



TWV/36/13

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

TECHNICAL WORKING PARTY FOR VEGETABLES

Thirty-Sixth Session
Tsukuba, Japan, September 9 to 13, 2002

REPORT ON THE CONCLUSIONS

adopted by the Technical Working Party for Vegetables

Opening of the Session

1. The Technical Working Party for Vegetables (hereinafter referred to as "the TWV") held its thirty-sixth session in Tsukuba, Japan, from September 9 to 13, 2002. The list of participants is reproduced in Annex I to this report.
2. The TWV was welcomed by Mr. Keiji Maruyama, Director of the Office of Examination, Seeds and Seedlings Division, Ministry of Agriculture, Forestry and Fisheries, and Mr. Kiyofumi Kuwana, President of the National Center for Seeds and Seedlings.
3. The session was opened by Ms. Julia Borys (Poland), Chairperson of the TWV, who welcomed the participants and, in particular, new participants to the TWV.

Adoption of the Agenda

4. The TWV adopted the agenda as reproduced in document TWV/36/1 Rev., following agreement to follow the work plan proposed by the Chairperson.

Short Reports on Developments in Plant Variety Protection

5. Reports from members and observers : The TWV received oral reports from the participants on developments in plant variety protection in their respective countries.
6. Reports on developments within UPOV : The TWV received an oral report from the Office of the Union on the latest developments in the Council, the Administrative and Legal Committee, the Technical Committee and the Technical Working Parties.

Molecular Techniques

7. The TWV received an oral report from the Office of the Union on the latest developments in the Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT), the *Ad hoc* Crop Subgroups on Molecular Techniques and the BMT Review Group. The TWV was further informed that the first meeting of the *Ad hoc* Crop Subgroup on Molecular Techniques for Mushroom would be held on the afternoon of Friday, September 13, 2002, and supported the nomination of Mr. van Marrewijk as chairman of the Subgroup.
8. The TWV agreed that Option 1(a) (Use of molecular characteristics which are directly linked to traditional characteristics) as explained in document TC/38/14 -CAJ/45/5, would be useful for the detection of certain vegetable characteristics, such as disease resistance and male sterility, and could be considered in conjunction with the discussion of individual Test Guidelines documents.
9. The TWV observed that the usefulness of Option 2 (Calibration of threshold levels for molecular characteristics against the minimum distance in traditional characteristics) for the management of reference varieties in DUS testing for vegetable varieties was worthy of examination. However, the examination by the TWV in this area would depend on the availability of data on both molecular and conventional distances.
10. The TWV noted the concern about possible effects of the introduction of molecular techniques for DUS testing on the work of certifying agencies responsible for checking the maintenance (uniformity and stability) of varieties.
11. The TWV recalled that, in the case of mushroom, the small number of available morphological assessment methods justified the consideration of the introduction of molecular techniques for DUS testing of that species. The TWV considered that real needs for the introduction of biochemical and molecular techniques to DUS testing for other vegetable species should be identified before further work is proposed.

Project to Consider the Publication of Variety Descriptions

12. The TWV received an oral report from the Office of the Union on the latest developments in the publication of variety descriptions.
13. The TWV agreed that Lettuce and Chinese Cabbage be placed on the short list of species for which a model study could be conducted and noted that Mr. Kees van Ettehoven (Netherlands) and Mr. Keiji Tanaka (Japan) would act as coordinators of the respective crop

species. The TWV noted further that Germany, Japan, Netherlands, the Republic of Korea, Poland, the Community Plant Variety Office (CPVO) and the ISF would wish to participate in a model study on Chinese Cabbage while the Czech Republic, Germany, Hungary, Netherlands, Poland, Spain, the CPVO and the International Seed Federation (ISF) would wish to participate in a model study on Lettuce.

UPOV Databases

14. The TWV received an oral report from the Office of the Union on the latest developments in the UPOV databases.

TGP Documents

(a) TGP Documents to which the Technical Committee has given highest priority for discussion

TGP/7.1: Guidance for Drafters of Test Guidelines

15. The TWV observed that the current presentation of document TGP/7.1 might give the impression to the drafters that all additional standard wordings (ASWs) should be used in UPOV Test Guidelines. However, the objective of the document was to provide guidance in order to maintain a minimum level of harmonisation in the layout and the wording used in Test Guidelines. The TWV observed that document TGP/7.1 could be improved to make it clear that the additional standard wording should be used only when necessary and as appropriate and this would never force the drafter to include the information indicated by the headings of the additional standard wording.

16. The TWV further agreed to the following changes in the document TGP/7.1:

ASW 1 (TGP/7.2: Section 2.3) - seed quality requirement : The second sentence should be amended to read: “In cases where the seed is to be stored, the germination capacity should be as high as possible and should, if possible, be stated by the applicant.”

ASW 6 (TGP/7.2: Section 4.3.3) - stability assessment of hybrid varieties : An additional sentence referring to the stability assessment of parental lines should be added reading: “The stability of a parental line may, in addition to an examination of parental lines itself, also be assessed by examination of the uniformity and stability of fit hybrids.”

ASW 9 (TGP/7.2: Section TQ 4.2) - information on method of propagating hybrid varieties: The last line should read: “(b) maintenance system of male sterile lines.”

17. The TWV further considered GN 14 (TGP/7.2: Section 7) - Table of Characteristics: Handling of a long list of characteristics, and observed that it should be stated clearly that a consensus should be required for the inclusion of characteristics fulfilling the criteria in order to avoid automatic adoption of such characteristics. The TWV further agreed in general to the following:

(a) a list of characteristics longer than necessary should be avoided,

(b) characteristics proposed but not adopted as standard Test Guidelines characteristics could be placed on a list, which would be then placed on the UPOV Web Site for further consideration and/or eventual adoption in future as standard Test Guidelines characteristics.

TGP/7.2: TGTemplate

18. The TWV agreed to endorse document TGP/7.2 as agreed by the Technical Committee including the newly drafted Annex to the Technical Questionnaire.

TGP/7.3.1: Standardized UPOV Terms and Explanations – Types of Expression of Characteristics

TGP/7.3.2: Standardized UPOV Terms of Explanations – Harmonized States of Expression of Characteristics

19. The TWV agreed to send comments on the documents mentioned above to the Office of the Union before the end of the year.

TGP/7.4: Procedures for the Introduction and Revision of Test Guidelines

20. The TWV noted the importance of establishing procedures in a written form to ensure transparency and full participation of members of the Technical Committee and its observers in the process of the introduction and revision of Test Guidelines. The TWV agreed, however, that the proposed procedures should be improved by taking into account the following general comments made during the discussion:

(a) Initiatives of Technical Working Parties in the drafting and revision of Test Guidelines would be affected by the proposed procedures, in particular, through the approval procedures included in Steps 1 to 3.

(b) The proposed procedures may lead to the imposition of an additional burden on Technical Working Parties.

(c) It would be necessary to include a mechanism to respect the priority and expertise of the Technical Working Party concerned when allocating drafting work.

(d) Criteria for the prioritization should be clearly formulated.

(e) Parties having requested the introduction and revision of Test Guidelines should be prepared to contribute to the work.

21. In connection to the discussion on document TGP/7, the TWV noted that the procedures between the adoption of draft Test Guidelines and their publication were not clear and might need to be clarified, especially when draft Test Guidelines have been adopted subject to the inclusion of additional information to be provided by the leading expert. The TWV proposed that the decision taken by the Technical Committee, including the instruction to the leading expert, be circulated to the interested experts of the Technical Working Parties concerned.

22. The TWV proposed that questionnaires be prepared to ask for opinions of TWPs on their mid-term work plan with respect to the establishment and/or revision of Test Guidelines.

(b) Other TGP Documents

TGP/4.1: General Guidance for the Management of Variety Collections

23. The TWV noted that the coverage of this document overlapped with that of document TGP/9.3.1, and thought that a restructuring might be necessary. Furthermore, the TWV agreed that Paragraph 13(a)(ii) should read: “access to a representative sample of plant material of the variety .”

TGP/9.1.1: General Procedures for Determining Distinctness: Official Testing

TGP/9.1.2.1: General Procedures for Determining Distinctness: Breeder Testing (Australia)

TGP/9.1.2.2: General Procedures for Determining Distinctness: With the Participation of Breeders (France)

24. The TWV noted the documents mentioned above, without making any specific comments.

TGP/9.1.3: General Procedures for Determining Distinctness: General

25. The TWV made the following remarks in the Table:

Page 4: The superscript given to the word “Cross-pollinated” should be moved to the word “Obs” in the column for the second growing cycle.

Page 5: The indication of the possibility of the rejection for any variety with an erroneous TQ description may be interpreted in various way and thus should be redrafted to avoid any misunderstanding.

TGP/9.3.1: Consideration of All Varieties of Common Knowledge in the Examination of Distinctness

26. Mr. Kees van Ettekooven introduced the document. The TWV noted a similarity in the contents of this document to document TGP/4.1: General Guidance for the Management of Variety Collection and suggested a possible reorganization of the structure of the TGP documents.

TGP/9.3.2: The Use of ‘Phenotypic Distance’ for Examining Distinctness

27. The TWV noted the following general comments made during the discussion:

(a) the determination of the weight applied to each characteristic is important and should be carefully done by crop experts with sufficient knowledge of the crop species concerned;

(b) the result of the application of the proposed GAIA system should be examined in conjunction with the application of COYD analysis.

28. The TWV noted, with appreciation, that France would examine the applicability of GAIA system to forage pea varieties for the next session.

TGP/9/4.1: Examining Distinctness in Different Types of Variety: General
TGP/10.2: Assessing Uniformity According to the Features of Propagation

29. The TWV noted the documents mentioned above, without making any specific comments. The members of the TWV were invited to send comments on the documents to the Office as soon as possible so that those comments could be considered by the Technical Working Party for Agricultural Crops.

(c) TGP Documents in which the TWV is involved in drafting

TGP/12.1: Characteristics Expressed in Response to External Factors: Disease Resistance:

30. Mr. Kees van Ettekov en (Netherlands) introduced the document. The TWV agreed to the following changes to be incorporated in the document:

Paragraphs

4. To read: “The decreasing input from science on the taxonomy of the diseases and of the strains of diseases ~~is decreasing rapidly~~ around the world is compensated by the input of phytologists from DUS testing institutes and seed companies.”

13. The last sentence to read: “It has to be avoided that the heterogeneity introduced through ~~to attribute the~~ trial is blamed ~~induced~~ heterogeneity to the candidate variety.”

15. The second sentence to read: “Therefore, In fact in many cases— disease characteristics ~~may are often~~ be used as grouping characteristics.”

16. The last sentence to be deleted.

17. (g) to read: “the availability of reliable inoculum and host differential set”

21. The second indent to read: “The applicant/breeder may be requested to carry out a blind disease test with coded samples including the candidate variety and a number of also coded control samples as susceptible and resistant controls on the basis of a clear control.”

TGP/12.4: Examination of Scent and Flavor Characteristics

31. The TWV recalled that it had proposed at its thirty-fifth session that a separate TGP document be prepared on scent and flavor, but it still needed to nominate a drafter. The TWV felt, however, that it did not have sufficient experience and knowledge, for the time being, to use scent or flavor characteristics for the conduct of DUS testing for vegetable varieties.

TGP/8.6:ExaminingDUSinBulkSamples

32. The TWV agreed to send comments to the Office of the Union before the end of the year.

(d) Other TGP documents

TGP/3.2:DevelopmentsandExplanationsRegardingVarietiesofCommonKnowledge

33. The TWV observed that the contents of the existing drafts of the document groups under TGP/3 and TGP/4 were duplicated in several areas. It was considered that the objectives of TGP/3 would be to explain the legal background of variety of common knowledge on the basis of provisions of the UPOV Convention while the objectives of TGP/4 would be to give practical guidance to DUS testing authorities when establishing reference collection. The TWV, being aware of the close link between TGP/3 and TGP/4, thought, however, that a clear functional division should be respected.

TGP/8.4:TypesofCharacteristicsandTheirScaleLevels

34. The TWV agreed to send comments to the Office of the Union as soon as possible so that other Technical Working Parties could consider its comments.

Discussion on Test Guidelines

35. The Working Group welcomed the 10 participants of the JICA training course on PBR as observers in discussions of Test Guidelines.

Status of Test Guidelines

36. The TWV agreed that draft Test Guidelines for Broad Bean (Revision), Chinese Cabbage (Revision), Basil, Chinese Chive, Chives, Endives (Revision), Lentil and Runner Beans should be sent to the professional organizations for comments and, subject to no major comments from the professional organizations, should be submitted to the Technical Committee for final adoption.

37. 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 Perilla, as amended, should be considered by the TWO.

38. The TWV agreed to discuss or rediscuss draft Test Guidelines for Husk Tomato, Melon, Mushroom, Perilla and Rosemary during its next session.

Future Program, Date and Place of the Next Session

39. At the invitation of the expert from the Netherlands, the TWV proposed to hold its thirty-seventh session in Roelofarendsveen, Netherlands, from September 15 to 19, 2003, having agreed to the week starting on June 23, 2003, as an alternative date. During the thirty-seventh session, the TWV planned to discuss or rediscuss the following items:

- (a) Short reports on developments in plant variety protection
- (b) Report on the last session of the Technical Committee and recommendations resulting from that session
- (c) Molecular Techniques
- (d) TGP Documents
- (e) Discussion on Working Paper on Test Guidelines:
 - (i) Brussels Sprout (Revision)
 - (ii) Cabbage (Revision)
 - (iii) Carrot (Revision)
 - (iv) Chard/Leaf Beet (Revision)
 - (v) Ginseng
 - (vi) Husk Tomato
 - (vii) Melon (Revision)
 - (viii) Mushroom
 - (ix) Parsnip
 - (x) Perilla
 - (xi) Rosemary
 - (xii) Watermelon (Revision)
- (f) Date and place of the next session
- (g) Future program.

Preparation of Test Guidelines for the Next Session

40. The TWV agreed to operate subgroups by correspondence. The proposed timeschedule and the names of leading experts and participating experts are listed in Annexes II and III. 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.

[Annex I follows]

ANNEXI

LIST OF PARTICIPANTS

I. MEMBER STATES

BOLIVIA

Waldo TORREZ VALDIVIA, Responsable Técnico, Oficina Regional de Semillas de Cochabamba, Av. Blanco Galindo, Km. 5.5, P.O. Box 832, 999 Cochabamba
(tel: +591 -4269353 fax: ++591 -4269354 e -mail: wtorrez@hotmail.com or wtorrez97@yahoo.com Website: www.semillas.com)

BRAZIL

Vera Lucia Dos Santos MACHADO, Service National of Protection of Cultivars, Ministry of Agriculture, Esplanada dos Ministerios, Bloco D, Anexo A, Sala 2A -70043-900-Brasilia
(tel: +55612182549 fax: +55612242842e -mail: veramachado@agricultura.gov.br)

CHINA

Yang YANG (Ms.), Examiner, The Office for Protection of New Varieties of Plants, Ministry of Agriculture, Building 20, Mai Zi Dian Street, Beijing 100026
(tel: +86 -10-64194661 fax: +86 -10-65923176 e -mail: yangyang@agri.gov.cn or rabbyang@yahoo.com)

COLOMBIA

Carlos Arturo KLEEFELD P ATERNOSTRO, Instituto Colombiano Agropecuario -ICA, Calle 37 No 8 -43 Piso 5 -Bogota D.C.
(tel: +5712324693 fax: +5712884037e -mail: semillas@ica.gov.co)

Hernando MONTENEGRO TORRES, Instituto Colombiano Agropecuario ICA, Calle 37 No 8-43 Piso 4 -Bogota D.C.
(tel: +5712324697 fax: +5712328643e -mail: semillas@ica.gov.co)

CZECH REPUBLIC

Radmila SAFARIKOVA (Mrs.), Dept. of Horticultural Species, Plant Variety Testing Division, Central Institute for Supervising and Testing in Agriculture, Hroznova 2, 65606 Brno
(tel: +420543548221 fax: +420543212440e -mail: radmila.safarikova@zeus.cz)

FRANCE

Francois BOULINEAU, GEVES, 49250 Brionne, Horticultural DUS
(tel: 0241572322 fax: 02 41574619e -mail: francois.boulineau@geves.fr)

Richard BRAND, INRAGEVES, Bpl, Les Vignerres 84300 , Horticultural DUS
(tel.: +33490786663 fax: +33490780161 e-mail: richard.brand@geves.fr)

GERMANY

Elmar PFÜLB, Bundessortenamt, Osterfelddamm 80, Postfach 610440, 30604 Hanover
(tel.: +495119566616 fax: +49511563362 e-mail: elmar.pfuelb@bundessortenamt.de)

HUNGARY

Zsuzsanna FÜSTÖS (Mrs.), Head, Variety Testing Department for Vegetable Crops, National
Institute for Agricultural Quality Control, 1024 Budapest Keleti K. 24
(tel.: +3612125620 fax: +361 225036 e-mail: fustoszs@ommi.hu)

JAPAN

Toyoharu FUKUDA, Director of Seeds and Seedlings Division (SSD), MAFF, 1-2-1,
Kasumigaseki, Chiyoda-ku, Tokyo, 100-8950
(tel.: +81335910524, fax: +81335025301, e-mail: toyoharu_fukuda@nm.maff.go.jp)

Keiji MARUYAMA, Director, Office of Examination, Seeds and Seedlings Division (SSD),
MAFF, 1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo, 100-8950
(tel.: +81335810518, fax: +81335026572, e-mail: keiji_maruyama@nm.maff.go.jp)

Yoshiyuki BAN, Division-Chief (Research Div.), National Center for Seeds and Seedlings,
2-2, Fujimoto, Tsukuba-city, Ibaraki, 305-0852
(tel.: +81298386584, fax: +81298386595)

Kazunari HORIGUCHI, Crop and Vegetable Section, DUS test division, National Center for
Seeds and Seedlings, 2-2, Fujimoto, Tsukuba-city, Ibaraki, 305-0852
(tel.: +81298386584, fax: +81298386595)

Tadao ISHIKAWA, Head (Characteristics Examination Sec., Specific DUS Test Div.),
National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba-city, Ibaraki, 305-0852
(tel.: +81298386584, fax: +81298386595)

Koutaro IWASHITA, Department-Director (Business Management Dep.), National Center for
Seeds and Seedlings, 2-2, Fujimoto, Tsukuba-city, Ibaraki, 305-0852
(tel.: +81298386584, fax: +81298386595)

Kouji KANAZAWA, Senior Examiner, Office of Examination, SSD, MAFF, 1-2-1,
Kasumigaseki, Chiyoda-ku, Tokyo, 100-8950
(tel.: +81335810518, fax: +8133 5026572, e-mail: kouji_kanazawa@nm.maff.go.jp)

Ryusaku KASHIWAGI, Head (DUS Test Sec., Research Dep.), National Center for Seeds
and Seedlings Unzen Station, 1494-35, Saigo, Mizuho-cho, Nagasaki, 859-1211
(tel.: +81957772100, fax: +81957772154)

Jun KOIDE, Deputy Director (International Affairs), Seeds and Seedlings Division, MAFF,
1-2-1, Kasumigaseki, Chiyoda -ku, Tokyo, 100 -8950
(tel.:+81335910524, fax:+81335025301, e-mail: jun_koide@nm.maff.go.jp)

Yoshimasa KONNAI, Characteristics Examiner, National Center for Seeds and Seedlings, 2 -2,
Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Kiyofumi KUWANA, President, National Center for Seeds and Seedlings, 2 -2, Fujimoto,
Tsukuba-city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Tadao MIZUNO, Examiner, Office of Examination, SSD, MAFF, 1 -2-1, Kasumigaseki,
Chiyoda-ku, Tokyo, 100 -8950
(tel.:+81335810518, fax:+81335026572, e-mail: tadao_mizuno@nm.maff.go.jp)

Sachiko MORI (Mrs.), Chief of DUS test management, Office of Examination, SSD, MAFF,
1-2-1, Kasumigaseki, Chiyoda -ku, Tokyo, 100 -8950
(tel.:+81335910524, fax:+81335026572, e-mail: sachiko_mori@nm.maff.go.jp)

Yuichiro NAKATSUJI, Deputy Director (Legal Affairs), Seeds and Seedlings Division,
MAFF, 1 -2-1, Kasumigaseki, Chiyoda -ku, Tokyo, 100 -8950
(tel.:+81335910524, fax:+81335025301, e-mail: yuuitirou_nakatuji@nm.maff.go.jp)

Tsuneo NISHIKAWA, Examiner, Office of Examination, SSD, MAFF, 1 -2-1, Kasumigaseki,
Chiyoda-ku, Tokyo, 100 -8950
(tel.:+81335810518, fax:+81335026572, e-mail: tsuneo_nishikawa@nm.maff.go.jp)

Yuji NIWA, Characteristics Examiner, National Center for Seeds and Seedlings, 2 -2,
Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Kenji NUMAGUCHI, Head (Ornamental Plants Sec., DUS Test Div.), National Center for
Seeds and Seedlings, 2 -2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Katsuhiro OKUMURA, Characteristics Examiner, National Center for Seeds and Seedlings,
2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Syouichi OOKOUCHI, Examiner, Office of Examination, SSD, MAFF, 1 -2-1, Kasumigaseki,
Chiyoda-ku, Tokyo, 100 -8950
(tel.:+81335810518, fax:+81335026572, e-mail: syouichi_ookouchi@nm.maff.go.jp)

Manabu OSAKI, DUS Test Section, Research Department, National Center for Seeds and
Seedlings Kansai Station, 3-14-11, Nagayoshinagah ara-higashi, Hirano -ku, Osaka
(tel.:+81667092100, fax:+81667001396)

Chie OYANAGI, Head (DUS Test Planning Sec., Planning Div.), National Center for Seeds
and Seedlings, 2 -2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax: +81298386595)

Yukari SAITO, Ornamental Plants Section, DUS Test Division, National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Nobuaki SASAKI, Head (Crop and Vegetable Sec., DUS Test Div.), National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Yoshito SEINO, Head (Technical Research Sec., Specific DUS Test Div.), National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Keiji TANAKA, Examiner, Office of Examination, SSD, MAFF, 1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo, 100 -8950
(tel.:+81335810518, fax:+813 35026572, e-mail:keiji_tanaka@nm.maff.go.jp)

Kouichiro TANAKA, Characteristics Examiner, National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Yasuo TASHIRO, Division-Chief (DUS Test Div.), National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki Pref. 305 -0852
(tel.:+81298386584, fax:+81298386595)

Kunio TOKUNAGA, Division-Chief (Planning Div.), National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Masayuki UCHIDA, Examiner, Office of Examination, SSD, MAFF, 1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo, 100 -8950
(tel.:+81335810518, fax:+81335026572, e-mail:masayuki_uchida@nm.maff.go.jp)

Shigeru YAMAMOTO, Head (DUS Test Coordination Sec., Planning Div.), National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Tadayuki YONEYAMA, Examiner, Office of Examination, SSD, MAFF, 1-2-1, Kasumigaseki, Chiyoda -ku, Tokyo, 100 -8950
(tel.:+81335810518, fax:+81335026572, e-mail:tadayuki_yoneyama@nm.maff.go.jp)

Chosaku YOSHIDA, Division-Chief (Specific DUS Test Div.), National Center for Seeds and Seedlings, 2-2, Fujimoto, Tsukuba -city, Ibaraki, 305 -0852
(tel.:+81298386584, fax:+81298386595)

Mitsuo YUASA, Examiner, Office of Examination, SSD, MAFF, 1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo, 100 -8950
(tel.:+81335810518, fax:+81335026572, e-mail:mitsuo_yuasa@nm.maff.go.jp)

KENYA

Simeon Kibet KOGO, Seed Inspector, Kenya Plant Health Inspectorate Service (KEPHIS),
NaiwryRegion,P.O.Box1679Nakuru
(tel:+254 -37-85010516fax:254 -37-851268e -mail:kephis @mgnet.co.ke)

NETHERLANDS

Cormelis (Kees) VANETTEKOVEN ,Sotaweg22,P.O. Box40,2310 AARoelofare ndsveen
(tel:+31713326128fax:+31713326363e -mail: c.v.ettekoven@naktuinbouw.nl)

Marian A. VAN LEEUWEN, Naktuinbouw, Sotaweg 22, P.O. Box 40, 2370 AA
Roelofarendsveen
(tel.:+31713326126fax:+31713326363e -mail:m.v.leeuwen@naktuinbouw.nl)

Nico P.A. VAN MARREWIJK, Plant Research International (PRI) , and Board of Plant
Breeders' Rights ,P.O.Box16,6700AAWageningen
(tel.: +31 317476880 fax: +31 317418094 e -mail: n.p.a.vanmarrewijk@plant.wag -
ur.nl)

POLAND

Julia BORYS, Head, DUS Testing Department, The Research Center for Cultivar Testing
(COBORU),63 -022SlupiaWielka
(tel.:+48612852341fax:+4861 2853558e -mail:coboru@bptnet.pl)

REPUBLICOFKOREA

WonSigLEE, WestBranchOffice ,NationalSeedManagementOffice, 1095-47Seokchen -ri,
Nangsan-myun,Zksan -si,Chunlabuk -do,570 -892
(tel.:+82638612567fax:+82638620069e -mail:leews b@seed.go.kr)

Seung-InYI,NationalSeedManagementOffice, 233-1Mang -PoDoug,Suwon,442 -400
(tel.:+82312 73 4147fax:+82312037431e -mail:seedin@seed.go.kr)

SPAIN

David CALVACHE QUESADA, Oficina Española de Variedades Vegetales (OEVV),
Instituto Nacional de Investigación y Tecnología Agrar ía y Alimentar ía,c/Joaquín Ballester
No.39,46009Valencia
(tel.:+34963881116fax:+34963881042e -mail:oevvval@teleline.es)

UNITEDKINGDOM

F. Niall GREEN, Herbage & Vegetable Crops, Scottish Agricultural Science Agency (SASA), 82 Craigs Road, Edinburgh EH12 8NJ
(tel.:+441312448853 fax:+441312448939e -mail:Niall. Green@sasa.gsi.gov.uk)

II. OBSERVERS

INDIA

Shyamal Kumar CHAKRABARTY, Senior Scientist (Seed Technology), Indian Council of Agricultural Research (ICAR), Division of Seed Science and Technology, Indian Agricultural Research Institute, New Delhi 110012
(e-mail:skchara_sst@yahoo.com)

INDONESIA

Dhanny PERMADI, Staff, Directorate of Seed Development, Jl Aup Pasar Minggu, P.O. Box 40, Jakarta Selatan 12520
(tel:62 -21-7805201 or 7816036e -mail:dhanny_permadi@yahoo.com)

MALAYSIA

Manogaran A/LMUNISAMI, Agriculture Officer, Department of Agriculture Fruit Division, Jalan Sultan Salahuddin, 50632 Kuala Lumpur
(tel:+60 -3-26914536 fax:+60 -3-26918563e -mail:garan57@yahoo.com)

PAKISTAN

Hakim KHAN, Research Officer, Agricultural Research Station, Baffa, NWFP Agricultural Research, Ministry of Agriculture, District Mansehra
(tel:+92 -987-510215 fax:+92 -987-510215e -mail:hakimkhan60@hotmail.com)

PHILIPPINES

Elmer Espeleta ENICOLA, University Researcher, University of the Philippines, Los Banos, College, Laguna
(tel:+63 -49-5362298 fax:63 -49-5363438e -mail:elmer_enicola@yahoo.com)

THAILAND

Khanitha PHONGPREECHA (Ms.), Subject Matter Specialist, Western Regional Agricultural Extension Office, Department of Agricultural Extension, Banpong, Rachaburi 70110
(tel:+66 -32-344665 fax:+66 -32-201568e -mail:ykhanitha@yahoo.com)

VIETNAM

Thien Luong NGUYEN, Office in charge of PVP, Plant Variety Protection Office,
Department of Science, Technology and Product Quality (DSTPQ), No. 2 Ngocha Str.,
Bach Dinh Dist., Hanoi
(tel: +84 4-8237534 fax: +84 4-8433637 e-mail: ntluong_58@yahoo.com)

III. ORGANIZATIONS

COMMUNITY PLANT VARIETY OFFICE

Sergio SEMON, Community Plant Variety Office (CPVO), 3 boulevard Maréchal Foch,
B.P. 2141, 49021 Angers Cedex 02, France
(tel.: +33241256434 fax: +33241256410 e-mail: sergimon@cpvo.eu.int)

INTERNATIONAL SEED FEDERATION

Marcel B.M. BRUINS, Seminis Vegetable Seeds, Intellectual Resource Protection &
Regulatory Affairs, Nude 54D, 6702 DN Wageningen, Netherlands
(tel.: +31317450218 fax: +31317450217 e-mail: marcel.bruins@seminis.com)

IV. OFFICER

Julia BORYS (Mrs.), Chairperson

V. OFFICE OF UPOV

Makoto TABATA, Senior Counsellor, 34, chemin des Colombettes, CH-1211 Geneva 20,
Switzerland
(tel.: +41 223388739, fax: +41 227330336, e-mail: makoto.tabata@upov.int)

[Annex II follows]

ANNEXII

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

I. In the case of the following species for which a working paper or adopted Test Guidelines document exist:

- Brussels Sprout (Revision) (TG/54 /6)
- Cabbage (Revision) (TG/48/6)
- Carrot (Revision) (TG/49/6)
- Chard/Leaf Beet (Revision) (TG/106/3)
- Melon (Revision) (TWV/36/4)
- Mushroom (TWV/36/3)
- Perilla (TWV/36/5)
- Rosemary (TWV/34/14)
- Watermelon (Revision) (TG/142/3)

By December 31, 2002	Participating experts should submit comments, if any, on the existing working papers or Test Guidelines to the leading expert.
By January 31, 2003	The leading expert should prepare a Working Paper or a revised Working Paper taking into account comments received, and distribute it to participating experts of the subgroup
By June 30, 2003	The participating experts should send comments and/or further contribution on the Working Paper to all experts in the subgroup.
By July 30, 2003	The leading experts should submit the revised final draft to the Office for distribution to the members of the TWV
September 2003	Discussion in the thirty -seventh session

II. In the case of the following species for which no working paper or adopted Test Guidelines document exist:

- Ginseng
- Husk Tomato
- Parsnip

By January 31, 2003	The leading expert should prepare a Working Paper and distribute it to participating experts of the subgroup
By June 30, 2003	The participating experts should send comments and/or further contribution on the Working Paper to all experts in the subgroup.
By July 30, 2003	The leading experts should submit the revised final draft to the Office for distribution to the members of the TWV
September 2003	Discussion in the thirty -seventh session

[Annex III follows]

ANNEXIII

LIST OF SUBGROUPS BY CORRESPONDENCE
FOR THE PREPARATION OF TEST GUIDELINES

Species	Existing Working Documents or Test Guidelines	Leading Expert	Participating Experts
Brussels Sprout (Revision)	TG/54/6	Mr. Green (UK)	CZ, DE, FR, NL, PL
Cabbage (Revision)	TG/49/6	Mr. van Ettehoven (NL)	CZ, DE, FR, JP, HU, PL, UK
Carrot (Revision)	TG/48/6	Mr. van Ettehoven (NL)	BR, CZ, DE, ES, FR, HU, PL, UK
Chard/Leaf Beet (Revision)	TG/106/3	Mr. Mr. Brand (FR)	NL, UK
Ginseng	Working paper to be prepared by KR	Mr. Choi (KR)	DE
Husk Tomato	Working paper to be prepared by MX	Mr. Cruz Garza (MX)	FR, PL
Melon	TWV/36/4+ comments made by TWV/36	Mr. Calvache (ES)	All (except for DE)
Mushroom	TWV/36/3+ comments made by TWV/36	Mr. van Marrewijk (NL)	CPVO, JP, KR, HU, PL
Parsnip	Working paper to be prepared by UK	Mr. Green (UK)	DE, HU, NL, PL
Perilla	TWV/36/5+ comments made by TWV/36 and TWO/35	Mr. van Marrewijk (NL)	KR, JP
Rosemary	TWV/34/14	Mr. Bar -Tel (IL)	DE
Watermelon (Revision)	TG/142/3	Mr. Ms. Füstos (HU)	ES, FR, JP, NL, PL

[End of Annex III and of document]