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| International Union for the Protection of New Varieties of Plants |  |

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| Technical Working Party for VegetablesFifty-Fourth SessionBrasilia, Brazil, May 11 to 15, 2020Technical Working Party for Ornamental Plants and Forest TreesFifty-Second SessionRoelofarendsveen, Netherlands, June 8 to 12, 2020Technical Working Party for Agricultural CropsForty-Ninth SessionSaskatoon, Canada, June 22 to 26, 2020Technical Working Party for Fruit CropsFifty-First SessionNîmes, France, July 6 to 10, 2020Technical Working Party on Automation and Computer ProgramsThirty-Eighth SessionAlexandria, United States of America, September 21 to 23, 2020 | TWP/4/1Original: EnglishDate: April 14, 2020 |

Development of TGP and information (INF) documents

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

# EXECUTIVE SUMMARY

 The purpose of this document is to provide an overview on the development of TGP and information (INF) documents.

Matters for adoption by the Council in 2020

 The TWPs are invited to note the matters concerning documents TGP/5, TGP/7, TGP/14, TGP/15, UPOV/INF/12, UPOV/INF/16 and UPOV/INF/22 to be proposed for adoption by the Council at its fifty-fourth ordinary session, to be held in Geneva on October 30, 2020, subject to approval by the CAJ, at its seventy seventh session, to be held in Geneva on October 28, 2020.

Possible future revisions of TGP documents and information documents

 The TWPs are invited to note the matters concerning possible future revision of documents TGP/8 and UPOV/INF/17, which will be considered under documents TWP/4/10, TWP/4/11 and TWP/4/7, respectively.

New proposals for revisions of TGP documents and information documents

 The TWPs are invited to:

 (a) propose relevant guidance in TGP documents that could have links displayed in Test Guidelines; and

 (b) note that the CAJ, at its seventy-seventh session, to be held in Geneva on October 28, 2020, will consider draft document UPOV/INF/23 “UPOV Code System”.

 The TWA, TWO and TWV are invited to note discussions on the procedure for partial revision of Test Guidelines.

 The TWF is invited to consider whether an accelerated procedure for partial revision of Test Guidelines is required.

Program for the development of TGP documents and information documents

 The TWPs are invited to note the program for the development of TGP documents and information documents, as set out in Annexes V and VI to this document, respectively.

 The structure of this document is as follows:

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[Revision of document UPOV/INF/12 “Explanatory Notes on Variety Denominations under the UPOV Convention” 4](#_Toc37165247)

[Revision of document UPOV/INF/16 “Exchangeable Software” 4](#_Toc37165248)

[Revision of document UPOV/INF/22 “Software and Equipment Used by Members of the Union” 4](#_Toc37165249)

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[TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability 4](#_Toc37165251)

[Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions 4](#_Toc37165252)

[The Combined-Over-Years Uniformity Criterion (COYU) 4](#_Toc37165253)

[Revision of document UPOV/INF/17 “Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction (‘BMT Guidelines’)” 4](#_Toc37165254)

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[Procedure for partial revision of UPOV Test Guidelines 5](#_Toc37165258)

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ANNEX I: Matters for adoption by the Council in 2020: Revisions to document TGP/5

ANNEX II: Matters for adoption by the Council in 2020: New section to document TGP/7

ANNEX III: Matters for adoption by the Council in 2020: New sections to document TGP/14

ANNEX IV: Matters for adoption by the Council in 2020: Revisions to document TGP/15

ANNEX V: Program for the development of TGP documents

ANNEX VI: Program for the development information documents

 The following abbreviations are used in this document:

BMT Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular

TC: Technical Committee

TC-EDC: Enlarged Editorial Committee

TWA: Technical Working Party for Agricultural Crops

TWC: Technical Working Party on Automation and Computer Programs

TWF: Technical Working Party for Fruit Crops

TWO: Technical Working Party for Ornamental Plants and Forest Trees

TWV: Technical Working Party for Vegetables

TWPs: Technical Working Parties

BACKGROUND

 The TC, at its fifty-fifth session, held in Geneva on October 28 and 29, 2019, and the CAJ, at its seventy‑sixth session, held in Geneva on October 30, 2019, approved the program for the development of TGP documents, as set out in the Annex to documents TC/55/25 and CAJ/75/9, respectively, subject to the conclusions at their sessions (see document TC/55/25 “Report”, paragraph 176, and document CAJ/76/9 “Report”, paragraph 33).

 The TC, at its fifty-fifth session, agreed to extend the coverage of document “TGP Documents” to cover all relevant information materials, to be presented in future sessions of the Technical Committee. The Annex VI to this document presents the program for the development of relevant information documents (see document TC/55/25 “Report”, paragraph 177).

 The approved TGP documents are published on the UPOV website at <http://www.upov.int/upov_collection/en/>.

# Matters for adoption by the Council in 2020

 The following revisions of TGP documents were agreed by the Technical Committee, at its fifty-fifth session, to be proposed for adoption by the Council at its fifty‑fourth ordinary session, to be held in Geneva on October 30, 2020, subject to approval by the CAJ, at its seventy‑seventh session, to be held in Geneva on October 28, 2020:

## TGP/5: Section 6: UPOV Report on Technical Examination and UPOV Variety Description

 The TC, agreed to propose the revision to document TGP/5, Section 6 “UPOV Report on Technical Examination and UPOV Variety Description”, to include guidance on the purpose of the variety description developed at the time of the grant of the breeder’s right and the status of the original variety description in relation to the verification of the conformity of plant material to a protected variety for enforcement of the breeder’s right. The proposed revision of document TGP/5, Section 6, is reproduced in Annex I to this document (see document TC/55/25 “Report”, paragraphs 231 and 232).

## TGP/7: Development of Test Guidelines

### Characteristics which only apply to certain varieties

 The TC, at its fifty-fifth session, agreed to amend the guidance in document TGP/7, Guidance Note 18 (GN 18), to allow the exclusion of a characteristic from observation on the basis of a state of expression of a preceding pseudo-qualitative or quantitative characteristic, as set out in Annex II to this document (see document TC/55/25 “Report”, paragraphs 144 to 147):

### Presentation of full scale of notes for quantitative characteristics in Test Guidelines

 The TC, at its fifty-fifth session, agreed to revise document TGP/7 to present all states of expression for quantitative characteristics in Test Guidelines (see document TC/55/25 “Report”, paragraph 172).

## TGP/14: Glossary of Terms Used in UPOV Documents

### Color names for the RHS Colour Chart

 The TC, at its fifty-fifth session, agreed to revise the list of UPOV Color Groups in document TGP/14 “Glossary of Terms used in UPOV Documents” on the basis of the color groups set out in Annex III to this document (see document TC/55/25 “Report”, paragraphs 157 to 160).

 The TC agreed to revise document TGP/14, Section 2, Subsection 3: “Color”, and Subsection 3: Annex: “Color names for the RHS Colour Chart”, to reflect the introduction of the revised list of UPOV Color Groups, as set out in Annex III to this document.

## TGP/15: Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)

### New example: Characteristic-specific marker with incomplete information on state of expression

 The TC, at its fifty-fifth session, agreed to add a new example to document TGP/15 to illustrate a situation where the characteristic-specific marker did not provide complete information on the state of expression of a characteristic, as set out in Annex IV to this document (see document TC/55/25 “Report”, paragraphs 161 to 165).

 The TC noted that the new example “Characteristic-specific marker with incomplete information on state of expression” would become a second example of model “Characteristic-specific molecular markers” in document TGP/15.

 The TC agreed that model “Genetic selection of similar varieties for the first growing cycle” should be presented in document TGP/15 as a second example of model “Combining phenotypic and molecular distances in the management of variety collections”. The TC agreed that the terminology on different “Models” should be reviewed in the document. A revised version of document TGP/15 incorporating the required changes will be considered by the TC, at its fifty-sixth session.

## Revision of document UPOV/INF/12 “Explanatory Notes on Variety Denominations under the UPOV Convention”

See document TWP/4/6

## Revision of document UPOV/INF/16 “Exchangeable Software”

See document TWP/4/5

## Revision of document UPOV/INF/22 “Software and Equipment Used by Members of the Union”

See document TWP/4/5

 The TWPs are invited to note the matters concerning documents TGP/5, TGP/7, TGP/14, TGP/15, UPOV/INF/12, UPOV/INF/16 and UPOV/INF/22 to be proposed for adoption by the Council at its fifty‑fourth ordinary session, to be held in Geneva on October 30, 2020, subject to approval by the CAJ, at its seventy‑seventh session, to be held in Geneva on October 28, 2020.

# possible future revisions of tgp documents and information documents

 The TC, at its fifty-fifth session, held in Geneva on October 28 and 29, 2019, agreed the matters for possible future revision of TGP documents and information documents to be considered by the TWPs at their sessions in 2020, as follows (see document TC/55/25 “Report”, paragraphs 141 to 177):

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

### Data Processing for the Assessment of Distinctness and for Producing Variety Descriptions

See document TWP/4/10

### The Combined-Over-Years Uniformity Criterion (COYU)

See document TWP/4/11

## Revision of document UPOV/INF/17 “Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction (‘BMT Guidelines’)”

See document TWP/4/7

24. The TWPs are invited to note the matters concerning possible future revision of document TGP/8 and information document UPOV/INF/17, which will be considered under documents TWP/4/10, TWP/4/11 and TWP/4/7, respectively.

# new proposals for revisions of TGP documents and information documents

TGP/7: Development of Test Guidelines

### Links to relevant TGP documents guidance in Test Guidelines

 The TC, at its fifty-fifth session, noted the proposal by the TWC, at its thirty-seventh session, to indicate relevant guidance in TGP documents that could have links displayed in Test Guidelines, and agreed to invite the TWPs, at their sessions in 2020, to propose links that might be indicated (see document TC/55/25 “Report”, paragraphs 173 and 174).

 The TC agreed that relevant UPOV guidance identified by the TWPs should be reported to the TC, at its fifty-sixth session, for possible inclusion in the Template for Test Guidelines in a future revision of document TGP/7.

 The TWPs are invited to propose relevant guidance in TGP documents that could have links displayed in Test Guidelines.

*Procedure for partial revision of UPOV Test Guidelines*

 The TC, at its fifty-fifth session, considered whether to revise the procedure for partial revisions of Test Guidelines, on the basis of the information provided by the TWF (see document TC/55/25 “Report”, paragraphs 166 and 171).

 The TC noted the following circumstances proposed by the TWF for allowing experts to make new proposals for partial revisions of Test Guidelines in the course of the year:

* For proposals to delete a characteristic
* For proposals to add a new state of expression and/or add a new illustration
* For proposals to add new example varieties

 The TC noted the following circumstances proposed by the TWF when an accelerated procedure should not be applied:

* For proposals for grouping characteristics
* For proposals to add new characteristics

 The TC recalled that, if an accelerated procedure were to be accepted, proposals for partial revisions of Test Guidelines would need to be published at least two months before the session to allow sufficient time for consideration by members. The TC noted that additional time would also be required by the Office of the Union to prepare documents before posting online.

 The TC recalled that partial revisions of Test Guidelines could be proposed at the TWPs or at the TC sessions, providing at least two opportunities per year for proposing partial revisions.

 The TC noted that frequent updates of Test Guidelines could be detrimental for international harmonization and requested the TWF to reconsider whether a new procedure was necessary. The TC agreed that, in case the TWF established that an accelerated procedure would be justified, it should only be used in exceptional cases.

 The TWA, TWO and TWV are invited to note discussions on the procedure for partial revision of Test Guidelines.

 The TWF is invited to consider whether an accelerated procedure for partial revision of Test Guidelines is required.

## Development of document UPOV/INF/23 “UPOV Code System”

 The CAJ, at its seventy-seventh session, to be held in Geneva on October 28, 2020, will consider draft document UPOV/INF/23 “UPOV Code System”.

 The TWPs are invited to note that the CAJ, at its seventy-seventh session, to be held in Geneva on October 28, 2020, will consider draft document UPOV/INF/23 “UPOV Code System”.

# Program for the development of TGP documents and information documents

 The TC, at its fifty-fifth session, and the CAJ, at its seventy-sixth session, agreed the program for the development of TGP documents, as set out in Annex V to this document (see document TC/55/25 “Report”, paragraph 176, and document CAJ/76/9 “Report”, paragraph 33).

 The TC, at its fifty-fifth session, agreed to extend the coverage of document “TGP Documents” to cover all relevant information materials, to be presented in future sessions of the Technical Committee. The Annex VI to this document presents the program for the development of relevant INF series documents (see document TC/55/25 “Report”, paragraph 177).

 The TWPs are invited to note the program for the development of TGP documents and information documents, as set out in Annexes V and VI to this document, respectively.

 [Annexes follow]

MATTERS FOR ADOPTION BY THE COUNCIL IN 2020: DOCUMENT TGP/5

Document TGP/5, Section 6 “UPOV Report on Technical Examination and UPOV Variety Description”

Note for revisions: changes indicated by ~~strikethrough~~ (highlighted) for deletions and underlining (highlighted) for additions

Note for Draft version: **Endnotes** provide background information when considering the draft version, not to be retained in the approved version of the document. **Footnotes** to be retained in the published version of the document.

UPOV REPORT ON TECHNICAL EXAMINATION

1. Reference number of Reporting Authority ......................................................................

2. Requesting Authority .......................................................................

3. Reference number of Requesting Authority .......................................................................

4. Breeder’s reference .......................................................................

5. Date of application in requesting member of the Union .............................................................

6. Applicant (name and address) .......................................................................

7. Agent (name and address) (if applicable) .......................................................................

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

8. (a) Botanical name of taxon .......................................................................

 (b) UPOV code .......................................................................

9. Common name of taxon .......................................................................

10. Variety denomination .......................................................................

11. Person who bred, or discovered .......................................................................

 and developed, the variety (name and address) .......................................................................

 (if different from applicant) .......................................................................

12. Reporting Authority .......................................................................

13. Testing station(s) and place(s) .......................................................................

14. Period of testing .......................................................................

15. Date and place of issue of document .......................................................................

16. RESULTS OF THE TECHNICAL EXAMINATION

 (a) Report on Distinctness

 The variety

 - is distinct [ ]

 - is not distinct [ ]

 according to the UPOV Convention

Variety(ies) from which it is not distinct (if applicable)

………………………………………………

(b) Report on Uniformity

 The variety

 - is uniform [ ]

 - is not uniform [ ]

 according to the UPOV Convention

Characteristic(s) for which the variety is not uniform and explanation of the lack of uniformity (if applicable) are provided in an annex to this report.

 (c) Report on Stability

 The variety

 - is stable [ ]

 - is not stable [ ]

according to the UPOV Convention

Characteristic(s) for which the variety is not stable and explanation of the lack of stability
(if applicable) are provided in an annex to this report.

 (d) A description of the variety is provided in an annex to this report [ ]

(if the variety is distinct, uniform and stable).

(If the variety is not distinct, a description can be provided on request.)

17. Remarks ...........................................................................

 ...........................................................................

18. Signature ...........................................................................

UPOV VARIETY DESCRIPTION

1. Reference number of Reporting Authority .......................................................................

2. Reference number of Requesting Authority .......................................................................

3. Breeder’s reference .......................................................................

4. Applicant (name and address) .......................................................................

5. (a) Botanical name of taxon .......................................................................

 (b) UPOV code .......................................................................

6. Common name of taxon .......................................................................

7. Variety denomination .......................................................................

8. Date and document number of UPOV

 Test Guidelines .......................................................................

9. Date and/or document number of

 Reporting Authority’s test guidelines .......................................................................

10. Reporting Authority .......................................................................

11. Testing station(s) and place(s) .......................................................................

12. Period of testing .......................................................................

13. Date and place of issue of document .......................................................................

14. Group: (if characteristics of number 15 are used for grouping, they are marked with a G in that number)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

UPOV Reporting
 No. Authority No. Characteristics States of Expression Note Remarks

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reference number of Reporting Authority .............................................

15. Characteristics Included in the UPOV Test Guidelines or Reporting Authority’s Test Guidelines

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 UPOV Reporting

 No. Authority No. Characteristics States of Expression Note Remarks

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

16. Similar Varieties and Differences from These Varieties

|  |  |  |  |
| --- | --- | --- | --- |
| Denomination(s) of variety(ies) similar to the candidate variety | Characteristic(s) in which the candidate variety differs from the similar variety(ies)1) | State of expression of the characteristic(s) for the similar variety(ies) 2) | State of expression of the characteristic(s) for the candidate variety2) |

1) In the case of identical states of expression of both varieties, please indicate the size of the difference.

2) The state of expression of the candidate variety and similar variety(ies) relate to the DUS examination conducted at the testing station, place and period of testing indicated in 11 and 12.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

17. Additional Information

 (a) Additional Data

 (b) Photograph (if appropriate)

 (c) RHS Colour Chart version used (if appropriate)

 (d) Remarks

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

18. Explanatory Notes to the Annex: UPOV VARIETY DESCRIPTION

 (a) General (Annex: UPOV Variety Description)

(i) Purpose of the original variety description

The purpose of the variety description developed at the time of the grant of the breeder’s right (original variety description) can be summarized as follows:

(a) to describe the characteristics of the variety; and

(b) to identify and list similar varieties and differences from these varieties;

combined with the information on the basis for (a) and (b), namely:

▪ Date and document number of UPOV Test Guidelines;

▪ Date and/or document number of Reporting Authority’s test guidelines;

▪ Reporting Authority;

▪ Testing station(s) and place(s);

▪ Period of testing;

▪ Date and place of issue of document;

▪ Group: (Table: Characteristics; States of Expression; Note; Remarks);

▪ Additional Information:

 (a) Additional Data

 (b) Photograph (if appropriate)

 (c) RHS Colour Chart version used (if appropriate)

 (d) Remarks.”

(ii) Status of the original variety description in relation to the enforcement of the breeder’s rights

Document UPOV/EXN/ENF/1 “Explanatory notes on the enforcement of breeders’ rights under the UPOV Convention” explains as follows:

“SECTION II: Some possible measures for the enforcement of breeders’ rights

“While the UPOV Convention requires members of the Union to provide for appropriate legal remedies for the effective enforcement of breeders’ rights, it is a matter for breeders to enforce their rights.”

In relation to the verification of plant material of a protected variety for the purposes of enforcement of the breeder’s right, it should be recalled that the description of the variety characteristics in the original variety description and the basis for distinctness from the most similar variety are linked to the circumstances of the DUS examination, namely:

* + - Date and document number of UPOV Test Guidelines;
		- Date and/or document number of Reporting Authority’s test guidelines;
		- Reporting Authority;
		- Testing station(s) and place(s);
		- Period of testing;
		- Date and place of issue of document;
		- Group: (Table: Characteristics; States of Expression; Note; Remarks).
		- Additional Information:

 (a) Additional Data

 (b) Photograph (if appropriate)

 (c) RHS Colour Chart version used (if appropriate)

 (d) Remarks

(iii) Amendment to the original variety description

Document TGP/4 “Constitution and Maintenance of Variety Collections” explains in section 3.1.1:

“With regard to descriptions based on the relevant UPOV Test Guidelines, it is important to note that UPOV Test Guidelines may be revised (see document TGP/7), possibly leading to the introduction of some new characteristics and the deletion of some others from the table of characteristics. Furthermore, the states of expression of a characteristic may be amended. Therefore, descriptions which have been prepared using different versions of the UPOV Test Guidelines for the same species or group of species may not be fully compatible. In these cases, the descriptions should be aligned as far as possible.”

In some members of the Union the original variety description may be amended to adapt the description to render it comparable with descriptions of other varieties, produced under different circumstances. In such cases, all stakeholders should be informed.

Examination offices may update their variety data to reflect the evolution of Test Guidelines. Such updates are made for working purposes and do not affect the original variety description.

(iv) Reference Number of the Reporting Authority

 The reference number of the Reporting Authority should be repeated on each page of the report.

 (b) Ad Number 14 (Annex: UPOV Variety Description)

 Only information on the group to which the variety belonged should be given or information on groupings other than by characteristics listed in Number 15. Grouping by characteristics mentioned in Number 15 should be indicated simply by marking the respective characteristic in Number 15 with the letter “G” before the number of the characteristic.

 (c) Ad Number 15 (Annex: UPOV Variety Description)

1. All characteristics of the UPOV Test Guidelines should be reproduced, including those which are not applicable and those which have not been recorded. Those not applicable should be marked “not applicable,” those not recorded, “not recorded.”
2. The asterisks from the UPOV Test Guidelines should be repeated on the form.
3. Additional characteristics from the Reporting Authority’s test guidelines should not be placed after the UPOV Test Guidelines characteristics, but in their sequence according to the UPOV principles, as the main purpose of the form is still for the authority’s use. They do not need to be specially marked as they are sufficiently identified by the Reporting Authority’s number.
4. The list contains only a small column for brief remarks or for a reference to lengthier remarks which should be reproduced in a footnote.

 (d) Ad Number 16 (Annex: UPOV Variety Description)

 Only those characteristics that show sufficient differences to establish distinctness should be given. Information on differences between two varieties should always contain the states of expression with their notes for both varieties; if possible, in columns if more varieties are mentioned.

[Annex II follows]

MATTERS FOR ADOPTION BY THE COUNCIL IN 2020: DOCUMENT TGP/7 “Development of Test Guidelines”

*Characteristics which only apply to certain varieties*

The TC, at its fifty-fifth session, agreed to amend the guidance in document TGP/7, Guidance Note 18 (GN 18), to allow the exclusion of a characteristic from observation on the basis of a state of expression of a preceding pseudo-qualitative or quantitative characteristic, to read as follows (see document TC/55/25 “Report”, paragraphs 144 to 147):

*“3. Characteristics which only apply to certain varieties*

“In some cases, the state of expression of a preceding characteristic determines that a subsequent characteristic is not applicable e.g. it would not be possible to describe the shape of leaf lobes for a variety which did not have leaf lobes.

“In cases where this is not obvious, or where the characteristics are separated in the Table of Characteristics, the heading of the subsequent characteristic is preceded by an underlined reference to the types of varieties to which it applies, on the basis of the preceding characteristic.

“The following examples demonstrate how the proposed approach might be used for QL, PQ and QN characteristics:

(QL) Flower: type: single (1); double (2)

(PQ) Only varieties with: Flower: type: single: Flower: shape

(PQ) Flower head: type: single (1); semi-double (2); daisy-eyed double (3); double (4)

(QN) Only varieties with: Flower head: type: daisy-eyed double or double: Flower head: height: short (3); medium (5); tall (7)

(PQ) Plant: head formation: absent (1); open (2); closed (3)

(QN) Only varieties with: Plant: head formation: open or closed: Time of head formation: very early (1); early (3); medium (5); late (7); very late (9)”

(QN) Presence of hairs: absent or very weak (1).

(PQ) Only varieties with: Presence of hairs: Other than “absent or very weak” (1): Hair: color

“The exclusion of characteristics from observation on the basis of a preceding pseudo-qualitative (PQ) or quantitative (QN) characteristic should be used with caution, taking into account the consequences for the examination of distinctness.”

[Annex III follows]

MATTERS FOR ADOPTION BY THE COUNCIL IN 2020: DOCUMENT TGP/14

NEW UPOV Color Groups

| UPOV Group No. | English | français | deutsch | español |
| --- | --- | --- | --- | --- |
| 1 | white | blanc | weiß | blanco |
| 2 | light green | vert clair | hellgrün | verde claro |
| 3 | medium green | vert moyen | mittelgrün | verde medio |
| 4 | dark green | vert foncé | dunkelgrün | verde oscuro |
| 5 | light yellow green | vert-jaune clair | hellgelbgrün | verde amarillento claro |
| 6 | medium yellow green | vert-jaune moyen | mittelgelbgrün | verde amarillento medio |
| 7 | light grey green | vert-gris clair | hellgraugrün | verde grisáceo claro |
| 8 | medium grey green | vert-gris moyen | mittelgraugrün | verde grisáceo medio |
| 9 | dark grey green | vert-gris foncé | dunkelgraugrün | verde grisáceo oscuro |
| 10 | light blue green | vert-bleu clair | hellblaugrün | verde azulado claro |
| 11 | medium blue green | vert-bleu moyen | mittelblaugrün | verde azulado medio |
| 12 | dark blue green | vert-bleu foncé | dunkelblaugrün | verde azulado oscuro |
| 13 | light brown green | vert-brun clair | hellbraungrün | verde amarronado claro |
| 14 | medium brown green | vert-brun moyen | mittelbraungrün | verde amarronado medio |
| 15 | dark brown green | vert-brun foncé | dunkelbraungrün | verde amarronado oscuro |
| 16 | light yellow | jaune clair | hellgelb | amarillo claro |
| 17 | medium yellow | jaune moyen | mittelgelb | amarillo medio |
| 18 | dark yellow | jaune foncé | dunkelgelb | amarillo oscuro |
| 19 | light yellow orange | orange-jaune clair | hellgelborange | naranja amarillento claro |
| 20 | medium yellow orange | orange-jaune moyen | mittelgelborange | naranja amarillento medio |
| 21 | dark yellow orange | orange-jaune foncé | dunkelgelorange | naranja amarillento oscuro |
| 22 | light orange | orange clair | hellorange | naranja claro |
| 23 | medium orange | orange moyen | mittelorange | naranja medio |
| 24 | dark orange | orange foncé | dunkelorange | naranja oscuro |
| 25 | light orange pink | rose orangé clair | hellorangerosa | rosa anaranjado claro |
| 26 | medium orange pink | rose orangé moyen | mittelorangerosa | rosa anaranjado medio |
| 27 | light red pink | rose-rouge clair | hellrotrosa | rosa rojizo claro |
| 28 | medium red pink | rose-rouge moyen | mittelrotosa | rosa rojizo medio |
| 29 | pink | rose | rosa | rosa |
| 30 | light blue pink | rose-bleu clair | hellblaurosa | rosa azulado claro |
| 31 | medium blue pink | rose-bleu moyen | mittelblaurosa | rosa azulado medio |
| 32 | dark blue pink | rose-bleu foncé | dunkelblaurosa | rosa azulado oscuro |
| 33 | orange red | rouge orangé | orangerot | rojo anaranjado |
| 34 | light red | rouge clair | hellrot | rojo claro |
| 35 | medium red | rouge moyen | mittelrot | rojo medio |
| 36 | dark red | rouge foncé | dunkelrot | rojo oscuro |
| 37 | medium purple red | rouge-pourpre moyen | mittelpurpurrot | rojo púrpura medio |
| 38 | dark purple red | rouge-pourpre foncé | dunkelpurpurrot | rojo púrpura oscuro |
| 39 | brown red | rouge-brun | braunrot | rojo amarronado |
| 40 | medium brown purple | pourpre-brun moyen | mittelbraunpurpurn | púrpura amarronado medio |
| 41 | dark brown purple | pourpre-brun foncé | dunkelbraunpurpurn | púrpura amarronado oscuro |
| 42 | medium purple | pourpre moyen | mittelpurpurn | púrpura medio |
| 43 | dark purple | pourpre foncé | dunkelpurpurn | púrpura oscuro |
| 44 | light violet | violet clair | hellviolett | violeta claro |
| 45 | medium violet | violet moyen | mittelviolett | violeta medio |
| 46 | dark violet | violet foncé | dunkelviolett | violeta oscuro |
| 47 | light blue violet | violet-bleu clair | hellblauviolett | violeta azulado claro |
| 48 | medium blue violet | violet-bleu moyen | mittelblauviolett | violeta azulado medio |
| 49 | dark blue violet | violet-bleu foncé | dunkelblauviolett | violeta azulado oscuro |
| 50 | light violet blue | bleu-violet clair | hellviolettblau | azul violáceo claro |
| 51 | medium violet blue | bleu-violet moyen | mittelviolettblau | azul violáceo medio |
| 52 | dark violet blue | bleu-violet foncé | dunkelviolettblau | azul violáceo oscuro |
| 53 | light blue | bleu clair | hellblau | azul claro |
| 54 | medium blue | bleu moyen | mittelblau | azul medio |
| 55 | dark blue | bleu foncé | dunkelblau | azul oscuro |
| 56 | light green blue | bleu-vert clair | hellgrünblau | azul verdoso claro |
| 57 | medium green blue | bleu-vert moyen | mittelgrünblau | azul verdoso medio |
| 58 | dark green blue | bleu-vert foncé | dunkelgrünblau | azul verdoso oscuro |
| 59 | light brown  | brun clair  | hellbraun | marrón claro  |
| 60 | medium brown | brun moyen | mittelbraun | marrón medio |
| 61 | dark brown | brun foncé | dunkelbraun | marrón oscuro |
| 62 | light yellow brown | brun-jaune clair | hellgelbbraun | marrón amarillento claro |
| 63 | medium yellow brown | brun-jaune moyen | mittelgelbbraun | marrón amarillento medio |
| 64 | orange brown | brun orangé | orangebraun | marrón anaranjado |
| 65 | grey brown | brun-gris | graubraun | marrón grisáceo |
| 66 | light green brown | brun-vert clair | hellgrünbraun | marrón verdoso claro |
| 67 | medium green brown | brun-vert moyen | mittelgrünbraun | marrón verdoso medio |
| 68 | dark green brown | brun-vert foncé | dunkelgrünbraun | marrón verdoso oscuro |
| 69 | yellow grey | gris-jaune | gelbgrau | gris amarillento |
| 70 | brown grey | gris-brun | braungrau | gris amarronado |
| 71 | purple grey | gris-pourpre | purpurgrau | gris púrpura |
| 72 | grey | gris | grau | gris |
| 73 | black | noir | schwarz | negro |

The list of “UPOV color groups according to RHS Colour Chart Reference (2015 Edition)” and “RHS Colors contained in each UPOV color group” are reproduced in document TC/55/14 “Color names for the RHS Colour Chart” (available at: <https://www.upov.int/meetings/en/doc_details.jsp?meeting_id=50795&doc_id=452567> ).

editorial changes to document TGP/14 TO REFLECT THE INTRODUCTION OF THE revised list of UPOV Color Groups

Document prepared by an expert from Germany

Note for revisions: changes indicated by

 ~~strikethrough~~ (highlighted) for deletions and underlining (highlighted) for additions

Extract from document TGP/14, Section 2, Subsection 3: Color

“2.2.4 Color Chart

“If it is necessary to describe a color with a color chart, UPOV uses the color chart from the Royal Horticultural Society (RHS), the “RHS Colour Chart” because of its worldwide availability. There are ~~5~~ 6 editions of this color chart, dating from 1966, 1986, 1995, 2001, ~~and~~ 2007 and 2015. Since 2005, the “RHS Mini Colour Chart” has been published by the Flower Council Holland and is also frequently used by breeders. Other color charts might also be appropriate.

[…]

“When using the RHS Colour Chart, the reference number of the RHS color, the UPOV color name and the edition of the chart should be mentioned in the variety description. ~~A proposal for naming the colors has been made~~ Information on UPOV color names can be found in the ANNEX of this document.”

Extract from document TGP/14, Section 2, Subsection 3: Color: Annex

“ANNEX

“COLOR NAMES FOR THE RHS COLOUR CHART

“1. Introduction

“1.1 When using the RHS Colour Chart, the variety description should contain both the RHS Colour Chart reference number and a name for the color. The purpose of this document is to harmonize color names for variety descriptions.

1.2 The following table gives an overview of the existing "groups" for the sixth edition of the RHS Color Chart:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | Number of entries or groups | Example | Use |
| level of precisionlow high | RHS Colour Chart Number | 920 | 49A | Used for precise description of colors of plant parts. |
| RHS Colour Name | 190 | Strong Pink | not used for UPOV purposes |
| UPOV Color Name | 73 | Pink(group 29) | Used in the variety description to translate the RHS Colour Chart number into a color name.  |
| RHS Color Group(heading on each sheet) | 29 | Red Group | not used for UPOV purposes |

“1.2~~3~~ In the editions one to five (1966 until 2007) ~~T~~the RHS Colour Chart contained~~s~~ up to 896 colors, which ~~are~~ were divided into 23 “groups” to name the colors. However, for UPOV purposes, this initial grouping seemed unable to name the colors in variety descriptions in a sufficiently precise way. Therefore, UPOV has identified ~~50~~ its own color name “groups” ~~which are presented in this document.~~

1.4 In the sixth edition (2015) of the RHS Colour Chart for the first time each patch has a color name. However, these color names do not always reflect the color similarity of the patches and therefore it seemed not appropriate to use these names for UPOV purposes.

1.5 On the basis of the sixth edition of the RHS Colour Chart UPOV has identified 73 color “groups” which are presented in this document. For naming of the RHS Colour Charts in the editions one to five (1966 to 2007), see document TGP/14/3 [*cross ref.*]. “It is important to note that these color “groups” were not created for the purpose of grouping varieties for DUS trials and should not be used for that purpose. Information on the grouping of varieties for DUS trials can be found in document TGP/9~~/1~~ "Examining Distinctness" [*cross ref.*].

“1. 6~~3~~ The names used for the ~~50~~ 73 UPOV Color Groups consist of either the [pure color] / [color hue] (e.g. yellow, orange, red), a combination of two [pure colors] / [color hues] (e.g. yellow orange, orange pink, purple red), or a combination of the [pure color(s)] / [color hue(s)] with “light” or “dark” (e.g. light yellow, dark pink red).

~~“1.4 The color names in this document can be used with different editions of the RHS Colour Chart. The 1986 version of the RHS Colour Chart was used for the initial grouping and naming. In the 1995 edition no new charts were added. The additional charts in the 2001 edition (marked with "N") and in the 2007 edition (marked with "NN") have been integrated into the existing groups.”~~

“2. Example for the use of the UPOV Color Names in a variety description

[…]

“2.2 For the variety description, it is useful to translate the RHS colour chart number into a color name and to fill this name into the column “state of expression”. The color name can be found in the appendix to this document, in which the RHS Colors are listed according to the UPOV Color Group to which they belong: e.g. RHS 46C belongs to group ~~21~~ 35 “medium red”, RHS N 74B belongs to group ~~27~~ 42 “medium purple” and RHS N 57A belongs to group ~~23~~ 37 “medium purple red”.”

[…]

[Annex IV follows]

MATTERS FOR ADOPTION BY THE COUNCIL IN 2019: DOCUMENT TGP/15

The TC, at its fifty-fifth session, agreed that the following example should be included in document TGP/15:

“EXAMPLE 2: GENE SPECIFIC MARKER WITH INCOMPLETE INFORMATION ON STATE OF EXPRESSION FOR DISEASE RESISTANCE IN TOMATO

*prepared by experts from The Netherlands*

“Example

“1. Resistance to Tomato mosaic virus (ToMV) Strain 0 in Tomato is conferred by the presence of allele *Tm1* from gene Tm1or alleles *Tm2* or *Tm22* from gene Tm2.

“2. A single marker identifies the presence of resistance alleles *Tm2* and *Tm22* and the susceptible allele *tm2*. Marker *Tm2/22* is positioned in the protein coding sequence.

“3. A variety will be resistant to ToMV Strain 0 if resistance allele *Tm2* or resistance allele *Tm22* is present.

“4. A variety with homozygous allele *tm2* will be susceptible to ToMV Strain 0 unless resistance is coded by resistance allele *Tm1*. In this case, resistance to ToMV Strain 0 cannot be assessed by a DNA marker test because there is no reliable marker for gene Tm1.

“Table 1: Schematic overview of resistance to Tomato mosaic virus and resistance alleles:

|  |  |  |  |
| --- | --- | --- | --- |
| Genetic background | *tm2/tm2* and *tm1/tm1* | *Tm2/Tm2 or Tm22/Tm22* or *Tm22/Tm2* or *Tm2/tm2 or Tm22/tm2*and *Tm1/Tm1* or *Tm1/tm1* or *tm1/tm1* | *tm2/tm2* and*Tm1/Tm1* or *Tm1/tm1*  |
| Marker *Tm2/22* | susceptible allele | resistant allele | susceptible allele |
| Resistance to ToMV - Strain 0 | absent | present | present |

“5. If a variety is claimed to be resistant to ToMV Strain 0, the DNA marker test may be performed. In cases where the resistance is based on the presence of the allele *Tm2* or *Tm22,* theDNA marker test could replace the traditional bioassay.

“6. If the DNA marker test does not confirm the resistance claim or if the variety is claimed to be susceptible, a bioassay must be performed.”

[Annex V follows]





[End of Annex VI and of document]