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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

TECHNICAL WORKING PARTY FOR VEGETABLES

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ADDENDUM TO TGP DOCUMENTS

Document prepared by the Office of the Union

1. The purpose of this document is to provide comments on TGP documents made by the Technical Working Party for Ornamental Plants and Forest Trees (TWO), at its forty-sixth session, held in Melbourne, Australia, from April 22 to 26, 2013, and the Technical Working Party for Fruit crops (TWF), at its forty-fourth session, held in Napier, New Zealand, from April 29 to May 3, 2013.

2. The structure of this document is as follows:

TGP documents

3. The TWO and TWF considered developments concerning TGP documents on the basis of document TWO/46/3 Rev., TWF/44/3 and TWF/44/3 Add. respectively (see document TWO/46/29 “Report”, paragraph 12 and document TWF/44/31 “Report”, paragraph 15).

TGP/7: Development of Test Guidelines

(i) Revision of document TGP/7: Additional Standard Wording for Growing Cycle for Tropical Species

4. The TWO and TWF considered document TWO/46/9 and TWF/44/9 respectively, which was presented by an expert from New Zealand (see document TWO/46/29 “Report”, paragraphs 19 to 21, and document TWF/44/31 “Report”, paragraphs 23 to 24).

5. The TWO considered the following proposed Additional Standard Wording (ASW) for growing cycle of tropical species:

New (after (b)): Tropical fruit species

The growing cycle is considered to be the period ranging from the beginning of flowering of an individual flower or inflorescence, through active flowering and fruit development and concluding with fruit harvest.

6. The TWO noted that the proposed ASW provided guidance for fruit species and agreed that it was a matter for consideration by the TWF. It noted that the drafter from New Zealand would propose to the TWF that the title of the ASW should be "Fruit species with indeterminate growth".

7. The TWF considered the proposed Additional Standard Wording (ASW) for growing cycle of tropical species and proposed the following wording:

> *New (after (b)): ~~Tropical fruit species~~ Evergreen species with indeterminate growth*
> *The growing cycle is considered to be the period ranging from the beginning of flowering of an individual flower or inflorescence, through active flowering and fruit development, and concluding with the harvesting of fruit.*

(ii) Revision of document TGP/7: Source of Propagating Material

8. The TWO and the TWF considered the proposed guidance on source of propagating material, as presented in Section IV "Guidance for drafting Test Guidelines" of the Annex to document TWO/46/10 and to document TWF/44/10. The proposed guidance was presented by an expert from the European Union (see document TWO/46/29 "Report", paragraphs 22 and 23, and document TWF/44/31 "Report", paragraphs 25 to 27).

9. The TWO agreed that it would not be appropriate to seek to insert additional standard wording on source of propagating material in the Technical Questionnaire, Section 9.2. However, the TWO noted that the document provided useful information on the effects of the source of propagating material and requested the preparation of a condensed version as a source of general guidance for drafters of Test Guidelines, for inclusion in document TGP/7.

10. The TWF noted that the document provided useful information on the effects of the source of propagating material as a source of general guidance for drafters of Test Guidelines, for inclusion in document TGP/7, and requested the expert from the European Union to prepare a condensed version of the wording to be presented to the TWF at its forty-fifth session in 2014.

11. The TWF invited an expert from Spain to make a presentation at the forty-fifth session of the TWF, on practical experience in the use of *in vitro* propagated material when submitted for DUS testing or certification schemes.

(iii) Revision of document TGP/7: Indication of Growth Stage in Test Guidelines

12. The TWO and the TWF considered document TWO/46/11 and document TWF/44/11 respectively (see document TWO/46/29 "Report", paragraphs 24 to 26, and document TWF/44/31 "Report", paragraphs 28 to 29).

13. The TWO noted that ornamental plants are usually observed at the time of full flowering and the indication of growth stages in Test Guidelines should remain optional and to be used where appropriate.

14. The TWO agreed that the Additional Standard Wording 4 (ASW 4) should be amended in order to reflect the current practice in UPOV Test Guidelines to indicate growth states using letters, numbers and combinations of letters and numbers, to read as follows:

> "The optimum stage of development for the assessment of each characteristic is indicated by a ~~number~~ reference in the second column of the Table of Characteristics. The stages of development denoted by each ~~number~~ reference are described in Chapter 8 […]."

15. The TWF considered that there was no need to amend the existing guidance in document TGP/7 with regard to the indication of the growth stage at which to observe characteristics in the Test Guidelines. The TWF noted that the existing guidance provided sufficient information and that the indication of growth stages in Test Guidelines should remain optional and to be used where appropriate.

16. The TWF noted that the expert from Germany would provide an updated link for "Growth stages of mono-and dicotyledonous plants – BBCH Monograph" in GN9

GN 9 (TG Template: Chapter 3.3) – Growth stage key

In cases where it is appropriate to provide a growth stage key for the observation of characteristics, the following is a useful guide:

"Growth stages of mono-and dicotyledonous plants - BBCH Monograph"
(Federal Biological Research Centre for Agriculture and Forestry)
ISBN Number: 3-8263-3152-4

http://www.bba.de/veroeff/bbch/bbcheng.pdf

(iv) Revision of document TGP/7: Providing Illustrations of Color in Test Guidelines

17. The TWO and the TWF considered document TWO/46/12 and document TWF/44/12 respectively (see document TWO/46/29 "Report", paragraphs 27 and 28, and document TWF/44/31 "Report", paragraphs 30 to 31).

18. The TWO agreed to propose the following guidance be included in a future revision of document TGP/7:

"~~Particular caution is needed when considering the~~ It is generally not appropriate to use ~~of~~ illustrations of color in the Test Guidelines because the color in photographs can be affected by the technology of the camera, ~~and~~ the facilities used to display the photograph (including printer, computer and screen~~, etc.~~) and lighting conditions under which the photograph is taken. Furthermore, the expression of color may vary according to the environment in which the variety is grown. For example, a photograph of a "~~light~~ weak intensity" of anthocyanin coloration provided by the Leading Expert in one UPOV member may not represent a "weak ~~light~~ intensity" of anthocyanin coloration in another UPOV member."

19. The TWF agreed with the proposal of the TWO at its forty-sixth session, to include the following guidance in a future revision of document TGP/7, with the addition of the wording ", as such," in the first sentence:

"~~Particular caution is needed when considering the~~ It is generally not appropriate to use ~~of~~ illustrations of color, as such, in the Test Guidelines because the color in photographs can be affected by the technology of the camera, ~~and~~ the facilities used to display the photograph (including printer, computer and screen~~, etc.~~) and lighting conditions under which the photograph is taken. Furthermore, the expression of color may vary according to the environment in which the variety is grown. For example, a photograph of a "~~light~~ weak intensity" of anthocyanin coloration provided by the Leading Expert in one UPOV member may not represent a "weak ~~light~~ intensity" of anthocyanin coloration in another UPOV member."

(v) Revision of document TGP/7: Presence of Leading Expert at Technical Working Party Sessions

20. The TWO and the TWF considered document TWO/46/13 and document TWF/44/13 respectively and agreed with the proposed guidance on presence of leading expert at technical working party session, for inclusion in a future revision of document TGP/7, section 2.2.5.3, as set out below (see document TWO/46/29 "Report", paragraph 29, and document TWF/44/31 "Report", paragraph 32):

"2.2.5.3 Requirements for draft Test Guidelines to be considered by the Technical Working Parties

"Unless otherwise agreed at the TWP session, or thereafter by the TWP Chairperson, the timetable for the consideration of draft Test Guidelines by the Technical Working Parties is as follows:

Action	Latest date before the TWP session
Circulation of Subgroup draft by Leading Expert:	14 weeks
Comments to be received from Subgroup:	10 weeks
Sending of draft to the Office by the Leading Expert:	6 weeks
Posting of draft on the website by the Office:	4 weeks

"In cases where *either* of the deadlines for circulation of the Subgroup draft or for the sending of the draft to the Office by the Leading Expert is not met, the Test Guidelines would be withdrawn from the TWP agenda and the Office would inform the TWP accordingly at the earliest opportunity (i.e. not later than 4 weeks before the TWP session). In those cases where draft Test Guidelines are withdrawn from the TWP agenda because of failure by the Leading Expert to meet the relevant dates, it would be possible for specific matters concerning those Test Guidelines to be discussed at the TWP session. However, to consider specific matters it would be necessary for a document to be provided to the Office at least 6 weeks before the TWP session."

"In order to be considered by a Technical Working Party, the Leading Expert of the draft Test Guidelines should be present at the session, unless a suitable alternative expert can be arranged to act as the Leading Expert sufficiently in advance of the session, or unless the Leading Expert is able to participate by electronic means."

TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability

(i) *Revision of document TGP/8: Part I: DUS Trial Design and Data Analysis, New Section: Minimizing the Variation due to Different Observers*

21. The TWO and the TWF considered document TWO/46/14 document TWF/44/14 respectively (see document TWO/46/29 "Report", paragraphs 30 to 32, and document TWF/44/31 "Report", paragraphs 33 to 35).

22. The TWO proposed that experts from Australia, Germany, the Netherlands and the United Kingdom help to develop further guidance on the proposed text to be included in TGP/8 part I: DUS Trial and Design and Data Analysis, New Section: Minimizing the Variation due to Different Observers, in a future revision of document TGP/8, with regard to guidance on PQ and QN/MG characteristics.

23. The TWO noted, however, the importance of the Test Guidelines in providing clear guidance for DUS examiners and to ensure consistency of observations.

24. The TWF agreed that the variation due to different observers was not relevant in fruit DUS testing as observations were usually made by a single observer, and therefore the TWF considered it unnecessary to provide experts to develop further guidance on the proposed text to be included in TGP/8 part I: DUS Trial and Design and Data Analysis, New Section: Minimizing the Variation due to Different Observers, in a future revision of document TGP/8.

25. The TWF noted, however, the importance of the quality of the Test Guidelines in providing clear guidance for DUS examiners and in ensuring the consistency of observations. In that regard, the TWF recalled the work done previously on the consistency of variety descriptions in strawberry and apple (see document TWF/35/4). The TWF proposed that the expert from New Zealand report at the forty-fifth session, on the work done on the:" Publication of harmonized variety description for apple for an agreed set of varieties", in order to consider if it could be relevant to further develop the study.

(ii) Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, Section 3: Method of Calculation of COYU

26. The TWO and TWF considered document TWO/46/15 and document TWF/44/15 respectively (see document TWO/46/29 "Report", paragraphs 33 and 34, and document TWF/44/31 "Report", paragraphs 36 to 37).

27. The TWO and the TWF noted that:

(a) the TC had requested the TWC to continue its work with the aim of developing recommendations to the TC concerning the proposals to address the bias in the present method of calculation of COYU, and that

(b) a document on possible proposals for improvements to COYU would be prepared for the TWC session in 2013.

(iii) Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, New Section 10: Minimum Number of Comparable Varieties for the Relative Variance Method

28. The TWO and the TWF considered document TWO/46/16 and document TWF/44/16 respectively, which was presented by an expert from Australia at the TWO (see document TWO/46/29 "Report", paragraphs 35 and 36, and document TWF/44/31 "Report", paragraphs 38 to 39).

29. The TWO and the TWF noted the comments made by the TWPs at their sessions in 2012 and the TC, at its forty-ninth session in 2013. The TWO and the TWF agreed with the proposed amendments for revision of Section 10 of document TGP/8 and the new proposed guidance in paragraphs 10.2.2 and 10.6 to specify the minimum number of comparable varieties in the relative variance method, as set out in the Annex to document TWO/46/16 and to document TWF/44/16 respectively.

(iv) Revision of document TGP/8: Part II: Selected Techniques used in DUS Examination, New Section: Examining DUS in Bulk Samples

30. The TWO and the TWF considered document TWO/46/17 and document TWF/44/17 respectively (see document TWO/46/29 "Report", paragraphs 37 to 39, and document TWF/44/31 "Report", paragraphs 40 to 42).

31. The TWO and the TWF noted that the TC had agreed to replace the proposed text for new Section 11 "Examining DUS in Bulk Samples" in the Annex to document TC/49/28 with guidance on the use of characteristics examined on the basis of bulk samples, in order to ensure that the characteristics fulfill the basic requirements for a characteristic.

32. The TWO and the TWF agreed that Leading Experts of Test Guidelines could be requested to provide data from different years to demonstrate that the expression of the characteristic is "sufficiently consistent and repeatable in a particular environment".

(v) Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination", New Section: Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions

33. The TWO and the TWF considered document TWO/46/18 and document TWF/44/18 respectively (see document TWO/46/29 "Report", paragraphs 40 to 42, and document TWF/44/31 "Report", paragraphs 43 to 46).

34. The TWO and the TWF considered the developments on a practical exercise with a common data set to produce variety descriptions of self-pollinated and/or vegetatively propagated varieties, in order to determine the aspects in common and divergence between methods, with a view to developing general guidance.

35. The TWO agreed with the practical exercise and requested the development of guidance on data processing for the assessment of distinctness and for producing variety descriptions of vegetatively propagated crops.

36. The TWF agreed that the COY method is working well for cross pollinated crops and highlighted the importance of developing guidance for producing variety descriptions for self-pollinated and/or vegetatively propagated varieties. The TWF invited the expert from New Zealand to make a presentation at the forty-fifth session of the TWF in 2014, on the project for "apple reference varieties" that began in New Zealand in 2011, and how this work would contribute to developing improved example varieties and variety descriptions.

37. The TWF agreed with the value of a practical exercise and requested the development of guidance on data processing for the assessment of distinctness and for producing variety descriptions of vegetatively propagated crops.

(vi) Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, New Section: Guidance of Data Analysis for Blind Randomized Trials

38. The TWO and the TWF considered document TWO/46/19 and document TWF/44/19 respectively (see document TWO/46/29 “Report”, paragraphs 43 to 46, and document TWF/44/31 “Report”, paragraphs 47 to 49).

39. The TWO and the TWF noted the comments made by the TWPs at their sessions in 2012 and the TC-EDC in 2013, and considered the draft new Section on “Guidance for Data Analysis for Blind Randomized Trials”.

40. The TWO noted that the draft new section related to the DUS trial design and suggested to change the title to “Draft guidance for blind randomized trials conducted by the authority or a third party”.

41. The TWO suggested that the introduction to be provided should be generic and requested the addition of an example for ornamental plants.

42. The TWF agreed that the drafter should further develop the guidance as set out in Annex II to document TWF/44/19 on draft guidance on data analysis for blind randomized trials for inclusion in a future revision of document TGP/8.

(vii) Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, New Section: Examining characteristics using image analysis

43. The TWO and the TWF considered document TWO/46/20 and document TWF/44/20 respectively (see document TWO/46/29 “Report”, paragraphs 47 to 50 and document TWF/44/31 “Report”, paragraphs 50 to 53).

44. The TWO and the TWF noted the information on software and hardware used for image analysis, as set out in Annex I to document TWO/46/20 and to document TWF/44/20 respectively.

45. The TWO and the TWF noted that the AIM software for image analysis would be considered in document TWO/46/7 and document TWF/44/7 “Exchangeable software”.

46. The TWO and the TWF noted that a draft of the new section “Examining Characteristics Using Image Analysis” for document TGP/8 would be presented to the TWC in 2013.

(viii) Revision of document TGP/8: Part II: Selected Techniques Used in DUS Examination, New Section: Statistical methods for visually observed characteristics

47. The TWO and the TWF considered document TWO/46/23 and document TWF/44/23 respectively (see document TWO/46/29 “Report”, paragraphs 51 and 52, and document TWF/44/31 “Report”, paragraphs 54 to 55).

48. The TWO and the TWF noted that:

(a) the TC had agreed that it would not be appropriate to continue the development of a section on “Statistical Methods for Visually Observed Characteristics”, unless new guidance was provided beyond the methods already provided in document TGP/8; and

(b) requested the TWC to clarify if it proposed to modify an existing method or provide a new additional method.

TGP/14: Glossary of Terms Used in UPOV Documents

(i) Revision of document TGP/14: Section 2: Botanical Terms, Subsection 3: Color, Definition of "Dot"

49. The TWO and the TWF considered document TWO/46/21 and document TWF/44/21 respectively (see document TWO/46/29 “Report”, paragraphs 53 and 54 and document TWF/44/31 “Report”, paragraphs 56 to 57).

50. The TWO and the TWF agreed that “dot” was a small “spot” and that only the term “spot” should be used in the future, according to the guidance provided in document TGP/14: Section 2: Botanical Terms, Subsection 3: Color. The TWO and the TWF proposed that the Test Guidelines should be revised whenever the use of these terms could cause confusion.

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