



TWO/38/12

ORIGINAL: English

DATE: September 16, 2005

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

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

**Thirty-Eighth Session
Seoul, September 12 to 16, 2005**

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-eighth session in Seoul, Republic of Korea, from September 12 to 16, 2005. The list of participants is reproduced in Annex I to this report.
2. The TWO was welcomed by Dr. Jae Chun Sim, Director General of the National Seed Management Office (NSMO), Ministry of Agriculture & Forestry, and Mr. Eung-Bon Kim, Director of Plant Variety Protection Division (NSMO). A copy of the speech made on behalf of Dr. Sim, by Mr. Kim, is reproduced in Annex II to this document.
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.
4. The TWO received a presentation on the current situation of the flower industry and breeding in the Republic of Korea from Prof. Ki Sun Kim, Seoul National University, and on the plant variety protection situation in the Republic of Korea, from Dr. Keun-Jin Choi, NSMO. Copies of those presentations are presented as Annexes III and IV, respectively, to this report.

Adoption of the Agenda

5. The TWO adopted the revised agenda as reproduced in document TWO/38/1 Rev. 2 and agreed to follow the program proposed by the Chairman.

Short Reports on Developments in Plant Variety Protection

(a) Reports from members and observers

6. The TWO was informed that France conducted DUS examinations for plant variety protection and national listing purposes, through GEVES. With regard to ornamental plants and forest trees, DUS testing was undertaken for shrubs and woody nursery plants, perennial species, seed-propagated species and aromatic and medicinal species. GEVES DUS testing was conducted on behalf of the French Plant Breeder's Right Board (CPOV), the Community Plant Variety Office (CPVO) and several European national authorities, particularly Germany and the Netherlands. Reciprocal bilateral agreements for DUS testing were in place with Denmark, Germany, the Netherlands and the United Kingdom. In common with all European Union members States, the number of applications for plant breeders' rights (PBR) had decreased significantly since the establishment of the CPVO.

7. The expert from Kenya reported that, since the introduction of plant variety protection in 1997, there had been 703 applications for PBR, of which around 60% were for ornamental plants, with rose providing the highest number of applications. Titles had been granted to a total of 165 varieties, the highest number being for roses. Most of the titles granted had been on the basis of DUS reports taken over from the CPVO and the Netherlands. A large number of varieties awaiting grants included varieties which had existed prior to the introduction of PBR, but which were accepted as varieties of recent creation.

8. An expert from the Netherlands reported that the Centre for Genetic Resources, the Netherlands (CGN) was responsible for DUS testing of ornamental plants and agricultural crops, with Naktuinbouw being responsible for vegetable crops. In 2005, CGN had received applications for approximately 1,000 ornamental varieties, which was a reduction from 1,150 in 2004. The reduction had resulted mainly from a reduction in the number of applications for tulip varieties, which had fallen from 350 to 35 in two years. In other species, there had been an increase in the number of applications, particularly for pot plants, such as orchids.

9. The expert from Israel reported that, since the introduction of PBR in 1973, it had received around 3,800 applications and granted a total of around 2,900 PBR titles. Ornamental varieties accounted for between 70-75% of the number of applications and grants, with around 70% of those applications being made by foreign breeders. He explained that there was an increasing trend for varieties to be protected in several countries. This emphasized the importance of international cooperation in DUS testing.

10. The TWO heard from the expert from Mexico that by the end of 2004, a total of 569 PBR applications had been made representing 57 species. Of that total, 44% concerned agricultural crops, 27% ornamentals, 21% fruit crops, 7% vegetables and 1% others. The origin of the applications were 38% from Mexico, 37% from the USA, 10% from France, 8%

from the Netherlands and 7% from other countries. Most of the applications were for maize and rose.

11. The expert from Italy reported that there had been a dramatic reduction in the number of PBR applications in Italy following the establishment of the CPVO and, at that time, there were only 12 varieties under test.

12. The TWO heard from the expert from Canada that the number of applications continued to increase and had reached an annual total of approximately 600 in 2004, of which around 70% were for ornamentals. She reported that Canada operated a breeder-based testing system with most of the testing being undertaken by two companies, particularly with respect to foreign-bred varieties.

13. An expert from the European Community reported that 2,650 applications have been received by the CPVO in 2004, of which 65% represented ornamental plants. Applications for varieties of ornamental plants in the period August 1, 2004, to July 31, 2005, showed a slight increase of around 5.5%, in comparison with the corresponding period in the previous year, whilst the overall number of applications increased by 5.2%. In 2004, the greatest number of applications concerned Rose and Chrysanthemum, followed by Lilies, Kalanchoe and Osteospermum. In the period August 1, 2004, to July 31, 2005, was a clear increase in the number of applications of Phalaenopsis, Pelargonium zonale and Lilies in comparison with the corresponding period in the previous year, while applications for Chrysanthemum, Verbena and Petunia decreased. In 2004, the CPVO had received their first applications concerning 70 species ("new" species), most of which were ornamentals. In the period 1995-2004, the CPVO has received applications concerning a total of 1,017 different plant species. The tendency of an increasing number of new species continued in 2005. Up to the end of August 2005, the Office had received applications for about 55 new species. In Spring 2005, CPVO granted its 15,000th title, about 11,000 of which were currently in force. 108 technical protocols, based on UPOV Test Guidelines, had been approved by the CPVO Administrative Council, of which 38 were for ornamental species. Eleven technical protocols for ornamental species were under development. In 2004, CPVO contracted a specialized company to organize a consumer satisfaction survey, which showed that satisfaction was generally high, but slightly less so in the ornamental section. An audit was being organized in 2005 on how procedures from the application to granting of PBR could be shortened. On June 29 2005, the European Community became the 59th member of UPOV. Delegations and competences were still to be defined. In particular, the relevant body of the European Community, which will attend which UPOV meetings remained to be clarified. Although CPVO has been created to implement the Community plant variety rights system and has been attending UPOV meetings, as an observer that did not mean that the CPVO would be empowered to represent the European Community within UPOV. Other issues such as voting aspects or coordination at European Community level also needed to be clarified. In July 2005, CPVO launched its web-based database on variety denominations. That database worked on the basis of the UPOV code and was created to facilitate the testing of variety denominations for similarity. Further information was to be presented under agenda item 7. The TWO was informed that the CPVO and the Danish Research Centre would report on the outcome of the Phytoplasma research project under item 11 of the agenda. In 2004, a co-financed research project to establish a pilot study of a 'European Rose Database' was started. The project was being conducted by the Germany, Netherlands and the United Kingdom. The aim was to develop a database structure where a basic description, photos and a molecular profile of the variety would be included. The project was to be finalized in 2006 and would contain data on at least 200 rose varieties that were tested on behalf of the CPVO in 2004

and 2005. At the beginning of October 2005 in Brussels, CPVO was organizing a seminar on the enforcement of Community plant variety rights. The full program was available on the website of the CPVO. That seminar was planned to be followed by regional seminars in the EU in 2006. Several interesting appeal cases had been heard and the full text of the decisions of the board of appeal could be found on the CPVO website. In summary, those included: 001/2004: Canna Phasion (appeal rejected: applicant did not show sufficient proof that he was the breeder/entitlement); 004/2003: Lavandula Silver Edge (appeal rejected: applicant claimed special conditions for technical examination after rejection of the application.); 006/2004: Ficus Natasja King (appeal rejected: appellant claimed non-distinctness. Discussion focused on effects of *in vitro* culture).

14. An expert from Hungary explained that the National Institute for Agricultural Quality Control (NIAQ) was a designated authority for conducting DUS examinations on ornamental plant varieties both for PBR purposes and for official approval of varieties. In Hungary there were around 10 active breeders. The number of applications for PBR and for official approval were declining and the CPVO system was proving more attractive for breeders. The NIAQ conducted DUS examinations partly on the breeders' sites and partly at its own variety testing stations throughout the country. Since 2000, when the thirty-third session of the TWO was held at NIAQ, Budapest, Hungary had only participated in one TWO session. Since 2000, the number of annual applications were 41 (2000), 59 (2001), 61 (2002), 44 (2003), 3 (2004) and 28 (2005). Since 2000, the highest number of DUS tests were conducted for Rose (87 varieties), Hedera (10), Thuja (8), Tagetes (6), Prunus laurocerasus (6), Ginkgo (5), Juniperus (5), Sorbus (4), Miscanthus (4), Tilia (3), Taxus (2), Buxus (2), Picea pungens (2), Platanus (2), Celosia (2), Malus (2). Other species for which DUS examinations were conducted were: Alcea, Betula, Celtis, Cornus, Cosmos bipinnatus, Crataegus, xCupressocyparis, Gaillardia, Morus alba, Prunus padus, Pyrus callieriana, Rudbeckia, Tithonia and ornamental grasses (6 genera). On the basis of a contract between Hungary and CPVO, NIAQ is appointed to provide technical examinations on 12 ornamental genera. In 2006, NIAQ would be conducting examinations of one variety of each of Cornus alternifolia, Prunus padus and Koelreutheria paniculata.

15. An expert from Viet Nam reported that plant variety protection had been introduced in 1995. The PVP Office had been part of the Department of Science and Technology, but in 2004 was moved to the Department of Agriculture and Rural Development. The Deputy Director of the Department of Agriculture was the head of the PVP Office. The Vietnamese Government was demonstrating its commitment to PVP through the training of staff, introduction of legislation and organization of PVP systems. Viet Nam was preparing a chapter containing provisions on PVP for inclusion in its intellectual property laws. The Ministry of Agriculture and Rural Development had issued a list of species for which protection was available. That list comprised Cabbage, Chrysanthemum, Cotton, Cucumber, Groundnut, Kohlrabi, Maize, Potato, Rice, Rose, Soybean, Tea, Tomato and Watermelon. DUS testing for Cabbage, Chrysanthemum, Cucumber, Groundnut, Kohlrabi, Maize, Rice, Rose, Soybean, Tomato and Watermelon was conducted by the National Center for Variety Evaluation and Seed Certification (NCVESC), which had four testing stations distributed in different regions. The Tea Research Institute conducted DUS testing for Tea, the Research and Development Institute for Cotton conducted DUS testing for Cotton and Grape and the DeLat Research Center for Potato, Vegetable and Flower was responsible for DUS testing of Potato. National test guidelines had been issued for Groundnut, Maize, Potato, Rice, Soybean and Tomato. Guidelines would be completed for Cabbage, Cotton, Chrysanthemum, Cucumber, Grape, Kohlrabi, Rose, Tea and Watermelon in September 2005. Eleven applications had been received by the PVP Office, of which 7 were for maize and 4

for rice. One application had been refused. DUS testing of 2 maize varieties and 2 rice varieties had been conducted in Spring 2005. The expert explained that Viet Nam would like to gain further experience and welcomed cooperation with other UPOV members.

16. The TWO heard from the experts from South Africa that the number of applications for varieties of ornamental plants, most of which came from foreign breeders, was increasing and that the number of PBR applications overall was also increasing.

17. The expert from Australia reported that the total number of applications had remained stable at around 360 per year, with around 240 grants per year. The TWO heard that, in October 2004, the Australian PBR Office had been moved from the Commonwealth Department of Agriculture to IP Australia within the Department of Industry, Tourism and Resources and noted that there would be reviews of the PBR activities over the coming years. The expert then reported on developments concerning the interactive variety description system (IVDS), which contained DUS trial data provided by the qualified persons responsible for DUS trials. It was intended that, in future, the IVDS would be made searchable to assist in the selection of similar varieties.

18. The expert from the United Kingdom reported that around 75% of DUS testing at the National Institute for Agricultural Biotechnology (NIAB) was conducted on behalf of the CPVO, with the remaining tests being conducted for UK national PBR purposes or under bilateral agreements with other UPOV members. Testing had been conducted on around 100 genera and species and tests were conducted on around 500 new varieties each year. A total of over 7,200 applications for Chrysanthemum had been examined, although the number of applications was decreasing. DUS testing was being done for a number of perennial and woody plant species and there were new types being tested within the genera such as *Diascia*.

19. The TWO heard that, in Germany, tests were being conducted on 700 new ornamental varieties by the Bundessortenamt, of which 75% were for the CPVO, 10% were for national purposes and 15% were under bilateral agreements.

20. The TWO was informed that, in Japan, a total of 18,420 applications were filed during the period from 1978 to 2004. At the end of 2004, the total number of protection titles granted was 13,185. In 2004, the number of applications rose to 1,337, the highest number ever, of which 469 applications (35% of the total) were filed by foreign applicants. 78% of the total applications were for flower and ornamental varieties. The highest number of applications were for Carnation, Chrysanthemum, Cymbidium, Impatiens and Rose, accounting for 48% of all applications. The Seeds and Seedlings Law was amended in June 2005, to further strengthen the plant breeder's right. Firstly, the duration of protection was extended from 20 years to 25 years (in the case of woody plants, from 25 years to 30 years). Secondly, the breeder's right was extended to cover products made directly from the harvested material of the protected variety. As the result of the amendment of the Custom Tariff Law in 2003, and in cooperation with the Ministry of Agriculture, Forestry and Fisheries, the Customs House can stop the import of products infringing PBR. Furthermore, the National Center for Seeds and Seedlings (NCSS) appointed four Plant Variety Protection Advisers on April 1, 2005, with the task of offering consultation and advice on possible measures against infringements, collecting and providing information on infringements and providing expert opinion concerning the identity of varieties. Japan was discussing cooperation and harmonization measures with China and the Republic of Korea. In March 2005, a ring-test on Rose and some vegetable species had been started and the results of that were to be discussed at a meeting in 2006.

21. The expert from Brazil reported that the Brazilian PVP Office had been moved into the Department of Intellectual Property. Protection was available for a total of 60 species. There had been a total of 800 applications for PBR since the introduction of plant variety protection in 1998, with 700 titles granted. Of those applications, most (65%) concerned agricultural species, with 70 applications concerning ornamental plants. A total of 220 applications had been received in 2004. Ten national test guidelines had been prepared and a further 15 were under development in 2005. The expert reported on modifications which were being made to the law on plant variety protection concerning ornamental plants and fruit and forest trees. A report was also made on the implementation of new seeds laws which concerned the control of farm-saved seed of varieties protected by PBR.

22. The TWO heard from the expert from New Zealand that the number of applications for varieties of “new” species had decreased slightly, although there had been continuing applications for formerly new species which allowed experience to be acquired and suitable test guidelines to be developed. Applications for perennial varieties were high and a new development had been for woody plant species bred for cut foliage. The testing of New Zealand native plants was becoming more significant, particularly for Coprosma, Hebe, Pittosporum, Libertia and Phomium. The TWO was informed that a draft law, incorporating the provisions of the 1991 Act of the UPOV Convention, had been released for consultation in August 2005. It was also reported that, in 2005, the PVP Office had been in operation for 30 years.

(b) Reports on developments within UPOV

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

Molecular Techniques

24. The TWO considered document TWO/38/2. It supported the proposal from the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) for the establishment of a crop subgroup for vegetatively propagated crops, on the basis that such a crop subgroup would then incorporate the Crop Subgroup for Rose.

Use of TGP/7 in the Preparation of Test Guidelines

25. The TWO received a presentation from the Office on the use of the TG drafters’ kit, as published on the UPOV website. The presentation explained, in particular, the use of the electronic template and the collection of approved characteristics (TGP/7 Annex 4). The TWO was also informed that the adopted Test Guidelines in Word format would be published in the first restricted area of the UPOV website in the new section “Drafters’ kit for Test Guidelines”.

Criteria for Determining Off-type Plants

26. The TWO considered document TWF/36/7-TWO/38/9, introduced by the Chairman, and document TWO/38/10, introduced by Mr. Ton Kwakkenbos (European Community) with an additional visual presentation.

27. The TWO noted that the presence of transposons in some varieties resulted in all the plants of a variety having a similar range of variation (including no phenotypic effect), even after repeated propagation, whereas in other cases the presence of transposons could result in different ranges of expression in different plants and in different generations. Therefore, it was not possible to develop a single recommendation on whether to accept or reject varieties where transposons were known to be present. It was also noted that, at least in some respects, similar effects to those produced by transposons could be seen with aneuploids and chimaeras. The TWO agreed that any guidance or criteria for determining off-types should seek to address the effects resulting from the presence of transposons.

28. The TWO agreed that guidance on the determination of off-types would be an important part of TGP/10 "Examining Uniformity" and agreed to try to develop such guidance. With regard to the "Guide for identifying off-types (for consideration)" in paragraph 13 of document TWF/36/7-TWO/38/9, the TWO proposed as follows:

(i) there should be an introduction to the guide, including the definition of an off-type from the General Introduction (document TG/1/3), which should explain the issues and the value of harmonization;

(ii) the guide should provide examples of different types of off-types in different circumstances, in order to try to identify where harmonization was achievable;

(iii) to have an item on how to verify whether the cause of atypical plants was genetic or environmental (including disease), e.g. by propagating the atypical plants, requesting more plants from the breeder, visiting the breeder to view a larger number of plants etc.;

(iv) item 8: to be placed before item 2

29. The TWO also agreed that the guide might be extended to cover the number of plants to be examined. That aspect would, for example, cover whether more plants might be appropriate for the examination of varieties which were more likely to contain off-types (e.g. varieties resulting from mutation, variegated varieties, varieties known to contain transposons), in order to allow a suitable assessment of potential off-types. It might also address the selection of the number of plants in relation to the number of off-types allowed in different sample size ranges.

30. In order to incorporate guidance within TGP/10, it was recognized that the document would need to be substantially advanced before the thirty-ninth session of the TWO and that that would only be possible by the establishment of a sub-group (Off-type Subgroup) which would comment on interim drafts. The TWO agreed that Mr. Chris Barnaby (New Zealand) should be responsible for preparing drafts with the assistance of the Office where requested. A first draft would be circulated to the Off-type Subgroup before the end of 2005, with comments to be made by the end of January 2006. A second draft would then be circulated by the end of May 2006 with comments to be made by the end of June 2006, followed by

preparation of a draft for the thirty-eighth session of the TWO. Offers to participate in the Off-type Subgroup were received from Australia, Canada, Denmark, European Community, France, Germany, Israel, the Netherlands and the United Kingdom. Mr. Barnaby invited all participants to send comments on document TWF/36/7-TWO/38/9 to assist in the preparation of the first draft.

Variety Denomination Classes

31. The TWO considered documents TWO/38/5 and TWO/38/5 Add. and proposed as follows:

Document TWO/38/5, paragraph 13:

Proteaceae: to follow the general rule of one genus / one class;

Jamesbrittania and Sutera: to create a new class containing Jamesbrittania, Sutera and hybrids between them, on the basis that the genera are closely related and hybrids are common, as reflected in the development of UPOV Test Guidelines to cover both genera

Document TWO/38/5, Annex II, Part I:

Proposal I-A: reject: Hibiscus to follow the general rule of one genus / one class;

Proposal I-B: reject: Potentilla to follow the general rule of one genus / one class;

Document TWO/38/5, Annex II, Part II:

Proposal II-A: reject: Orchidaceae to follow the general rule of one genus / one class

Proposal II-B: reject: Amaryllis and Hippeastrum to follow the general rule of one genus / one class. It was noted that there was some confusion over the use of the common name "Amaryllis" for the genus "Hippeastrum", but it was agreed that that was not a suitable basis for creating a denomination class;

Proposal II-C: reject: Calathea and Maranta to follow the general rule of one genus / one class

Proposal II-D: reject: Hylocereeae to follow the general rule of one genus / one class

Proposal II-E: reject: Jovibarba, Rosularia and Sepervivum to follow the general rule of one genus / one class

Proposal II-F: reject: Chamaecyparis and Cupressus to follow the general rule of one genus / one class;

Proposal II-G: reject: Gladiolus and Iris to follow the general rule of one genus / one class;

Document TWO/38/5 Add.:

- Proposal (a): Calluna, Erica and Daboecia to follow the general rule of one genus / one class, in agreement with the WG-VD proposal to delete Class 20 from the current UPOV list of classes (see document TWO/38/12, Annex II “Deleted Classes”;
- Proposal (b): Plectranthus, Solenostemon and Coleus to follow the general rule of one genus / one class

32. In making its recommendations, the TWO noted that the possibility of hybrids between certain genera existed and, where that occurred, a new genus and a new denomination class would, in the first instance, be created. It was noted that the GENIE database would, for information purposes, contain links between the codes for the new genus and its “parent” genera. It was observed that the general rule of one genus, one class, followed the general rule of the International Code of Nomenclature for Cultivated Plants (ICNCP), whilst some of the recommendations above would diverge from the ICNCP exceptional classes. However, it was recalled that UPOV had striven for harmonization wherever appropriate and, in that regard, ICNCP had been invited to participate in all meetings of the *Ad hoc* Working Group on Variety Denominations (WG-VD).

Discussion on Draft Test Guidelines

Alstroemeria (Revision) (document TG/29/7(proj.1))

33. The subgroup discussed document TG/29/7(proj.2), as presented by Mr. Joost Barendrecht (Netherlands), and agreed the following:

- Char. 18 to insert a space after “blade”
- Char. 20 to read “Inner lateral tepal: size of striped zone on upper side (claw and top part of blade excluded)”
- Chars. 21-24 “of blade” to be deleted
- TQ 7 to add “7.3.2 A representative color photograph of the variety should accompany the Technical Questionnaire.”
- TQ 9 to be updated

Angelonia (document TG/ANGLN(proj.1))

34. The subgroup discussed document TG/ANGLN(proj.1), presented by Mrs. Helen Eddy-Costa (Australia), and agreed the following:

- Title First line to read “*Angelonia angustifolia* Benth.” and new line to be added after UPOV code to read “*Angelonia angustifolia* Benth. and its hybrids”
- 2.2 to read “The material is to be supplied in the form of rooted cuttings or seed.”

2.3	to specify the quantity of seed for seed-propagated varieties
3.3.3	to be deleted
4.2	to add “4.2.3 The assessment of uniformity for seed-propagated varieties should be according to the recommendations for cross-pollinated varieties in the General Introduction.”
5	to review according to characteristics added to TQ section 5
5.3 (b)	to consider adding further groups
6.5	reference to MS, VG, VS to be deleted
Table of Characteristics	(+) to be added for all characteristics after Char. 13, including all new characteristics MS, VG, VS to be deleted throughout
Char. 2	to be deleted
Char. 4	to read “Shoot: anthocyanin coloration below the inflorescence”
Char. 5	to be deleted
new ? (after Char. 8)	to consider adding “Leaf: shape”
new 1 (after Char. 13)	to read “Corolla: arrangement of upper lip in relation to lower lip”, with the states: free (1); intermediate (2); overlapping (3) and to be indicated as QN
Char. 14	to read “Corolla lobes: presence of stripes”
new 2 (after Char. 14)	to read “ <u>Only varieties with stripes absent:</u> <u>Upper</u> lip: main color on corolla lobes”, with reference to the RHS Colour Chart
new 3 (after Char. 14)	to read “ <u>Only varieties with stripes absent:</u> Corolla lobes: main color on <u>lower</u> lip” with reference to the RHS Colour Chart
new 4 (after Char. 14)	to read “ <u>Only varieties with stripes present:</u> Corolla lobes: ground color” with reference to the RHS Colour Chart
new 5 (after Char. 14)	to read “ <u>Only varieties with stripes present:</u> Corolla lobes: color of stripes” with reference to the RHS Colour Chart
Char. 16	to be deleted
Char. 17	to read “ <u>Only varieties with stripes absent:</u> Lower lip: intensity of color”, with the states: weaker at margin (state 1); even (2); stronger at margin (3)
Char. 18	to read “ <u>Only varieties with stripes present:</u> Lower lip width of stripes”
Char. 19	to read “Lower lip: length of middle lobe in relation to width of middle lobe”
Char. 20	to read “Lower lip: undulation of margin”
new 6 (after Char. 20)	to read “ <u>Upper</u> lip: reflexing of lobes”, with the states weak (3); medium (5); strong (7)
new 7 (after Char. 20)	to read “ <u>Lower</u> lip: reflexing of lobes”, with the states weak (3); medium (5); strong (7)

Char. 21	to read “Pouch: main color”, with the states: white (1); yellow green (2); pink (3); purple (4)
Char. 22	to be deleted
Char. 23	(* to be deleted
Char. 24	to have the states: white (1); green white (2); yellow (3); pink (4); purple (5)
Chars. 25-31	to replace “throat” with “chamber”
Char. 28	to be deleted
Char. 29	(* to be deleted
8.1 (a)	“that are 4 to 6 months old” to be deleted
8.2	to provide illustrations for characteristics 11-31 and review order of illustrations and consider combining illustrations where appropriate
Ad. 21, 22, 23	color pouch to be highlighted on diagram
Ad. 24	nectary bulge to be highlighted on diagram
Ad. 28-31	chamber to be highlighted on diagram
TQ 5	to add Chars. 1, 14, 15, new 2, 3, 4, 5
TQ 6	to use the example: Plant: growth habit / upright / semi-upright

Azalea (pot) (Revision) (document TG/140/4(proj.1))

35. The subgroup discussed document TG/140/4(proj.1), as presented by Ms. Andrea Menne (Germany), and agreed the following:

1.	to consider whether to extend the Test Guidelines to cover other evergreen azalea types
2.3, 3.4.1	to read “10 plants” instead of “30 plants”
4.2.2	second sentence to read “In the case of a sample size of 10 plants, 1 off-type is allowed.”
5.3 (c)	to be deleted
Char. 4	to have the states: elliptic (1); obovate (2)
new ? (after Char. 6)	to consider adding: “Mature leaf: hairiness”, with the states: absent (1); present (9); “Mature leaf: intensity of hairiness”, with the states: weak (3); medium (5); strong (7)
Char. 10	to check whether to split into: (a) color of sepals; (b) length of sepals; (c) width of sepals
Char. 13	to have the states: absent or very weak (1); weak (2); strong (3)
Char. 14	(+) to be added with an explanation of what a double variety is. To be placed after Char. 11

Char. 16	to check whether the color of the outer and inner petals could be different in double flowering varieties
Char. 23	to read “Flower throat: color compared to color of middle of inner side of corolla lobe (excluding markings)”. To check whether there are varieties which have two different colors of throat and corolla tube.
Char. 24	to reverse the order of states 4 and 5
Char. 25	(*) to be deleted
Ad. 10	to improve the explanation
Ad. 12	state 7 to read “medium campanulate”
Ad. 25	to read “The time of beginning of flowering ...”
TQ 1	to review according to any changes to the coverage of the Test Guidelines
TQ 5	to add Char. 21

Buddleja (document TG/BUDDL(proj.1))

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

2.2	to read “The material is to be supplied in the form of two-year-old plants”
2.3	to specify “8 two-year-old plants”
3.1	“(to have sufficiently developed plants, a second cycle is sometimes necessary)” to be deleted
3.3.2	to be deleted
5.3	to add Chars. 13, 21, 34. Char. 48 to be deleted if it is determined by the species.
Char. 1	(+) to be deleted
Char. 2	to read “Plant: growth habit”, with the states: upright (1); semi-upright (2); spreading (3)
Char. 3	(*) to be added
Char. 4	to have the states: taller than broad (1); as tall as broad (2); shorter than broad (3)
Char. 5	to read “Shoot: color”
Char. 6	to read “Shoot: intensity of color”. To replace “weak” with “light” and “strong” with “dark”.
Char. 7	to read “Shoot: cross-section”
Char. 8	to be checked and clearer explanation provided if retained
Char. 9	to be deleted
Char. 10	to read “Shoot: pubescence” and state 1 to read “absent or very weak”
new (after	to consider adding “Shoot: color of pubescence”

- Char. 10)
- Char. 11 (*) to be added. To check if other states should be included.
- Char. 12 Leaf blade: shape of apex”
- Char. 13 (*) to be added. To read “Leaf blade: main color of upper side (pubescence excluded)”, with the states: whitish (1); yellow (2); yellow green (3); light green (4); medium green (5); dark green (6); pinkish (7); grey green (8); reddish (9).
- Char. 14 to be deleted
- new (after Char. 14) To read “Leaf blade: secondary color of upper side (pubescence excluded)”, with the states: whitish (1); yellow (2); yellow green (3); light green (4); medium green (5); dark green (6); pinkish (7); grey green (8); reddish (9).
- Char. 15 to read “Leaf blade: main color of lower side”
- Char. 16 to be deleted
- Char. 17 to be placed after Char. 12
- Char. 18 to read “Leaf blade: pattern of variegation”, with the states: only splashed (1); splashed and marginal (2); only marginal (3) and to consider if further states needed.
- Char. 19 to read “Leaf: length of petiole”. To be placed after Char. 27.
- Char. 20 to be deleted
- Char. 21 (*) to be added and to read “Leaf blade: margin”, with the states: entire (1); sinuate (2); crenate (3); dentate (4); serrate (5); lobed (6)
- Char. 26 (*) to be added and to read “Leaf: blistering”
- Char. 29 (*) to be added and to have the states: conical (1); cylindrical (2); globular (3)
- Char. 30 (*) to be added
- Char. 31 to replace “weak” with “sparse” and “strong” with “dense”
- Chars. 31, 32 (+) to be added and illustration to be provided
- Char. 33 to read “Flower: length of tube”
- Char. 34 to read “Flower: color of outside of tube” and to add new states: white (1); and cream (2) and renumber other states accordingly
- Char. 35 to read “Flower: shape of tube in cross-section”
- Char. 36 (+) to be added with explanation to be provided
- Char. 37 to read “Corolla tube: color of inner side” and (+) to be added with illustration to be provided . To check if it refers to the “eye”.
- Char. 38 to read “Corolla lobes: arrangement”, with the states: free (1); touching (2); overlapping (3) and to be indicated as PQ
- Char. 39 to read “Corolla lobe: incision of edge of petals”
- Char. 40 to read “Corolla lobe: depth of incision of edge of petals” and To replace

- “weak” with “shallow” and “strong” with “deep”
- Char. 41 to read “Corolla lobe: size” and to replace “high” with “long”
- Char. 42 to read “Corolla lobe: color”
- Chars. 43-45 to be placed after Char. 32
- Char. 46 (*) to be added and to read “Plant: time of beginning of flowering”
- Char. 47 (*) to be added and to read “Plant: flowering habit”. State 7 to read “continuous during season”. To have the states 1, 2, 3.
- Char. 48 to be deleted if determined by the species
- Char. 49 to read “Inflorescence: scent”
- Chars. 51-53 to consider deletion
- 8.1 to add note (a): “characteristics on the shoots and leaves to be observed on current year’s shoots, just before flowering”; and note (b): leaves to be observed on the central third part of the shoot”.

Canna (document TG/CANNA(proj.1))

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

1. to read “These Test Guidelines apply to all vegetatively propagated varieties of *Canna* L.”
- 2.2 to read “The material is to be supplied in the form of rhizomes, capable of normal flowering, or plants.”
- 2.3 to read “The minimum quantity of plant material, to be supplied by the applicant, should be: 8 rhizomes or plants”
- 3.4.1, 3.5, 4.2.2 to amend “6 plants” to “8 plants”
- 5.3 to add Chars. 1 and 20
- Char. 1 to read “Plant: height at flowering”
- Char. 2 to read “Plant: growth habit”, with the states: upright (1); upright to semi-upright (2); semi-upright (3)
- Char. 3 to read “Plant: number of shoots”, with the states: Few (3); medium (5); many (7)
- Char. 7 to replace “higher” and “high” with “longer” and “long”
- Char. 8 to read “Leaf: conspicuousness of veins”, with the states: inconspicuous (1); conspicuous (2)
- Char. 9 to read “Leaf: degree of conspicuousness of veins”
- Char. 10 to read “Leaf blade: main color”, with the states: yellow (1); green (2); red (3) and to consider if more states should be added
- Char. 11 to read “Leaf blade: intensity of main color” and to replace “weak” with

	“light” and “strong” with “dark”
new (after Char. 11)	to read “Leaf blade: secondary color”, with the states: absent (1); present (9)
Char. 12	to be deleted
Char. 13	to read “Leaf blade: intensity of secondary color” and to replace “weak” with “light” and “strong” with “dark”
Char. 14	to read “Leaf blade: distribution of secondary color”, with the states: marginal (1); marginal and along veins (2) (to be checked); along veins (3).
Char. 15	to be deleted
Char. 16	“of stalk end” to be deleted
Char. 19	to have the states: one (1); two (2)
Char. 20	“(there are no levels)” to be deleted
Char. 21	to be deleted
Char. 22	to read “Flower: secondary color edging on petals”
Char. 23	to replace “wide” with “broad”
Char. 25	to read “Flower: intensity of secondary color edging on petals” and to replace “weak” with “light” and “strong” with “dark”
Char. 26	to read “Flower: secondary color spots”, with the states: absent (1); present (9)
new 1 (after Char. 26)	to read “Flower: secondary color stripes”, with the states: absent (1); present (9)
new 2 (after Char. 26)	to read “Flower: secondary color splashes”, with the states: absent (1); present (9)
Char. 27	to add “(excluding edging)”
Char. 28	to check if further states should be added
Char. 31	to read “Fruit: color (before maturity)”, with the states: green (1); reddish green (2); red (3)
Char. 33	to be checked if the characteristic is necessary
Char. 34	to be deleted
Char. 35	to read “Rhizome: skin color”
TQ 5	to include Chars. 1, 10, 19, 20, 22

Chrysanthemum (Revision) (document TG/26/5(proj.2))

38. The subgroup discussed document TG/26/5 (proj.2), as presented by Miss Elizabeth Scott (United Kingdom), and agreed the following:

General the term “whorl” to be replaced by “row” throughout

- presentation of “RHS Colour Chart” to be corrected throughout
- Cover page UPOV codes to be corrected from “CHRYSA_...” to “CHRYS_...”
1. space to be added before “and hybrids ...”
- Chars. 18-20 (+) to be added with explanation. To read “Excluding varieties of *Chrysanthemum x morifolium*:...”
- Char. 31 to be indicated as QL. To read “Excluding double and daisy-eyed double varieties: Disc type”
- Chars. 32-35 note (e) to be added to all characteristics and to be modified to provide an explanation concerning disbudding and non-disbudding.
- Char. 33 to read “Flower head: diameter (disbudded plants)
- Char. 35 to read “Flower head: height (disbudded plants)
- Char. 37 to read “Only semi-double and daisy-eyed double varieties (Char. 30):...”
- Char. 38 to read “Only single and semi-double varieties (Char. 30):...”
- Char. 39 to read “Only semi-double and daisy-eyed double varieties (Char. 30):...”
- Char. 44 to read “Only single and semi-double varieties (Char. 30): Ray floret: attitude of basal part”, with (+) to be added and illustration to be provided
- Char. 48 to read “Ray floret: profile in cross section at widest point (non-quilled florets)”
- Char. 49 to read “Ray floret: rolling of margin (non-quilled florets)”
- Char. 50 to read “Ray floret: position of part with rolled margin (non-quilled florets)”
- Char. 51 to read “Ray floret: profile of tube (spatulate and quilled florets)”
- Char. 52 example variety for state 6 to be provided
- Char. 53 to read “Ray floret: longitudinal axis: proportion not straight (non-straight florets)
- Char. 54 to read “Ray floret: longitudinal axis: strength of curvature (non-straight florets)”
- Char. 55 to read “Ray floret: longitudinal axis of majority (if different from outer row)”
- Char. 56 Ray floret: longitudinal axis of majority (if different from outer row): proportion not straight (non-straight florets)
- Char. 57 Ray floret: longitudinal axis of majority (if different from outer row): strength of curvature (non-straight florets)
- Char. 63 to be deleted
- Char. 64 to read “Ray floret: main color of inner side”
- Char. 65 to be deleted
- Char. 66 to read “Ray floret: second color of inner side”
- Char. 67 to read “Ray floret: distribution of second color of inner side” and fractions to be written in full, e.g. “quarter” instead of “1/4”

- Char. 68 to read “Ray floret: pattern of second color of inner side”
- Char. 69 to be deleted
- Char. 70 to read “Ray floret: third color of inner side”
- Char. 71 to read “Ray floret: distribution of third color of inner side” and fractions to be written in full, e.g. “quarter” instead of “1/4”
- Char. 72 to read “Ray floret: pattern of third color of inner side”
- Char. 73 to read “Ray floret: color of outer side compared to inner side (including tube for quilled and spatulate florets). State 1 to read “similar” and to be indicated as QL.
- Char. 74 to be deleted
- Char. 76 to read “Only double and daisy-eyed double varieties (Char. 30): Ray floret: color of inner side of inner florets (if different from the majority)”
- Char. 77 to read “Only double and daisy-eyed double varieties (Char. 30): Ray floret: color of outer side of inner florets (if different from the majority)”
- Char. 78 to read “Only single and semi-double varieties (Char. 30) which are daisy type (Char. 31): ...”
- Char. 79 to read “Only single and semi-double varieties (Char. 30) which are anemone type (Char. 31): ...”
- Char. 80 to read “Only single and semi-double varieties (Char. 30): ...”
- Chars. 81-85, 87 to read ““Only daisy type varieties (Char. 31): ...”
- Char. 82 to replace state 4 with two new states: light yellow (4); medium yellow (5) and renumber other states accordingly
- Char. 87 to replace state 4 with two new states: light yellow (4); medium yellow (5) and renumber other states accordingly
- Char. 86, 88-91 to read ““Only anemone type varieties (Char. 31): ...”
- Char. 92 to read “Response group (grown with precise daylength control)”, with the states:
- | | |
|--------------------|------|
| less than 6 weeks | (1) |
| 6 weeks | (2) |
| 6.5 weeks | (3) |
| 7 weeks | (4) |
| 7.5 weeks | (5) |
| 8 weeks | (6) |
| 8.5 weeks | (7) |
| 9 weeks | (8) |
| 10 weeks | (9) |
| 11 weeks | (10) |
| 12 weeks | (11) |
| more than 12 weeks | (12) |
- and example varieties to be provided. To be indicated as PQ.
- Char. 93 example varieties to be deleted

- 8.1 (g) to explain that the main color is the color with the largest surface area. In cases where there is no obvious largest area, the color nearest the apex with the equal largest area should be considered to be the main color. The second color is the color with the second largest surface area. In cases where there is no obvious second largest area, the color nearest the apex with the second equal largest area should be considered to be the second color.
- 8.1 (i) to be amended according to the change in the Table of Characteristics. Note to be deleted and provided as Ad. 92, 93.
- Ad. 15 to provide explanation that all varieties with asymmetric bases should be observed as state 6 for this characteristic, although the shape of the base of asymmetric varieties may be different from each other.
- Ad 18-20 to explain that this characteristic should be observed for all varieties of *Chrysanthemum pacificum* (*Ajania pacifica*) and all hybrids between *Chrysanthemum pacificum* and *Chrysanthemum x morifolium* Ramat. (*Chrysanthemum x grandiflorum* Ramat.).
- Ad 67, 71 to add additional illustrations where the second color is in the form of e.g. stripes
- Ad. 68, 72 illustration for state 1 to have a solid area which occupies less than half of the area of the floret
- TQ 5.8i, 5.9i to add “Other (please state color)” as state 13.

Dahlia (document TG/DAHLIA(proj.4))

39. The subgroup discussed document TG/DAHLIA(proj.4), as presented by Miss Elizabeth Scott (United Kingdom), and agreed the following:

- Char. 4 to have the notes: predominantly simple (1); simple and pinnate (no predominance) (2); predominantly pinnate (3); pinnate and bipinnate (no predominance) (4); predominantly bipinnate (5). (*) to be deleted. Example varieties to be provided.
- Char. 5 example varieties to be provided
- Char. 22 to read “Only single and semi-double varieties (Char. 21): ...”
- Char. 26 to read “Only double and daisy-eyed double varieties (Char. 21): ...”
- Char. 27 to read “Only single, semi-double and daisy eyed double varieties (Char. 21): ...”
- Char. 28 to read “Only double varieties (Char. 21): ...”
- Char. 33 to read “Ray floret: number of keels on keeled florets”
- Char. 35 to read “Ray floret: profile in cross section at ¾ point from base, if different from mid-point”
- Char. 39 to read “Excluding straight varieties (Char. 38): ...”
- Char. 40 to read “Excluding straight varieties (Char. 38): ...”

- Char. 41 state 3 to read “weak or moderate”
- Char. 44 to be deleted
- Char. 45 to read “Ray floret: main color of inner side”
- Char. 46 to be deleted
- Char. 47 to read “Ray floret: secondary color of inner side”
- Char. 48 to read “Ray floret: distribution of secondary color of inner side”
- Char. 49 to read “Ray floret: pattern of secondary color of inner side”
- Char. 50 to be deleted
- Char. 51 to read “Ray floret: third color of inner side”
- Char. 52 to read “Ray floret: distribution of third color of inner side”
- Char. 53 to read “Ray floret: pattern of third color of inner side”
- Char. 56 to read “Only single and semi-double varieties (Char. 21): ...”
- Char. 57 to read “Only single and semi-double varieties (Char. 21) which are daisy type (Char. 22): ...”
- Char. 58 to read “Only single and semi-double varieties (Char. 21) which are daisy type (Char. 22): ...”
- Char. 59 to read “Only anemone varieties (Char. 22): . : ...”
- Char. 60 to read “Only collerette varieties (Char. 22): . : ...”
- 8.1 (e) to explain that the main color is the color with the largest surface area. In cases where there is no obvious largest area, the color nearest the apex with the equal largest area should be considered to be the main color. The second color is the color with the second largest surface area. In cases where there is no obvious second largest area, the color nearest the apex with the second equal largest area should be considered to be the second color.
- Ad. 4 to read “It is common to find a number of different leaf types within each plant of a Dahlia variety but the proportion of each type on the plant should be consistent within a variety”
- Ad. 5 new illustration to be provided
- Ad. 14 illustration to be replaced with the illustration from TG/26/5(proj.2) (Chrysanthemum): Char. 15 and to provide explanation that all varieties with asymmetric bases should be observed as state 6 for this characteristic, although the shape of the base of asymmetric varieties may be different from each other.
- Ad. 23 to add an arrow indicating the collar segments
- Ads 48, 52 to add additional illustrations where the second color is in the form of e.g. stripes
- Ads 49, 53 illustration for state 1 to have a solid area which occupies less than half of the area of the floret
- 9 additional Mexican references to be provided

- TQ 5 numbering to be corrected
- TQ 5.8 to update according the changes to the Table of Characteristics and to provide option (i) for color by group and option (ii) for color by the RHS Colour Chart. In option (i) to add a further state 13 “other (please indicate)”
- TQ 5.9 to update according the changes to the Table of Characteristics and to provide option (i) for color by group and option (ii) for color by the RHS Colour Chart. In option (i) to add a further state 13 “other (please indicate)”

Diascia (document TG/DIASC(proj.1))

40. The subgroup discussed document TG/DIASC (proj.1), as presented by Mrs. Sandy Marshall (Canada), and agreed the following:

- 3.4.2 to change from “15” to “10” plants
- 5.3 (b) to add further color groups and check the order
- Char. 2 “Only varieties with upright and semi-upright growth habit:” to be deleted
- Char. 12 (+) to be added with an explanation that the “main” area is the largest surface area. Example variety “Golden Dancer” to be deleted from state 5.
- Char. 14 example variety “Golden Dancer” to be replaced
- Char. 16 example variety “Lilac Belle” to be added for state 3
- Char. 19 to be deleted
- Char. 23 (+) to be added and illustration of parts of the corolla to be provided
- Char. 25 (+) to be added and illustration to be provided
- Char. 29 states to be checked
- Char. 33 (+) to be added and illustration to be provided
- 8.1 to read:
- (a) Observations should be made at the time of full flowering.
 - (b) Observations on the leaf blade should be made on fully expanded leaves from the middle third of a flowering stem.
 - (c) To be observed on the upper side of the leaf blade.
 - (d) Observations should be made on the middle third of an inflorescence with open flowers at anther dehiscence.
 - (e) Observations on the corolla should be made on open flowers at anther dehiscence.
 - (f) To be observed on the inner side.
- Ad. 20, 21, 30 to consider adding color photograph to illustrate corolla window
- Ad. 27 to add “The observation should be made exclusively on the lower lip and not on any other part of the corolla”

- 9 to check the suitability of the reference “Unknown Author”
- TQ 5 to consider adding further characteristics
- TQ 5.2 to add further color groups and check the order

Elatior Begonia (Revision) (document TG/18/5(proj.1))

41. The subgroup discussed document TG/18/5(proj.1), as presented by Ms. Andrea Menne (Germany), and agreed the following:

- 5.3 to add Chars. 16, 21 and 22. To correct the spelling of “color” in (b) and (c).
- Ad. 9 state 5 to read “strongly overlapping”
- Ad 17, 18 arrows for flower width and length to be adjusted
- Ad. 19 to provide guidance on what constitutes different colors (as opposed to different shades of the same color), with reference to the RHS Colour Chart / UPOV color groups
- TQ 1.2 to read “Elatior Begonia”
- TQ 5.3 (19) it was noted that, whilst there may be some confusion over when there were two different colors (color hues), as opposed to two different shades of the same color, the characteristic could be checked from TQ 5.4 and TQ 5.6

Eucalyptus (part of genus only) (document TG/EUCAL(proj.2))

42. The subgroup discussed document TG/EUCAL(proj.2), as presented by Mrs. Daniela Moraes Aviani (Brazil), and agreed the following:

- Title to check if the Test Guidelines would be suitable for *E. gunnii*
- 2.3 to be checked
- Char. 1 (a) to be added
- Char. 2 to read “Juvenile leaf: petiole” and example species to be deleted
- Char. 3 to read “Juvenile leaf: shape”, with states 1-4 replaced by the two states: linear (1); lanceolate (2) and states 5 onwards to be renumbered accordingly.
- new (after Char. 3) to read “Only lanceolate varieties: Juvenile leaf: width”, with the states: narrow (3); medium (5); broad (7)
- Char. 4 to read “Juvenile leaf: waxiness”. (+) to be added and explanation to be provided.
- Char. 5 to read “Intermediate leaf: attitude of blade” and states to have notes 1, 2, 3
- Char. 7 To have the same states as the modified Char. 3.

- Char. 8 (+) to be added and explanation to be provided. To have the states: absent (1); present (9).
- Char. 9 (+) to be added and explanation to be provided. To read “Intermediate leaf: waxiness”, with the states: absent or very weak (1); weak (2); strong (3).
- Char. 10 to read “Trunk: predominant color of rythidome”, with the states: green (1); brown (2); grey (3). Explanation to include definition of “rythidome”.
- Char. 11 to read “Trunk: predominant color just above rythidome”
- Char. 12 to read “Trunk: waxiness just above rythidome”
- Char. 13 to read “Primary branch: type of insertion in main stem” and states to be checked
- new (after Char. 13) to read “Trunk: predominant color just above rythidome”, with note (e)
- Char. 14 to be deleted
- Char. 15 to read “Trunk: predominant color just above rythidome”
- Char. 16 (+) to be added and to read “Adult leaf: attitude”
- Chars. 17-19 to change “leaf” to “adult leaf”
- Char. 19 to consider changing the states to the states in modified Char. 3
- Char. 20 (+) to be added with explanation to be provided. To read “Adult leaf: intensity of green color of upper side in relation to lower side”
- Char. 21 (+) to be added with explanation to be provided. To read “Adult leaf: waxiness of upper side”, with the states: absent or very weak (1); weak (2); strong (3).
- Char. 22 to have the states: young (1); medium (2); old (3) and to add the following explanation in Chapter 8: young – up to two years; medium – between two and four years; old – more than four years.
- Chars. 23-26 (+) to be added
- Char. 23 to amend state 4 to “nine” and add “eleven” for state 5
- 8.1 to provide an explanation for the leaf types: juvenile; intermediate; and mature in the relevant notes. The notes to read:
- (a) observations should be made on 3- to 4 month-old plants.
 - (b) observations should be made 6 months after planting.
 - (c) observations should be made at least 1 year after planting.
 - (d) observations should be made on one-year-old plants.
 - (e) observations should be made on three-year-old plants.
 - (f) observations should be made on five-year-old plants.
- Ad. 1 to add arrow indicating lignotuber

Gypsophila (document TG/GYPSO(proj.1))

43. The subgroup discussed document TG/GYPSO(proj.1), as presented by Mr. Baruch Bar-Tel (Israel), and agreed the following:

1. to read “These Test Guidelines apply to all vegetatively propagated varieties of *Gypsophila* L.”
- 2.2 to read “The material is to be supplied in the form of rooted cuttings”
- 2.3 to indicate “15 rooted cuttings”
- 3.1 to indicate a single growing cycle
- 3.5 to read “Unless otherwise indicated, all observations should be made on 10 plants or parts taken from each of 10 plants.”
- 4.2.2 to read “For the assessment of uniformity, a population standard of 95% and an acceptance probability of at least 1% should be applied. In the case of a sample size of 10 plants, 1 off-type is allowed.”
- 5.3 to add Chars. 1, 15, new: Flower: type
- Chars. 1-6 to add note (a)
- new 1 (after Char. 1) to consider adding “Plant: growth habit”, with note (a)
- new 2 (after Char. 1) to consider adding “Stem: length”, with note (a)
- Char. 3 to read “Stem: length of longest internode”
- Char. 6 to check if inflorescence characteristic
- Char. 8 to add note (b)
- Char. 13 to read “Leaf: attitude of apex”
- Char. 14 to read “Leaf: color of upper side”
- new (after Char. 14) to read “Flower: type”, with the states: single (1); double (2)
- Char. 16 to add “Only double flower type varieties: Flower: number of petals”
- Char. 19 wording of states to be checked
- Char. 20 to have the states: about five (1); about ten (2)
- new (after Char. 21) to consider adding characteristic “Petal: size”
- Char. 22 to have the states: concave; straight; convex
- Char. 23 to consider splitting into three characteristics:
 - “Petal: number of colors” with the states: one (1); two (2);
 - “Petal: main color” with RHS Colour Chart reference;
 - “Petal: secondary color” with RHS Colour Chart reference

- 8.1 to add note (a): “observations to be made on main stem on non-pinched plant” and note (b): explanation to be provided

Hevea (document TG/HEVEA(proj.1))

44. The subgroup discussed document TG/HEVEA(proj.1), as presented by Mrs. Daniela de Moraes Aviani (Brazil), and agreed the following:

- Title and 1. to consider extending the Test Guidelines to cover vegetatively propagated varieties for the complete *Hevea* genus
- 2.2 to read “The material is to be supplied in the form of grafted one-year-old plants”
- 2.3 to specify 10 plants and to add that the competent authority may specify the rootstock
- Char. 1 (+) to be added
- Char. 2 to be deleted
- Char. 3 to add notes (a) and (c)
- Char. 4 to add notes (a) and (c) and to be checked
- Char. 5 to add notes (a) and (c)
- Char. 6 to add note (c). To have the states: lanceolate (1); elliptic (2); obovate (3).
- Char. 7 to read “Leaflet blade: shape compared with side leaflets” and to add note (c)
- Char. 8 to add note (c). To read “Leaflet blade: axis in longitudinal section” with the states: straight (1); arched (2); sigmoid (3).
- Char. 9 to be deleted
- Char. 10 to read “Leaflet blade: green color of upper side” and to consider whether to add the state “yellow green”
- Char. 12 to be deleted
- Char. 13 to read “Leaflet blade: surface of upper side”, with the states: smooth (1); intermediate (2); rough (3).
- Char. 14 “present” to have note 9
- Chars. 15, 16 to be checked
- Char. 17 to be deleted
- Char. 18 to replace “tip” with “apex”. To be checked.
- new (after Char. 18) to read “Only varieties with aristate apex: Leaflet blade: symmetry of tip”, with the states: absent (1); present (9). (+) to be added. To be checked.
- Char. 19 to be deleted
- Char. 20 to be deleted

- Char. 21 to add “:” after petiole
- Char. 22 (+) to be added. To read “Leaflet petioles: angle between central and side petiole” with the states: acute (1); right angle (2); obtuse (3). To be checked.
- Char. 23 to be deleted
- Char. 24 to be deleted
- Char. 25 to be deleted
- Char. 26 to read “Leaf cluster: arrangement (excluding terminal cluster)” with the states: type 1 (1); type 2 (2); type 3 (3); type 4 (4). To be checked.
- Chars. 23-26 to be placed before Char. 1
- Char. 27 to be deleted
- Char. 28 to add note (a). To read “Main stem: axis” with the states: straight (1); slightly curved (2); strongly curved (3).
- Char. 29 Note (b) to replace note (a). To read “Trunk: shape in cross section (lower third)”. State 1 to read “circular”. To move after Char. 30.
- Char. 30 to have notes (a) and (b)
- Chars 31-33 to be deleted
- Char. 34 to read “Trunk: predominant color of bark”
- Char. 35 to be checked
- Char. 36 to add note (b)
- Chars. 37, 38 to be deleted
- Char. 39 to read “Primary branch: attitude of first 5 cm. of branch in relation to main stem” with the states: erect (1); semi-erect (2); horizontal (3).
- Chars. 40, 41 to be deleted
- Chars. 43, 44 to be deleted
- Char. 46 (+) to be added with an illustration. To read “Crown: shape of canopy” with the states: circular (1); ovate (2); elliptic (3); obtriangular (4); irregular obtriangular (5).
- Char. 47 state 1 to read “open”
- Char. 48 to be deleted
- Char. 49 state 3 to read “medium yellow”
- Char. 50 to read “Tree: duration of foliage” with the states: short (3); medium (5); long (7)
- Char. 51 to read “Period of defoliation”
- new (after Char. 54) to read “Seed: shape in dorsal view”, with the states: circular (1); ovate (2); oblong (3); square (4)
- Char. 55 to replace “esporulacao” with “sporulation”. To have the states: absent (1); weak (2); strong (3).

- 8.1 to add note (c) to read “observations which should be made on the central leaflet
- Ads. 8, 26 to be updated

Hibiscus (document TG/HIBIS(proj.2))

45. The subgroup discussed document TG/HIBIS(proj.2), as presented by Ms. Mi-Hee Yang (Republic of Korea), and agreed the following:

- 2.3 to change from “12 for plants grown in the open and 20 for pot type” to “8 rooted cuttings not pinched”
- 3.4 to read to “Each test should be designed to result in a total of at least 8 plants.”
- 3.5 to read “Unless otherwise indicated, all observations on single plants should be made on 8 plants or parts taken from each 8 plants and any other observations made on all plants in the test”
- 4.2.2 to change from “sample size of 9 plants” to “sample size of 8 plants”, to delete “In the case of a sample size of 18plants.....”
- 5.3 to add Char. 8 leaf : color
- Char. 1 to have the states: upright (1); semi-upright (2); spreading (3); creeping (4)
- Char. 4 to have the states: erect (1); semi-erect (2), horizontal (3); drooping (4)
- Char. 5 to add explanation in Section 8 about timing of observation .
- Char. 6 to add (*)
- Char. 8 to read “Leaf blade: main color”; to check ‘red color’
- Char. 9 to be placed before Char.8; to add (*)
- Chars. 10-13, 15 to be checked
- Char. 14 to be placed before Char. 11.
- Char. 15 to read “Leaf blade : depth of lobing”; to add (*)
- Char. 16 to have the states: absent or very weak (1); weak (2); strong (3)
- Char. 17 notes 4 and 6 to be deleted
- Char. 18 to be deleted
- Char. 19 “cluster type” to be deleted
- New (after Char. 19) to read “Only single and semi double varieties: Flower: cresting”, with the states: absent (1); present (9)
- Char. 21 (*) to be deleted
- Char. 23 to read “Flower: extensions from eye zone into petal”, with the states: absent or weak (1); moderate (2); strong (3) and to be indicated as QN

- Char. 24 to be placed before Char. 23 and separate diagram to be provided
- New (after Char. 25) to read “Flower: opening of petals”, with the states: absent (1); present (9) and to add example variety “Atropurpurea” for state 1 and “Woodbridge” (or another) for state 9
- Char. 29 to check if the difference refers to which side is higher or if it is the length / width ratio
- Char. 32 to insert “of upper side”
- New (after Char. 32) to read “Only varieties with multicolored petals: Petal: tertiary color of upper side”, with RHS color chart indication and to be indicated as PQ.
- Char. 33 to read “Petal : color pattern”
- Char. 37 to be deleted
- Char. 38 to add “Only varieties with single and semi-double flowers: ...”
- Chars. 40 to be deleted
- TQ 4 to add entry for rootstock
- TQ 5 to add Char. 9 “Leaf blade: variegation”

New Guinea Impatiens (Revision) (documents TG/196/2(proj.1) and TWO/38/7)

46. The TWO discussed document TG/196/2(proj.1), presented by Ms. Andrea Menne (Germany), and agreed the following:

- Char. 3 to read “Shoot: anthocyanin coloration (on upper part of shoot)”
- Char. 17 “doppelt” to be changed to “gefüllt” in German
- Char. 19 example variety “Kibetio” to be deleted and “Kiluis” added
- TQ 9.3 to be deleted

Rose (Revision) (document TG/11/8(proj.3))

47. The TWO discussed document TG/11/8(proj.3), presented by Mr. Joost Barendrecht (Netherlands), and agreed the following:

- 2.3 for cut-flower types, the number of plants to be presented as “9 plants”, i.e. no differentiation between varieties resulting from crossing and mutation
- 3.4.2 to read “*Cut-flower types*: each test should be designed to result in a total of at least nine plants.”
- 4.2.2 second sentence to read “In the case of sample sizes of 6 and 9 plants, one off-type is allowed.”
- 5.3 to add Chars. 21, 26, 40, 50

General	example varieties added at the TWO session to be checked. “Kormag” spelling to be corrected to “Kolmag”. Spelling of “Pek <u>k</u> coujenny” to be checked throughout.
Char. 3	(*) to be deleted. To add the following under example varieties: “Lenwiga (G)” (state 1: very short); “Noason (G)” (state 3); Macrexy (G) (state 5); “Tanakinom (G)” (state 7); “Macyefre (G)” (state 9: very tall)
Chars. 6, 7, 14-19	(*) to be deleted
Char. 23	to have the states: green (1); yellow (2); orange (3); pink (4); red (5); purple (6)
Char. 28	(*) to be deleted. [G] to be added. To add the following under example varieties: “Ausmol (G)” (state 1); “Pekcoujenny (G)” (state 2); “Jacakor (G)” (state 3).
Char. 29	(*) to be deleted. [G] to be added. To add the following under example varieties: “Aushunter (G)” (state 1); “Meitonje (G)” (state 2); “Meironsse (G)” (state 3); “Jacare (G)” (state 4).
Char. 31	example varieties to be checked in conjunction with the list of example varieties to be provided by the Republic of Korea
Chars. 34-36	(*) to be deleted
Chars. 45, 46	to replace “position” with “distribution”
Char. 53	“(at mature stage)” to be deleted
Ad. 16	to be obtained by taking the two illustrations from Ad. 17, 18, 19 and indicating the relevant state for each illustration
Ad. 45, 46	to use the standard presentation of the states and notes
TQ 5.2	to change “pin” to “pink”
TQ 5	to add Chars. 21, 26, 40, 50. In the case of Char. 50, to use the RHS Colour Chart for the TQ “(i)” option and the color groups from Char. 44 for the “(ii)” option

Sutera (document TG/SUTERA(proj.1))

48. The subgroup discussed document TG/SUTERA(proj.1), as presented by Ms. Andrea Menne (Germany), and agreed the following:

Title	to add “and hybrids between them”
Alternative names	to delete “ <i>Sutera</i> L.” and “Bacopa”
1.	to add “and hybrids between them”

- 3.3.1 second sentence to read “Except where indicated otherwise, the optimum stage of development for the assessment of the characteristics is at the time of full flowering.
- 3.4.1, 4.2.2 to amend to 15 plants
- 5.3 (d) Gr. 6 to be deleted
- Char. 1 (*) to be deleted and (+) to be added with explanation to observe towards the end of full flowering
- Chars. 2, 3 “at” to be deleted
- new (after Char. 3) to read “Petiole: presence”, with the states: absent (1); present (9) and to be indicated as PQ
- Char. 4 underlined wording to be deleted
- Chars. 5-7 “blade” to be deleted
- Char. 7 to be placed after Char. 4
- Char. 9 “in relation to leaf size” to be deleted and characteristic to be reviewed in relation possible separate characteristics for lobing and leaf type (e.g. pinnate)
- Char. 10 to be placed before Char. 9 and characteristic to be reviewed in relation possible separate characteristics for lobing and leaf type (e.g. pinnate)
- Char. 12 underlined wording to be deleted and (+) to be added with an explanation that the main color is the largest area and could be the variegation
- Char. 13 underlined wording to be deleted
- Char. 14 to be deleted
- Char. 15 to read “Flower: type”, with the states: actinomorph (1); zygomorph (2) and to be indicated as QL. To be checked.
- Char. 18 to be indicated as PQ and to have the states: rounded (1); truncate (2); retuse (3)
- Char. 21 underlined wording to be deleted
- Char. 22 (+) to be added with explanation and illustration of how to observe
- new (after Char. 22) to read “Calyx: length in relation to corolla tube”, with the states: up to 1/3 of length (1); 1/3 to 2/3 of length (2); over 2/3 of length (3) and to be indicated as QN. To be checked.
- TQ 1 to add boxes for hybrids
- Ad. 5 illustration to be amended

Tagetes (document TG/TAGETE(proj.3))

49. The subgroup discussed document TG/TAGETE(proj.3), as presented by Mr. Serrato Cruz (Mexico) and Mr. Richard Brand (France) and agreed the following:

- General to delete the “ray” throughout (e.g. “ligulate ray floret” becomes “ligulate floret”)
- 3.3.1 “growth” to be deleted in second sentence
- 3.5.1 to read “seed-propagated”
- 4.2.3 to read “vegetatively propagated”
- 4.3.3 to be deleted
- 5.3 to add Chars. 4, 14 and 29. Char. 15 to be deleted. Chars. 20-23 to be checked for suitability as grouping characteristics.
- 5.3 (g) to provide the color groups: cream; light yellow; dark yellow; light orange; medium orange; red; brown
- 5.3 (i) to provide the color groups as in Char. 21 before changed to RHS Colour Chart
- Char. 3 to insert comma between “Golden” and “Jubilee”
- Char. 5 species to be deleted from states 1 and 3 and example varieties to be provided
- Char. 8 species to be deleted from states 1 and 2 and example varieties to be provided. State 3 to be deleted.
- Char. 9 (+) to be added with an explanation of the timing of the observation and to specify to be observed on the middle leaf. Example varieties to be provided.
- Char. 10 example varieties to be provided
- Char. 11 example variety to be provided for state 5 (optional)
- Char. 12 example varieties to be provided (optional)
- Char. 13 example variety to be provided for state 5 (optional)
- Char. 15 To add the example variety “Bonanza Sprag” for state 1 and to replace the example variety “Derman Queen” with “Lemon Queen” in state 3. State 4 to be placed before state 1.
- Char. 16 to have the example varieties: Ornament, Tangerine Gem (state 1); Disco Orange (3); Bonanza Orange, Aurora Orange (5); Queen Bee (7); Red Seven Star (9)
- Char. 17 to add “very few” for state 1 and replace all example varieties for states 3, 5, 7. To add example varieties “Monsieur Majestic, Disco Orange” for state 1.
- Char. 18 state 3 to be deleted. (+) to be added with an explanation that a flower head is considered to have two colors if the disc is a different color from the florets.
- Char. 19 to read “Only varieties with one flower head color: Flower head: color”. States to be replaced by RHS Colour Chart.
- Char. 20 to be deleted

- new (after Char. 20) to read “Ligulate floret: number of colors” with the states: one (1) (example varieties “Vanilla, Tangerine Orange”); two (2) (example varieties “Granada, Bonanza Harmony”), to be indicated as QL.
- Char. 21 to read “Only varieties with two flower head colors: Ligulate floret: main color”. States to be replaced by RHS Colour Chart.
- Char. 22 to be deleted
- Char. 23 to read “Only varieties with two flower head colors: Ligulate floret: secondary color”. Example varieties to be provided.
- new (after Char. 23) to read “Tubulate / tubuligulate floret: number of colors” with the states: one (1); two (2), to be indicated as QL.
- Char. 24 to read “Only varieties with two flower head colors: Tubulate / tubuligulate: main color”.
- Char. 25 to be deleted
- Char. 26 to read “Only varieties with two flower head colors: Tubulate / tubuligulate floret: secondary color
- Char. 27 example varieties to read as: “España Red, Marietta” (state 1); “Monsieur Majestic” (2); “Sevilla Bicolour Rot Gelb” (3)
- Char. 28 example variety “Sophia” to read “Sophia Yellow” (state 3) and “Yellow” to be replaced by “Pascal” for state 5.
- Char. 29 (*)to be added
- Char. 30 example varieties to be provided.
- Char. 32 example varieties to be provided
- Char. 33 example varieties to be provided
- Ad. 15 to add an illustration of a single floret for each state
- Ad. 28 order of states to be reversed (illustrations to remain in same order)
- TQ 1 to add a box for indicating the species
- TQ 4.2.1 to delete (i) and (ii) in 4.2.1 (b)
- TQ 5 Chars. 29 and 30 to be added
- TQ 5.8 to provide option (i) with the RHS Colour Chart and (ii) with the current color groups, but to change “medium” to “medium orange”
- TQ 5.9 to provide option (i) with the RHS Colour Chart and (ii) with the current color groups
- TQ 6 to add the example: Flower head: type / single / semi-double
- TQ 7.3 to add “(please provide details)” for 7.3 (d)

Tulip (Revision) (document TG/115/4(proj.2))

50. The subgroup discussed document TG/115/4(proj.2), as presented by Mr. Joost Barendrecht (Netherlands), and agreed the following:

General	“UPOV Color Groups” in the Annex to follow the proposals developed by the TWO at its thirty-eighth session. However, as the “UPOV Color Groups” will not be ratified by the Technical Committee before the adoption of the Test Guidelines for Tulip, those groups should be referred to throughout the document as the “Tulip Test Guidelines (TG/115/4): Color Groups”
1.	to present “L.” in normal font
3.3.1	to read “The tests should be carried out in the open, under conditions...”
Char. 14	(+) to be deleted
Char. 16	state 5 to read “at base” and example variety to read “Gudoshnik”
Char. 20	state 1 to read “absent or weak”
Chars. 23, 25, 26	to underline “ <u>central part</u> ”
Chars. 24, 27, 28	to underline “ <u>marginal part</u> ”
Char. 34	to underline “ <u>distal half</u> ”
Char. 36	to read “Plant: beginning of flowering (natural conditions)”, with the states: very early (1: example variety “Lovesong (<i>T.kaufmanniana</i>)”); early (3); medium (5: example variety “Apeldoorn”); late (7); very late (9: example variety “Temple of Beauty”). Example varieties to be checked and to provided for state 3 and 7.
8.3 B 8	to read “Varieties not belonging to any of the above mentioned cultivar groups.”
8.3 table	to add example varieties for each classification group and to complete the table for the characteristics presented and any other relevant characteristics.
9	to add a note for the Scheepen (1996) reference indicating that users should check for an update of that publication which may have relevant information concerning the classification groups.
TQ 6	to add the example: Flower: type / single / double
TQ 9	to be updated
Annex, Section I	missing column for UPOV Group No. to be inserted and column headings corrected

Willow (Revision) (documents TG/72/6(proj.1 and TWO/38/8)

51. The TWO discussed document TG/72/6(proj.1), presented by Ms. Andrea Menne (Germany), and agreed the following:

Cover page and TQ 1.1	to insert space between “ <i>Salix</i> ” and “L.”
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TQ 7.3 types of use relevant for consideration in the DUS test to be provided

TGP Documents

52. The Office of the Union introduced documents TWO/38/3 and TC/41/5 Add.
53. It was clarified that any proposals developed by the Technical Working Parties for revisions to document TGP/7/1 would be put to the Technical Committee.
54. The TWO considered the following TGP documents in conjunction with the comments made by the Technical Working Party on Automation and Computer Programs (TWC) and the Technical Working Party for Vegetables (TWV), as set out in document TWO/38/3, Annexes 1 to 5, and the comments of the TWF, which were presented orally by the Office.

TGP Documents

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

*TGP/4 Draft 4: Constitution and Management of Variety Collections
(document TGP/4/1 Draft 4)*

55. The TWO discussed document TGP/4/1 Draft 4 and agreed to propose the following:

- | | |
|--------------|---|
| General | “plant material” and “material” to be replaced by “living plant material” throughout the document |
| 1.3 (b) | to be amended to read “where required, the necessary living plant material can be included in the growing tests and trials, or supplementary procedures in place to avoid the need for a systematic individual comparison” |
| 2.1 | to be amended to read “Thereafter, for inclusion in the variety collection, the variety should be a variety of common knowledge, adequately described and suitable living plant material of the variety should be available for inclusion in the growing tests or other trials, or supplementary procedures in place to avoid the need for a systematic individual comparison.” |
| 2.1.1.2 (i) | “establishment” to be replaced by “existence”. To include the Test Guidelines for Ornamental Apple and to update the TG references. |
| 2.1.1.2 (ii) | final sentence to be deleted |
| 2.1.1.4 | second sentence to read “If it is decided to use this approach in the examination of hybrids, the variety collection should include varieties used as components (generally inbred lines) of those hybrid varieties.” |
| 2.1.2 | to include the use of panels of experts |

- 2.1.3.1 to read “Thus, to be included in a variety collection, a variety should be adequately described and suitable living plant material should be available, if required, for growing tests or other trials, or supplementary procedures in place to avoid the need for a systematic individual comparison.”
- 2.1.3.1 (b) second sentence to read “However, in other cases, for example, the variety collector may only obtain living plant material of varieties as and when those varieties need to be included in growing tests or other trials as a part of the examination of distinctness and may not maintain any living plant material collection himself or may use supplementary procedures to avoid the need to obtain living plant material for a systematic individual comparison.”
- 2.1.3.2 to add plant health / disease control as another factor
- 3.1 (b) to read “a representative sample, or a procedure for successfully obtaining a representative sample, of living plant material of each variety, or supplementary procedures in place to avoid the need for a systematic individual comparison.”

TGP/9 Draft 4: Examining Distinctness (document TGP/9/1 Draft 4)

56. The TWO discussed document TGP/9/1 Draft 4 and agreed to propose the following:

- 1.3 to be updated according to changes in TGP/4
- 1.5 flow diagram to be retained in TGP/9, even if reproduced in TGP/1 “General Introduction With Explanations“
- Section 2 to include a recommendation for inexperienced experts to consult experienced experts within the members of the Union
to provide an explanation of how to select varieties for inclusion in the growing trial when there is relatively little data on varieties in the variety collection. Elizabeth Scott (United Kingdom) and Jean Maison (European Community), in conjunction with other interested experts, to provide a draft to the Office by the end of September.
to include the use of panels of experts as a basis for selecting varieties for the growing trial
- 2.2.3.2 to clarify that, in order to obtain sufficient information for the examination of distinctness, a second growing cycle may be necessary for some varieties where the normal procedure for the species concerned is a single growing cycle
- 2.4.2 first sentence to read “Photographs can provide useful information”
- 3.2.2 to explain that the notion of “independence” is related to statistical approaches.
- 3.5 to add sections for supplementary methods, the advice of breeders, including the information provided in the Technical Questionnaire.

- 4.1 the TWO noted that an indication of whether a characteristic should be visually observed or measured might be useful in some circumstances, but did not consider that it should be obligatory in all Test Guidelines. It considered that an indication of whether observations should be made on individual plants or groups of plants and whether a single record or multiple records should be kept would be inappropriate for Test Guidelines covering ornamental plants. It noted the importance of example varieties as the basis for observing characteristics and suggested that Section 4 should emphasize the importance of establishing sets of example varieties for all characteristics, including UPOV non-asterisked characteristics, at the national or regional level. It noted that section 4 would need to be substantially revised and did not consider the section in detail.
- 5.3.4 to be placed before section 5.3.3
- 5.3.4.1 to explain that a difference of two notes in a quantitative characteristic, for varieties grown in the same trial, would be a suitable basis for distinctness, where the range of notes was 9 notes or less (e.g. 1-9, 1-5, 1-3)

TGP/10 Draft 1: Examining Uniformity (document TGP/10/1 Draft 1)

57. The TWO discussed document TGP/10/1 Draft 1. It noted that there were a number of proposals from other Technical Working Parties which would require substantial revision of the document and, therefore, did not comment on all aspects of the document in detail. It was agreed to add the following proposals to those already made on the document:

- General It was agreed that the guidance on the criteria for determining off-types being developed on the basis of document TWF/36/7-TWO/38/9 would form a crucial part of TGP/10.
- 1.3.2 to explain the background and purpose of the COYU method

(a) Other TGP documents:

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

58. The TWO discussed document TGP/8/1 Draft 1. It noted that there were a number of proposals from other Technical Working Parties which would require substantial revision of the document and did not have any additional proposals to those already made on the document.

TGP/13 Draft 3: Guidance for New Types and Species (document TGP/13 Draft 3)

59. The TWO discussed document TGP/13 Draft 3. It noted the proposals from other Technical Working Parties and agreed to add the following proposals:

- 2 to provide an explanation that a new UPOV code is likely to be required for genera and species in which there has not previously been DUS testing. It was noted that, in cases of doubt (e.g. where there had been reclassifications within genera), the allocation of the UPOV code might also play a significant role in identifying the appropriate botanical classification for applications.
- 2.4.2 to be deleted
- 2.4.3 as a part of the review of 2.4.3, proposed by the TWF, it was agreed that care should be taken not to equate the notion of “common knowledge” with commercialization and to clarify that the absence of applications for PBR did not mean that there were no varieties of common knowledge.
- 3.3.1 to replace “grown” with “tested” in the final sentence
- 4.1 the TWO agreed that section 4.1 should, in particular, consider the situation where new methods of propagation were used for a species. It was noted that that should not be restricted to cases where seed-propagated varieties were developed where vegetatively propagated varieties were the normal case.

TGP/14 Draft 3: Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents:

*Section 2.1 (and 2.2): Botanical Terms: Plant shapes (including hair types)
(document TGP/14.2.1 (and .2)/ Draft 4)*

60. The TWO considered document TGP/14.2.1 (and .2)/ Draft 4 and the comments made on that document by the TWF at its thirty-sixth session, as reported by the Office. It agreed that it would be useful to create a collection of approved illustrations for use in the drafting of Test Guidelines and that it would be useful to make such a collection available to breeders to assist in their applications for PBR. It was agreed that Miss Scott (United Kingdom) and Mr. Bar-Tel (Israel) should join the subgroup of interested experts for that document.

*Section 2.3.1 Botanical Terms: Color: characteristics
(document TGP/14.2.3.1 Draft 1)*

61. The TWO considered document TGP/14.2.3.1 Draft 1 and the comments made on that document by the TWF at its thirty-sixth session, as reported by the Office. The TWO welcomed, in particular, the definitions provided in Section 2 of the document and considered that that would provide important assistance for drafters of Test Guidelines and also breeders. It was agreed that it would be useful to add a definition for tertiary color. It was also proposed to provide an explanation of when to consider an organ to be one-colored, two-colored, etc., possibly by considering whether there was a clear border between different colors / shades of color. A further suggestion was to provide guidance on when, and when not, to use RHS Colour Chart, to be based on the introduction to TGP/14.2.3.2 Draft 3. The TWO noted that the document should clarify that the approach developed in the document might not be the approach followed in older Test Guidelines. It was proposed that a collection of color photographs should also be produced to supplement the use of example

varieties in the Test Guidelines and to aid breeders. It was noted that the order of colors in the first sentence of section 1.7 should be amended to follow the normal order of colors.

62. The TWO agreed with the proposal of the TWF to incorporate the examples in the document into the Collection of Approved Characteristics (TGP/7: Annex 4), noting that this would require some re-organization of that document. It also agreed that the document should be coordinated with the other relevant TGP documents, such as TGP/14.2.1, and that it may be necessary to develop some aspects for general use and others specifically for drafters of Test Guidelines. In order to advance the document before the thirty-ninth session, it was agreed to form a subgroup (Color Subgroup) of interested experts from Australia, Canada, Germany, Israel, Japan, Netherlands, New Zealand, South Africa, United Kingdom and the Office, with the European Community to take the role of leading expert. It was agreed to invite the breeders' organizations to also participate in that subgroup. Noting that there was a plan to hold a meeting of the Subgroup for Plant Shapes (TGP/14.2.) in association with the forty-second session of the Technical Committee (TC) in Geneva in April 2006, it was agreed to try to organize a meeting of the Color Subgroup to coincide with that.

*Section 2.3.2 Botanical Terms: Color: groups
(document TGP/14.2.3.2 Draft 3)*

63. The TWO considered document TGP/14.2.3.2 Draft 3 and the comments made on that document by the TWF at its thirty-sixth session, as reported by the Office and also considered a proposal for the re-ordering of the 50 UPOV Color Groups, as presented in Annex V. It was noted that a re-ordering of the UPOV Color Groups might facilitate the use of those groups as color groups in the Test Guidelines. The TWO noted that the draft Test Guidelines for Tulip had utilized the UPOV Color Groups.

UPOV Information Databases

64. The TWO considered document TWO/38/4 and received a presentation of the prototype GENIE database.

65. The TWO agreed that the participants at the session would check the UPOV code amendments as set out in the appropriate versions of Annex V of document TWO/38/4 for their authority and send any comments to the Office. It was explained that the Office would inform the experts when the spreadsheets on the website had been updated and when the checking could begin, together with a deadline for comments. It was noted that the UPOV codes to be checked by countries which did not have participants at the TWO session would be checked by at least one participant at the TWO session, except for the entries to be checked by the Russian Federation and Slovakia. The Office would contact the Russian Federation and Slovakia to request that they check the relevant codes.

66. With regard to the introduction of UPOV codes in the data submitted for the UPOV-ROM, it was clarified that the Office should be sent the details of any genera or species for which a UPOV code had not been provided, in order that a code could be provided.

Project to Consider the Publication of Variety Descriptions

67. The TWO considered documents TWO/38/6 and TWO/38/10. With regard to paragraph 10 of document TWO/38/6, the TWO noted that the Model Study on Alstroemeria demonstrated that there were areas where the previous version of the Test Guidelines had needed to be improved in order to improve the observation of characteristics. In particular, it was noted that good illustrations were very important. It was noted that the abbreviation of the 1-9 quantitative characteristic scale to 3, 5, 7 had caused confusion with regard to the states which could be used. It was noted that the growing conditions had affected the expression of some characteristics, notable color and that caution was needed when comparing colors when observed in different locations. However, it was noted that color characteristics could still provide useful grouping information as there was generally a good agreement on the color group to which varieties belonged across locations.

Phytoplasma in Poinsettia

68. The TWO received a presentation from Mr. Lars Jacobsen (Denmark) and from Mr. Ton Kwakkenbos (European Community) on a CPVO, Danish Institute of Agricultural Sciences in Arslev and Poinsettia breeders co-financed research project on the impact of phytoplasma strains on the phenotypical expression of poinsettia varieties, conducted in Denmark. It was noted that a full report of that project would be made available on the CPVO website.

Recommendations on Draft Test Guidelines

69. The TWO agreed that the draft Test Guidelines below would be sent to the TC for adoption at its forty-second session, to be held in Geneva in April, 2006, on the basis of the specified documents, with the amendments presented in this document:

Alstroemeria (Revision)	TG/29/7(proj.2)
Chrysanthemum (Revision)	TG/26/5(proj.2)
Dahlia	TG/DAHLIA(proj.4)
New Guinea Impatiens (Revision)	TG/196/2(proj.1)
Rose (Revision)	TG/11/8(proj.3)
Tagetes	TG/TAGETE(proj.3)
Tulip (Revision)	TG/115/4(proj.2)
Willow (Revision)	TG/72/6 (proj.1)

70. With regard to the Test Guidelines for Tulip, it was agreed that the Test Guidelines should be submitted to the TC for adoption on the basis that the UPOV Color Groups included in those Test Guidelines would be amended before publication of the Test Guidelines, in accordance with the version of the UPOV Color Groups to be agreed by the TWO at its thirty-ninth session, i.e. the TC would be requested to adopt the Test Guidelines for Tulip in April 2006 and the Test Guidelines would be published as soon as the UPOV Color Groups were agreed by the TWO. In making that recommendation, the TWO noted that the Test Guidelines for Tulip would refer to the UPOV Tulip Test Guidelines Color

Groups and not to the UPOV Color Groups, because the latter would not be adopted by the TC before 2007.

71. It was noted that the Office would incorporate the amendments specified in this document in order to prepare the draft Test Guidelines for the TC. The leading experts noted that they were not required to submit revised draft Test Guidelines, but were required to provide the Office with all the information necessary for the document to be finalized.

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

- Angelonia
- Azalea (pot) (Revision)
- Buddleja
- Canna
- Diascia
- Elatior Begonia (Revision)
- Eucalyptus (part of genus only)
- Gypsophila
- Hevea (Rubber)
- Hibiscus
- Poinsettia (Revision)
- Sutera and Jamesbrittenia

73. The TWO decided to start discussions on the following draft Test Guidelines at its thirty-ninth session:

- Clematis (Revision)
- Gladiolus (Revision)
- Hydrangea (Revision)
- Kalanchoe (Revision)
- Lily (Revision)
- Nerium oleander L.
- Nemesia
- Osteospermum (Revision)
- Phlox
- Portulaca
- Tea

74. It was agreed that progress on the development of the draft Test Guidelines might be improved by issuing a guideline date for circulation of a discussion draft amongst the subgroup of interested experts. That deadline would be set suitably in advance of the deadline for the submission of draft Test Guidelines to the Office for the TWO session.

75. The TWO agreed to consider starting discussions on the following Test Guidelines in 2007:

Agapanthus
Bougainvillea
Dianthus (Revision)
Heuchera and Heucherella
Hosta
Prunus padus

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

Date and Place of the Next Session

77. At the invitation of the expert from Brazil, the TWO agreed to hold its thirty-ninth session in, Maceio, Alagoas State, Brazil, from August 28 to September 1, 2006.

78. An expert from the European Community expressed an interest to host a future session of the TWO at CPVO in Angers, France.

Future Program

79. The TWO 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
5. TGP documents
6. UPOV Information Databases
7. Project to consider the publication of variety descriptions
8. Criteria for determining off-type plants
9. Discussion on draft Test Guidelines (Subgroups)
10. Recommendations on draft Test Guidelines
11. Date and place of the next session
12. Future program

13. Adoption of report of the session (if time permits)
14. Closing of the session

Technical Visit

80. On the afternoon of September 14, 2005, the TWO made technical visits to: the Agricultural Science Museum of the Rural Development Institute (RDA) in Suwon, where it was welcomed by Dr. Jae Kyu Kim and learned about the current situation of agricultural research in the Republic of Korea; the National Horticultural Research Institute (NHRI) of the RDA in Suwon, where it was welcomed by Dr. Young-Jin Kim and learned about NHRI's breeding activities and toured its greenhouse facilities; and to the Kyunggi Cactus Research Institute (KCRI) in Gyeonggi-do, where it was welcomed by Dr. Sun Jae Kim, heard that cactuses produced in that region of the Republic of Korea accounted for around 70% of global cactus production, and made a tour of the KCRI's greenhouse facilities.

Medal

81. Mr. Chris Barnaby (New Zealand) was awarded a UPOV bronze medal in recognition of his chairmanship of the TWO from 2003 to 2005.

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

[Annexes follow]

ANNEX I

LIST OF PARTICIPANTS

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[Annex II follows]

ANNEX II

WELCOME ADDRESS BY DR. JAE-CHUN SIM
DIRECTOR-GENERAL OF NATIONAL SEED MANAGEMENT OFFICE

Mr. Barnaby, Chairman of the Technical Working Party for Ornamental Plants and Forest Trees, Mr. Button, Technical Director of UPOV, Distinguished Participants, and Ladies and Gentlemen. Welcome to the 38th UPOV TWO meeting!

Let me first extend my sincere gratitude to the Chairman and the UPOV Secretariat for giving us this opportunity to host the UPOV TWO meeting in Seoul, Republic of Korea.

In 2002, we hosted the UPOV/Asian Regional Technical Meeting at the same place and discussed how to enhance cooperation in the field of plant variety protection among Asian countries. Last year, we also hosted the thirty-eighth session of the UPOV Technical Working Party for Vegetables meeting right here.

The Republic of Korea is also expected to be the host of the tenth session of the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) in Seoul at the end of 2006, or the beginning of 2007. As such, the Republic of Korea has been a very active member of the organization.

Mr. Chairman, and honorable delegates from member countries, the Republic of Korea legislated the Seed Industry Law in 1995 and has implemented the plant variety protection scheme since 1997. Joining the UPOV as the 50th member country in January 2002, we have been fully committed to protecting plant varieties through cooperation with UPOV member countries.

As a member of UPOV, the Korean Government 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, the workshop organized by UPOV yesterday was very helpful for the participants in understanding the UPOV system and DUS testing. Again, I would like to thank the UPOV Secretariat for organizing the workshop and all the speakers for giving us excellent presentations.

Mr. Chairman, distinguished delegates, as of July 31, 2005, 2,192 varieties in total have been applied for plant variety protection, of which 1,146 varieties, or 53%, are ornamental species. The major species among them are rose, chrysanthemum, Korean cactus, Petunia, lily and impatiens. However, the PVP rights for most of these varieties are held by foreign breeders. The increase in overseas applications and thus expensive royalties creates a huge burden for Korean farmers. But on the other hand, it is stimulating domestic breeding for ornamental plants. Today there is a growing number of Korean breeders who are interested in the plant variety protection scheme. Therefore, I hope this TWO meeting will make a considerable contribution for Korean breeders.

Earlier, I briefly mentioned that the cooperation among UPOV members is important in harmonizing DUS test for plant variety protection. I hope that your active participation, presentation and deep discussions in this meeting will provide member countries with an excellent opportunity to advance plant variety protection under the UPOV system.

Once again, I would like to thank Mr. Barnaby, Chairman of TWO, and Mr. Button of UPOV for organizing this meeting, and I wish you all good health and a pleasant stay in the Republic of Korea.

Thank you.

[Annex III follows]

ANNEX III

FLOWER PRODUCTION & BREEDING IN THE REPUBLIC OF KOREA


Mr. Ki Sun Kim, Seoul National University
Mr. Young Jin Kim, National Horticultural Research Institute

TWO/38/12 Prov., Annex III

**Flower Production & Breeding
in the Republic of Korea**

Ki Sun Kim
Seoul National University

Young Jin Kim
National Horticultural Research Institute



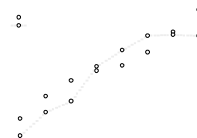
World Flower Production

Country	Cultivate area (ha)	Production value ('02, million \$)
China	147,518 ('00)	7,300 29.2
USA	15,522 ('99)	3,300 13.2
NL	8,479 ('00)	2,900 11.6
Japan	23,749 ('02)	2,800 11.2
Korea	7,522 ('04)	658 2.6
Total	1 Acre = 0.4 ha	25,000 100.0

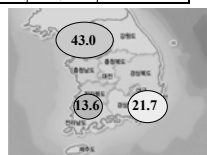
Flower Production by Year

Year	No. of Farms	Production Area (ha)	Production Value (Mil \$)
1971	1,806	-	-
1980	2,733	-	21.3
1985	5,365	2,249	74.6
1990	8,945	3,503	239.3
1995	12,509	5,347	509.0
2000	13,080	6,047	665.0
2004	13,159	7,522	921.8

Production value & Area

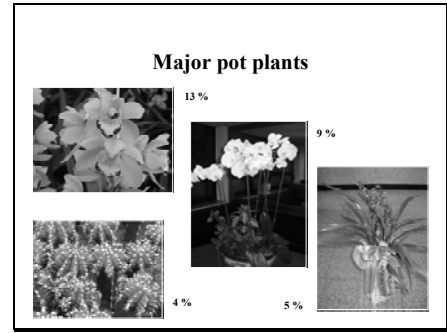
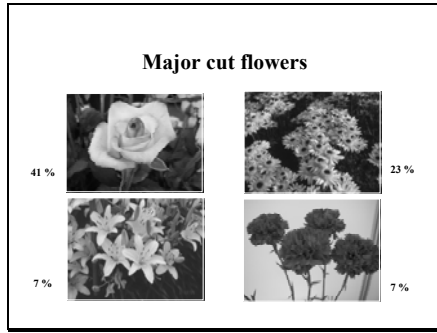


Province	No. of Farms	Area (ha)	Production Value (Mil \$)
Total	13,159	7,522	921.8
SE, GG, IC	5,078	2,100	399.6
BU, UL, GN	2,388	1,469	200.0
GW, JN, JB	2,629	1,946	125.8

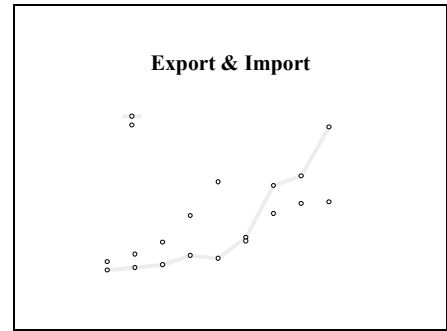


MAF, 2005

	Area (ha)	value (million \$)
Total	7522(100)	922 (100)
Cut flower	2614 (35)	431 (47)
Pot plants	1261 (17)	314 (34)
Bedding plants	440 (6)	76 (8)
Ornamental tree	2016 (27)	55 (6)
Flowering tree	1147 (15)	39 (4)
Seed	21 (0.3)	5 (0.5)
bulb	23 (0.3)	3 (0.3)



- Greenhouse Owner 75%
- Full-time growers 72%
- Over 10 year of farming 62%
- Size over 3,000 sqm 48%
- Protected culture 45%



2004 Export & Import

Export (million \$)	Import (million \$)
Total 48.5	Total 23.4
Japan 36.2	Taiwan 9.2
China 8.0	Netherlands 6.9
USA 2.4	Thailand 3.5
Netherlands 1.0	China 1.8
Taiwan 0.4	Japan 0.4

Major Export & Import species

Export million \$	Import million \$
Total 48.5	Total 23.4
Lily 13.3	Orchids 12.7
Rose 11.6	Lily 4.3
Orchids 10.2	Carnation 0.8
Mum 9.3	
Cacti 2.1	



Reason for Flower Breeding

- To reduce the royalty payment
- To breed plants which adapt to native environment

Flowers bred in Republic of Korea since 1965

Species	No.	Breeding Institution
Cactus	103	NHRI, GCES
Rose	56	NHRI, GG, JN, GB, GNRDA
Chrysanthemum	57	NHRI, YCES, JB, GWRDA, KMC
Lily	40	NHRI, TLES, JBRDA
Cymbidium	14	NHRI, JJRDA
Phalaenopsis	6	NHRI
Carnation	23	NHRI, Garnet
Gerbera	33	NHRI, CFBR1
Gladifolus	24	NHRI

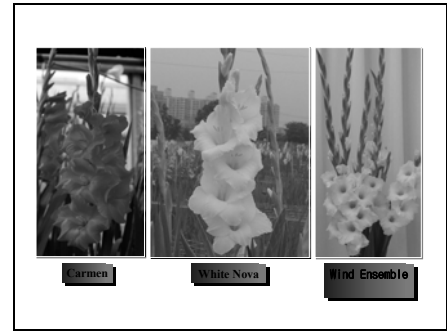
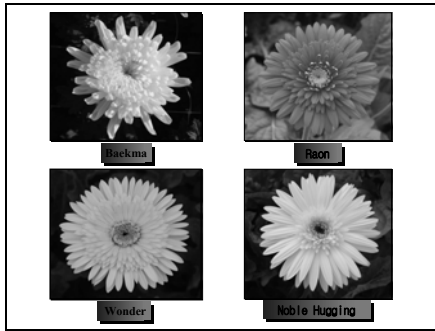
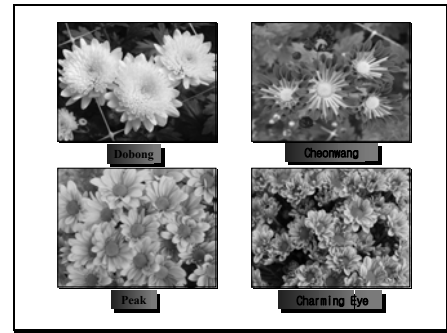
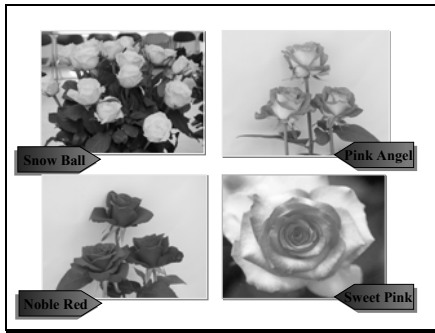
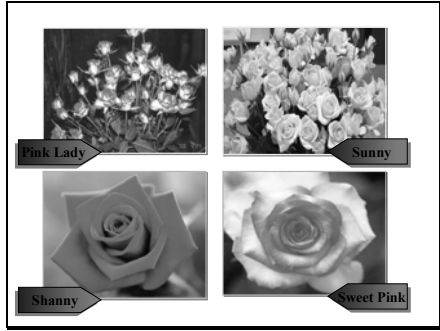
Species	No.	Breeding Institute
Freesia	10	NHRI
Hibiscus	4	NHRI
Eustoma	12	NHRI
Pansy	22	NHRI
Petunia	26	NHRI
Poinsettia	4	NHRI
Amaryllis	9	NISA
Others	20	NHRI, GCES, YPES, NFES
26	463	

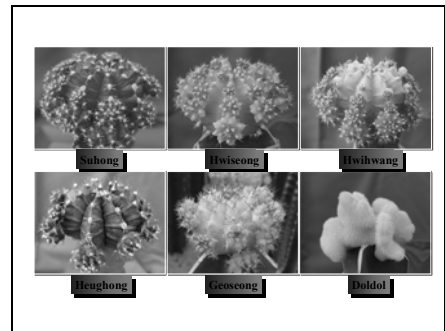
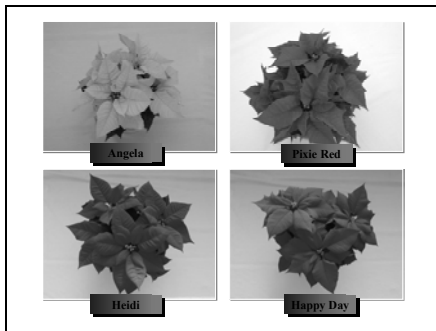
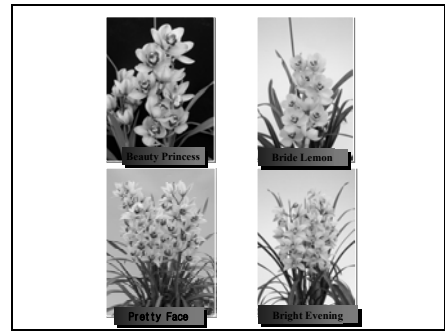
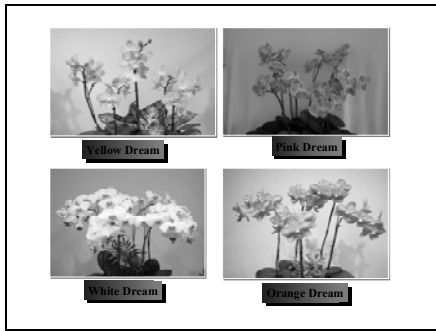
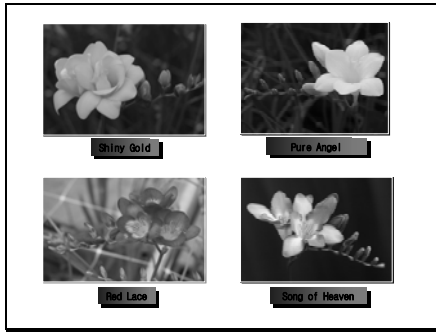
Obstacles for Flower Breeding in the Republic of Korea

- Short flower breeding history less than 15 years
- Led by governmental agencies
- Small number of germplasm collection
- Small size team effort
- Lack of multiplication facilities

Directions for Flower Breeding

- Transfer to private sector
- Major species for breeding
 - Export: rose, chrysanthemum, orchid, lily, cactus
 - Domestic: gerbera, poinsettia, azalea, freesia, eustoma, gladiolus, carnation
- Develop desirable germplasm by biotechnology





Conclusion

- Rapid growth in flower industry
- Rapid increase in flower export
- Short history of flower breeding led by governmental agencies
- Good promising cultivars have been developed.

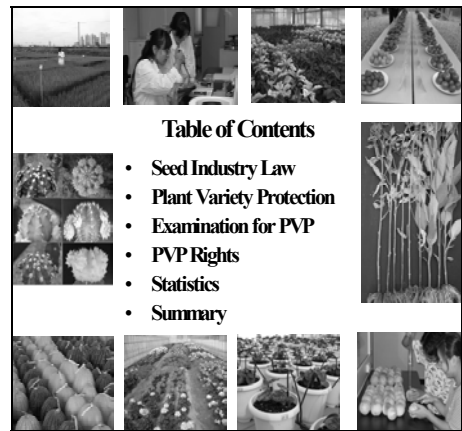
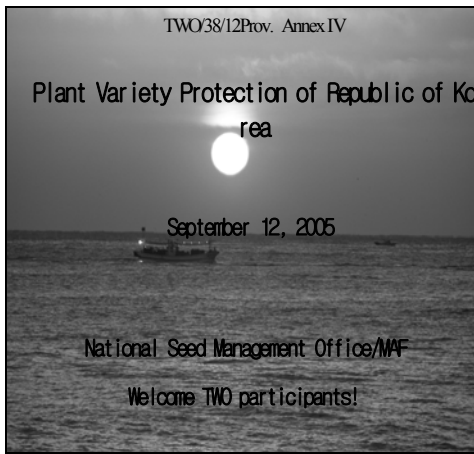


[Annex IV follows]

ANNEX IV

PLANT VARIETY PROTECTION IN THE REPUBLIC OF KOREA

Dr. Keun-Jin Choi, National Seed Management Office



Seed Industry Law

<9 Chapter, 176 Article, 13 Addenda>

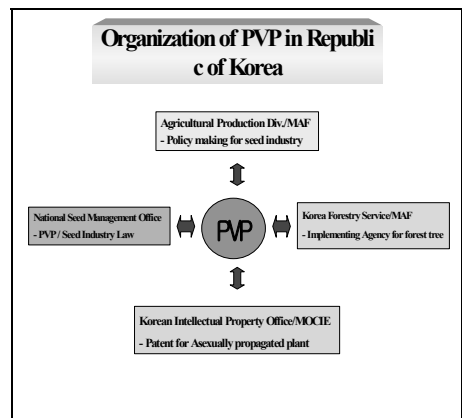
- Plant Variety Protection
- Management of Variety Performance
 - Enlist on National List with VCU test for yield, quality, resistance to stress, processing etc.
 - 5 species (rice, barley, soybean, maize, potato)
- Seed Certification
 - With a certificate after field and seed test
- Controlling Seed Market
 - Investigation of seed circulation
 - Tag of quality guaranteed

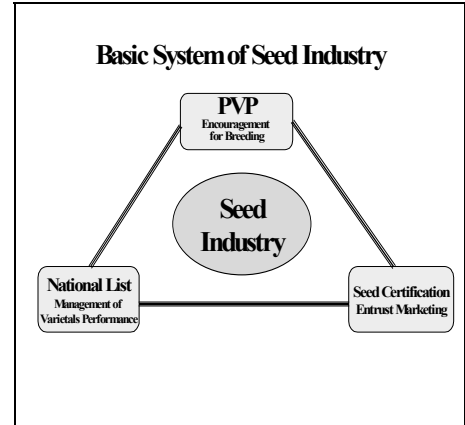
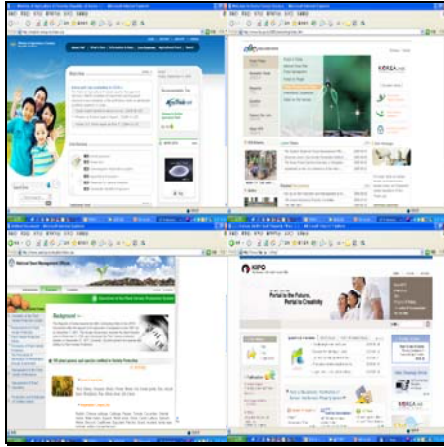
History of Enforcement of Seed Industry Law

- Establishment of Committee for Drafting Seed Industry Law in March, 1995
 - 11 members : breeder, researchers, policy makers etc.
- Established and published for public in December 3, 1995
- Enforcement on December 31, 1997
- 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)
- Conformed with 1991 UPOV Act
 - 50th UPOV member : January 7th, 2002

Background of Establishing Seed Industry Law

- Introducing New System for Seed Industry
 - Plant variety Protection
 - Variety Performance Management
 - Seed Certification
- Simplification of Law Related Variety and Seed
 - Major Crops Seed Law : 15 crops
 - Control of Seeds and Seedlings Law : 33 Crops
- Implementing WTO/TRIPS Agreement
 - TRIPS 27.3 (b)
 - Protection for the New Plant Variety





Genera and Species Designated as PVP

(As of Dec. 2004)

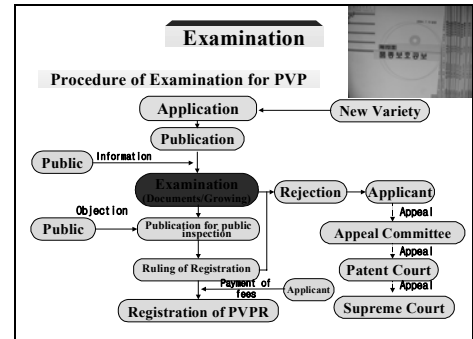
Year	Dec. 31 st 1997	May 1 st 2000	July 1 st 2001	July 1 st 2002	Dec.31 st 2004	Total
No. of species	27	31	30	25	42	155

* Temporary Schedule to be Designated all Plant Genera and Species for PVP in Korea : 2009

Development of Test Guidelines (TG) for the Conduct of DUS test


	1997	2000	2001	2002	2004	Total
UPOV TG *	26	11	7	5	20	69
National TG	1	19	19	11	8	58
Not available	-	-	5	9	14	28
Total	27	30	31	25	42	155

*: UPOV TG was applied with necessary modification



Examination

- Examination : Examiner and DUS test is responsible for experts in NSMO
- Document test
 - Novelty, Denomination
- Growing test (DUS)
 - Distinctness, Uniformity, Stability
 - 2 years in 1 site
- Way of growing test
 - DUS field or green house in NSMO
 - On-site test in breeders' field
 - Entrust to research station or institute
 - Only by document test



Novelty

The variety is new if, at the date of filing of the application, propagating material or harvested material of the variety has not been assigned, by or with the consent of the breeder, for purposes of exploitation of the variety,



- in the territory of the Republic of Korea for longer than one year and
- in a territory other than that of the Republic of Korea for longer than four years (or, in case of trees and fruit trees, for longer than six years).

Denomination

A variety shall have its unique variety denomination

A variety denomination falling under any of the following items may not be registered:

- indicated solely in terms of a number or sign;
- indicated solely in terms of the origin, quality, yield, price, use etc.
- identical with or similar to the variety denomination in same species or genus
- using the denomination of the common name, species or genus of the plant
- liable to disturb public order or good public morals;
- likely to cause mistake or confusion as to its origin
- filed under the Trademark Law prior to the filing date

D U S

- λ Distinctness in the comparison with existed varieties of common knowledge.
- λ Uniformity in the similarity among individuals of the variety.
- λ Stability to be ensure the conformity of all batches produced.

DUS test

Variety Testing Division : Middle part of country

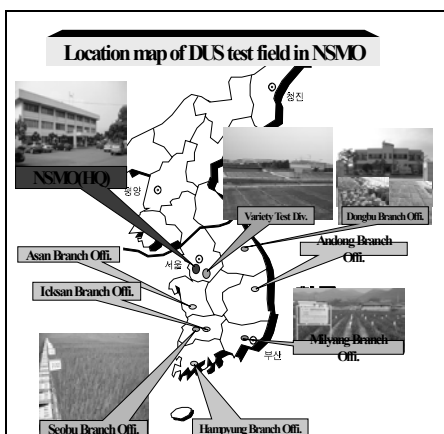
- DUS field test
- * Laboratory Work (DNA & Molecular work)

3 Branch Office

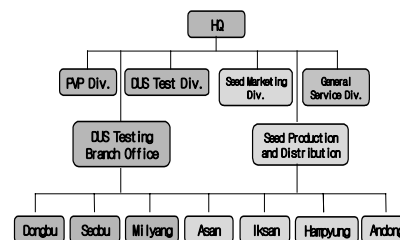
- Eastern Branch Office : Highland Area
- Western Branch Office : Southern West Area
- Mi lyang Branch Office : Southern East Area

Biochemical & Molecular Methods

Description and comparison of varieties
Grouping and assess of similar variety
Development of new tools (PCR, AFLP etc.)
Image analysis for characterization of varieties



Organization of National Seed Management Office



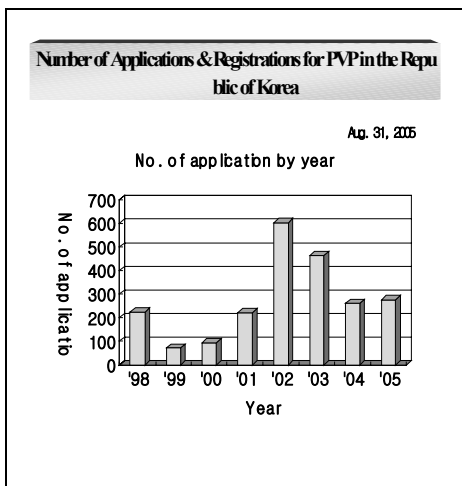
? Total : 164 persons (Persons related to examination : 60)

Number of Applications & Registrations for PVP in the Republic of Korea

August 31, 2005

	Total			Application					
	App.	Rej.	Reg.	~ 2000	2001	2002	2003	2004	2005
Total	2,215	179	1,369	390	221	602	463	262	277
Agriculture	442	9	368	235	41	49	42	34	41
Vegetable	347	38	148	68	45	53	57	83	41
Fruit	120	7	66	46	19	10	18	9	18
Ornamental	1,165	117	680	33	46	473	329	122	162
Forage	11	-	6	3	1	-	4	1	2
Industrial	115	7	93	5	66	17	9	8	10
Mushroom	15	1	8	-	3	-	4	5	3

App. : application, Rej. : rejection, Reg. : registration



Application for PVP in major ornamental species

Species	Total	~ 2000	2001	2002	2003	2004	2005	Reg
Total	1,165	33	46	473	329	122	162	690
Rose	457	-	18	274	88	48	29	339
Chrysanthemum	213	-	-	94	64	27	28	133
Korean Cactus	78	27	14	5	11	12	9	49
Ptunia	55	4	-	11	36	4	-	44
Lily	46	-	-	25	7	7	7	18
Impatiens	45	-	11	-	31	3	-	28
Kalanchoe	40	-	-	-	36	2	2	-
Platycodon	30	-	-	-	13	-	17	-
Hibiscus	16	-	3	-	7	-	6	5
Others	185	2	1	64	43	19	64	64



Effects of the Variety Protection Right

- An exclusive right to exploit for the protected variety (propagation, production, processing, assignment, leasing, export, import, or display of the seeds)
- An exclusive right to exploit harvested material and the product
- Also apply in relation to the variety as follows;
 - essentially derived variety from the protected variety
 - not clearly distinguishable from the protected variety
 - requires the repeated use of the protected variety for seed production

Scope of no Effect of the Variety Protection Right

- For self-consumption and for non-commercial purposes
- For experimental and research purposes;
- For the purpose of breeding other varieties.
- For the purpose of self-production by farmer.

? Self-production of Seeds by Farmers

The scope of limiting the variety protection right when a farmer himself/herself gathers seeds for the purpose of self-production shall be up to the maximum amount of seeds that can be planted on the land cultivated by the corresponding farmer.

Penalty for infringement of PVPR

- **Infringement of PVPR**
 - imprisonment for not more than five (5) years or a fine not exceeding thirty million (30,000,000) Won:
 - (1) infringes a variety protection right or exclusive license;
 - (2) infringes a provisional protection right, only where the variety protection right has been registered
 - (3) rendered a variety protection ruling or trial decision through a fraudulent act or any unlawful method.
- Prosecution for offenses shall be initiated upon filing of a complaint by an injured party.



Future Challenges

- Extension of Genera and Species for PVP
- Establishment of the Test Guidelines
- Cooperation with ASIAN countries
- Construct the efficient system in DUS test
- Research and Development of DUS test



Thank you !

~<http://www.seed.go.kr>~
Keun Jin, Choi
kjchoi@seed.go.kr
National Seed Management Office/MAF



[Annex V follows]

ANNEX V

UPOV Color Groups

NEW UPOV Group No.	Current UPOV Group No.	English	NEW UPOV Group No.	Current UPOV Group No.	English	NEW UPOV Group No.	Current UPOV Group No.	English
1	50	white	22	12	dark pink red	42	45	dark brown
2	34	light green	23	13	purple red	43	46	light yellow brown
3	33	green	24	14	dark purple red	44	39	yellow brown
4	37	dark green	25	43	brown red	45	40	orange brown
5	1	yellow green	26	44	brown purple	46	38	grey brown
6	32	grey green	27	15	purple	47	36	green brown
7	29	light blue green	28	18	violet	48	47	grey
8	31	blue green	29	20	dark violet	49	48	green grey
9	35	brown green	30	19	light blue violet	50	49	black
10	3	light yellow	31	21	blue violet			
11	2	yellow	32	23	light violet blue			
12	5	light yellow orange	33	22	violet blue			
13	4	yellow orange	34	26	light blue			
14	6	orange	35	24	blue			
15	7	orange pink	36	25	dark blue			
16	10	light red pink	37	27	light green blue			
17	11	red pink	38	28	green blue			
18	16	light blue pink	39	30	grey blue			
19	17	blue pink	40	41	light brown			
20	8	orange red	41	42	brown			
21	9	red						

[Annex VI follows]

LIST OF LEADING EXPERTS

**DRAFT TEST GUIDELINES TO BE SUBMITTED
TO THE TECHNICAL COMMITTEE IN 2006**

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

before October 28, 2005

Test Guidelines	Document	Leading expert(s)
Alstroemeria (Revision)	TG/29/7(proj.2)	Mr. Barendrecht (NL)
Chrysanthemum (Revision)	TG/26/5(proj.2)	Miss Scott (GB)
Dahlia	TG/DAHLIA(proj.4)	Miss Scott (GB)
New Guinea Impatiens (Revision)	TG/196/2(proj.1)	Ms. Menne (DE)
Rose (Revision)	TG/11/8(proj.3)	Mr. Barendrecht (NL)
Tagetes	TG/TAGETE(proj.3)	Mr. Serrato Cruz (MX) and Mr. Brand (FR)
Tulip (Revision)	TG/115/4(proj.2)	Mr. Barendrecht (NL)
Willow (Revision)	TG/72/6 (proj.1)	Ms. Menne (DE)

POSSIBLE "FINAL" DRAFT TEST GUIDELINES
TO BE DISCUSSED AT TWO/39**before July 14, 2006****(Guideline date for Subgroup draft to be circulated by Leading Expert: May 12, 2006
Guideline date for comments to Leading Expert by Subgroup: June 16, 2006)**

Species	Basic Document	Leading expert(s)	Interested experts (countries) ¹
Angelonia	TG/ANGLN(proj.1)	Mrs. Eddy-Costa (AU)	CA, CPVO, DE, GB
Azalea (pot) (Revision)	TG/140/4(proj.1)	Ms. Menne (DE)	AU, CPVO, NZ
Clematis (Revision)	TG/215/1	Ms. Marshall, CA	CPVO, DE, FR, GB, JP, NL, NZ
Diascia	TG/DIASC (proj.1)	Mr. Michel Cormier (CA)	AU, GB, PL, JP, NZ, ZA
Elatior Begonia (Revision)	TG/18/5(PROJ.1)	Ms. Menne (DE)	CPVO, JP
Hibiscus	TG/HIBIS(proj.2)	Mrs. Yang (KR)	AU, BR, DE, GB, HU, IL, JP, KE, NZ, ZA
Sutera and Jamesbrittenia	TG/SUTERA(proj.1)	Ms. Menne (DE)	AU, CA, GB, NZ, PL, ZA

¹ for name of experts, see List of Participants

DRAFT TEST GUIDELINES TO BE DISCUSSED AT TWO/39

New draft to be submitted to the Office of the Union
before July 28, 2006

**(Guideline date for Subgroup draft to be circulated by leading expert: May 12, 2006
Guideline date for comments to leading expert by Subgroup: June 16, 2006)**

Species	Basic Document	Leading expert(s)	Interested experts (countries) ¹
Buddleja	TG/BUDDL(proj.1)	Mr. Brand (FR)	AU, CPVO, GB, HU, NZ
Canna	TG/CANNA(PROJ.1)	Mr. Brand (FR)	HU, NL, NZ
Eucalyptus (part of genus only)	TG/EUCAL(PROJ.2)	Mrs. de Moraes Aviani (BR)	AU, CPVO, FR, IL
Gladiolus (Revision)	TG/108/3	Mr. Barendrecht (NL)	CPVO, IL JP, KR
Gypsophila	TG/GYPSO(proj.1)	Mr. Bar-Tel (IL)	AU, BR, CPVO, KE, KR, PL, ZA
Hevea (Rubber)	TG/HEVEA(proj.1)	Mrs. de Moraes Aviani (BR)	FR, NZ
Hydrangea (Revision)	TG/133/3	Mr. Brand (FR)	ZA, CPVO, JP, NZ
Kalanchoe (Revision)	TG/78/3 + Add.	Ms. Menne (DE)	ZA, CA, DK, CPVO, IL, KR
Lily (Revision)	TG/59/6 (Rev.)	Mr. Barendrecht (NL)	AU, BR, CPVO, GB, IL, JP, KR, ZA
Nerium oleander L.	New	Mr. Brand (FR)	IL
Nemesia	New	Miss Scott (GB)	AU, ZA, CA, NZ
Osteospermum (Revision)	TG/176/3	Ms. Marshall (CA)	DE, AU, ZA, NZ
Phlox	New	Ecuador	CA, GB, NL, ZA
Poinsettia (Revision)	TG/24/5, TWO/35/19	Mr. Jacobsen (DK)	AU, CA, CPVO, DE, JP, KR, MX, NL, PL
Portulaca	New	Mr. Mizuno (JP)	NL, IL (and possibly TWV)
Tea (<i>Camellia sinensis</i> (L.) Kuntze)	New	China and Kenya (TWA)	GB, KR, NZ, ZA

DRAFT TEST GUIDELINES TO POSSIBLY BE DISCUSSED IN 2007

Species	Basic Document	Leading expert(s)	Interested experts (countries) ¹
Agapanthus	New	Ms. Croukamp (ZA)	GB, AU, IL, NL, NZ
Bougainvillea	New	Mrs. Eddy-Costa (AU)	DK, IL, NZ, ZA
Dianthus (Revision)	TG/25/8	Mr. Barendrecht (NL)	CPVO, GB, IL, JP, KR
Heuchera and Heucherella	New	Miss Scott (GB)	NZ, CA, AU, CPVO
Hosta	New	Mr. Barendrecht (NL)	CPVO, ZA
Prunus padus	New	Ms. Pete (HU)	CPVO

[End of Annex VI and of document]