



TWV/39/3

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

**TECHNICAL WORKING PARTY
FOR
VEGETABLES**

**Thirty-Ninth Session
Nitra, Slovakia, June 6 to 10, 2005**

TGP DOCUMENTS

Document prepared by the Office of the Union

1. The purpose of this document is to provide an update on developments concerning the development of TGP documents.

Program for the Development of TGP Documents

2. At its forty-first session, held in Geneva from April 4 to 6, 2005, the Technical Committee (TC) approved the program for the development of TGP documents, as set out in the Annex to document TC/41/5 Add. Further information concerning certain of the TGP documents is presented below.

TGP Documents Considered for Adoption by the Technical Committee at its Forty-First Session

Documents adopted by the Technical Committee (TC)

3. The TC adopted the following documents at its forty-first session:

TGP/0	List of TGP Documents and Latest Issue Dates
TGP/2	List of Test Guidelines Adopted by UPOV
TGP/5	Experience and Cooperation in DUS Testing (Sections 1-10)
TGP/6	Arrangements for DUS Testing (Sections 1-3)

Basis for the adoption of TGP/5

4. The TC noted that sections 1 to 7 of TGP/5 represented texts which were contained in the UPOV publication 644(E) "Important Texts and Documents". It observed that some of those texts had been adopted several years ago and would benefit from updating. However, it recognized that those texts had been adopted by UPOV and also noted that UPOV publication 644(E) was no longer available and that many new members of the Union did not have easy access to those texts. Therefore, it approved sections 1 to 7 but, in addition, agreed to develop a program for updating of those sections, based on priority, in conjunction with the CAJ and Council, as appropriate. The Office of the Union (Office) agreed to prepare a proposal for consideration by the TC at its forty-second session. With regard to elements, which should be considered in any revision to the texts, the following comments were made:

- (a) to make suitable provisions for genetically modified varieties in relevant sections;
- (b) in Section 1 "Model Administrative Agreement for International Cooperation in the Testing of Varieties":
 - (i) to review Article 6 with regard to the possibility to include the maintenance of reference collections in the main agreement rather than as a matter to be settled between the authorities by correspondence;
 - (ii) to review Article 7 with regard to the amount of 350 Swiss francs;
- (c) in Section 5 "UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results": to consider amending the wording in the "UPOV Answer to the Request for Examination Results", paragraphs 5 and 6, to reflect the possibility for invoicing to be made directly to breeders.

5. The TC approved Section 10 "Notification of Additional Characteristics" of document TGP/5 on the basis that:

- (a) the date of submission of the additional characteristics would be included in the table;
 - (b) the status of additional characteristics would be made clear on the UPOV website;
- and

(c) there would be a review of the notification of additional characteristics on the UPOV website after three years of operation.

Documents not adopted

6. TGP/3 “Varieties of Common Knowledge”: the TC noted that, although document TGP/3/1 Draft 2 “Varieties of Common Knowledge” had been adopted by the Council, the Enlarged Editorial Committee (TC-EDC) had wondered whether the document went beyond what was contained in the General Introduction in terms of practical clarification in relation to varieties of common knowledge. The TC agreed that it would be better to try to elaborate a more practical and comprehensive document in respect of varieties of common knowledge in conjunction with the CAJ.

7. TGP/12 Section 2 “Chemical Constituents: Protein Electrophoresis”: the TC agreed that TGP/12 Section 2 “Chemical Constituents: Protein Electrophoresis” should not yet be adopted and should be brought forward for adoption in conjunction with the other sections of TGP/12 in due course.

Other TGP Documents Discussed by the TC

TGP/4 “[Constitution and] Management of Variety Collections”

8. The TC agreed the text as presented in document TGP/4/1 Draft 4, and agreed that it should be circulated to the Technical Working Parties (TWPs) at their sessions in 2005 on the basis that it represented the agreed situation in the TC.

TGP/9 “Examining Distinctness”

9. On the basis of the amendments agreed by the TC to document TGP/9/1 Draft 3 at its forty-first session, document TGP/9 Draft 4 has been prepared for consideration by the TWPs at their sessions in 2005.

TGP/7 “Development of Test Guidelines”

10. The first version of Annex 4 “Collection of Approved Characteristics” to document TGP/7 “Development of Test Guidelines”, has now been developed using Test Guidelines adopted in 2004 and 2005. A demonstration of how that collection can be used in conjunction with the electronic TG Template, i.e. the “drafter’s kit” in order to develop UPOV Test Guidelines, will be made at the TWP sessions in 2005.

11. In order to assist individual authorities to develop national / territorial guidelines from the UPOV Test Guidelines, Word versions of the adopted UPOV Test Guidelines will be made available on the first restricted area of the UPOV website.

12. At its forty-first session, the TC recalled that a new section on the development of individual authority Test Guidelines would be developed in future. Furthermore, it noted that during their sessions in 2004 the TWPs had, in the light of their experience, highlighted certain elements of the existing text which might be refined during a future revision and also

indicated where additions of new guidance notes or additional standard wording might be developed.

13. The following is a summary of the proposals which have been made:

Amendments to the Current Text

14. It has been suggested, by the TWP indicated in brackets, to consider modification of the text as follows:

(a) ASW 4 — 2(d): Observation of color by eye

to add that the color chart and the version of the color chart used should be specified with the variety description (TWF: document TWF/35/11, paragraph 54);

(b) GN 20 — Presentation of characteristics: States of expression according to type of expression of a characteristic

to clarify that adjectives such as moderately, medium, etc. (e.g. much smaller (1), moderately smaller (3), etc. / light green (1), medium green (2), etc.) should be used for pseudo-qualitative characteristics and for quantitative characteristics where there are one or more fixed states (Office in communication with Mrs. Elise Buitendag (South Africa), Coordinator of document TGP/7);

(c) GN 20.3 — Quantitative characteristics

to provide guidance on the use of a scale with more than 9 notes (TWA: document TWA/33/16, paragraph 67).

New Additional Standard Wording (ASW)

15. It has been suggested, by the TWP indicated in brackets, to seek to develop Additional Standard Wording (ASW) for the following situations:

(a) Chapter 1 of the Test Guidelines: Subject of these Test Guidelines

(i) where there are separate Test Guidelines for different types of variety within the same genus/species (TWF: document TWF/35/11, paragraph 55);

(ii) for Test Guidelines for rootstock varieties which do not include flower or fruit characteristics (TWA: document TWA/33/16, paragraph 31);

(iii) for Test Guidelines covering hybrids with species / genera which are covered by other Test Guidelines (TWF: document TWF/35/11, paragraph 40).

(b) Chapter 8

to provide a standard definition of time of eating maturity (TWF: document TWF/35/11, paragraph 54).

16. The TC agreed that, where proposals to update document TGP/7/1 “Development of Test Guidelines” were agreed by the TC, document TGP/7/1 should be revised and a new version adopted (TGP/7/2 in the first instance). Such revisions would then be incorporated in the electronic template and drafters’ kit.

Publication of Adopted TGP Documents

17. The TC noted that the adopted TGP documents would be published in a special section within the freely accessible part of the UPOV website. It also heard that document TGP/7/1 “Development of Test Guidelines” would be placed in that section.

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