

TWV/35/18

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS GENEVA

TECHNICAL WORKING PARTY FOR VEGETABLES

Thirty-Fifth Session Salerno, Italy, June 25 to 29, 2001

REPORT

prepared by the Office of the Union

Opening of the Session

- 1. The thirty-fifth session of the Technical Working Party for Vegetables (hereinafter referred to as "TWV") was held in Battipaglia (Salerno), Italy, from June 25 to 29, 2001. The list of participants is reproduced as Annex I to this report.
- 2. The session was opened by Ms. Julia Borys (Poland), Chairperson of the TWV. The Chairperson welcomed especially the experts from Romania, which had joined the UPOV Convention on March 21, 2001.
- 3. On behalf of the *Ente Nazionale delle Sementi Elette* (ENSE), Dr. Giacomo Maurizio, General Manager of ENSE, welcomed the participants to Battipaglia.
- 4. Dr. Maurizio gave a brief introduction on the activities of the ENSE. His presentation is reproduced in Annex II to this report.

Adoption of the Agenda

5. The TWV adopted the revised agenda as reproduced in document TWV/35/1 Rev., after having agreed that the preliminary discussions on draft Test Guidelines documents and/or working papers should take place in two subgroups to be established at the end of the first day.

Short Reports on Various Items

- 6. Mr. Makoto Tabata had taken up his duties as Senior Counsellor at UPOV on July 6, 2001.
- 7. The expert from Mexico reported that national test guidelines had been established for squash and husk tomato. The representative of the Community Plant Variety Office (CPVO) mentioned that an expert group had been established to prepare test guidelines for 15 important vegetable species.
- 8. The expert from the Netherlands reported that the Seeds and Planting Material Act had been revised to bring it into conformity with the EC regulations. The expert from Croatia reported that plant variety legislation, compatible with the 1991 Act of the UPOV Convention, had been in place in the country since 1998 and Croatia would become member of the UPOV Convention very soon. The experts from the Czech Republic, Hungary, Poland and Slovakia reported that the revision of their national laws was underway to bring them into conformity with the EC regulation.
- 9. The expert from Spain reported that the Plant Variety Office had been reorganized and the administrative functions were now under the responsibility of the Ministry of Agriculture, but the technical work had been transferred to the Ministry of Science and Technology.
- 10. The TWV noted that significant technical cooperation activities had been established among East-European member States for the DUS testing of vegetable varieties. Cooperation also extended to non-member States in the region, such as Latvia and Lithuania.
- 11. The expert from the Netherlands introduced a potential difficulty in dealing with the uniformity of varieties used by both organic and conventional growers, since the organic producers wished to have a lower level of uniformity compared to the uniformity level required for variety protection. He wondered whether different levels of uniformity could be introduced for PBR and for marketing of varieties for organic production. The expert from France explained that for organic production there were no uniformity criteria and that a group called "European network for bio-organic varieties" proposed that uniformity should not be claimed in the case of such varieties.
- 12. The representative of the African Intellectual Property Organization (OAPI) reported that a system for Plant Variety Protection under the Bangui Agreement would be implemented in the near future and that a regional seminar on the common system for the technical examination of varieties would be organized by UPOV on July 2 and 3, 2001, in Dakar, Senegal.

Standardization of Disease Resistance Tests

- 13. The expert from the Netherlands introduced document TWV/35/2. He emphasized that disease resistance was a primary breeding goal in many vegetable species, but the DUS examination of disease characteristics caused certain difficulties, due to the lack of standardized methods. It was also explained that intermediate levels of disease resistance were observed, and this should be reflected in the UPOV Test Guidelines. The representative of ASSINSEL supported this view. The TWV noted, however, that the recognition of intermediate levels in disease characteristics might bring an additional burden for the applicant to fulfill the uniformity requirement in such characteristics.
- 14. The expert from the Netherlands reported an attempt in his country to establish a standardized protocol between the seed industry and the Netherlands Inspection Service for Horticulture. He concluded that the key factor for a successful protocol would be the source and quality of inocula used for disease testing. The maintenance and distribution of standard varieties and standard inocula would be critical and would best be ensured by a specialized agency.
- 15. The TWV agreed to propose to the Technical Committee that the issue of disease resistance should be dealt with in TGP/12, Special Characteristics, with a view to the standardization of disease resistance tests and the inclusion of intermediate states of disease resistance in the Test Guidelines, where appropriate. A first draft will be prepared for the TWV, by the expert from the Netherlands, for the next session and this will be presented to other Technical Working Parties (hereinafter referred to as the "TWPs") during the course of 2002.

Reports on the Work in the Technical Committee and other TWPs

- 16. The Technical Director provided a brief report on major points of discussion in the Technical Committee.
- 17. The Technical Director advised that 24 member States had replied so far to the Questionnaire on the Level of Involvement of the Applicant in the Growing Test (Circular U 3082). A report on the results of the questionnaires would be sent to the Technical Committee and the TWPs for the development of document TGP/6 "Arrangements for DUS Testing." The expert from France observed that the cooperation with breeders would become increasingly necessary since protection must be offered to all plant taxa under the 1991 Act of the UPOV Convention. He considered that clear criteria for cooperation should be introduced in order to maintain the quality of DUS testing. The importance of the maintenance of reference varieties was also mentioned.
- 18. In reply to the question raised by the expert from the Netherlands, the Technical Director explained that the Working Group on the Publication of Variety Descriptions would make a report to the Administrative and Legal Committee (CAJ) at its forty-fourth session in October 2001.

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Revised General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants

Discussions on Document TC/37/9(a)

- 19. The TWV was informed that the Technical Committee had examined a draft for the General Introduction at its thirty-seventh session in April 2001 and agreed that a revised draft, presented as document TC/37/9(a), should be submitted to the TWPs for further comments. In the absence of any need for substantial revision of the document, the Technical Committee would be invited, by correspondence, to approve the submission of the document to the Council for adoption as document TG/1/3 in October 2001, or in the case of a need for substantial changes, a revised document would be prepared for consideration at the thirty-eighth session of the Technical Committee in April 2002. The TWV was informed that the Technical Working Party on Automation and Computer Programs (TWC) had already examined document TC/37/9(a) and its comments had been provided in document TWV/35/16.
- 20. The expert from France mentioned that the French translation should be improved in document TC/37/9(a).
- 21. The amendments proposed by the TWV are reproduced in Annex III to this document.

Discussions on Associated TGP Documents

- 22. The Technical Director introduced document TWV/35/14 which identified matters to be covered by each of the TGP documents and the intended time schedule for their preparation.
- 23. The TWV explored its possibility of contributing to the development of the TGP documents. The decisions taken by the TWV are reproduced in Annex IV to this document.

Discussion on Draft TGP/7: "Development of Test Guidelines" (TWV/35/15)

24. The TWV examined the draft Test Guidelines template as presented in the Annex to document TWV/35/15, and the notes intended to be used by drafters of UPOV and national Test Guidelines. The TWV proposed amendments, both in the template and the Drafters' Notes, as reproduced in Annex V. The TWV requested that they be circulated with the draft version of document TGP/7 to be submitted to the Technical Committee as soon as this was available

Types of Characteristics and their Scale Levels

25. The TWV noted document TWV/35/17 on types of characteristics and their scale levels, prepared by experts from Germany. Lack of time prevented the TWV from in-depth examination of the document.

Report of the *Ad Hoc* Crop Subgroups on Molecular Techniques

- 26. The TWV was informed that the Crop Subgroups for Maize, Oilseed Rape, Rose, Tomato and Wheat, established by the Technical Committee, following the recommendation by the Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT) and formed jointly by crop experts and biomolecular technicians, had met during February/March 2001. The subgroups had considered where there was most need for molecular techniques and examined various possible models for the way in which such techniques might be introduced for DUS testing.
- 27. There had been a broad consensus amongst participants of the subgroups that the greatest need for the development of molecular characteristics was in the management of reference collections.
- 28. For the possible models of examination of distinctness, the subgroups had considered three options, namely: (Option 1) molecular characteristics as predictors of traditional characteristics, (Option 2) calibration of molecular characteristics against traditional characteristics, and (Option 3) development of a new system. The subgroups observed that existing protected varieties, at least to some extent, showed some lack of uniformity in molecular characteristics and had discussed how this might be addressed.
- 29. Mr. Richard Brand (FR), Chairman of the Subgroup for Tomato, explained that the purpose of the work of the Subgroup for Tomato was to explore the possible development of a system to use molecular techniques for DUS testing for tomato. In France, efforts were being made to find a relationship between molecular and traditional characteristics with a view to using the former as predictor of the latter. It would be advantageous to replace traditional testing methods with molecular techniques in the case of characteristics requiring costly testing methods. The work included a documentary study and the use of microsatellite markers. Mr. Brand regretted that the lack of time hampered in-depth discussion on this subject during the meeting of the Subgroup.
- 30. The representative of ASSINSEL expressed his hope that this study would be continued and wondered whether further international cooperation should be pursued to achieve a harmonized approach for the use of molecular techniques, e.g. microsatellite markers. The TWV was informed that a study had been initiated by the Subgroup for Wheat to consider the possibility of harmonizing a microsatellite marker set for wheat varieties. In the case of tomato, the information included in document BMT-TWV/Tomato/1/1 described the current status of the use of microsatellite markers for discriminating existing tomato varieties.
- 31. The TWV was informed that there was a certain interest in some countries in the possibility of using microsatellite markers for other vegetables, such as lettuce, pepper and melon. The TWV recommended that the Tomato subgroup's work should be continued and extended to cover vegetable species other than tomato where work was being undertaken. Members of the TWV agreed to notify the Office of UPOV where work was planned and, in addition, to submit papers to the next session of the BMT.
- 32. The TWV requested that it be kept informed on the development of the work within the BMT.

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Final Discussion of Draft Test Guidelines and Working Papers on Test Guidelines¹

33. Two Subgroups were established to expedite the development of draft Test Guidelines. The Subgroups were as follows²:

(a) Subgroup I: Broad Bean (Mr. Green (GB))

Celeriac (Mr. Pfülb (DE)) Celery (Mr. Green (GB))

Chinese Cabbage (Mr. Tanaka (JP))

Kohlrabi (Mr. Pfülb (DE))

Vegetable Kale (Mr. Green (GB))

(b) Subgroup II: Basil (Mr. Brand (FR))

Egg Plant (Mr. van Ettekoven (NL))

Lentil (Mr. Brand (FR))

Lettuce (Mr. van Marrewijk (NL)) Squash (Ms. van Leeuwen (NL))

Thyme (Mr. Brand (FR)).

34. The results of the Subgroups were reported to the TWV meeting in plenary.

Vegetable Kale (Revision)

- 35. The TWV reviewed document TG/90/5(proj.) and made the following substantial changes to it:
- (a) <u>Methods and Observations</u>: The second paragraph to be replaced by the general statement on relative uniformity.
 - (b) Explanations on the Table of Characteristics:
- Ad. 4 The drawing for state 3 to be deleted; the notes for the remaining drawing to be corrected;
 - (c) Technical Questionnaire:
- 7.2 The types of material to read: Borecole/Curly Kale; Collards and Tree Kale and to receive descriptions from Mr. Green and to be included also under Chapter V (Grouping of Varieties).

Only substantial changes are reported in this document. Editorial changes, grammar, translation or spelling errors are not reported here, but will be provided by the Office of the Union on request.

The name of the leading expert is inserted in the brackets.

Basil

- 36. The TWV reviewed document TWV/35/10 and made the following substantial changes to it:
- (a) <u>Characteristic and Symbols</u>: Paragraphs 4 (Development Stage) and 5 (Kind of Observation) should be deleted from this Chapter and the symbols indicated under the said paragraphs should be removed from the Table of Characteristics.
 - (b) <u>Table of Characteristics</u>:

Characteristics

- 1 To read: "Plant: shape of plant"
- 3, 8 To be deleted
- 13 To read: "Leaf blade: anthocyanin coloration of upper side"
- 14 To read: "Leaf blade: intensity of anthocyanin coloration of upper side"
- 18 To read: "Leaf blade: intensity of blistering"
- 19 To have the order of the states "concave" and "convex" reversed
- 24 To read: "Plant: average length of internode (at the end of flowering)"
- 25 To read: "Plant: total length of inflorescence (at the end of flowering)"
- 27 To have the states replaced by "few (3), medium (5) and many (7)"
- 29 To be deleted
- 30 To read: "Time of flowering"
- 31 To have the state "other" deleted;
 - (c) Technical Questionnaire:
- 7.2.1 The question concerning the type of culture should be deleted, while the question on the use of varieties should be presented in the same way as the corresponding section of the draft Test Guidelines document for Thyme (document TWV/35/6). The word "aromatic" should be replaced with "culinary."

Broad Bean (Revision)

37. Lack of time prevented the TWV from examining the working paper on Test Guidelines for Broad Bean (document TWV/35/9).

Celeriac (Revision)

- 38. The TWV reviewed document TWV/35/3 and made the following main changes to it:
- (a) <u>Conduct of Test</u>: In paragraph 3, the number of plants included in each test should be 60 instead of 40.
 - (b) <u>Table of Characteristics</u>:

- To read: "Foliage: number of leaves" with the states of expression "few (3), medium (5) and many (7)"; to have an additional characteristic inserted reading: "Foliage: diameter of insertion of petiole in tuber" with states of expression "small (3), medium (5) and large (7)" (ASSINSEL to provide example varieties)
- 8 To read: "Leaf blade: distance between first and second leaflet pairs"
- 9 To have the states of expression renamed as "short (3), medium (5) and long (7)"
- To have the state "truncate" replaced by "rounded" and to be handled as qualitative characteristic
- 14 To read: "Leaflet: Density of margin incisions"
- To read: "Leaflet: spacing of lobes" and to the state of expression "detached" renamed as "not touching"
- 25 To have the states of expression replaced by "small (3), medium (5) and large (7)"
- 27 To read: "Tuber: internal rust spot of flesh (after cut open)"
 - (c) Explanations on the Table of Characteristics:
- Ad 17 The drawings to be improved by the expert from Germany to indicate the degree of protrusion more clearly
- Ad 20 The explanation to be extended by the expert from Germany to cover Characteristic 3 (a)
- Ad 27 The explanation should be modified to read: "The flesh should be assessed for internal rust spots, one hour after cutting the tuber in the longitudinal section.
 - (d) Technical Questionnaire:
- 4.1 The section for methods of maintenance and reproduction should receive an additional row reading "others (please specify)"

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7.3	The clause inserted should read "A representative photocopy of one or more
	terminal leaflet(s) of the variety in original size may be included in the Technical
	Questionnaire."

Celery (Revision)

- 39. The TWV reviewed document TWV/35/8 and made the following substantial changes to it:
 - (a) Table of Characteristics:

Characteristics

- 9 To have the example varieties "Claudius, Early Spring (3)," "Green Sleeves, Octavius (5)" and "Groene Pascal, Florida 683 (7)" inserted
- To have the example variety "Early Spring" inserted for state 7
- To read: "Leaflet: shape of tips on margin" with states of expression "acute (1)" and "rounded (2)" and new example varieties to be provided by the expert from the United Kingdom
- To read: "Leaflet: spacing of lobes" and to have the example varieties "Golden Spartan, Uta (3)", Early Spring, Victoria (5)" and "Claudius (7)" inserted
- 19 To be deleted
- 20 To read: "Petiole: profile of inner side in cross section" and to have new drawings inserted in Chapter VIII
- 21 To have an asterisk inserted
- To be deleted
 - (b) Literature: The last entry of the literature should be deleted.
 - (c) Technical Questionnaire:
- 4.1 Method of maintenance and reproduction: To be extended as follows:
 - 4.1 Method of maintenance and reproduction

(i)	hybrid	
(ii)	open-pollinated	[]
(iii)	other (please, indicate)	[]

5. Characteristics of the variety to be indicated: To have characteristic 21 inserted.

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7.	Additional	information	which	may	help	to	distinguish	the	variety:	To	have	a	new
section	on inserted a	s follows:											

7.2 Intended main use

(i)	leaves (cuttings)	[]
(ii)	petioles	[]

Chinese Cabbage (Revision)

- 40. The TWV reviewed document TWV/35/7 and made the following main changes to it:
- (a) <u>Subject of these Test Guidelines</u>: The Latin name and its synonyms to be checked by the expert from Japan.
- (b) <u>Methods and Observations</u>: In paragraph 3, the words "single cross" should be inserted before the word "hybrid." After paragraph 3, a new paragraph should be inserted reading: "Unless otherwise stated, all observations on outer leaf should be made at its upper side."
 - (c) <u>Table of Characteristics</u>:

- 2 To receive the consecutive notes "1, 2, 3"
- 3 To be split into the two proposed new characteristics
- To be split into the two new characteristics reading: "Outer leaf: shape with the states "circular (1), broad obovate (2), obovate (3), narrow obovate (4) and narrow elliptic (5)" and "Outer leaf: apex with the states "pointed (1), rounded (2) and truncate (3)." New drawings to be provided for these characteristics by the expert from Japan
- 7 To have the states of expression and example varieties "yellow green (Regina (1)), true green (Kingdom 65 (2)) and grey green (3)" inserted
- 8 After this characteristic, to have a new characteristic inserted reading: "Outer leaf: anthocyanin coloration" inserted with the states of expression and example varieties "absent (Muso (1)) and present (Cross No. 2 (9))"
- To be replaced with the characteristic: "Outer leaf: hairiness (at lower side)" with the states of expression and the example varieties "absent or very weak (1), weak (Kinap (3)), medium (Tardisto (5)), strong (Muso (7)) and very strong (9)"
- 11 To read: "Outer leaf: profile in longitudinal section (excluding leaf base)"
- After this characteristic, to have a new characteristic: "Outer leaf: color contrast between veins against leaf blade" with the states of expression and the example varieties "weak (3), medium (Muso (5)) and strong (7)"

- To read: "Outer leaf: midrib in cross section (at mid-point)"; after this characteristic, to have a new characteristic inserted reading: "Outer leaf: length of midrib" with the states "short, medium and long"
- After this characteristic, the new characteristic "Outer leaf: color" inserted with the states "white, light green and green"
- To be replaced by the new characteristic "Head: shape in longitudinal section" with the states "circular, elliptic, ovate, obovate, oblong and long oblong" and to receive drawings
- To have the notes replaced by the consecutive notes (1, 2 and 3) for a pseudo-qualitative characteristic; after this characteristic, to have the new characteristic "Head: degree of overlapping leaf (closed head variety only)" inserted with the states "weak, medium and strong"
- To have the states of expression and the example varieties replaced by "white (1), yellow (2), yellow green (Kasumi (3)), true green (Monument (4))"
- To have the states of expression and the example varieties replaced by "white (1), yellow (2), orange (Orange Queen (3))." After this characteristic, to have a new characteristic inserted reading "Head: intensity of internal color" with the states of expression "light (3), medium (5) and dark (7)"
- After this characteristic, to have a new characteristic "Head: apex of internal stem" with the states of expression and the example varieties "pointed (1), round (Muso (2)) and truncate (Syunju (3))"
- After this characteristic, to have a new characteristic "Resistance to *Plasmodiophora brassicae* Woronin" with explanation to be placed in Chapter VIII.

Egg Plant (Revision)

- 41. The TWV reviewed document TWV/35/11 and made the following main changes to it:
- (a) <u>Methods and Observations</u>: Paragraph 2 has been amended and now reads: "For the assessment of uniformity, a population standard of 1% with an acceptance probability of 95% should be applied. In the case of 20 plants, the maximum number of off-types allowed would be one."
 - (b) Table of Characteristics:

- 1,3,6,17, 19, 20, 25, 27,31a, 33, 35,37,38,40 To receive an asterisk
- 6 To have the example variety "Dourga" replaced by "Whitegg"
- 7 To have the example varieties "Dourga" and "Prosperosa" deleted

9,11,14 To be deleted

- To have the state of expression "drop shaped" replaced by "obovate" and to receive new drawings
- 22 To read: "Fruit: apex"
- 24 To receive example varieties from the expert from France, otherwise this characteristic should be deleted
- After this characteristic, to have two characteristics inserted reading: "Fruit: patches" and "Fruit: prominence of stripes" with the states of expression and the example varieties "absent (Baluroi) and present (Kermit)" and "weak (Brite), medium and strong (Bandera)," respectively
- To be deleted
- To be replaced by the proposed new characteristic "Fruit: ribs" with an asterisk and with the states of expression and the example varieties "Absent or very weak (Bonica, Reina, Negra), weak (Bibo), medium (Redonda Morada), strong (Black Beauty) and very strong"
- To read: "Fruit: intensity of anthocyanin coloration underneath calyx (for those "present" in 33); after this characteristic, to have a new characteristic inserted "Fruit: length of peduncle" with the states of expression and example varieties "very short (Golden Eggs), short (Globo), medium (Madonna), long (Telar) and very long (Adria, Avan)"
- 35 To have the example variety "Dourga" replaced by "Whitegg"
- After this characteristic, to have a new characteristic inserted "Fruit: creasing of calyx" with the states of expression and the example varieties "very weak, weak (Telar), medium (Bonica), strong (Talina) and very strong (Linda)."

Kohlrabi (Revision)

- 42. The TWV reviewed document TWV/35/4 and made the following main changes to it:
- (a) <u>Material Required</u>: In paragraph 1, the quantity of seed required has been reduced from 60 g to 20 g.
 - (b) <u>Table of Characteristics</u>:

- 2 To read: "Seedling: intensity of green coloration of cotyledon" with the states of expression "light, medium and dark"
- 6 To have the example variety "Expreß Forcer" replaced by "Pader"

- 8 To have an illustration to be prepared by the expert from Germany
- To have the states of expression "narrowly acute" and "acute" replaced by "acute" and "pointed," respectively
- To read: "Leaf blade: division to midrib" with the states of expression "absent to very few (1), few (3), medium (5), many (7) and very many (9)"
- 12 To receive improved drawings and example varieties from the expert from Germany
- To be split into two characteristics reading "Leaf blade: number of margin incisions (on lower part of leaf)" with the states of expression "few (3), medium (5) and many (7)" and "Leaf blade: depth of margin incision (on lower part of leaf) with the states of expression "shallow (3), medium (5) and deep (7);" both characteristics to be provided with drawings
- 15 To have the state of expression "plane" replaced by "flat"
- 16 To have the range of the states of expression reduced to "weak, medium and strong"
- To read: "Leaf blade: hue" with the states of expression "absent (1), greyish (2) and bluish (3)"
- 24 To read: "Harvest maturity"
- (c) <u>Technical Questionnaire</u>: The clause appearing on the bottom of section 7 (Additional information which may help to distinguish the variety) to be modified to read: "A representative photograph of one or more leaf blades of the variety may be added to the Technical Questionnaire."

Lettuce (Revision)

- 43. The TWV reviewed document TWV/35/5 and made the following main changes to it:
- (a) <u>Material Required</u>: In paragraph 1, the quantity of seed required has been reduced from 25 g to 20 g.
- (b) <u>Conduct of Tests</u>: In paragraph 3, the minimum number of plants for each test is to be reduced from 80 to 60.
- (c) <u>Methods and Observations</u>: In paragraph 1, the sample size mentioned in the last sentence should be 60.
- (d) <u>Grouping of Varieties</u>: The growth types to be used for grouping should receive explanations prepared by the expert from the Netherlands.
- (e) <u>Table of Characteristics</u>: All example varieties now appearing in the brackets should be updated.

Characteristics

- 2 To have the asterisk removed
- 5,6,11,16,20,27,28,29, 31 To have an asterisk inserted
- To have the additional state "divided (3)" inserted with the example varieties "Lagou and Monet"
- 8A, 8B, 8C To be deleted
- 15 To have the word "nearly" removed from the state of expression (5)
- 27A To read: "Leaf: tip of leaf blade;" to have the example variety "Karola" inserted for state (2) and to be placed immediately after Characteristic 16
- 30A To read: "Leaf blade: type of margin on <u>apical</u> part (if shallow)
- (f) <u>Explanations on the Table of Characteristics</u>: For Ad 38, the references to the specific institutions, currently included in the texts, should not be maintained in the final version.

Squash, Vegetable Marrow (Revision)

- 44. The TWV reviewed document TWV/35/12 and made the following main changes to it:
- (a) <u>Methods and Observations</u>: Paragraph 6 has been modified to read: "All observations on the young fruit should be made on fruits three to five days after the opening of flowers."
- (b) <u>Grouping of Varieties</u>: In the table for the classification of different fruit types, the fruit type "De Nice à fruit rond" should be renamed "Rounded Zucchini." The Table was replaced with a new table prepared by the expert from the Netherlands during the session.
 - (c) Table of Characteristics:

- 3,9,13,16,21,25,34.1,34.2,.34.3,34.4,37.2,47,49,51,53,65,72,74,77,79 To have an asterisk inserted
- 3 To read: "Seedling: cross section of cotyledon"
- The state of expression (1) to be renamed to read "absent to rudimentary"
- 14,18, 27,84 to 88 To be deleted
- 25 To have the order of the states of expression "green" and "yellow" reversed

- To be used only for Zucchini and Rounded Zucchini; to have the state of expression (1) renamed to read "proper shaped"
- 32 To have all intermediate states of expression (2,4,6,8) removed
- 33 To read: "Fruit: general shape"
- 37.1 To have all intermediate states of expression (2,4,6,8) removed
- 38 To read: "Miniature pumpkin only: Fruit: base"
- 41,42,44,48 To have the words "shape at" removed from the naming of the characteristic
- To read: "Fruit: distribution of secondary green color between ribs"
- 75 To read: "Ripe fruit: green hue (only white and cream)"
- 76 To read: "Ripe fruit: prominence of green hue (as for 75)"
- To have the state "rudimentary" deleted; to have the example variety "Hongaars ras" replaced by "Chapingo Uno;" after this characteristic to have a new characteristic inserted reading "Seed; appearance of hull" with the states "rudimentary" and "fully"

Thyme

- 45. The TWV reviewed document TWV/35/6 and made the following main changes to it:
- (a) <u>Material Required</u>: In Paragraph 1, the quantity of material required in the case of cross-pollinated varieties should be provided by the expert from Poland.
- (b) <u>Conduct of Test</u>: The first sentence of Paragraph 1 should be extended to mention that cross-pollinated varieties should be tested over two independent growing cycles. In Paragraph 3, the number of plants to be included for each test should be 20 for vegetatively propagated varieties and 60 for cross-pollinated varieties.
- (c) Methods and Observation: Paragraph 1 should indicate that, in the case of vegetatively propagated varieties, all observations should be made on 20 plants, or parts taken from each of 20 plants and, in the case of cross-pollinated varieties, on 60 plants or parts taken from each of 60 plants. Paragraph 2 as it stands should refer only to vegetatively propagated varieties and a new sentence should be inserted stating that in the case of cross-pollinated varieties the relative uniformity standard should be applied.
 - (d) Table of Characteristics:

Characteristics

To have the states of expression renamed reading: "erect (1), semi-erect (3) and prostrate (5)"

- 17 To read: "Leaf: color" and to have the state of expression (2) renamed "true green"
- 18 To read: "Leaf: intensity of color"
- 26 To have an explanation on how to examine the sterility
- (e) <u>Technical Questionnaire</u>: In section 4.2 (Methods of reproduction) a new row for seed propagated varieties should be inserted.

Status of Test Guidelines

- 46. The TWV agreed that the draft Test Guidelines for Celeriac (Revision), Celery (Revision), Chinese Cabbage (Revision), Egg Plant (Revision), Kohlrabi (Revision), Lettuce (Revision), Vegetable Marrow, Squash (Revision) and Vegetable Kale (Revision) should be sent to the professional organizations for comments and, subject to no major comments from the professional organizations, also be submitted to the Technical Committee for final adoption.
- 47. The TWV agreed to seek the advice of the Chairman of the Technical Working Party for Ornamental Plants and Forest Trees (TWO) on whether the draft Test Guidelines for Thyme, as amended, should be considered by the TWO.
- 48. The TWV noted that the draft Test Guidelines document for Chinese Cabbage, as amended, would be submitted to the UPOV Regional Technical Meeting for Asian Plant Variety Protection Systems to be held in Beijing from July 24 to 26, 2001, to collect comments from experts in the Asian countries³.
- 49. The TWV agreed to discuss working papers or revised working papers on the Test Guidelines for Basil, Broad Bean (Revision), Chive, Husk Tomato, Lentil, Melon and Rosemary during its next session.

New Chairperson

50. The TWV agreed to propose, to the Technical Committee, that Mr. Kees van Ettekoven (Netherlands) be nominated to the Council as Chairman of the TWV.

The draft Test Guidelines document for Chinese Cabbage received a considerable number of comments from participants in the UPOV Regional Technical Meeting for the Asian Plant Variety Protection Systems held in Beijing, China. The Chairman agreed to rediscuss Test Guidelines for Chinese Cabbage at the thirty-sixth session of the TWV on the basis of the comments received.

Future Program, Date and Place of Next Session

- 51. At the invitation of the expert from Japan, the TWV agreed to hold its thirty-sixth session at Tsukuba, Japan, from September 9 to 13, 2002. The TWV agreed to discuss the following items at that session:
 - (a) Short report on special problems or difficulties encountered in vegetables.
- (b) Disease resistance characteristics (working paper to be prepared by the expert from the Netherlands).
- (c) Report on the last session of the Technical Committee and recommendations resulting from that session.
- (d) Report on the last session of the Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT).
- (e) Revised General Introduction to the Examination of Distinctness, Uniformity and the Development of Harmonized Descriptions of New Varieties of Plants and its Associated (TGP) Documents.
- (f) Final Discussions of the draft Test Guidelines for Broad Bean (Revision) (TG/8/4, TWV/34/9, TWV/34/10, TWV/35/9).
 - (g) Discussion of Working Papers on Test Guidelines:
 - (i) Basil (TWV/35/10)
 - (ii) Chives (working paper to be prepared by experts from the Czech Republic)
 - (iii) Husk Tomato (working paper to be prepared by experts from Mexico)
 - (iv) Lentil (TWV/33/13, TWV/35/13)
 - (v) Melon (Revision) (TG/104/4+Add., working paper to be prepared by experts from Spain)
 - (vi) Rosemary (TWV/34/14, revised working paper to be prepared by experts from Israel)
 - (vii) Chinese Chive (working paper to be prepared by experts from Japan)
 - (viii) Perilla (working paper to be prepared by experts from the Netherlands)
 - (ix) Runner Bean (Revision) (TG/9/4, working paper to be prepared by experts from the Netherlands)
 - (x) Endive (Revision) (TG/118/3, working paper to be prepared by experts from France)
 - (xi) Mushroom (working paper to be prepared by experts from the Netherlands).

Preparation of Test Guidelines for the Next Session

52. The TWV agreed to operate subgroups by correspondence. The proposed time schedule and the names of leading experts and participating experts are listed in Annexes VI and VII. Other experts who had not participated in the session were invited to inform the leading expert if they were interested in participating in the preparation of a particular document.

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53. The TWV requested the Office of the Union to distribute a circular indicating the organization and schedule of the subgroups to experts of the TWV.

Visits

- 54. On Tuesday, June 26, 2001, the TWV visited an organic buffalo breeding station near Battipaglia. On Wednesday, July 27, 2001, it visited the distribution center of Finagricola, cooperative of agricultural producers based in Battipaglia, and private nurseries producing young plants of fruit trees and vegetables.
 - 55. This report has been adopted by correspondence.

[Annex I follows]

TWV/35/18

ANNEX I

LIST OF PARTICIPANTS

I. MEMBERS

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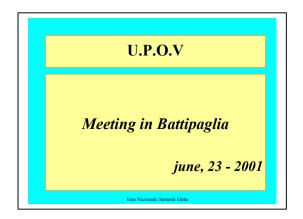
Web site: http://www.upov.int)

[Annex II follows]

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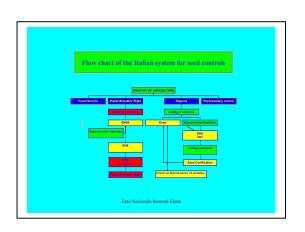
ANNEX II

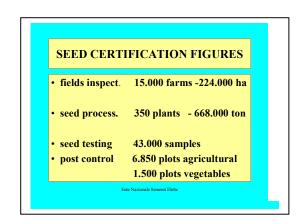
Slide 1 Slide 4





Slide 2 Slide 5





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Slide 8



Slide 11



Slide 9



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ANNEX III

Proposed amendments to Draft TG/1/3 (TC/37/9(a)):

The TWV proposed the following amendments to the draft TG/1/3 text presented in TC/37/9(a): (deleted words are struck through; added words are double-underlined)

Proposed Amendments to TC/37/9(a)	Explanation
TGP/6, "Arrangements for DUS testing."	Check that the title is presented correctly throughout the document. France to propose improved translation for French version
1 The examination, or "DUS Test," is based mainly on growing tests, carried out by the authority competent for granting plant breeders' rights or by separate institutions, such as public research institutes, acting on behalf of that authority or in some cases on the basis of growing tests carried out by the breeder or applicant.	Text here and elsewhere should also refer to applicant.
27. The ultimate form of international cooperation is a "centralized" testing system where the entire examination is carried out by one authority on behalf of other Contracting Parties, regardless of the variety concerned or the applicant. This could, for example, be for a specific region for example, or, in the case of glasshouse tested plants tested in a controlled environment greenhouse, for most if not all Contracting Parties.	It is important to specify that the environment is controlled.
4.8 Functional Categorization of Characteristics Standard Test Guidelines Characteristic	All of the categories of characteristics are standard UPOV characteristics (check throughout document and TGP/7)
6.3.3 Assessment of Uniformity in Hybrid Varieties 6.3.3 General	inroughout document and 1 G1///
103.—The assessment of uniformity in hybrid varieties depends on the type of hybrid, i.e. whether it is a single-cross hybrid or another type, and whether it is a hybrid resulting from inbred parent lines, vegetatively propagated lines or from cross-pollinated parents.	For completeness

[Annex IV follows]

ANNEX IV

Drafting of TGP Documents

The TWV will offer the following contributions in the development of the TGP documents:

TGP/4		MANAGEMENT OF VARIETY COLLECTIONS (Coordinator: Mr. Guiard, FR)
4.1		Practical Guidance for the Management of Variety Collections
	TWA	Mr. Guiard, FR (Draft: TC/36/7 4A&B)
	TWV TWO	Mr. Green (UK) to participate in development
	TWF	4.1.1 Variety collections which are planted concurrent with candidate varieties 4.1.2 Variety collections which are planted at different times to candidate
	1 W F	varieties (e.g. trees)

TGP/5		EXPERIENCE AND COOPERATION IN DUS TESTING (Coordinator: Office of the Union)
5.2	C/XVIII/9 Add. Annexes II and IV, Part I	UPOV Model Form for the Application for Plant Breeders' Rights
	TWV	The TWV proposed that the application form should contain a declaration from the breeder regarding freedom from factors which may affect the expression of characteristics (see TC/37/9(a): 2.5.3) and advising of any use of e.g. propagation methods which might also affect the expression of characteristics.

TGP/9		EXAMINING DISTINCTNESS (Coordinator: UPOV Office)
9.2	TWV TWO	Consideration of All Varieties of Common Knowledge in the Examination of Distinctness: 9.2.1 Categorization of Varieties (Test Guidelines) 9.2.2 Pre-screening using variety descriptions (Descriptions from the same or different locations) 9.2.3 Organizing the growing trial (Grouping; Randomization) Mr van Ettekoven (NL) to draft paper for presentation to TWV and other TWP's in 2002.
9.7	TWV TWA TWO	Model systems for Determining Distinctness Mr Semon (CPVO) to draft paper for presentation to TWV and other TWP's in 2002.

TGP/11		EXAMINING STABILITY
	TWV	CPVO to draft paper for presentation to TWV and other TWP's in 2002. (To include explanation of difference between "verification" and examination of stability)

TG		SPECIAL CHARACTERISTICS
P/12		(Coordinator: Office of the Union)
12.1	(Draft:	Characteristics Expressed in Response to External Factors
	TC/36/7 12D)	
		12.1.1 Disease Resistance
	TWV	Mr van Ettekoven to draft paper for presentation to TWV and other
		TWP's in 2002.
	TWO	
		12.1.2 Chemical Response (e.g. Herbicide tolerance)
12.4	TWV	Examination of scent and flavor characteristics (proposed new section)

TGP/14		GLOSSARY OF TECHNICAL, BOTANICAL AND STATISTICAL TERMS USED IN UPOV DOCUMENTS (Coordinators: Office of the Union, Ms. Scott, GB + Mrs. Buitendag, ZA, Mr. Law, GB + Mr. Pilarczyk, PL + Mr. Harsanyi, HU
14.1		Technical Terms
	Office of	TWV suggest Office of Union drafts this section
	Union	(Draft: TC/36/7 18A)

[Annex V follows]

TWV/35/18

ANNEX V

Proposed amendments to Draft TGP/7 (TWV/35/15):

The following changes were proposed to the draft TGP/7 text presented in TWV/35/15: (deleted words are struck through; added words are double-underlined)

D. I.A. I. A. MO. W. I.A. ANY MARKET.	T
Proposed Amendments to TG Template (TWV/35/15 Annex 1)	Explanation
2.3 The minimum quantity of plant material_to be supplied by the applicant in one or several samples should be:	Presentation of the formula not necessary in the Test Guidelines but it should be explained that it
[xxxxxx]	was the basis for determining the quantity of material required.
based on the standard UPOV formula specified in TGP/7 "Development of Test Guidelines"	
(Formula to be deleted from standard text)	
4.1.2 Unrelated and Very Atypical Plants	
(move to uniformity section)	This measure applies to examination of uniformity
The test material may contain plants that are very atypical or unrelated to those of the variety. These are not necessarily treated as off-types, or part of the variety, and may be disregarded, and the test may be continued, as long as the removal of these very atypical or unrelated plants does not result in an insufficient number of suitable plants for the examination, or make the examination impractical. In choosing the term "may be disregarded" UPOV makes it clear that it will depend on the judgment of the crop expert. In practice, in tests conducted with a small number of plants, just one single plant could interfere with the test, and therefore should not be disregarded. [from TG/1/3: currently TC/37/9 paragraph 108]	Minimize duplicated text
4. <u>3</u> 2 Distinctness	Examination of distinctness is generally concluded after examination of uniformity.
4. <u>2</u> 3 Uniformity	See above
5. GROUPING OF VARIETIES IN AND ORGANIZATION OF THE GROWING TRIAL 5.4 Grouping characteristics and characteristics included in the Technical Questionnaire are those considered to be particularly useful when arranging for similar varieties to be placed together in the trial.	Clarification of the distinction between grouping of varieties (i.e. varieties in different groups are considered distinct) and arranging the growing trial so that similar varieties are placed close together.

Proposed Amendments to TG Template (TWV/35/15 Annex	Explanation	
1)		
6.1 <u>Categories of Characteristics Included in the Table of</u>	Classification of the Association of the second	
<u>Characteristics</u> within the Test Guidelines	Clarifies that Asterisked and Grouping characteristics are	
6.1.1 Standard Test Guidelines Characteristics	categories within the Test Guidelines characteristics.	
6.1. <u>21</u> Asterisked Characteristics		
6.1.32 Grouping Characteristics		
6.4 <u>Example Varieties</u>		
Example varieties are <u>usually</u> provided <u>and always</u> where it is not possible, or practical, to illustrate the states of expression (in Chapter 8) in a way which applies to all environments in which the DUS examination may be conducted.	This is not standard wording appropriate for all Test Guidelines	
The example varieties provided in these Test Guidelines apply to the following regions:		
<u>[]</u>		
Note: Where suitable sets of example varieties have been identified for other regions these should be notified to UPOV for appropriate updating of these Test Guidelines.		
Ideally a single set of example varieties would be appropriate for all countries conducting DUS examination, however, there are two situations where this is not possible:		
1. The states of expression are universal for all environments i.e. the example varieties are a universal illustration of the states of expression but may not be available in the country in which the DUS examination is being conducted. In such cases these Test Guidelines may identify alternative sets of example varieties which seek to provide sufficient coverage, or which can be used as standards from which to calibrate local or more recently developed varieties.		
2. The environmental influence on the characteristics is such that the states of expression for an example variety are only applicable for certain regions. In this case, separate sets of example varieties, with different ranges of expression, may be provided to illustrate the states of expression in specified environments. (remove deleted text to guidance notes and provide standard wording options where appropriate)		

Proposed	Amendments to TG Template (TWV/35/15 Annex	Explanation
1)		
6.5 <u>Leg</u>	end:	
(*)	Asterisked characteristic – see 6.1.2	
(G)	Grouping characteristic see 5.1	Indication of grouping characteristics not required
(QL) (QN)	Qualitative characteristic – see 6.3 Quantitative characteristic – see 6.3	characteristics not required
(PQ)	Pseudo-Qualitative characteristic – see 6.3	
(A) (B)	Observe characteristic on: spaced plants row plots	Recommended methods may vary
(C)	special test Observation by: physical measurement of a	according to circumstances. Should only be presented as options where they can be
(MS)	group of plants or parts of plants "" of a	applied universally.
(1113)	number of individual plants or parts of plants	
(VG)	visual assessment of a group of plants or parts of plants	
(VS)	visual assessment of a number of individual plants or parts of	
(deleted te	plants ext transferred to optional wording)	
(+)	See Explanations on the Table of Characteristics in Chapter 8.	

Proposed Amendments to TG Template (TWV/35/15 Annex 1)		Explanation		
1)				
TQ CONFIDENTIAL SECTION		Need for confidential section in		
TQ 4. variety	Information on the origin and propagation of the			<u>TQ</u>
	Origin Product of <u>a deliberare</u> eties, undertaken by the <u>ase provide details</u>)		n different	
(b) of co	Selection of mutant or ommon knowledge [(please provide details]	n a variety	
(c)	Discovery (please provide details	<u>)</u>		
(d)	Other (please provide details) :		
4.2	Method of Propagating	gon the variety		
(a)	Seed:			
	(i) Self-pollinated			
	(ii) Cross-pollinated controller synthetic	d population		
	(iii) Hybrid [see TG	P/7 TQ 4]		
(b)	Vegetative Propagation	1:		
(plea	ase provide details) (i) Tuber// (ii) Cuttings (iii) In vitro propaga (iv) other (please sp	tion		
TQ 6. Simi	lar varieties and differen	nces from these va	arieties	
Denomination of similar variety		State of expression of similar variety	State of expression of candidate variety	

Proposed Amendments to TG Template (TWV/35/15 Annex 1)			Explanation	
Denominatio n of similar variety	Characteristic in which the similar variety is different ^{o)}	State of expression of similar candidate variety	State of expression of eandidate similar variety	Change order of columns

Proposed Amendments to TGP/7 Drafters' Notes (TWV/35/15)	Explanation
2.3 Guidance: The formula should be presented in full, as in the table, to ensure transparency of the basis for determining the quantity of material required.	See comments on Annex 1
 2.4 Standard wording where appropriate: (a) Germination capacity of seed "The germination capacity of the seed should will be determined by the national competent authority to at a level to be sufficient for the conduct of a satisfactory examination of the variety and for satisfactory storage of a reference sample." 	

Proposed Amendments to TGP/7 Drafters' Notes (TWV/35/15)	Explanation
4.2.2.2	
Standard wording where appropriate: (b) (i) "Self-Pollinated and Vegetatively Propagated Varieties	Make provision for COYD option
Varieties can be considered clearly distinguishable if the difference between them exceeds the Least Significant Difference (LSD) at a probability level of [x] with the same sign over a period of [y], [or COYD option] even if they are described by the same state of expression."	
4.3 Uniformity (b) Cross-Pollinated Varieties	This wording makes it clear that COYU is not the only possible method
Standard wording where appropriate:	
"For the assessement of uniformity When uniformity is assessed by $COYU$ the acceptance probability should be applied with an acceptance probability of $[P]$ ".	This change is to be made elsewhere
Standard wording where appropriate:	
(Provide alternative to COYU e.g. for where insufficient degrees of freedom)	
Standard wording where appropriate:	
"In the case of uniformity assessed on the basis of off-types the variability within varieties should not exceed be based on the variability of comparable varieties already known. The accepted number of off-types in a sample size of [number specified in section 4.1] should be calculated using [method to be developed] with an acceptance probability of [P]".	

Proposed Amendments to TGP/7 Drafters' Notes (TWV/35/15)	Explanation
6.4 <u>Example Varieties</u>	
Guidance:	This process should be contained in
There is a particular need for the Test Guidelines to provide up to date example varieties for characteristics included in the TQ. The breeders' organizations are invited to notify UPOV when these are in need of updating.	Annex III of TGP/7
Standard wording where appropriate:	See comments under Annex 1
"Where the example varieties are not universally available an alternative set of example varieties have, where possible, been provided".	
Standard wording where appropriate:	
"Where the example varieties are only applicable for certain regions a separate set of example varieties is provided as far as possible."	
6.5 <u>Legend:</u>	See comments under Annex 1
Standard wording where appropriate:	
(A) Observe characteristic on: spaced plants (B) row plots (C) special test	
Standard wording where appropriate (see TGP/8):	
(MG) Observation by: physical measurement of a group of plants or parts of plants	
(MS) physical measurement of a number of individual plants or parts of plants	
(VG) visual assessment of a	
(VS) group of plants or parts of plants visual assessment of a number of individual plants or parts of plants	

Proposed Amer (TWV/35/15)	ndments to TGP/7 Drafters' Notes	Explanation
7. Table of Chara	cteristics	
(Redraft Line 1 (a	a) etc to clarify)	Clarification
Line 2 Type	e of characteristic: (-), (*) , (G)	See comments under Annex 1
<u>Standard w</u>	ording where appropriate:	
Line 4	Material to be examined: (A), (B), (C)	
Line 5	Method of observation: (MG), (MS), (VG), (VS)	
TQ 5		
Guidance: Only	characteristics which are identified as	
	cteristics should be included in this	
	teristics which should be included in the g characteristics plus those which are	
considered to be	e particularly useful when arranging for	
similar varieties to	o be placed together in the trial.	
TQ 7.3 Othe	er information	
Standard w	vording where appropriate:	
"A representative color photograph of the variety should accompany the Technical Questionnaire."		
Standard wording where appropriate:		
"A representative color photograph of the variety may be included with the Technical Questionnaire."		

[Annex VI follows]

ANNEX VI

SCHEDULE OF THE PREPARATION OF DRAFT TEST GUIDELINES FOR THE NEXT SESSION

	Working Papers in existence:
	Basil, Broad Bean, Chinese Chive, Chive, Endive, Husk
	Tomato, Lentil, Melon, Mushroom, Perilla, Rosemary,
	Runner Bean
By December 31, 2001	Participating experts should submit comments on the
	existing draft to the leading expert.
By January 31, 2002	The leading expert should prepare a Working Paper or a
2) (((((((((((((((((((revised Working Paper and distribute it to participating
	experts of the subgroup
	experts of the subgroup
By June 30, 2002	The participating experts should send comments and/or
By valle 30, 2002	further contribution on the Working Paper to all experts in
	the group with a copy to the Office of UPOV.
	the group with a copy to the office of of ov.
D I I 20 2002	
By July 30, 2002	The leading experts should submit the revised final draft
	to the Office of UPOV for discussion in the TWV
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	₹,
September 2002	Discussion in the thirty-sixth session
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[Annex VII follows]

TWV/35/18

ANNEX VII

LIST OF SUBGROUPS BY CORRESPONDENCES FOR THE PREPARATION OF TEST GUIDELINES

Species	Existing Working	Leading Expert	Participating Experts
_	Documents		
Basil	TWV/35/10	Mr. Brand (FR)	DE, HU, NL, PL
Broad Bean (Revision)	TWV/35/9	Mr. Green (UK)	DE, FR, NL, PL
Chinese Chive		Mr. Tanaka (JP)	FR, NL
Chives		Mrs. Safarikivá (CZ)	DE, FR, GB, NL, PL
Endive	TG/118/3	Mr. Brand (FR)	IT, NL
Husk Tomato	WP prepared by MX	Mr. Cruz Garza (MX)	FR, PL
Lentil	TWV/33/13;	Mr. Brand (FR)	ES, HU, IN, PL
	TWV/35/13		
Melon	TG/104/4 + Add	Mr. Calvache (ES)	All (except for DE)
Mushroom		Mr. van Marrewijk	CPVO, JP, KR, HU, PL
		(NL)	
Perilla		Mr. van Marrewijk	KR, JP
		(NL)	
Rosemary	TWV/34/14	Mr. Bar-Tel (IL)	DE
Runner Bean	TG/9/4	Mr. van Ettekoven (NL)	FR, HU, PL, SK, UK

[End of Annex VII and of document]