or for plots/groups of plants (G). |
| Annex I,
para 15 | to reword definitions in line with change to paragraph 14 and to add a table of examples for each option, including where replicated measurements are, and are not, used for MG. |
| Annex I,
para 27,
Table 1 | to remove the detail concerning recording of data to the table of examples for MG, MS, VG, VS (see comments above) and add columns for VG and VS. |

44. It was agreed that further comments on documents TGP/9 Draft 1 and TGP/9 Draft 1 Add. could be sent to the Office by the end of August 2004.

TGP/10 Examining Uniformity

45. The TWO considered documents TGP/10.2 Draft 3, TGP/10.3.1 Draft 3 and TGP/10.3.2 Draft 3, presented by Ms. Beate Rücker (Germany), and made the following recommendations:

TGP/10.2 Draft 3: Assessing Uniformity According to the Features of Propagation

Para- graph 1(a) to amend to indicate that vegetatively propagated varieties are supposed to be genetically identical and to avoid the indication that such varieties could be assumed to always be uniform.

10.2.2 to include further information from the General Introduction with regard to the variability of comparable varieties already known.

TGP/10.3.1 Draft 3: Statistical Methods: COYU

the TWO had no comments.

TGP/10.3.2 Draft 3: Statistical Methods: Off-Types

Paragraph 54 the TWO considered that the final sentence should make reference to avoidance of the largest, as well as smallest, samples sizes. It also noted that a larger sample size could give a more precise assessment of uniformity at a given population standard. However, it noted that a “sufficient” level of uniformity could be determined simply in relation to the number of off-types in a given sample size, provided the same uniformity standard was applied to all varieties.

46. It was agreed that further comments on those documents could be sent to the Office by the end of August 2004.

TGP/13 Draft 2 Guidance for New Types and Species

47. The TWO considered document TGP/13 Draft 2, introduced by Mr. Ton Kwakkenbos (CPVO), and made the following recommendations:

1. to explain the structure of the document, in particular in relation to why the starting point is the Technical Questionnaire.

2.2.1 final sentence to be reworded to indicate that the verification can be undertaken during the examination.

2.2.2 to restrict this section to elaboration of the notion of discovery and development and delete any reference to the Convention on Biological Diversity and the need to consider distinctness between a variety and the species.

2.3.3 in the second sentence, to have the reference to information provided by

the breeder (beyond that provided in the Technical Questionnaire) as the first point of information.

- 2.4.3 subparagraphs (i) to (iv) to be abbreviated to explain only the likelihood of the existence of varieties of common knowledge and not to be presented as subparagraphs. Subparagraph (iii) to refer to “commercial production” rather than “horticulture”. Subparagraph (iv) to have the words “seed-propagated” deleted in both instances.
- 2.5.3 subparagraph (c) to be moved to beginning and to read “consulting the breeder in order to understand the breeding method, where not fully explained in the Technical Questionnaire”. Subparagraphs (a) and (b) to be combined. Subparagraphs (d) and (e) to be replaced by reference to what might be considered to constitute “sufficient” uniformity.
3. to invite the TWF to comment on this section.
- 4.1 to replace existing text with clarification that varieties must be considered for distinctness in relation to all varieties of common knowledge for the species concerned, regardless of the type of variety e.g. seed-propagated varieties must be considered for distinctness against vegetatively propagated varieties. In addition, to indicate, however, that the uniformity standards for different types may be different.
- 4.2 – 4.6 comments to be sought from the TWA and TWV.
5. literature to be linked to specific references in the text (e.g. relevant literature for the Linnaean model in 2.6.2), or indicated as sources of general information.

To add reference to the GRIN database and other relevant databases.

48. It was agreed that further comments on document TGP/13 Draft 2 could be sent to the Office by the end of August 2004.

TGP/14.2.3 Draft 2 Botanical Terms: Color

49. The TWO considered document TGP/14.2.3 Draft 2, introduced by Ms. Andrea Menne (Germany).

50. It was agreed that an introduction explaining when the use of the RHS Colour Chart would, and would not be, appropriate should be provided. In addition, Mr. Ton Kwakkenbos (CPVO) agreed to provide a set of examples of characteristics, illustrations and (color) photographs to act as guidance on possible ways in which color characteristics can be developed. This would aim to include, in particular, guidance on the following:

- (a) main color, secondary color, etc.
- (b) ground color
- (c) flush
- (d) patterns (spots, stripes, etc.)
- (e) variegation

51. Interested experts from the TWO were invited to notify Mr. Kwakkenbos if they wished to participate in the drafting of this guidance. It was also agreed that the experts from the Technical Working Party for Fruit Crops (TWF) should be invited to do the same. Mr. Kwakkenbos will liaise with Mrs. Elise Buitendag (South Africa), Coordinator of TGP/14.

TGP/7/1 (Provisional): Development of Test Guidelines

52. The TWO received a presentation from the Office on the development of the electronic TG template and how this could be used in the drafting of Test Guidelines.

Program for the development of TGP documents

53. The TWO considered document TC/40/5 Add. and agreed with respect to Annex II that the Technical Working Party for Vegetables (TWV) should be invited to consider document TGP/13 “Guidance for New Types and Species” at its session in 2005. It also agreed that the TWO should consider documents TGP/14.2.1: Plant shapes and TGP/14.2.2: Hair types at its session in 2005.

Discussion on Draft Test Guidelines (Subgroups)*Alstroemeria (Revision) (document TG/29/7(proj.1))*

54. The subgroup, chaired by Mr. Joost Barendrecht (Netherlands), discussed document TG/29/7(proj.1) and agreed the following changes:

- 3.2 second sentence (“In particular ...”) to be deleted
- 3.3.2 to be deleted
7. *Table of Characteristics*
example varieties to be provided.
- Char. 8 to read “Flower: main color”. “Medium” to be inserted before: yellow (3); pink (9); purple (13).
- Char. 10 “Medium” to be inserted before: elliptic (1); obovate (4).
- Chars. 12, 13, 14, 15 to be deleted
- New Char. “Outer tepal: main color of central zone”. (+) to be added and illustration to be provided.
- New Char. “Outer tepal: main color of top zone (green tip excluded)”. (+) to be added and illustration to be provided.
- New Char. “Outer tepal: main color of lateral zone”. (+) to be added and illustration to be provided.
- New Char. “Outer tepal: main color of basal zone”. (+) to be added and illustration to be provided.
- New Char. “Outer tepal: very small or small stripes on marginal zone of upper side of blade”, with the states: absent (1); present (9).
- New Char. “Outer tepal: large or very large stripes on upper side of blade (marginal zone excluded)” with the states: absent (1); present (9).
- Char. 16 to read “Outer tepal: number of large or very large stripes on upper side of blade (marginal zone excluded).
- Char. 18 to read “Inner lateral tepal: size of striped zone on upper side of blade (top part of tepal excluded)”
- Char. 19 to read “Inner lateral tepal: main color of striped zone on upper side of blade (as for 18)”.
- Char. 21 to be deleted
- New Char. to read “Inner lateral tepal: length of longest stripes on upper side of blade (as for 18)”.
- New Char. to read “Inner lateral tepal: width of widest stripes on upper side of blade (as for 18)”.
- New Char. to read “Inner median tepal: difference in striped pattern to inner lateral tepal”, with the states: absent (1); present (9).
- Char. 22 to read “Filament: main color”. State 9 to read “medium purple”.

- Char. 23 to read “Filament: small spots”.
- Char. 24 state 6 to read “medium grey”. To add state “navy blue” if example variety provided by Poland.
- Char. 25 to have the states: absent (1); present (9).
- New Char. to read “Ovary: intensity of anthocyanin coloration” with the states: weak (3); moderate (5); strong (7). (+) to be added with explanation to read “Anthocyanin to be observed over whole surface, including ribs”.
- 8.1 explanations to be provided.
- TQ 5.1 correct notes to 3, 5, 7
- TQ 6 Example to read “medium pink”.
- TQ 7.2 format to be updated
- TQ 7.3 to add section on use: pot plant; cut flower; garden plant.

55. It was agreed that a new draft would be circulated by the leading expert by September 1, 2004.

Amaranth (document TG/AMARANT(proj.3))

56. The TWO considered document TG/AMARANT(proj.3) and agreed with the proposal of the Technical Working Party for Agriculture (TWA) in document TWO/37/11 that the Test Guidelines should exclude ornamental varieties.

Antirrhinum (document TG/ANTIR(proj.1))

57. The subgroup, chaired by Mr. Tadao Mizuno (Japan), agreed the following changes to document TG/ANTIR(proj.1):

- 4.2.4 to be moved before 4.2.2
- 5.3 (d) Gr. 7 to be deleted
- 5.3 (e) Gr. 7 to be deleted
- Char. 2 to have the notes 1, 3, 5, 7, 9.
- Char. 5 to read “Only varieties with bushy plant growth habit: Stem: position of branching. Order of states 2 and 3 to be reversed.
- New Char. (i) to read “Leaf: anthocyanin coloration on lower side” with the states: (after 10.) absent (1); present (9). To be indicated as QL.
- New Char. (ii) to read “Leaf: pubescence” with the states: absent or very weak (1); (after 10.) weak (3); medium (5); strong (7). To be indicated as QN. Example varieties: “Yacan” (1); “Balunwhite” (3); “Apple Blossom” (5).
- Char. 12 to be indicated as QN.
- Char. 13 to have the states: zygomorph (1); actinomorph (2).
- New Char. to read “Corolla tube: length”, with the states: short (3); medium (5); (after 16) long (7). (+) to be added and illustration to be provided indicating that the length should be taken from the base of the corolla to the nearest lobe.

	Experts from Germany to provide example varieties.
Chars. 17 to 27	to replace “petal” with “lip”.
Char. 18	to read “Upper lip: conspicuousness of veins”.
Char. 19	to underline “ <u>upper</u> ”.
Char. 20	to underline “ <u>lower</u> ”.
New Char. (after 20)	to read “Lower lip: lobe attitude in relation to floral axis”, with the states: upper side parallel (1); acute (3); right angle (5); obtuse (7); lower side parallel (9). (+) to be added. Experts from Canada to provide illustration and example varieties and to check the wording of the states.
Char. 22	to underline “ <u>upper</u> ”.
Char. 23	to underline “ <u>lower</u> ”.
Char. 29	to read “ <u>Only seed-propagated varieties</u> : Time of beginning of flowering”. (+) to be added with explanation: “When 50% of the plants have one fully open flower.
Ad. 25	to replace photograph with diagram.
TQ 5.4	to add 5.4 (ii) for color groups as used in 5.3 (d) grouping characteristic with Gr. 7 “other” to be added.
TQ 5.5	to add 5.5 (ii) for color groups as used in 5.3 (e) grouping characteristic with Gr. 7 “other” to be added. To amend heading of characteristic.
TQ 6	example to be: Plant: attitude of shoot: semi upright / horizontal.

Argyranthemum (document TG/ARGYRA(proj.2))

58. The TWO discussed document TG/ARGYRA(proj.2), as presented by Ms. Andrea Menne (Germany), and agreed the following changes:

Title page	“Marguerite Daisy” to be written in upper case. Alternative names “Paris Daisy” and “White Marguerite” to be checked by the expert from the United Kingdom. “Argyranthemum” to be added as English common name. <i>7. Table of Characteristics</i>
General	spelling of example variety “Polyanna” to be checked.
Char. 1	to read “Plant: growth habit”.
Chars. 13 to 24	to add note (c) – see 8.1 below
Char. 25	(+) to be added with the following explanation: “The time of beginning of flowering is when 50% of the plants have at least one flower fully open”.
8.1	to add new note (c) to read: “Flower head type: <u>single</u> , <u>semi double</u> and <u>anemone like</u> : observations on the flower head should be made when the anthers in the outer 2-3 rows of

the disc florets have dehisced.

Flower head type: double and pompon: observations on the flower head should be made where the flower head has fully expanded.

- Ad. 12 to add “(disc)” after “cushion” in paragraph 3. New picture to be provided for state 5.
- Ad. 22 heading to be amended in line with Table of Characteristics.
- TQ 5.5ii “other color (indicate which)” to be amended to read “other (indicate color)”.

Brachyscome (document TG/BRACHY(proj.2))

59. The subgroup, chaired by Mrs. Helen Costa (Australia), agreed the following changes to document TG/BRACHY(proj.2):

- Title page Table of alternative names: “Brachycome Cass” to be amended to “*Brachycome* Cass”. “Brachicome” and “Brachiscome” to be added to Spanish common names.
- 2.3 duplicate “15” to be deleted.
7. *Table of Characteristics*
- General Indication of VG, VS etc. to be deleted.
To check spelling of “indicate” where mentioned for RHS Colour Chart.
- Char. 9 (+) to be added with explanation that varieties with “entire” leaf margins may have occasional divided leaf margins and vice versa.
- Chars. 10, 15, 29 to check spelling of spathulate
- Char. 14 to read “...width of broadest lobe”.
- Char. 16 to read “...Lobe: apex”.
- Char. 20 to read “Flower: bud”.
- Char. 21 state 1 to read “level”.
- Chars. 27, 28, 29 to reposition notes (a), (c), (d).
- 8.1 (a) to read “Observations should be made when all of the plants have at least one flower in which 1/3 of the disc florets are open”.
- Ad. 1 to be recreated using illustration provided in CD by leading expert to UPOV Office.
- TQ 1 to read “*Brachycome* Cass”.
- TQ 7.2 format to be updated.

Chrysanthemum (Revision) (document TG/26/5(proj.1))

60. The subgroup, chaired by Miss Elizabeth Scott (United Kingdom), agreed the following changes to document TG/26/5(proj.1):

Title page	UPOV code to be checked.
	Table of alternative names: “Latin” to be amended to “Botanical”. To check if “ <i>Chrysanthemum x morifolium</i> Ramat.” should be replaced by “ <i>Chrysanthemum x grandiflorum</i> Ramat.”
1.	To check if “ <i>Chrysanthemum x morifolium</i> Ramat.” should be replaced by “ <i>Chrysanthemum x grandiflorum</i> Ramat.”
2.3	to read “20 rooted cuttings”.
3.3	to add the following: “In particular, growth regulators should not be used”, and a sentence should be developed on how to handle varieties which can be disbudded or spray cultured.
3.4.1	to be deleted
3.4.2	to read “3.4.1 Each test should be designed to result in a total of at least 20 plants.”
4.2.2	to read “For the assessment of uniformity in 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.
5.3	to be reviewed
	<i>7. Table of Characteristics</i>
General	to check “RHS Colour Chart” reference provided in full (e.g. Char. 24)
General	to replace “ <u>Ajania types only</u> ” with “ <u>Excluding varieties of <i>Chrysanthemum x grandiflorum</i></u> ” (e.g. Char. 16)
Char. 3	to replace “hanging” with “trailing” for state 5.
Char. 5	to be deleted
Char. 6	to be deleted
Char. 9	to delete “approximately” in state 5
Char. 10	state 3 to read “moderately curved upwards” and state 7 to read “moderately curved downwards”. To check if the characteristic is reliable and to provide photographic examples for the thirty-eighth session.
Char. 16	to read “ <u>Excluding varieties of <i>Chrysanthemum x grandiflorum</i>: pubescence of <u>upper</u> side</u> ”.
Char. 17	to read “ <u>Excluding varieties of <i>Chrysanthemum x grandiflorum</i>: pubescence of <u>lower</u> side</u> ”.
Char. 18	to have the states: none (1); three (2); five (3).
Char. 19	to read “Leaf: length of lowest lateral lobe relative to width of leaf”
Char. 20	to read “Leaf: length of terminal lobe relative to length of leaf”

- Char. 21 (+) to be added and illustration to be provided.
- Char. 23 to read “Leaf: green color of upper side”, with the states: light (3); medium (5); dark (7).
- Chars. 25, 26 to consider merging characteristics 25 and 26 to read “...: Leaf: prominence of pale margin”. (+) to be added and illustration to be provided.
- Chars. 29 to 35 to read “Only non-bushy varieties: ...”. Note (n) to be added to indicate that these characteristics are only to be observed in the non-disbudded part of the trial.
- Chars. 32, 33 (+) to be added and illustration to be provided showing primary and secondary lateral shoots.
- Char. 34 state 2 to read “semi upright”
- Char. 35 (+) to be added with explanation of what to count.
- Char. 39 to consider deleting, simplifying states, or providing more complete set of detailed states.
- Char. 40 underlined section to be deleted.
- Char. 41 note (n) to be added to indicate that this characteristic is only to be observed in the non-disbudded part of the trial.
- Char. 44 to read “...: flower head: length of peduncle”
- Char. 45 to read “...: flower head: width of peduncle”
- Char. 46 to replace “rows” with “whorls”.
- Char. 48 (+) to be added and illustration to be provided.
- Char. 49 to read “... florets”.
- Chars. 50, 51, 52 to swap order of states 2 and 3.
- Char. 53 illustration to be provided and comments to be sent to leading expert regarding wording of characteristic. To have the states: moderately ascending (3); horizontal (5); moderately descending (7).
- Char. 54 to be deleted
- Char. 55 (+) to be added and illustration to be provided from document TG/DAHLIA(proj.3).
- Chars. 58, 59 to read “Excluding varieties with quilled ray florets: ...”. To consider merging into a single characteristic.
- Char. 60 to read “Only varieties with spatulate or quilled ray florets: ...”. Three states to be developed. (+) to be added and illustration to be provided.
- Chars. 61, 62, 63 to consider merging into a single characteristic.
- Char. 64 to swap order of states 2 and 3.
- Char. 65 to read “Ray floret: longitudinal axis (excluding outer whorls)”. (+) to be added and illustration to be provided indicating how to observe each type

- of ray floret. To delete states twisted (5) and broken (6).
- New Char. (after 65) to create a new characteristic for “twisted” and “broken” types in consultation with the experts from Japan.
- Char. 66 to read “Ray floret: longitudinal axis proportion not straight (as for 65)”. To have the states: small (3); medium (5); large (7). (+) to be added and illustration to be provided.
- Char. 67 to delete “of majority”.
- Char. 68 to read “Ray floret: longitudinal axis of outer whorl if different from inner whorl”. To consider recording first the outer whorl and only do inner whorl if different.
- Char. 71 to correct spelling of “length”.
- Char. 74 to be deleted
- Char. 75 (+) to be added and illustration to be provided.
- Char. 76 to be deleted
- Char. 77 to be deleted
- Char. 79 to have the notes 1, 2, 3.
- Chars. 80 to 104 to be modified in line with the approach developed for the Test Guidelines for Dahlia (see comments on document TG/DAHLIA(proj.3).
- Char. 91 to be moved after Char. 38 and to read “...: Flower head: disc type”
- Char. 105 to delete “AYR varieties only” and provide explanation that this characteristic is only examined in the appropriate trial conditions. To consider introducing part weeks. (*) to be deleted.
- Char. 106 to delete “Natural season varieties only” and provide explanation that this characteristic is only examined in the appropriate trial conditions.
- Ads. 19, 20 to be improved
- TQ 1 to create box for hybrids between *Chrysanthemum x grandiflorum* Ramat. and *Ajania pacifica* Bremer and Humphries.
- TQ 7.3 (iii) to read:
- (a) pot plant for indoor use
 - (b) cut flower
 - (c) garden or outdoor containers (...) (alternative names to be provided)
 - (d) All Saints Day type (...) (alternative names to be provided)
 - (e) exhibition type (for show bench)
 - (f) other

61. The subgroup agreed that the leading expert would produce a new draft, incorporating the changes above, and circulate that new draft to members of the subgroup as soon as possible. The subgroup would then provide comments on the new draft to the leading expert by the end of October 2004.

Dahlia (document TG/DAHLIA(proj.3))

62. The subgroup, chaired by Miss Elizabeth Scott (United Kingdom), agreed the following changes to document TG/DAHLIA(proj.3):

- | | |
|---------------|--|
| Title page | to add following alternative common names: Dahlia (French); Dahlie (German); Dalia (Spanish). |
| 1. | to add "... of the family <i>Asteraceae</i> ". |
| 3.3. | to add the following: "In particular, the varieties in the test should not be disbudded". |
| 5.3 | to be updated in line with changes to the Table of Characteristics. |
| | <i>7. Table of Characteristics</i> |
| General | Headings to follow TGP/7 with regard to " <u>Only varieties ...</u> ".
To replace "colour" with "color" except in references to the RHS Colour Chart. To delete hyphens from e.g. semi-upright, orange-red. |
| Char. 4 | to read "Leaf: type". (+) to be added with explanation that the type relates to the predominant type of leaf. Example varieties to be provided to show the cut-off point between types. |
| Char. 5 | to have the states: absent or weak (1); moderate (2); strong (3). (+) to be added and illustration of the wing to be provided by the expert from Mexico. |
| Char. 9 | state 4 to be moved after state 6. To be checked for reliability and to consider amending states to those used in characteristics 3 and 22. |
| Char. 12 | to have the notes 1, 2, 3. |
| Chars. 13, 16 | "lanceolate" to be changed to "oblanceolate". |
| Chars. 13, 16 | to be combined. (+) to be added with explanation of how to observe for simple and compound leaf types. Example varieties for simple and compound leaf types to be provided. |
| Chars. 14, 17 | state 4 to be moved after state 5. To check if varieties with state 6 exist. (+) to be added and illustration provided. |
| Chars. 14, 17 | to be combined. (+) to be added with explanation of how to observe for simple and compound leaf types. Example varieties for simple and compound leaf types to be provided. |
| Chars. 15, 18 | to be combined. (+) to be added with explanation of how to observe for simple and compound leaf types. Example varieties for simple and compound leaf types to be provided. |
| Char. 23 | order of states to be reversed |
| Char. 24 | state 3 to read "semi upright". |
| Char. 25 | to have the states: single (1); semi double (2); daisy-eyed double (3); double (4). |

- New Char. (i) (after 25) to read “Only flower head type: single and semi double: Flower head: disc type” with the states: daisy (1); anemone (2). (+) to be added.
- New Char. (ii) (after 25) to read “Only flower head type: single and semi double: Flower head: collar segment” with the states: absent (1); present (collerette type) (9). (+) to be added.
- New Char. (iii) to read “Flower head: strength of attachment” to be considered.
- Char. 30 to read “Flower head: length of collar segment relative to ray florets”. To be moved after Char. 25 (ii).
- Chars. 36, 37 to consider combining into a single characteristic, with more than 9 states if necessary. (+) to be added and illustration provided.
- Chars. 38, 39, 40 to consider combining into a single characteristic, with more than 9 states if necessary.
- Char. 42 state 4 to be deleted
- New Char. to read “Ray floret: twisting” with the states: absent or weak (1); moderate (2); strong (3).
- Char. 42, 44 to consider combining into a single characteristic, with more than 9 states if necessary.
- Char. 47 to have the notes 1, 2, 3.
- Char. 48 to add the states 4, 5 and 6 from Char. 80 in document TG/26/5(proj.1)
- New Char. (after 49) to read “Ray floret with more than two colors: distribution of tertiary color” with the states as for Char. 80 in document TG/26/5(proj.1).
- Char. 51 to replace “main” with “ground”.
- Chars. 51, 52 to be moved after Char. 46. UPOV Office to check if “off-white” used in other Test Guidelines.
- Char. 53 to replace “secondary” with “first over color”.
- Chars. 53, 54 to be moved after Char. 47.
- Char. 55 to replace “tertiary” with “secondary over color”.
- Char. 55 to be moved after Char. 49.
- Char. 56 to read “Ray floret: color of outer side relative to inner side”. Example varieties to be provided, showing least markedly different example for state 2.
- Chars. 60, 61 to add “red brown” and “purple brown” after state 5 and “purple black” after state 6.
- 8.1 to replace “character” with “characteristics”.
- 8.1 (new) to read “characteristics to be observed at midpoint”.
- 8.1 (e) to explain that the ground color is the palest color, the first over color is the second palest color and, if present, the second over color is the third palest color. Illustration to be provided with example varieties.

- Ad. 25 and Ads for new Chars. to be updated with changes to the Table of Characteristics and illustration to be provided. Paragraph 3: to add “(disc)” after “cushion”.
9. to add reference for RHS International Dahlia Register.
- TQ 7.2 format to be updated
- TQ 7.3 “Other information” to be deleted.

63. The subgroup agreed that the leading expert would produce a new draft, incorporating the changes above, and circulate that new draft to members of the subgroup as soon as possible. The subgroup would then provide comments on the new draft to the leading expert by the end of September 2004.

Eucalyptus (part of genus only) (document TG/EUCAL(proj.1))

64. The subgroup, chaired by Mr. Mario Ferreira (Brazil), agreed the following changes to document TG/EUCAL(proj.1):

- Title page to consider provision of UPOV codes for Sections, rather than species.
1. to cover only vegetatively propagated varieties
- 3.1 and 3.3 to be reviewed
- 5.3(a) to be deleted
- Char. 1 to be deleted
- Char. 2 to read “Juvenile leaf: petiole”. Example varieties to replace species.
- Char. 3 order to be amended in line with TGP/14.2.1. “Orbicular” to be replaced by “circular”.
- Char. 4 to read “Juvenile leaf: glaucosity”.
- Char. 5 to have the states: upwards (1); outwards (2); downwards (3).
- Char. 7 order to be amended in line with TGP/14.2.1. “Orbicular” to be replaced by “circular”.
- Char. 9 to read “Intermediate leaf; glaucosity”.
- Char. 10 to read “Stem predominant color of lower part”.
- Char. 11 to read “Stem predominant color of middle part”.
- Char. 12 to read “Stem glaucosity of middle part”.
- Char. 13 to amend from note (d) to note (e)
- Char. 14 to read “Stem predominant color of lower part”.
- Char. 15 to read “Stem predominant color of middle part”.
- Char. 16 to have the states: upwards (1); outwards (2); downwards (3).
- Chars. 16 to 21 to refer to “Adult leaf”. Explanation of “juvenile”, “intermediate” and “adult” to be provided.

- Char. 19 order to be amended in line with TGP/14.2.1. “Orbicular” to be replaced by “circular”.
- Char. 20 to read “Leaf: intensity of green color of upper side relative to lower side” with the states: lighter (1); same (2); darker (3).
- Char. 21 to read “Leaf: glaucosity (upper side)”.
- Char. 22 move to end of Table of Characteristics.
- New Char. (after 22) to read “Flower bud: arrangement”, with the states: solitary (1); umbel (2). Note (g) to be added.
- Chars. 22 to 34 Note (g) to be added.
- Char. 23 to have the states: three (1); five (2); seven (3); more than seven (4).
- Char. 26 to read “...: shape of peduncle in cross section”.
- Char. 27 to be moved before Char. 23. State 4 to be moved after state 7.
- Char. 28 to check if “pedicel” or “peduncle” is appropriate.
- Char. 29 to have the notes 1, 2, 3.
- Char. 33 to be indicated as QL. Spelling of “disc” to corrected.
- Char. 35 to read “Tree: texture of bark on lower part”.
- Char. 36 to read “Only varieties with rough or fibrous bark: persistence of bark”. (+) to be added with explanation.
- Char. 37 to have the states: low (1); medium (3); high (3). (+) to be added with figures to be provided.
- 8.1 (g) only to be observed on varieties which flower.
- Ads. 5, 16 to indicate that the shoot should be removed from the middle third of the tree.
- Ad. 30 to be evaluated on maximum diameter and length excluding valves.
- Ad. 31 to use only one drawing for each state
- Ad. 33 to be improved
- Ad. 36 to be checked and expanded

Hibiscus (document TG/HIBIS(proj.1))

65. The subgroup, chaired by Ms. Mi-Hee Yang (Republic of Korea), agreed the following changes to document TG/HIBIS(proj.1):

1. to consider restricting the coverage of the Test Guidelines to selected species, or to specify that the Test Guidelines apply to all varieties of *Hibiscus* L., but have been developed on the basis of species to be specified.
- 3.3.1 to specify if pot plants are to be pinched.
- Char. 1 to consider replacing by plant type: annual or perennial.

- Char. 3 to have the notes 3, 5, 7.
- Char. 4 to have the states: upright (1); semi upright (2); horizontal (3).
- Char. 6 to check if varieties with hair type absent exist.
- Char. 9 to consider changing to: “Leaf blade: color of upper side” with the states: light green (1); medium green (2); dark green (3); reddish (4); purplish (5).
- Char. 11 to consider having the states: white (1); white and yellow (2); yellow (3); yellow green (4); white and red (5).
- Char. 12 to check if varieties with hair type absent exist.
- Char. 13 to have the states: elliptic (1); ovate (2); obovate (3); circular (4); cordate (5). (+) to be added and illustration to be provided.
- Char. 14 to check if state 5 should be cuneate. (+) to be added and illustration to be provided.
- Char. 15 state 2 to read “obtuse”.
- Char. 16 to be indicated as QN and to have the states: absent or weak (1); moderate (2); strong (3).
- Char. 17 to check if true QL characteristic and, if not, to combine with Char. 18.
- Char. 18 to be indicated as PQ. (+) to be added and illustration to be provided.
- Char. 19 to check
- Chars. 20, 21 to check if necessary and, if so, move after Char. 14.
- Char. 24 word “group” to be deleted. New state “Dark red” to be added after State 6. State 10 to be deleted.
- Char. 25 to read “Petal: number of colors” and be moved after Char. 33. State 1 to read “one”.
- Char. 26 explanation to be provided on how to assess for double flower type varieties.
- Char. 27 to be deleted.
- Char. 30 to have the states: narrow ovate (1); obovate (2); spatulate (3). (+) to be added and illustration to be provided.
- Char. 31 to read “Flower: eye zone”. To be moved after Char. 26.
- New Char. to read “Petal: color of upper side (excluding eye zone)” with RHS Colour Chart indication.
- Char. 32 to read “Flower: color of eye zone”. To be moved after Char. 26.
- Char. 33 to read “Flower: size of eye zone”. To be moved after Char. 26.
- Char. 34 state 4 to read “edged”. (+) to be added and illustration to be provided.
- Chars. 35 to 38 to be combined as “Petal: secondary color”.
- Char. 44 to create color groups
- Char. 45 to read “Staminal column: color” and be moved after Char. 43.

- Ad. 26 to be completed with all relevant states.
- Ad. 31 to be clarified.
- TQ 1 to replace “Latin” with “Botanical”. Box to be introduced to indicate species.
- TQ 7.2 format to be updated.

Rose (Revision) (document TG/11/8(proj.2))

66. The TWO discussed document TG/11/8(proj.2), as presented by Mr. Joost Barendrecht (Netherlands), and agreed the following changes:

- 2.3 to delete “climbing roses and shrubs”.
- 3.5 to read
- “3.5.1 For garden and pot rose types: Unless otherwise indicated, all observations on single plants should be made on six plants or parts taken from each of six plants and any other observations made on all the plants in the test.”
- “3.5.2 For cut flower types: Unless otherwise indicated, all observations on single plants should be made on nine plants or parts taken from each of nine plants and any other observations made on all the plants in the test.”
5. to add a new section 5.5 to explain that varieties are grouped according to the cut flower group (C); the garden group (G); and the pot rose group (P). To be explained that varieties entered as belonging to one group should be checked against varieties of other groups where considered appropriate for the assessment of distinctness.
- 6.4 second sentence to read “The group is indicated in brackets ...”. Entry for “(s)” to be deleted from the list.
- 6.5 “(e)” to be amended to “(c)”.
- 6.5 (C), (G), (P): to replace “type varieties” by “group”.
- Char. 1 set of example varieties to be provided for each state to indicate the range within each state.
- Char. 2 to read “Excluding varieties with climbing growth type: Plant: growth habit”
- Chars. 4, 5 (+) to be added.
- Chars. 13, 14, 15 to read “...of blade”.
- Char. 15 (+) to be added and illustration to be provided.
- Char. 16 to read “Flowering shoot: number of flowering laterals”. State 1 to read “none or very few”. (+) to be added and illustration to be provided.

- New Char. to read “Only varieties with no flowering laterals: Flowering shoot; number of flowers”, with the states: very few (1); few (3); medium (5); many (7); very many (9).
- Char. 17 to read “Flowering shoot: number of flowers per lateral”. (+) to be added and illustration to be provided.
- Char. 18 state 2 to read “medium ovate”. State 4 to be deleted in no example varieties provided.
- Char. 19 (+) to be added and explanation provided
- Char. 20 to add new state “purple” after state 11.
- Char. 22 example varieties to be provided.
- Char. 27 to read “Flower: fragrance”.
- Char. 29 to read “Flower: opening of petals one-by one”. To add (C).
- Chars. 37 to 46 to replace “upper” with “inner”.
- Char. 38 to read “...: Petal: intensity of color”.
- Chars. 41,42, 43 to replace “2” with “two”.
- Char. 42 to replace “tip” with “apex”.
- Char. 46 state 4 to read “medium yellow”.
- Char. 47 to replace “lower” with “outer”.
- Char. 50 to add “at mature stage”.
- 8.1 (e) to replace (e) with (c)
- Ad. 1 to be deleted.
- Ad. 24 drawing for state 1 to be improved.
- Ad. 29 experts from Japan to provide explanation.
- Ad. 42 illustration to be provided by experts from Germany.
- TQ 5.1 to be amended in line with Table of Characteristics.
- TQ 7.2 format to be updated
- TQ 7.3 (b) to read:
- | | |
|----------------------------------|--------|
| “- cut flower production | |
| single flowering type | [...] |
| spray type | [...]” |
| “-pot rose | |
| indoor (houseplant) | [...] |
| outdoor (terrace, balcony plant) | [...]” |
- TQ 9.3 highlighting to be removed.

67. It was agreed that a new draft would be circulated by the leading expert by October 1, 2004, and that, by the same date, the relevant experts would exchange lists of example varieties.

Tagetes (document TG/TAGETE(proj.2)

68. The subgroup, chaired by Mr. Richard Brand (France), agreed the following changes to document TG/TAGETE(proj.2):

- 4.2.3 final sentence to be deleted
- 5.3 to be updated in accordance with changes to the Table of Characteristics.
7. *Table of Characteristics*
- General (*) (*) to be added for Chars. 3, 4, 5, 6, 8, 9, 10, 17, 18, 19, 20, 21, 22, 23, 25, 31, 32, 33.
- General example varieties: second part of name to be presented in capitals, e.g. Cupidon Double
- Char. 4 hyphen to be deleted from “semi-upright”
- Char. 5 “Type” to be deleted from example variety column. State 3 example to be “*T. tenuifolia*”.
- Char. 8 (+) to be added and illustration to be provided. “Type” to be deleted from example variety column.
- Char. 12 to read “Terminal leaflet: width”. State 3 to read “”broad”.
- Chars. 13, 14, 15 to be deleted
- Char. 16 to have the notes 3, 5, 7.
- Char. 17 to read “Flower head: type”
- Char. 18 to read “Flower head: floret type”, with example varieties: “Bonanza Spray”(1); “Orange Cream”, “Lemon Queen” (3)
- Char. 20 to read “Excluding varieties with all tubuligulate type florets: Flower head: number of ligulate ray whorls”.
- Char. 21 state 3 to be checked by experts from Spain.
- Char. 22 to read “Only varieties with one flower head color: ray floret: main color group”. State 5 to read “medium orange”. Example variety (2) to read “Bonanza Gelb”.
- Char. 23 to read “Only varieties with one flower head color: ray floret: main color”.
- Char. 24 state 2 to read “different between tubulate/tubuligulate and ligulate flowers”.
- New Char. (i) to read “Only varieties with two flower head colors and unicolor ligulate ray floret: ligulate ray floret color”.

- New Char. (ii) to read “Only varieties with two flower head colors and bicolor ligulate ray floret: predominant ligulate ray floret color”.
- New Char. (iii) to read “Only varieties with two flower head colors and bicolor ligulate ray floret: secondary ligulate ray floret color”.
- New Char. (iv) to read “Only varieties with two flower head colors and unicolor tubulate / tubuligulate ray floret: tubulate / tubuligulate ray floret color”.
- New Char. (v) to read “Only varieties with two flower head colors and bicolor tubulate / tubuligulate ray floret: predominant tubulate / tubuligulate ray floret color”.
- New Char. (vi) to read “Only varieties with two flower head colors and bicolor tubulate / tubuligulate ray floret: secondary tubulate / tubuligulate ray floret color”.
- Char. 26 to read “Only varieties with more than one ligulate ray floret color: Ligulate ray floret: distribution of color”. Example variety (1) to read “Red Marietta”. Example variety (3) to read “Rot Gelb”.
- Char. 27 Example varieties: Scarlet Sophia (1); Disco Flamme, Red Marietta (3); Granada, Sophia Yellow (7); Aurora jaune (9) to be deleted.
- Char. 28 to read “Ligulate ...”
- Ad. 18 to be updated in line with Table of Characteristics. New diagrams to be provided.
- Ads. 26, 27 to be updated in line with Table of Characteristics. Illustration to be amended in relation to order of notes.

Tulip (Revision) (document TG/115/4(proj.1))

69. The subgroup, chaired by Mr. Joost Barendrecht (Netherlands), agreed the following changes to document TG/115/4(proj.1):

- 2.2 to read “... in the form of bulbs of flowering and commercial size.”
- 3.3.2 to be deleted
- 3.4.1 to read “...25 flowering plants.”
- 4.2.2 to read “...sample size of 25 plants, 1 off-type is allowed.”
- 5.3 (c) to be deleted.
- 5.3 (d) to be amended according to the Table of Characteristics.
- Char. 1 to be deleted and moved to section 5.3
- Chars. 3, 4 to be indicated as QL.
- Char. 6 to read “Leaf: variegation”. To be indicated as QL.
- Char. 7 to be indicated as PQ. To read: Leaf: pattern of variegation” with the states: picotee (1); margin (2); dots (3); dots and stripes (4); stripes (5).
- Char. 9 to be indicated as QL.

- Char. 10 to read “Stem: number of flowers”, with the states: one (1); one or two (2); more than two (3). To be indicated as PQ. To be moved after Char. 2.
- Char. 11 to be indicated as QL.
- Chars. 14, 15 note (b) to be deleted
- Char. 15 state to read “UPOV color groups”
- Char. 16 to be indicated as QL
- Char. 17 to be deleted
- Char. 18 to read “Only varieties with more than one color on outer side: ...”. To be indicated as PQ.
- Char. 19 to be indicated as QL.
- Char. 21 to be indicated as PQ
- Char. 23 to read “Flower: main color of middle third of outer side of inner tepal.
- Char. 24 to read “Flower: main color of middle third of inner side of inner tepal. Note (a) to be added.
- Char. 25 to replace “tepals” with “tepal”.
- Char. 26 to be indicated as QL.
- Char. 27 to be indicated as QL.
- Char. 28 state 3 to read “medium yellow”.
- Char. 30 to move state 3 after state 1.
- Char. 31 to read “Plant: beginning of flowering”. To be indicated as QN.
- 8.1 (b) to be deleted.
- Ad. 14 to read “Ad. 14 .. Ad. 15...: to be observed on the outer side of the flower, shortly before the flower opens for the first time. The UPOV color groups to be used (see document TGP/14).
9. to add “Elsevier, Amsterdam, NL. ISBN 0-444-87458-4” to Le Nard reference.
- TQ 5.1 hyphens to be deleted. “Miscellaneous” to be replaced by “other”.
- TQ 5.5 to be updated.
- TQ 7.2 format to be updated.

Waxflower (document TG/WAXFL(proj.2))

70. The subgroup, chaired by Mrs. Helen Costa (Australia), agreed the following changes to document TG/WAXFL(proj.2):

- General to amend spelling of “colour” to “color”, except in the case of RHS Colour Chart.
- Title page to provide UPOV code for hybrids between *Chamelaucium* Desf. and *Verticordia plumosa* Desf. (Druce)

- 3.3.1 to be deleted
7. *Table of Characteristics*
- General indication of VS etc. to be deleted.
- Char. 3 (+) to be added and illustration to be provided.
- Char. 5 “predominant” to be deleted
- Char. 8 state 1 “very small” to be added and example variety to be provided.
- Char. 9 (+) to be added and illustration to be provided.
- Char. 10 “first” to be deleted.
- Char. 13 to have the notes 1, 2, 3.
- Char. 14 “first” to be deleted.
- Char. 17 to read “Hypanthium: color on day of opening of flower”
- Char. 18 to read “Hypanthium: color 4 weeks after opening of flower”
- Chars. 17, 18 to be moved after Char. 24.
- Char. 21 to be indicated as QL.
- Char. 23 to replace “predominant” with “main”. (+) to be added and illustration to be provided.
- Char. 24 (+) to be added and illustration to be provided.
- Char. 28 “first” to be deleted.
- 8.1 (a) word “All” to be deleted.
- 8.1 (c) “first” to be deleted.
- 8.1 (d) new illustration to be provided.
- TQ 1 to replace “Latin” with “Botanical”. To create boxes for:
- (i) *Chamelaucium* Desf. (to indicate species)
 - (ii) hybrids between *Chamelaucium* Desf. and *Verticordia plumosa* Desf. (Druce) (to indicate species of *Chamelaucium* Desf.)
- TQ 7.2 format to be updated.

Recommendations on Draft Test Guidelines

71. The TWO agreed that the draft Test Guidelines below would be sent to the TC for adoption at its forty-first session, to be held in Geneva in April 2005, on the basis of the following documents with the amendments presented in this document:

Antirrhinum	TG/ANTIR(proj.1)
Argyranthemum	TG/ARGYA(proj.2)
Brachyscome	TG/BRACHY(proj.2)
Waxflower	TG/WAXFL(proj.2)

72. The TWO considered document TWO/37/6.

73. The TWO decided to discuss the following draft Test Guidelines at its next session:

Alstroemeria
Angelonia
Azalea (pot)
Begonia elatior
Buddleja
Canna
Chrysanthemum
Dahlia
Diascia
Eucalyptus
Gyposphila
Hevea (Rubber)
Hibiscus
Phlox
Poinsettia
Rose
Sutera
Tagetes
Tulip.

74. The TWO agreed to consider discussing the following draft Test Guidelines at its thirty-ninth session:

Dianthus
Gladiolus
Lily.

75. The leading experts, interested experts and timetables for the development of the Test Guidelines, are set out in Annex III.

Date and Place of the Next Session

76. At the invitation of the expert from the Republic of Korea, the TWO agreed to hold its thirty-eighth session in the Republic of Korea from September 12 to 16, 2005.

77. The TWO noted that an official invitation had been received from Brazil to host the TWO in 2006. In addition, expressions of interest to host future sessions had been received by the Office from China and the Netherlands. An expert from Mexico expressed the interest of that country to host a future meeting.

Chairmanship

78. The TWO agreed to recommend to the TC that it propose to the Council that it elect Ms. Sandy Marshall (Canada) as the next chairperson of the TWO.

Future Program

79. The TWO proposed to discuss the following items at its thirty-eighth 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
5. TGP documents
6. UPOV Information Databases
7. Project to consider the publication of variety descriptions
8. Criteria for determining off-type plants
9. Variety Denomination Classes
10. Phytoplasma in Poinsettia (document to be prepared by CPVO)
11. Discussion on draft Test Guidelines (Subgroups)
12. Recommendations on draft Test Guidelines
13. Date and place of the next session
14. Future program
15. Report on the conclusions of the session (if time permits)
16. Closing of the session

Technical Visit

80. On the afternoon of Wednesday July 15, 2004, the TWO visited the Hanover headquarters of the Bundessortenamt. The TWO was welcomed by Mr. Johann Habben, Head of Department of DUS Testing, Bundessortenamt, and received a presentation on DUS testing of ornamental plants at the Bundessortenamt, a copy of which is attached as Annex IV to this document, before visiting the testing facilities and trials. On the afternoon of Thursday, July 16, 2004, the TWO visited the Rethmar testing station of the Bundessortenamt, where it was welcomed by Mr. Burkhard Spellerberg, Bundessortenamt. Mr. Spellerberg made a presentation on the work undertaken at Rethmar, a copy of which is attached as Annex V to this document, before conducting a tour of the rose trials at the station.

81. *The TWO adopted this report at the close of the session.*

[Annex I follows]

TWO/37/12

ANNEX I

LIST OF PARTICIPANTS

I. MEMBERS

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III. OFFICER

Chris BARNABY, Chairman

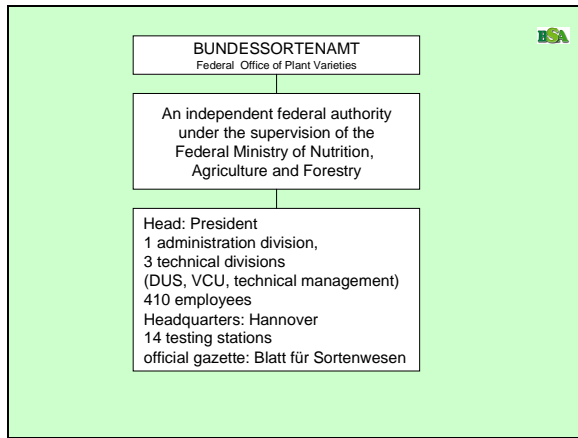
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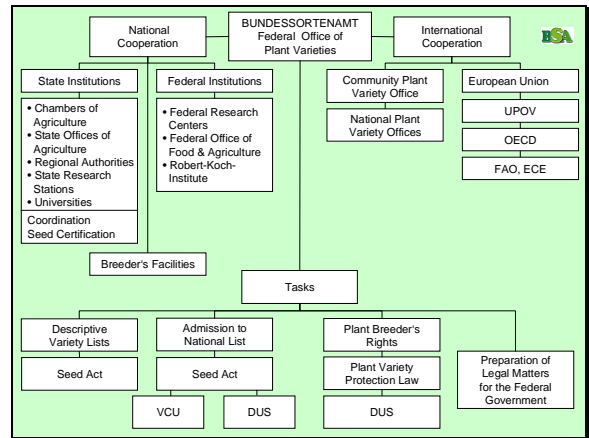
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Participant in Preparatory Workshop

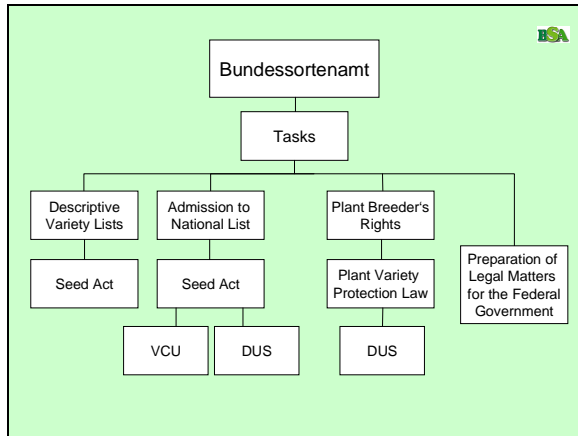
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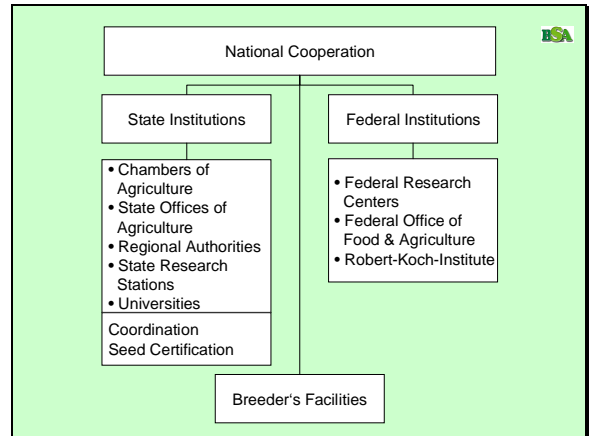
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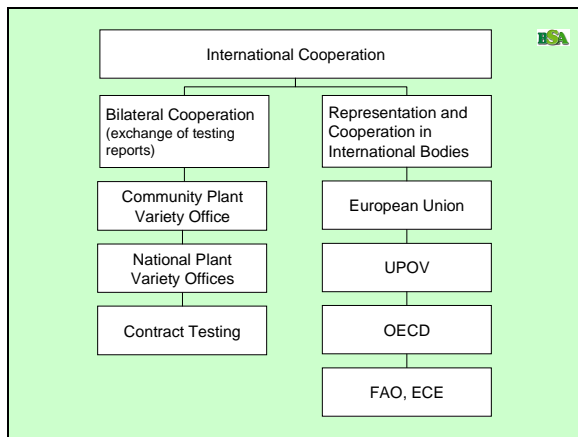
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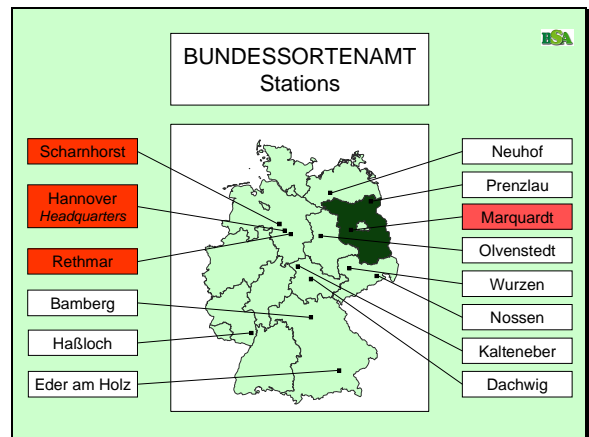
Slide 4



Slide 5



Slide 6



TWO/37/12

ANNEX III

LIST OF LEADING EXPERTS

DRAFT TEST GUIDELINES
TO BE SUBMITTED TO THE TECHNICAL COMMITTEE IN 2005

Test Guidelines	Document	Leading experts
Antirrhinum	TG/ANTIR(proj.1)	Mr. Mizuno, JP
Argyranthemum	TG/ARGYA(proj.2)	Ms. Menne, DE
Brachyscome	TG/BRACHY(proj.2)	Mrs. Costa, AU
Waxflower	TG/WAXFL(proj.2)	Mrs. Costa, AU

All requested information to be submitted to the Office of the Union no later than August 27, 2004.

POSSIBLE “FINAL” DRAFT TEST GUIDELINES
TO BE DISCUSSED AT TWO/38

Test Guidelines	Document	Leading experts	Interested experts (countries) (for name of experts see List of Participants, Annex I)
Alstroemeria	TG/29/7(proj.2)	Mr. Barendrecht, NL	AU, CA, JP, KE, EU
Chrysanthemum	TG/26/5(proj.1)	Miss Scott, GB	CA, CZ, DE, DK, FR, IL, JP, KE, KR, MX, NL, NZ, PL, EU
Dahlia	TG/DAHLIA(proj.3)	Miss Scott, GB	AU, CA, CZ, JP, MX, NL, NZ, PL, EU
Hibiscus	TG/HIBIS(proj.1)	Mrs. Yang, KR	AU, BR, DE, GB, IL, JP, NZ, ZA
Poinsettia	TWO/33/6 TWO/35/19	Mr. Jacobsen, DK	AU, CA, DE, JP, MX, NL, PL, ZA, EU
Rose	TG/11/8(proj.2)	Mr. Barendrecht, NL	AU, BR, CA, DE, FR, GB, IL, JP, KE, KR, NZ, PL, ZA, EU
Tagetes	TG/TAGETE(proj.2)	Mr. Serrato Cruz, MX and Mr. R. Brand, FR	DE, GB, HU, IL, KE, KR, MX, PL, ZA, EU
Tulip	TG/115/4(proj.1)	Mr. Barendrecht, NL	EU

New draft to be submitted to the Office of the Union no later than July 29, 2005.

LIST OF LEADING EXPERTS

DRAFT TEST GUIDELINES TO BE DISCUSSED AT TWO/38

Test Guidelines	Document	Leading experts	Interested experts (countries) (for name of experts see List of Participants, Annex I)
Angelonia	New	Mrs. Costa, AU	CA, DE, EU
Azalea (pot) (Revision)	TG/140/3	Ms. Menne, DE	AU, NZ, EU
Begonia elatior	New	Ms. Menne, DE	JP, EU
Buddleja	New	Mr. Brand, FR	AU, GB, NZ
Canna	New	Mr. Brand, FR	AU
Diascia	New	Mr. Michel Cormier, CA	AU, GB, PL, JP, NZ
Eucalyptus	TG/EUCAL(proj.1)	Mrs. de Moraes Aviani, BR	AU, FR, IL, EU
Gypsophila	New	Mr. Bar-Tel, IL	AU, BR, KE, PL, EU
Hevea (Rubber)	New	Mrs. de Moraes Aviani, BR	FR, NZ
Phlox	New	Ecuador	NL
Sutera	New	Ms. Menne, DE	AU, CA, GB, NZ, PL

New draft to be submitted to the Office of the Union no later than August 12, 2005.


DRAFT TEST GUIDELINES TO BE DISCUSSED AT TWO/39

Test Guidelines	Document	Leading experts	Interested experts (countries) (for name of experts see List of Participants, Annex I)
Dianthus			
Gladiolus			
Lily			

[Annex IV follows]


Slide 1

PBR for ornamentals - development	
1953	PBR in Germany (no ornamentals)
1968	PBR according to UPOV- Convention Restricted list of species eligible for PBR Rose Populus
1974	16 ornamental species
1992	all species

 AL 3 - 02004


Slide 2

Ornamentals - number of applications per year (average 1998 - 2003)	
Rose	96
Pelargonium	88
Impatiens	66
Petunia	46
Kalanchoe	33
Calluna	31
Osteospermum	22
Begonia elatior	21
Calibrachoa	17
Argyranthemum	13
African violet	13
Total ornamentals	576

 AL 3 - 02004

Slide 3

Applications per year (average 1998 - 2003)	
agricultural species	955
ornamentals	576
trees and shrubs	17
vegetables	39
fruits	17
others	10
Total	1643

 AL 3 - 02004


Slide 4

Testing centers ornamentals	
<u>Bundessortenamt</u>	
Hannover	most species
Rethmar	roses, Calluna
Marquardt	Petunia Calibrachoa hardy perennials
Scharnhorst	trees and shrubs
<u>Others</u>	
Bad Zwischenahn	pot azaleas Erica gracilis
Bremen	Rhododendron

 AL 3 - 02004


Slide 5

Applications trees and shrubs	
Total	17
most important	
Salix (willow)	3
Populus (poplar)	3

 AL 3 - 02004


Slide 6

<u>Number of species</u>	
ornamentals	104
trees and shrubs	28

 AL 3 - 02004


Slide 7

Testing station Hannover	
8 ha	
6.000 m ² glasshouses	
3,5 ha	fields in the open
DUS testing	ornamentals
Value testing	vegetables medicinal and aromatic plants
staff:	2 scientists 4 technicians 8 permanent workers 10 temporary workers

 AL 3 - 07/2004


Slide 8

Ornamentals		
	<u>1993</u>	<u>2003</u>
protected varieties	1913	1145
national applications	643	144
requests of CPVO	-	567
requests of other States	127	59
take over of test results under bilateral agreements	ca. 400	

 AL 3 - 07/2004

Slide 9

Bilateral co-operation in testing varieties - Ornamentals	
D:	Pelargonium Impatiens Kalanchoë
NL:	Carnation Gerbera Orchids Freesia Lilium
F:	Hydrangea
UK:	Chrysanthemum
DK:	Euphorbia pulcherrima Rhipsalidopsis Schlumbergia
Taking over each others test results: Roses	

 AL 3 - 07/2004

[Annex V follows]

Test Station Rethmar

Crops: agricultural varieties;
Vegetable;
Roses; and
woody ornamentals

Staff

- 2 scientists (section 303 and 306)
- 1 station manager
- 7.5 technicians
- 3 secretaries
- 9.5 permanent workers
- 11.5 temporary workers

Section 303

(Woody ornamentals, forest trees and shrubs, BSA-PR)

Head of section: Burkhard Spellerberg

technician: Susanne Haslage
Eduard Wehning (test station Scharnhorst)

secretary: Barbara Diedicke (0,5 position)

some figures of the "Examination Board 9" (13.7.2004)

- | | |
|---|-----|
| • protected varieties | 644 |
| • varieties under test (application in D) | 146 |
| • varieties under test for EU/other countries | 185 |

Roses

(Garden roses and pot roses, cut roses are tested in NL)

- 412 protected varieties
- 27 national applications
- 143 varieties test on the base of a request

Reference collection roses

- 1775 garden roses
- 300 pot roses