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UPOV

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## INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

## COUNCIL

## Eighth Ordinary Session

Geneva, October 24 to 26, 1974

## 1973 ANNUAL REPORT OF THE SECRETARY GENERAL

(Fifth year)

I. State of the Union

1. At the end of 1973, the International Union for the Protection of New Varieties of Plants (UPOV) consisted of the following six member States:

Denmark  
France  
Germany (Federal Republic of)  
Netherlands  
Sweden  
United Kingdom

2. No new ratifications or accessions took place in the course of the year with respect to the International Convention for the Protection of New Varieties of Plants of December 2, 1961.

3. On January 11, 1973, the Additional Act of November 10, 1972, Amending the International Convention for the Protection of New Varieties of Plants was signed and ratified by Sweden. No other States having ratified the Additional Act in the course of the year, it has not yet entered into force.

II. Constitutional Questions

4. Under Article 25 of the Convention, the procedures for technical and administrative cooperation between UPOV and the Unions administered by BIRPI are governed by rules established by the Government of the Swiss Confederation in agreement with the Unions concerned. These rules were promulgated on October 21, 1969. In view of the entry into force, in 1970, of the Convention Establishing the World Intellectual Property Organization (WIPO), the Government of the Swiss Confederation adopted, on August 23, 1973, amendments to the said rules, substituting WIPO for BIRPI and changing the Article concerning the grading of the post of Vice Secretary-General.

### III. Staff Matters

5. Secretary-General. On November 30, 1973, Professor G. H. C. Bodenhausen retired from the post of Director General of WIPO and consequently ceased to exercise the functions of Secretary-General of UPOV. His successor as Director General of WIPO and consequently as Secretary-General of UPOV, Dr. Arpad Bogsch, took office on December 1, 1973.
6. Vice Secretary-General. Mr. H. Skov resigned as of December 31, 1973 (as to his successor, see paragraph 13).
7. Administrative and Technical Assistant. Dr. M.-H. Thiele-Wittig was appointed Administrative and Technical Assistant (P.2) as of January 1, 1973.
8. Administrative Assistant. Miss G. Fischer, formerly Secretary to the Vice Secretary-General, was appointed Administrative Assistant (G.6) as of June 1, 1973.
9. Secretary. A newly created post for a secretary was filled, as of March 1, by Miss P. Haim (G.4). She left the UPOV Secretariat on December 31, 1973.

### IV. Meetings

10. In the course of 1973, the different bodies of UPOV met as follows (unless otherwise indicated, the meetings took place in Geneva):
11. The Council held an extraordinary session on April 5 under the chairmanship of Professor Pielen to authorize a delegation to go to the United States of America for discussions on possible cooperation\*, and also to adopt the changes in the Rules of procedure for technical and administrative cooperation between UPOV and BIRPI/WIPO mentioned in paragraph 4, above.
12. The seventh ordinary session of the Council took place from October 10 to 12 under the chairmanship of Professor H. Esbo. In addition to the States mentioned in paragraph 1, above, two signatory States, Belgium and Switzerland, attended the meeting in an observer capacity, as well as a number of interested non-signatory States, namely, Australia, Austria, Canada, Finland, New Zealand, Norway, South Africa, Spain and the United States of America, which had been invited to send observers. The Council took decisions on the following questions:
  - (i) Routine Administrative Matters. The annual report and the accounts for 1972 were approved and the program and the budget for 1974 were fixed.
  - (ii) Variety Denominations. The Council adopted Guidelines for Variety Denominations as proposed by the Working Group on Variety Denominations. The Council also studied the possibility of cooperation with the International Commission for the Nomenclature of Cultivated Plants.
  - (iii) Fees. The Council adopted a resolution on fees, as proposed by the Fee Harmonization Working Party, concerning both the procedure to be followed if a member State made use of test results from another member State and the harmonization of fees charged in the different member States for the purposes of plant breeders' rights.
  - (iv) Selection of a New Vice Secretary-General. The Council delegated to the Consultative Working Committee the power to select the new Vice Secretary-General.
  - (v) Revision Conference. In accordance with the provisions of Article 27(2) of the Convention, the Council decided to start preparations for the next Revision Conference.

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\* For various reasons the mission to the United States of America could not take place.

13. The Consultative Working Committee held its sixth session on April 4 and 5, and its eighth session on December 12, under the chairmanship of Professor L. Pielen, while its seventh session, on October 9, was held under the chairmanship of Professor H. Esbo. At its sixth session, the Committee mainly discussed the announcement of the vacancy of the post of Vice Secretary-General, relations with non-member States and the question of holding an information meeting with such States. At its seventh session, it made preparations for the seventh ordinary session of the Council. At its eighth session, it selected, under delegation of power by the Council, a new Vice Secretary-General, Dr. Heribert Mast, to be appointed by the Swiss Federal Council.

14. The Working Group on Variety Denominations held its eighth session on April 2 and 3 under the chairmanship of Mr. S. Mejegaard, mainly to discuss a revision of the Provisional Guidelines for Variety Denominations. The Working Group adopted a draft proposal for submission to the Council.

15. The Fee Harmonization Working Party met on June 21 and 22 under the chairmanship of Mr. B. Laclavière, to discuss fee questions, in particular that of the payment by one State to another for the use of test results from that other State. The Working Party adopted a draft resolution for submission to the Council.

16. The Technical Steering Committee held its second and third sessions on March 13 and 14 and on November 6 and 7, respectively, under the chairmanship of Mr. J. G. Bustarret. At its second session, the Committee adopted the General Introduction to Test Guidelines as well as individual Test Guidelines for Maize, Wheat and Garden Peas. At its third session, it adopted Test Guidelines for Ryegrass, Red Clover, Lucerne, Broad Beans, French Beans, Runner Beans, Lettuce, Roses and Euphorbia fulgens. At both sessions, the general principles underlying the testing were thoroughly discussed.

17. The Technical Working Party for Agricultural Crops met on May 3 at Versailles, France, under the chairmanship of Mr. R. Duyvendak, and discussed draft Test Guidelines for Ryegrass, Red Clover and Lucerne.

18. The Technical Working Party for Vegetables met on June 5 at Montfavet (near Avignon), France, under the chairmanship of Dr. A. Roux, and discussed draft Test Guidelines for Garden Peas, French Beans, Lettuce, Broad Beans and Runner Beans.

19. The Technical Working Party for Fruit Crops met on April 4 and 5 in Faversham, England, and on November 20 and 21 in Copenhagen, Denmark, under the chairmanship of Mr. P. H. Harding. In Faversham it discussed draft Test Guidelines for Apples, Strawberries and Pears. In Copenhagen it rediscussed the three draft Test Guidelines and started the discussion on Test Guidelines for Cherries.

20. The Technical Working Party for Ornamental Plants met on June 14 and 15 at Alnarp, Sweden, under the chairmanship of Mr. J. M. Evans, and discussed draft Test Guidelines for Roses, Perennial Chrysanthemums, Saintpaulia, Euphorbia fulgens, Euphorbia pulcherrima, Freesia and Pelargonium.

21. The Technical Working Party for Forest Trees held its first meeting in Geneva on October 22 and 23 under the chairmanship of Mr. V. A. Gøhrn, to discuss Test Guidelines for Poplars.

22. The Vice Secretary-General attended the Congress of the International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) held at Malmö, Sweden, on May 22 and 23, the International Seed Symposium of the Food and Agriculture Organization of the United Nations (FAO) held in Vienna, Austria, on October 5 and 6, and a meeting of the Austrian Plant Breeders' Association held at Irdning-Gumpenstein, Austria, on December 6.

23. The Administrative and Technical Assistant attended meetings held by the Organization for Economic Cooperation and Development (OECD) on its Seed Certification Schemes, in Paris, on May 21 and 22 and on October 15 and 16, and a meeting of ASSINSEL held in Paris on November 27.