



TWO/45/15

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**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**

Geneva

**TECHNICAL WORKING PARTY FOR ORNAMENTAL PLANTS AND FOREST TREES****Forty-Fifth Session****Jeju, Republic of Korea, August 6 to 10, 2012****REVISION OF DOCUMENT TGP/7:  
GUIDANCE FOR PROVIDING PHOTOGRAPHS WITH THE TECHNICAL QUESTIONNAIRE***Document prepared by experts from the European Union***BACKGROUND**

1. The Technical Committee (TC), at its forty-eighth session, held in Geneva, from March 26 to 28, 2012, recalled that, at its forty-seventh session, it had agreed that further consideration should be given to the nature of the guidance of the document in order to avoid setting requirements that were not realistic for breeders. It was also agreed that the relationship between the characteristics in the Technical Questionnaire and the photographs should be clarified (see document TC/47/26 "Report on the Conclusions", paragraphs 69 and 70).
2. The TC agreed that a new draft of the guidance in document TC/48/18, Annex IV, reflecting the comments of the Technical Working Parties (TWPs) and the Enlarged Editorial Committee (TC-EDC), should be prepared by the experts from the European Union, for consideration by the TWPs at their session in 2012 (see document TC/47/26 "Report on the Conclusions", paragraphs 46 and 47).
3. The Annex to this document contains a new draft of the guidance for providing photographs with the Technical Questionnaire prepared by experts from the European Union for consideration by the TWPs at their sessions in 2012.

[Annex follows]

## GUIDANCE FOR PROVIDING PHOTOGRAPHS WITH THE TECHNICAL QUESTIONNAIRE

Additional Standard Wording (ASW)

Currently, TGP/7 (TG Template: Chapter 10: TQ 7.3) ASW 16 “Where a photograph of the variety is to be provided” states the following:

“A representative color photograph of the variety should accompany the Technical Questionnaire”

That text could be expanded in the Technical Questionnaire (TQ) in order to briefly explain to applicants the purpose of the color photograph. A weblink could also be created via the new text in the TQ in order to provide greater details on the best manner in which to take photographs, based on documents TWO/42/16 and TWF/40/14. The proposed new text for ASW 16 could read as follows

“A representative color photograph (image) of the variety displaying its main distinguishing feature(s), must accompany the Technical Questionnaire. [A photograph provided according to the specified requirements (see [authority reference to be added]) in an appropriate format will help the examination authority to prepare its examination of distinctness in a more efficient way, by giving a visual illustration of the candidate variety which supplements the information provided in the Technical Questionnaire. The information provided by the photograph may be used in the selection of the most similar varieties of common knowledge to be grown alongside the candidate variety in the trial, as well as to group the variety optimally within the DUS trial.]”

The following checklist outlines the requirements for a representative color photograph of a candidate variety:

- Clear and well focused image of the plant/plant parts
- High quality printed photo, and/or high resolution electronic format version
- Neutral background
- Demonstration of distinguishing characteristics (in particular color) at optimal time for observation
- Possible comparison to a nominated similar variety
- Date and location of photograph taken
- Correct labeling and scales (e.g. metric, color chart)

Guidance for applicants on providing suitable photographs of the candidate variety as accompaniment to the Technical Questionnaire*Introduction*

The taking of photographs of candidate varieties is influenced by factors, such as light conditions, quality and setting of the camera, and the background. The perception of the photograph can also be affected by the quality, settings and resolution of the screen and printout or developed photographs. It is certainly not possible to standardize all conditions when photos are taken in the premises of the applicant but this document aims to provide guidance in order to provide meaningful and coherent information on the candidate variety, while on the one side decreasing the influence of the origin of the photograph (location, equipment, etc), and on the other side making the relevant authorities aware of possible influences to be taken into account when making use of the photographs provided. By decreasing the influence of these external factors on the taking of photographs, it will in particular help to ensure that “color”, the trait most liable to be affected by such factors, will be reliably represented in photographs provided by applicants.

*Criteria for taking photographs*Format

Photographs must be in color and submitted either in print form of at least 10cm x 15 cm, and/or as an electronic photo in a frequently used format such as jpeg (minimum 960x1280 pixels). The photograph must be well focused and aim to have the plants or plant parts occupy as much of the frame of the photograph as possible. It should be noted that different makes/models of computer screens can influence the expression of the color and the advantage of a printout is that the applicant can make a comment, e.g. actual color darker,

and the examination authority would see exactly the same printout. Conversely, the advantages of having an image in an electronic format are that this could display the camera type and settings, date and GPS location of the taken photo, the possibility to exchange the image instantaneously via electronic means, and the possibility to store the image indefinitely electronically without a reduction in quality.

#### Best time for taking photographs

Photographs must illustrate plants of the candidate variety at the stage when the distinguishing features of the variety are most apparent. Often this is when the plants are fully developed and at the stage when they are of commercial value (e.g. flowering for many ornamentals, fruiting for many fruit species), which usually corresponds to the most numerous set of characteristics in the corresponding UPOV guideline for the species in question.

#### Photographic environment

Photographs should be taken under adequate light conditions and with an appropriate background. It is preferable to have photographs taken indoors, since one can ensure homogenous photographic conditions irrespective of the type of photographs and number of candidate varieties supplied by the same applicant. The background of the photograph should be neutral (e.g. off-white in case of dark colors or grey in case of light colors) and should not have a shiny surface. If the photograph is taken indoors, then this should preferably be done in the same room and under artificial light conditions which will ensure identical and ample luminosity on repeated occasions over time. If a photograph has to be taken outdoors, then this should not be in direct sunlight but in a shaded area with as much indirect natural light as possible or on a cloudy day.

#### Specification of growing conditions

The applicant should provide information on the date and location of the photograph taken. The plants of the candidate variety appearing in the photographs should have been grown under standard growing conditions for the crop in question, or under any specific conditions as may have been indicated for the candidate variety in the Technical Questionnaire (e.g. indoor, outdoor, season of the year). If this is not the case, then any possible alteration in the expression of the characteristic(s) appearing in the photographs must be specified (e.g. seasonal conditions may influence the color and pattern of fruit and flowers, such as over coloring in apple according to outdoor light intensity and night temperatures, delphinium grown either outdoors or indoors).

#### Plant organs to be displayed

The photographs should show the plant parts which are a distinguishing feature of the candidate variety, as well as those of the whole plant and the most important commercial organs (flower, fruit, etc.). If the distinguishing features of the candidate variety are very specific (e.g. seed size, shape of leaf/flower/fruit, length of awns, color pattern of flower/fruit, etc.) it is recommended to remove these plant parts from the plant and take a well-focused close-up photograph of them. For some crops (e.g. peach, tomato), a photograph of a mass view of several harvested fruit in an industry-standard tray can provide of valuable illustration of the candidate variety.

#### Similar varieties

Although not a requirement, the applicant may wish to illustrate differences between the candidate variety and the variety thought to be the most similar as nominated by him/her under point 6 of the Technical Questionnaire, by providing photographs of the candidate variety alongside the aforesaid similar variety. In such photographs, the distinguishing plant parts of the candidate variety should be photographed alongside the same plant parts of the nominated similar variety(ies). Where there is more than one similar variety named by the applicant, a separate photograph of the relevant plant parts of the candidate variety and each of those of the similar varieties could be provided.

#### Labeling

A photograph must be clearly labeled with the breeder's reference and/or (proposed) variety denomination of the candidate variety; trade names may be used only in addition to the breeder's reference and/or (proposed) variety denomination.

Metric scales

A metric scale in centimeters – also millimeters where a close-up photograph has been taken – should ideally appear along the horizontal and/or vertical margins of the photograph. .

Color characteristics

For ornamental species, reference to the relevant RHS Colour Chart placed alongside the pertinent plant organ (e.g. flower) provides greater precision. For other crop sectors, industry-recognized color charts can also be displayed alongside the pertinent plant organ (e.g. apple fruit). Likewise, the color itself of the plant organ may not be the most representative feature of the candidate variety but rather the color pattern (e.g. pattern of over color in apple fruit, stripes/spots/netting in Phalaenopsis), and this can be well illustrated in a clear and well focused photograph.

[End of Annex and of document]