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UPOV

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

TECHNICAL COMMITTEE

Forty-Fifth Session
Geneva, March 30 to April 1, 2009

REPORT[1]

adopted by the Technical Committee

Opening of the session

*1. The Technical Committee (TC) held its forty-fifth session in Geneva from March 30 to April 1, 2009. The list of participants is reproduced in Annex I to this report.

*2. The session was opened by Mr. Chris Barnaby (New Zealand), Chairperson of the TC, who welcomed the participants. He reported that, since the forty-fourth session of the TC, Georgia and Costa Rica had become members of the Union, taking the number of members of the Union to 67, and that Switzerland had acceded to the 1991 Act of the UPOV Convention.

Adoption of the agenda

*3. The TC adopted the agenda as presented in document TC/45/1 Rev.

[1] The asterisked (*) paragraphs in this report are reproduced from document TC/45/15 (Report on the Conclusions).

Report on developments in UPOV including relevant matters discussed in the last sessions of the Administrative and Legal Committee, the Consultative Committee and the Council

4. The Vice Secretary-General provided an oral report on the fifty-seventh and fifty-eighth sessions of the Administrative and Legal Committee (CAJ), the seventy-fifth and the seventy-sixth sessions of the Consultative Committee and the twenty-fifth extraordinary session and the forty-second ordinary session of the Council, in particular concerning items that would not be considered as a part of the TC agenda, as follows:

Administrative and Legal Committee

5. A main component of the work of the CAJ at its fifty-seventh and fifty-eighth sessions was the development of Information Materials concerning the UPOV Convention. A summary of the explanatory notes that are under development could be found in the Annex to document CAJ/59/3. A number of explanatory notes had been agreed by the CAJ and would be put forward for adoption by the Council in October 2009.

6. A particularly significant aspect of that work was the development of a document to provide guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (document UPOV/INF/6/1). That document would use the text of the relevant provisions of the 1991 Act of the UPOV Convention and make reference to the relevant information materials (e.g. explanatory notes). A draft of that guidance document would be considered by the CAJ in 2009 with a view to adoption by the Council in October 2009. However, with the encouragement of the Administrative and Legal Committee Advisory Group (CAJ-AG), a similar document was already in use by the Office of the Union. The usefulness of that document would be enhanced by its availability in the four UPOV languages and also in certain other languages, such as Arabic, Chinese and Russian.

Consultative Committee and Council

Appointment of the new Secretary-General

7. The Council decided to appoint Mr. Francis Gurry as the new Secretary-General of UPOV for the period from October 30, 2008 to September 30, 2014.

Examination of laws

8. At its twenty-fifth extraordinary session, held in Geneva on April 11, 2008, the Council decided to:

(a) take a positive decision on the conformity of the Draft Law on the Protection of Plant Breeder's Rights of the Republic of Serbia, subject to the introduction of certain changes in the Draft Law;

(b) take a positive decision on the conformity of the Draft Law on Protection of Plant Varieties of Montenegro with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants; and

(c) take a positive decision on the conformity of the Law on Protection of New Varieties of Plants of the Republic of Costa Rica, subject to the adoption of the

proposed amendments of Articles 2, 3 and 8 of the Law in the Motion to the Draft Law, with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants; which allows that, once the proposed amendments in the Motion to the Draft Law are adopted, with no changes, and in force, the Republic of Costa Rica may deposit its instrument of accession to the 1991 Act. The Vice Secretary-General recalled that, in the meantime, Costa Rica had become the sixty-seventh member of the Union.

9. At its forty-second session, held in Geneva on October 30, 2008, the Council decided to:

(a) take a positive decision on the conformity of the Draft Law on the Breeder's Rights of the former Yugoslav Republic of Macedonia; and

(b) recommend that Bosnia and Herzegovina incorporate certain additional provisions and amendments in the Law, and recommend that once the additional provisions and amendments have been incorporated in the Law, the amended Law should be submitted to the Council for examination in conformity with Article 34(3) of the 1991 Act.

10. With respect to any future opinion on whether India and Zimbabwe have acted expeditiously to complete their legislation and any UPOV formalities and to effect the deposit, the Council decided, based on the recommendation of the Consultative Committee, that the opinion on whether that condition had been fulfilled should be the responsibility of the Consultative Committee.

Convention on Biological Diversity (CBD)

11. The Council agreed that a letter containing a decision of the Council of UPOV be sent to the Executive Secretary of the Secretariat of the Convention on Biological Diversity (CBD) for consideration by the Conference of the Parties of the CBD at its ninth meeting, held in Bonn, Germany, from May 19 to 30, 2008. In reply to an invitation of the Executive Secretary of the Secretariat of the CBD, UPOV had provided a peer review of the draft "Study on the relationship between the ABS International Regimen and other international instruments which govern the use of genetic resources: The WTO; WIPO; and UPOV". A copy of those two communications could be found on the UPOV website (see *http://www.upov.int/en/about/key_issues.htm*).

Assistance webpage

12. The Consultative Committee approved the development of an "Assistance" webpage on the UPOV website to provide information on relevant forms of assistance in the development of plant variety protection according to the UPOV Convention and an approach to seek to enhance extra-budgetary sources of funding for assistance. One of the main tasks of Mr. Minwook Kim, Deputy Director, Foodgrain Policy Division, Ministry for Food, Agriculture and Fisheries, Republic of Korea during his internship (November 3, 2008 to November 2, 2010) would be to investigate extra-budgetary resources and to assist in the development of proposals to access such funding.

Financial Regulations and Rules of UPOV

13. The Consultative Committee has requested the Office of the Union to prepare a document for consideration at its seventy-seventh session setting out possible approaches for the process of revising the Financial Regulations and Rules of UPOV, which had been triggered by the revision of the Financial Regulations and Rules of WIPO.

Statistics

14. The Council noted that, in 2007, the total annual number of titles issued by UPOV members had exceeded 10,000 for the first time.

Extension of the appointment of the Vice Secretary-General

15. The Council decided to extend the term of the appointment of the Vice Secretary-General until November 30, 2010.

Election of the new Vice-Chairperson of the Technical Committee

16. The Council elected Mr. Joël Guiard (France) as Vice-Chairman of the TC for the term 2008 to 2010.

Election of New Chairpersons

17. The Council elected the new Chairpersons of the Technical Working Parties as proposed by the TC, in each case for a term of three years ending with the forty-fifth ordinary session of the Council, in 2011, as follows:

Mr. Dirk Theobald (European Community), Chairman, Technical Working Party for Agricultural Crops (TWA);

Mr. Gerie van der Heijden (Netherlands), Chairman, Technical Working Party on Automation and Computer Programs (TWC);

Mrs. Bronislava Bátorová (Slovakia), Chairperson, Technical Working Party for Fruit Crops (TWF);

Ms. Andrea Menne (Germany), Chairperson, Technical Working Party for Ornamental Plants and Forest Trees (TWO);

Mrs. Radmila Safarikova (Czech Republic), Chairperson, Technical Working Party for Vegetables (TWV); and

Mr. Andy Mitchell (United Kingdom), Chairman, Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT).

Second World Seed Conference

18. The Vice Secretary-General reported that the registration was open for the Second World Seed Conference “Responding to the challenges of a changing world: the role of new plant varieties and high quality seed in agriculture”, which is jointly being organized

by the Food and Agriculture Organization of the United Nations (FAO), Organisation for Economic Co-operation and Development (OECD), UPOV, International Seed Federation (ISF) and International Seed Testing Association (ISTA). The Conference would take place in Rome from September 8 to 10, 2009.

Progress reports on the work of the Technical Working Parties, including the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), and the *Ad Hoc* Crop Subgroups on Molecular Techniques

19. The TC received oral reports from the Chairpersons on the work of the TWA, TWC, TWF, TWO, TWV and BMT, as follows:

Technical Working Party for Agricultural Crops (TWA)

20. The TWA held its thirty-seventh session in Nelspruit, South Africa, from July 14 to July 18, 2008, under the chairmanship of Mrs. Beate Rücker (Germany). The report of the meeting is contained in document TWA/37/14.

21. The TWA session was attended by 57 participants from 23 members of the Union, two observer States, and two observer organizations. The preparatory workshop, held during the afternoon of Sunday, July 13, was attended by 21 participants.

22. The TWA was welcomed by Mr. Julian Jaftha, Director, Genetic Resources Department of Agriculture. The TWA received short reports on developments in plant variety protection by the participants.

23. The TWA noted the report on developments in UPOV of molecular techniques. The TWA also received a presentation of Mr. Joël Guiard (France) on a possible approach for the use of molecular techniques in DUS testing of maize, based on document BMT-TWA/Maize/2/11. The approach suggested a combination of genetic distances with morphological characteristics for the management of reference collections. The TWA agreed that the proposed approach should be put forward for consideration by the *Ad hoc* Subgroup of Technical and Legal experts of Biochemical and Molecular Techniques (BMT Review group).

24. The TWA considered a number of draft TGP documents according to the program agreed by the TC, as follows:

(a) in relation to TGP/8 “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”, Part II, covering techniques used in DUS examination, the TWA agreed that it should be explained in TGP/8 that it was a choice for authorities whether to use the parent formula approach for hybrids and not an obligation and to explain that the Test Guidelines would include a reference to this method where considered useful. The TWA also agreed that guidance on relative tolerance limits for variances should be included in TGP/8;

(b) for TGP/11 “Examining Stability”, the TWA agreed that the document should not consider matters other than stability;

(c) with regard to TGP/12 “Special Characteristics”, the TWA suggested to rename the document as “Characteristics based on a response to an external factor and

characteristics for chemical constituents: protein electrophoresis". It also suggested to remove Section III of the document dealing with image analysis and to include it in document TGP/8, since it concerned a method of examining characteristics;

(d) the TWA considered document TGP/13 "Guidance for New Types and Species" and agreed to seek the view of the TC and the CAJ concerning the explanation and the implication that a single plant selected from a population could be developed into a variety and protected without further crossing;

(e) with respect to document TGP/14 "Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents", the TWA formulated a range of comments; and

(f) in the framework of the revision of TGP/7 "Development of Test Guidelines", the TWA made proposals concerning: the new Section 1.2 of that document on Individual Authorities' Test guidelines; Section 2, in respect of the procedure for the introduction and revision of UPOV Test Guidelines; and on the TG Template and the related Additional Standard Wordings (ASWs) and Guidance Notes (GNs).

25. The TWA considered a document on Combination of Lines or Varieties and received a presentation by Mr. Caicedo (Colombia) on "CASTILLO", a plant grouping of 35 lines.

26. The TWA noted the developments concerning UPOV information databases and agreed to provide comments on the changes to UPOV codes.

27. Under the agenda item "Variety denominations", the TWA agreed to the proposal to change the name of Class 211 to "Mushrooms" instead of "edible mushrooms" in order to improve clarity.

28. The TWA took note of the report provided in document TWA/37/6 on the project to consider the publications of variety descriptions and noted that the maize database developed in a Community Plant Variety Office of the European Community (CPVO) co-financed project by France, Germany and Spain might serve as a model for similar projects in other species.

29. The TWA noted that no new information was available concerning the development of a regional set of example varieties for the Test Guidelines for rice for South East Asia. The TWA noted that a further report would be made at the thirty-eighth session of the TWA.

30. The TWA discussed 10 draft Test Guidelines. It agreed to submit to the TC the draft Test Guidelines for Pea and Maize, which were revisions, and the Test Guidelines for Swede, which was a partial revision.

31. The TWA planned to continue discussions on nine Test Guidelines in 2009, two of which are Revisions and seven of which are new. The TWA also agreed to start to establish Test Guidelines for Cassava and to revise the Test Guidelines for Common Vetch.

32. At the invitation of the experts from the Republic of Korea, the TWA agreed to hold its thirty-eighth session in Seoul, Republic of Korea, from August 31 to September 4, 2009. The TWA proposed to consider the following items at its next session: Short reports on developments in plant variety protection from members and observers; reports on

developments within UPOV; developments on molecular techniques; TGP documents; UPOV information databases; variety denominations; project to consider the publication of variety descriptions; Combination of lines or varieties; development of regional sets of example varieties for the Test Guidelines for Rice; Presentation on *Sorghum oryzoidum*; discussion on draft Test Guidelines; recommendations on draft Test Guidelines; date and place of the next session; and future program.

33. On the afternoon of July 15, 2008, the TWA visited field trials of oat, rye and pearl millet at Lowveld Agri-Research and Support Services in Nelspruit. The TWA also visited the Golden Macadamias factory.

34. At the end of the session, Mrs. Beate Rücker was awarded a UPOV bronze medal in recognition of her chairmanship of the TWA from 2006 to 2008.

Technical Working Party on Automation and Computer Programs (TWC)

35. The TWC held its twenty-sixth session in Jeju, Republic of Korea from September 2 to 5, 2008. The report of the meeting is contained in document TWC/26/29. The session was attended by 29 participants from 15 members of the Union. The TWC was welcomed by Mr. Il-Ho Cho, Director of the Plant Variety Protection Division, Korea Seed and Variety Service (KSVS). The TWC session was chaired by Mrs. Sally Watson (United Kingdom). A preparatory workshop was held on the afternoon of September 1 and was attended by 9 participants.

36. Mr. Chan-Woong Park (KSVS) made a presentation on Plant Breeders' Rights in the Republic of Korea.

37. The TWC received a report from the Office of the Union on developments in UPOV including developments in the use of molecular techniques. The TWC received a presentation on the proposal presented in documents BMT/10/14 and BMT-TWA/Maize/2/11, whereby genetic distances would be used in combination with morphological distances obtained through GAIA to reduce the numbers of varieties of common knowledge included in the DUS growing trial.

38. Discussion of TGP documents formed an important part of the meeting. The TWC discussed drafts of documents TGP/8/1, TGP/11/1, TGP/12/1, TGP/13/1, TGP/14/1, in conjunction with the documents TWV/41/10 Rev. and TWC/26/10 on shape and color, and the revision of document TGP/7/1.

39. Considerable time was spent on discussion of TGP/8, which included new sections on statistical methods. A number of issues arose concerning the content of TGP/8. In particular:

(a) the TWC agreed that review by the relevant experts in the TWC would be appropriate to ensure that only suitable statistical methods would be included in document TGP/8;
(b) Part I, on process and scale levels would be re-drafted to make it clearer and more aligned with the DUS examiners' perspective;
(c) a section would be developed on the control of variation due to different observers;
(d) Part II, on GAIA and the Parental Formula would be moved to a separate subsection;

(e) contrary to the request by the TC, the TWC concluded that parametric and non-parametric methods should not be separated and compared, because there were no clear distinctions. Instead, it was proposed that each statistical method should be presented with conditions for its use. A flow diagram would provide guidance on the choice of methods;
(f) a section to provide guidance for small sample sizes would be developed;
(g) tables for combinations of population standards and acceptance probabilities that were not found in adopted Test Guidelines to be deleted from the section on Off-types;
(h) a new section on data processing for the assessment of distinctness and for producing variety descriptions for measured, quantitative characteristics to be introduced in Part I with examples of methods used by different countries in Part II; and
(i) the section on "Examination of characteristics using image analysis" to be moved from TGP/12 to TGP/8 and redrafted.

40. In reply to the TC's request that the TWC present information on an annual basis in the form of a document on the existence and availability of exchangeable software, the TWC concluded that it could not assess the programming in detail, but could propose the inclusion of software in such a document on the basis of the experiences presented by experts from the members of the Union at the TWC session. The TWC agreed that the DUSTNT and GAIA software should be offered first for inclusion in the document. At the next TWC session there would be a presentation on the various modules in DUSTNT.

41. A questionnaire on assessing uniformity of off-types on the basis of more than one sample or sub-samples was agreed.

42. The TWC received a presentation on a possible adjustment to COYD where varieties are grouped within the DUS trial, as applied to pea in the United Kingdom. The approach would be tested on a cross-pollinated crop and the outcome reported at the next TWC session.

43. The TWC considered the results of a study of the bias in the error estimates in the COYU method and how it would be affected by reduction in the number of plants observed for reference varieties. The bias was caused by the method of adjustment for the mean-SD relationships in a characteristic. Further studies on possible adaptations to the COYU method to adjust for the bias would be reported at the next TWC session.

44. At the invitation of the United States of America, the TWC agreed to hold its twenty-seventh session in Alexandria, Virginia, Washington DC, from June 15 to 19, 2009, with a preparatory workshop on June 14.

45. During its forthcoming session the TWC planned to discuss the items mentioned above plus the use of image analysis, the use of Bennett's test to assess uniformity, a rationale for elimination of reference varieties when COYD is used, statistical methods for visually observed characteristics, on-line application systems, a database for researching TWC documents and a report on datalogger usage.

46. At the close of the twenty-sixth session Mrs. Sally Watson (United Kingdom) was awarded a UPOV bronze medal in recognition of her chairmanship of the TWC from 2006 to 2008.

Technical Working Party for Fruit Crops (TWF)

47. The TWF held its thirty-ninth session in Lisbon, Portugal, from June 2 to 6, 2008, with a preparatory workshop on the afternoon of June 1. The session was chaired by Mr. Alejandro Barrientos-Priego (Mexico), Chairman of the TWF, and was welcomed by Mr. Joaquim Carvalho, Deputy Director General, General Directorate for Agriculture and Rural Development (DGADR), Ministry of Agriculture, Rural Development and Fisheries (MADRP).

48. The session was attended by 37 participants from 19 members of the Union and two observer organizations. The report of the meeting is provided in document TWF/39/10 Rev.

49. The TWF received a presentation on MADRP made by Mr. José Fernandes, Head, Plant Health and Plant Propagating Materials Directorate, MADRP and Mrs. Paula Cruz de Carvalho, Head, Seeds, Varieties and Genetic Resources Unit, MADRP and received oral reports from participants on developments in plant variety protection and from the Office of the Union on the latest developments within UPOV.

50. The TWF discussed the matters raised by the International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA) on the basis of document TWF/39/8; namely, assessment of color evolution in apple mutants, phytosanitary status of material, duration of DUS examination for fruit varieties and cost of reference collections.

51. The TWF considered document TWF/39/2 concerning molecular techniques.

52. The TWF discussed a number of draft TGP documents:

(a) with regard to the invitation by the TC to advise if there is a need for additional off-type tables in TGP/8 to cover new combinations of population standards and acceptance probabilities, the TWF agreed that no such need existed for fruit crops;

(b) in relation to the consideration of including statistical methods for very small sample sizes, the TWF proposed that TGP/8 should contain an explanation that the observation of several parts of a plant (e.g. several fruits from a tree) did not increase the sample size for the purpose of uniformity, since the sample size was determined by the number of plants. It agreed that a cross reference should be made to document TGP/10/1, Section 4.2.2.4;

(c) the TWF considered document TGP/11/1 Draft 5 and the report on developments in the TC and CAJ in document TWF/39/3. The TWF noted that it would be necessary to receive the advice of the CAJ before TGP/11 could be developed further;

(d) the TWF considered document TGP12/1 Draft 5 and the report on developments in document TWF/39/3. The TWF made no proposals concerning TGP/12;

(e) The TWF noted the amendments to the text of paragraph 2.4.2 of document TGP/13/1 Draft 12 and discussed the need to consider practical issues of access to wild populations in order to determine if they might constitute varieties of common knowledge. It also discussed the issue of how to determine the boundary of

populations. It was agreed that it could be helpful to encourage breeders to provide parent material or representative plants of original population to assist in the DUS examination of new varieties. The TWF agreed that it would not be possible to provide detailed guidance on those matters in document TGP/13, but concluded that it would be of assistance to hear reports from experts on their particular experiences with new types and species. On that basis, the TWF agreed to add an item for such presentations at its fortieth session and invited experts to prepare such reports. It also agreed that breeders might be invited to explain developments with regard to new types and species;

(f) the TWF considered documents TGP/14/1 Draft 6 "Glossary of Technical, Botanical and Statistical Terms Used in UPOV", TWF/39/3 Add. and TWV/41/10 Rev.; and

(g) the TWF considered the proposals for amendments to document TGP/7/1 as set out in document TWF/39/3, Annex II.

53. The TWF discussed the Drafts Test Guidelines for Actinidia (Revision), Banana (*Musa* L.) (Revision), Cacao (*Theobroma cacao* L.), Dragon-fruit (*Hylocereus undatus* (Haw.) Britton et Rose), Fig (*Ficus carica* L.), Japanese Plum (Revision), Papaya, Passion Fruit (*Passiflora edulis* Sims), Peach (Revision), Pineapple (*Ananas comosus* (L.) Merr.) and *Prunus padus* L. (Bird cherry).

54. The TWF received an interim report on the possible development of a regional set of example varieties for North and East Asia for the Test Guidelines for Strawberry from Mr. Kiyofumi Nakamura (Japan).

55. The TWF noted the report on discussions concerning combinations of lines or varieties, as set out in document TWF/39/7.

56. The TWF considered documents TWF/39/4 "UPOV Information Databases", TWF/39/5 "Variety Denominations" and TWF/39/6 "Project to Consider the Publication of Variety Descriptions".

57. The TWF agreed to submit to the TC for adoption the draft Test Guidelines for Fig, Passion Fruit and *Prunus padus* L.

58. The TWF planned to continue discussions on eight Test Guidelines, seven of which were at the "final" draft stage. The TWF also agreed that it should start to establish or revise nine Test Guidelines at its fortieth session. The TWF agreed that, at that session, it should also consider the possible development of Test Guidelines for the Chinese chestnut, Chinese date, *Juglans mandshurica* Maxim., *Lonicera caerulea* L. var. *kamtchatica* Sevast (Blue honeyberry) and *Prunus mume* Sieb. et Zucc. (ornamental).

59. At the invitation of the expert from France, the TWF agreed to hold its fortieth session in Angers, France from September 21 to 25, 2009, with a preparatory workshop on September 20. During its thirty-ninth session, the TWF planned to discuss or re-discuss the following items: Short reports on developments in plant variety protection from members and observers; as well as within UPOV; Developments on molecular techniques; TGP documents; UPOV information databases; Variety denominations; Project to consider the publication of variety descriptions; Combinations of lines or varieties; Reports on new

types and species; Matters to be resolved concerning Test Guidelines adopted by the Technical Committee; Discussions and Recommendations on draft Test Guidelines.

60. At the close of the session, Mr. Alejandro F. Barrientos Priego was awarded a UPOV bronze medal in recognition of his chairmanship of the TWF from 2006 to 2008.

Technical Working Party for Ornamental Plants and Forest Trees (TWO)

61. The TWO held its forty-first session in Wageningen, Netherlands, from June 9 to 13, 2008 under the chairmanship of Mrs. Sandy Marshall (Canada). The report of the TWO is provided in document TWO 41/10.

62. The TWO was attended by 54 participants, from 21 members of the Union and one observer organization. The TWO noted that an International workshop on Plant Protection and Plant Breeders' Rights, organized by Naktuinbouw, was held on the morning of June 8. The TWO also noted that the preparatory workshop, held during the afternoon of June 8, was attended by 41 participants.

63. The TWO was welcomed by Mr. Kees van Ettekoven, Manager of Varieties and Trials at Naktuinbouw. He provided information on the plant variety protection system in the Netherlands and DUS Testing at Naktuinbouw. The TWO also received short oral reports on developments in variety protection from participants and from the Office of the Union on the latest developments within UPOV.

64. The TWO considered document TWO/41/2 concerning the use of molecular techniques in DUS testing.

65. A number of draft TGP documents were discussed. With regard to the invitation by the Technical Committee (TC) to advise if there is a need for additional off-type tables in TGP/8 to cover new combinations of population standards and acceptance probabilities, the TWO agreed that no such need existed for ornamental plants and forest trees. The TWO considered document TGP/11/1 Draft 5 and noted that it would be necessary to receive advice of the CAJ before TGP/11 could be developed further. For TGP/12, the TWO agreed that the section on frost tolerance should be deleted. The TWO discussed and made recommendations on document TGP/13 Draft 12. It also agreed to add an item for reports from experts on their particular experiences with new types and species at its forty-second session.

66. The TWO had particular interest in TGP 14/1 Draft 6, "Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents" subsection 3: "Color". In order to develop and test the approach to color characteristics proposed as result of the Workshop on Color, as reproduced in document TWO/41/3 Add., the TWO agreed that the European Community should coordinate a subgroup to develop proposals for an exercise in Alstroemeria, Canna and Phalaenopsis to see if characteristics based on that approach would be more effective than the traditional approach.

67. The TWO also considered and commented on the revision of TGP/7/1, "Development of Test Guidelines". It agreed that the date for the submission of draft Test Guidelines to the Office of the Union and the guideline date for the subgroup draft to be circulated by the Leading Expert should be met by the Leading Expert. In cases where either of those dates were not met, it was agreed that those Test Guidelines should be withdrawn from the agenda. The TWO proposed to consider whether to create the possibility for partial revision of

asterisked characteristics by the TC by correspondence; and/or for members of the Union to add a footnote in the DUS reports for such cases until the revisions were agreed by the TC.

68. The TWO considered document TWO/41/4 "UPOV information databases" and received a report on the work of the International Association on Cultivated Plant Taxonomy (IACPT) from Mr. Kees van Ettekoven, president of the IACPT.

69. The TWO noted the developments provided in the documents TWO/41/5 "Variety Denomination" and TWO/41/6 "Project to Consider Publication of Variety Descriptions". The TWO also considered document TWO/41/7 "Combinations of Lines".

70. The TWO agreed to submit eight Test Guidelines to the TC. Of those, two were for the revision of existing Test Guidelines; for Lily and Zonal Pelargonium, and six were new Test Guidelines; for Anubias, Hevea, *Nerium oleander*, Mokara, Phlox and *Prunus padus*. However, after the meeting the leading expert for Lily concluded that not all the open questions could be resolved before the TC session and proposed that the Test Guidelines should be discussed again by the TWO. At its forty-second session, the TWO planned to discuss 23 Test Guidelines, consisting of five revisions and 18 new Test Guidelines.

71. Corrections have been made to the adopted Test Guidelines for Chrysanthemum (document TG/26/5), Anthurium (document TG/86/5), Ling (document TG/94/6), Osteospermum (document TG/176/4), Waxflower (document TG/225/1) and Nemesia (document TG/241/1).

72. At the invitation of the Community Plant Variety Office of the European Community (CPVO) the TWO agreed to hold its forty-second session in Angers, France, from September 14 to 18, 2009 with a preparatory workshop to be held on September 13. During the forty-second session the TWO planned to discuss or re-discuss the following items: short reports on developments in plant variety protection from members, observers and within UPOV; molecular techniques; TGP documents; UPOV information databases; the project to consider the publication of variety descriptions; combinations of lines or varieties; and discussion of and recommendations for draft Test Guidelines.

73. At the close of the session Mrs. Sandy Marshall (Canada) was awarded a UPOV bronze medal in recognition of her chairmanship of the TWO from 2006 to 2008.

Technical Working Party for Vegetables (TWV)

74. The TWV held its forty-second session in Cracow, Poland, from June 23 to 27, 2008, with a preparatory workshop held on June 22. The session was chaired by Mr. Niall Green, chairman of the TWV. The full report of the meeting is provided in document TWV/42/17.

75. The session was attended by 54 participants from 22 members of the Union and one observer organization. The preparatory workshop was attended by 33 participants.

76. There were oral reports from the participants on developments in plant variety protection (PVP) in their countries. The TWV received presentations on Agriculture and DUS Testing of Varieties in Poland.

77. During the session draft of documents TGP/8 "Trial Design and Techniques used in the Examination of Distinctness, Uniformity and Stability", TGP/11 "Examination of Stability",

TGP/12 "Special Characteristics", TGP/13 "Guidance for New Types and Species" and TGP/14 "Glossary of Technical, Botanical and Statistical Terms used in UPOV Documents" were discussed. In addition, the revision of TGP/7 "Development of Test Guidelines", was also discussed.

78. The TWV discussed issues concerning the possible use of molecular techniques for vegetable crops, particularly the conservation of DNA-profiles, as discussed at the second session of the *Ad Hoc* Crop Subgroup on Molecular Techniques for Rose. The TWV agreed that the conservation of DNA samples would be appropriate as changes in DNA-profiling techniques could render older results obsolete. The TWV agreed that the conservation of DNA samples could be of interest for vegetatively propagated varieties and might be of relevance for the management of reference collections.

79. The CPVO reported preliminary conclusions from a 2-year project to evaluate the use of molecular markers linked to disease resistance genes in Tomato (Option 1(a)). Molecular marker assays had been developed for the obligatory disease resistance characteristics in the CPVO Tomato DUS Protocol. Pathogenesis and molecular marker assays gave identical results for both nematode resistance and Tomato Mosaic Virus genes. A ring-test would be undertaken in 2008 on a larger number of varieties and plants to verify repeatability for distinctness and uniformity, before consideration would be given to the introduction of molecular marker assays either as a substitute or as a complementary test. A report would be made at the forty-third session of the TWV and the eleventh session of the BMT.

80. The TWV discussed the possible development of guidance to harmonize the approach for testing applications for varieties with low germination, such as some parent lines. It was noted that distinctness and uniformity could be difficult to assess where there were different levels of vigor and germination. The TWV agreed to consider the issue further at its forty-third session with information from specific cases.

81. The TWV received a proposal from the Netherlands for the updating of the nomenclature of pathogens and for the adoption of internationally standardized disease resistance codes in Test Guidelines. The TWV agreed to discuss those proposals in more detail at the forty-third session.

82. The TWV agreed to set up a ring-test to determine whether the Test Guidelines for Black Radish and Radish should be combined. Plant material would be exchanged between 10 participating countries for a maximum of 10 varieties. The TWV agreed that France and Germany would coordinate the ring-test and present the results by the end of October 2008, with a proposal for a possible set of characteristics to group all radish varieties. That would be discussed at the forty-third session of the TWV.

83. The TWV agreed to submit to the TC five revised Test Guidelines (Cauliflower, Maize, Pea, Pumpkin and Swede) and 3 new Test Guidelines (Asparagus Bean, Taro and Yam).

84. The TWV agreed to discuss a total of 13 Test Guidelines at its forty-third session, of which six were final drafts, 3 were revisions, 2 were partial revisions (disease resistance characteristics in Lettuce and Pea) and 2 were to extend coverage of the Test Guidelines (Globe Artichoke to include Cardoon and Black Radish to include Radish).

85. At the invitation of the experts from China, the TWV agreed to hold its forty-third session in Beijing, China from April 20 to 24, 2009, with a preparatory workshop on April 19.

86. During the forty-third session, the TWV planned to discuss: Short reports on developments in plant variety protection; molecular techniques; TGP documents; UPOV information databases; variety denominations; the project to consider the publication of variety descriptions; applications for varieties with low germination; nomenclature of pathogens; a review of grouping, Technical Questionnaire and asterisked characteristics in the Test Guidelines for Pea; proposals for partial revisions / corrections of Test Guidelines; matters to be resolved concerning Test Guidelines adopted by the Technical Committee; discussion and recommendations on draft Test Guidelines; the date and place of the next session; the future program; and the report on the conclusions of the session.

87. At the close of the session, Mr. Niall Green was awarded a UPOV bronze medal in recognition of his chairmanship of the TWV from 2006 to 2008.

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

88. The BMT held its eleventh session in Madrid, Spain, from September 16 to 18, 2008, under the chairmanship of Mr. Henk Bonthuis (Netherlands). The report of the meeting is provided in document BMT/11/29.

89. The session of the BMT was attended by 115 participants from 24 members of the Union and 4 observer organizations. The preparatory workshop was attended by 67 participants.

90. The BMT was welcomed by the Spanish Office of Plant Varieties (OEVV) of the Ministry of Environment and Rural and Marine Affairs.

91. In the session on the use of molecular techniques in examining essential derivation, the BMT learned about the positions of ISF and CIOPORA.

92. The BMT heard reports on the use of molecular techniques in variety identification from Spain (for various fruit crops), from Japan (for rose) and from Argentina (for soybean). The CPVO presented a practical example on the possible use of molecular techniques in variety identification of rose based on the storage of DNA samples obtained in DUS testing.

93. The BMT heard from the Crop Subgroup chairpersons that there had been Crop Subgroup meetings for Rose, Potato and Maize in 2007. The BMT noted that the TC had approved Mr. Michael Camlin as Chairman of the Crop Subgroup for Wheat and Barley. The BMT also noted that no meetings of the Crop Subgroups for Oilseed Rape, Ryegrass, Soybean, Sugarcane, Tomato or Wheat and Barley had taken place since its last session.

94. The BMT heard short reports on developments in biochemical and molecular techniques. An expert from Brazil reported about a study on the identification of at least 15 SSR markers for identifying protected soybean varieties in Brazil. An expert from China reported on the adoption of guidelines for the use of DNA for variety identification and PBR enforcement, with a database containing information of 4,000 varieties established by the Maize Research Centre of Beijing. An expert from France reported that a project,

supported by CPVO, for the development of SSR markers for peach was under development, in cooperation with Spain, Hungary and Italy. An expert from the Netherlands noted a project to develop expressed SSR markers for Brazilian rice varieties which might fall within an Option 1(a) approach. An expert from the Republic of Korea reported that the Korean Seed and Variety Service had used molecular techniques for seed management, including plant variety protection. The representative of ISF reported that ISF has established a working group on molecular markers for variety testing which would hold its first meeting immediately after the BMT session. The working group would review the UPOV Options on the use of molecular markers and planned to establish a written position.

95. The BMT received reports on molecular techniques in vegetatively propagated crops, including grapevine, potato and eucalyptus. An expert from Spain presented a microsatellite-based system for the construction of a reference collection in grapevine. Experts from the Netherlands and the United Kingdom reported on the development of an integrated microsatellite and key morphological characteristic database of potato varieties and an expert from Brazil reported on the use of a marker-based system for the identification of varieties within the genus *Eucalyptus*.

96. The BMT received reports on Option 1(a) approaches in self-pollinated crops such as tomato and barley. An expert from France showed a possible Option 2 approach in barley comparable to the approach France had developed for maize, combining molecular and morphological distances for the selection of reference varieties. A similar approach was presented by an expert from the United Kingdom on the management of reference collections of winter oilseed rape, in cooperation with France, Germany and Denmark and supported by CPVO.

97. The BMT received presentations from the International Standards Organization (ISO), Codex and ISTA on the development of international guidelines on molecular methodologies. The BMT heard that ISO has established a subcommittee for international standardisation of biomolecular methods for food and seed. The working group on varietal identification was especially relevant to the BMT.

98. The BMT agreed that the Guidelines for Molecular Marker Selection and Database Construction (BMT guidelines), based on recommendations made at the eleventh BMT session, could be proposed for agreement by the Technical Committee.

99. The BMT noted the following plans for meetings of the existing Crop Subgroups: Crop Subgroup for Maize to meet in December 2009. Crop Subgroup for Potato to consider a future meeting according to the developments in on-going projects. Crop Subgroup for Soybean to discuss the need for a meeting with experts from Argentina and Brazil. Crop Subgroup for Wheat and Barley to consider a meeting in conjunction with the twelfth session of the BMT.

100. In response to the invitation received from experts from Canada, the BMT agreed to hold its twelfth session in Ottawa, Canada from May 11 to 13, 2010.

101. For its the twelfth session, the BMT agreed to discuss the following items: reports on developments in UPOV concerning biochemical and molecular techniques; reports on the work of the Crop Subgroups; short presentations on new developments in biochemical and molecular techniques by DUS experts, biochemical and molecular specialists, plant breeders and relevant international organizations; reports of work on molecular techniques on a

crop-by-crop basis: (a) vegetatively propagated crops; (b) self-pollinated crops; and (c) cross-pollinated crops; international guidelines on molecular methodologies; development of a common database structure for molecular data; methods for analysis of molecular data; the use of molecular techniques in examining essential derivation; the use of molecular techniques in variety identification; and recommendations on the establishment of new crop specific subgroups.

102. Noting the success of the first day of the session in inviting breeders to discuss the use of molecular techniques in examining essential derivation and in variety identification, the BMT agreed to repeat this at its twelfth session. In particular, breeders and other experts would be offered the possibility to attend for that specific day.

103. At the end of the session, Mr. Henk Bonthuis was awarded a UPOV bronze medal in recognition of his chairmanship of the BMT from 2006 to 2008.

104. After the close of the session the BMT participants visited Finca El Encin, an experimental farm and estate of the Madrid Institute for Rural, Agrarian and Food Research and Development (IMIDRA), where the BMT participants had an opportunity to see the national collection of grapevine varieties (with 3,259 accessions) and to visit the laboratory of molecular biology.

Matters arising from the Technical Working Parties

*105. The TC considered document TC/45/3.

I. MATTERS FOR INFORMATION AND FOR A POSSIBLE DECISION TO BE TAKEN BY THE TECHNICAL COMMITTEE

Matters arising after the grant of a breeder's right

*106. The TC agreed to propose to the CAJ that, within its approach for the preparation of information materials concerning the UPOV Convention, a document be developed to provide guidance on matters concerning distinctness, uniformity, stability and novelty that are brought to the attention of an authority after the grant of a breeder's right.

Development of common databases for the management of variety collections

*107. The TC noted that the matter of variety description databases would be considered under agenda item 10 "Publication of variety descriptions".

Applications for varieties with low germination

*108. The TC noted that applications for varieties with low germination would be considered in conjunction with the revision of document TGP/7 "Development of Test Guidelines", in particular with respect to document TGP/7/2 Draft 2, ASW 1 (TG Template: Chapter 2.3) – Seed quality requirements) [(c) Types of varieties with low germination].

Method of calculation of COYU

*109. The TC noted the discussions concerning the current method of calculation of COYU, as set out in document TC/45/3, and agreed that the Technical Working Parties (TWPs) should be informed about those discussions at their sessions in 2009. The TC requested the TWC to make its recommendations to the TC concerning the proposals set out in document TC/45/3, paragraph 24.

Assessing uniformity by off-types on the basis of more than one sample or sub-samples

*110. The TC considered the draft questionnaire "Population standards used for assessing uniformity by off-types on the basis of more than one sample", developed by the Technical Working Party on Automation and Computer Programs (TWC), as presented in the Annex to document TC/45/3.

*111. The TC agreed that the draft questionnaire should be circulated for consideration by the Technical Working Parties at their sessions in 2009 and requested the Office of the Union to provide a new draft of the questionnaire, based on their comments, for approval at the forty-sixth session of the TC. The TC agreed that the approved questionnaire should be issued by the Office of the Union to the TC representatives of the members of the Union and the replies presented for consideration by the TC at its forty-seventh session. On the basis of the replies, the TC would consider whether that matter should be included in a future revision of document TGP/8 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability".

Database to research TWC working documents

*112. The TC noted the developments concerning the "Database to research TWC working documents", provided by the experts from Germany, and distributed to the participants at the twenty-sixth session of the TWC.

*113. The TC noted the value of being able to search the TWC documents in a database and considered that it would be useful to be able to search all documents on the UPOV website in a similar way. The Office of the Union explained that it planned to provide a facility to search the documents on the UPOV website.

II. MATTERS FOR INFORMATION

*114. The TC noted the matters for information provided in document TC/45/3.

TGP documents

*115. The TC considered documents TC/45/5 and TC/45/14.

(a) TGP documents scheduled for adoption in 2009

TGP/12 Special Characteristics

*116. The TC agreed that document TGP/12/1 Draft 7 should be amended as indicated, with the following further modifications:

Title	to read "Guidance on certain physiological characteristics"
1.1.2	first sentence to read "…(e.g. herbicide [~~resistance~~ tolerance] characteristics)…"
1.2.2.1	to move the section on tolerance above the section on susceptibility and to read as follows: "Tolerance: is the ability of a plant to limit the negative effects of a specified pest or pathogen. Effects could be related to aspects such as yield reduction. [footnote]" [footnote] "In many instances, for DUS purposes, tolerance may not be a suitable characteristic because the method required to establish different levels of tolerance requires a method of examination beyond the usual scope of a DUS test in one place in a limited number of replicates."
1.2.2.2	Definitions of Tolerance and Sensitivity to read "growth, appearance or yield"
2.2.2	to read "Repeated tests and ring tests have shown that, subject to the use of an appropriate protocol (see Section I, 2.2.4.4 [cross ref.]), the consistency and repeatability of the expression of disease resistance for a particular pathotype can be very good."
2.2.3	third sentence to read "Guidance on the description of qualitative and quantitative disease resistance characteristics is provided in Section I, 2.3 *[cross ref.]*."
2.2.5	to read "The development of inoculated plants is influenced by the environment and the quality of the inoculum. The inoculation method and the state of development of the plant may cause variation in symptoms developing in the plants within the trial. Such variation should not be assumed to be the result of a lack of uniformity of the variety (see document TGP/10/1, Section 4.6 *[cross ref.]*)"
4.2.1	to read "When herbicide tolerant varieties are treated with herbicide, their level of "tolerance" is manifested by some phenotypic expression(s). Subject to the fulfillment of the requirements for a characteristic to be used in DUS testing (TG/1/3 Section 4.2) these characteristics can be useful in assessing distinctness."
4.2.2.2	to read "In addition to situations where the glyphosate tolerance relates to the "whole plant", situations can arise where only particular organs express tolerance. For example, a trait has been developed to allow the pollen of otherwise glyphosate-sensitive cotton varieties to remain viable following the application of the herbicide. The following characteristic is an example of a characteristic developed on the basis of that trait:

	English	français	Deutsch	español	Example Varieties	Note
(+)	**Pollen: viability after glyphosate application**	**Pollen: viabilité après application de glyphosate**	**Pollen: Lebens-fähigkeit nach Anwendung von Glyphosat**	**Polen: viabilidad tras la aplicación del glifosato**		
QL	absent	absent	fehlend	ausente	[…]	1
	present	présent	vorhanden	presente	[…]	9

4.3.1	to be deleted
4.3.2	to be deleted
4.3.3	to read "…Section I, 1.1.2 and 1.1.4 are met…"
Section II	to add: "4. Examples of protein characteristics derived by using electrophoresis can be found in the Test Guidelines for Barley (document TG/19/10), for Maize (document TG/2/7) and for Wheat (document TG/3/11 + Corr.)"

*117. The TC noted that the amendments above would be reported to the CAJ for consideration at its fifty-ninth session, to be held in Geneva on April 2, 2009. The TC agreed that, subject to agreement by the CAJ, document TGP/12/1 Draft 7, as amended above, should be put forward for adoption by the Council at its forty-third ordinary session, to be held in Geneva on October 22, 2009. It noted that the French, German and Spanish translations of the original English text would be checked by the relevant members of the Editorial Committee prior to submission of the draft of document TGP/12/1 to the Council.

*118. The TC agreed to refer consideration of the status of documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. to the Consultative Committee.

*119. The TC agreed to invite the TWV to propose whether to include a section on the nomenclature of disease resistance in document TGP/14 "Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents" or in a future revision of document TGP/12.

TGP/13 Guidance for New Types and Species

*120. The TC agreed that document TGP/13/1 Draft 14 should be amended as follows:

1.2	to read "As a result of advances in plant breeding, new types of varieties and novel interspecific or intergeneric hybrids continue to be developed."
2.4.2	first sentence to read "It may be useful to consider information on the breeding origin of the candidate variety to gain further background knowledge about the new species."
2.4.3	to be deleted

2.6, 3.6, 4.6	to read "Guidance on testing stability is provided in the General Introduction (document TG/1/3)."
3.7	Sentence in square brackets to be deleted
4.5.6	to read "The uniformity standards for hybrids depend on the hybrid system, the type of the hybrid and the genetic variation in the parental lines. It is important to obtain as much information as possible from the breeder about the new type in order to choose the adequate standards."

*121. The TC noted that the amendments above would be reported to the CAJ for consideration at its fifty-ninth session, to be held in Geneva on April 2, 2009. The TC agreed that, subject to agreement by the CAJ, document TGP/13/1 Draft 14, as amended above, should be put forward for adoption by the Council at its forty third-ordinary session, to be held in Geneva on October 22, 2009. It noted that the French, German and Spanish translations of the original English text would be checked by the relevant members of the Editorial Committee prior to submission of the draft of document TGP/13/1 to the Council.

*122. The TC noted that the TWF and TWO, at their sessions in 2009, would invite reports from experts on their particular experiences with new types and species.

(b) *New TGP documents under development*

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

*123. The TC agreed that document TGP/8/1 should be scheduled for adoption in 2010 on the basis of the content included in document TGP/8/1 Draft 12. The TC further agreed that, at the same time, separately from consideration of the draft of document TGP/8/1, the sections omitted from document TGP/8/1 Draft 12, as reproduced in document TC/45/14, Annex I, should continue to be developed without delay and should be incorporated into document TGP/8 by means of a revision of document TGP/8/1 (i.e. document TGP/8/2) at the earliest opportunity.

*124. The TC agreed that document TGP/8/1 Draft 12 should be amended as follows:

General	to verify the cross references throughout the document (e.g. in the table of paragraph 1.5.3.1.7)
	to clarify that the methods included in document TGP/8 are not the only suitable methods for the examination of DUS. For example, expert observation is an important method.
Part I	
3.2.1.3 (c)	To add an explanation of "Match method" and to delete the reference to Australia
Part II	

General	to remove the division of methods into "Statistical Methods for Determining Distinctness" and "Statistical Methods for Determining Uniformity".

*125. The TC agreed that it would not be appropriate to change the structure of document TGP/8/1. However, to assist users to identify relevant sections in the document more easily, it agreed that an orientation guide, possibly in the form of a grid or flow diagram, should be developed. It agreed that the guide should be considered alongside discussions on the draft of document TGP/8/1 with a view to its inclusion as an introduction in the document before its adoption, if considered appropriate. The TC invited proposals on such a guide, to be received by the Office of the Union by no later than April 17, 2009.

*126. With regard to document TC/45/14, Annex I, the TC agreed that consideration should be given to:

New	the possibility of including information on good agronomic practices for DUS field trials (e.g. soil condition, uniformity of land etc.)
1.5.3.4	guidance on data analysis for blind randomized trials

TGP/11 Examination of Stability

*127. The TC considered document TGP/11/1 Draft 5 and agreed that the following aspects should be addressed in the next draft:

(a) as agreed by the CAJ, to consider only the examination of stability in the context of the DUS examination;

(b) to explain the nature of stability and why it is connected to uniformity in such a way that the General Introduction states that "for many types of variety, when a variety has been shown to be uniform, it can also be considered to be stable" (General Introduction, Chapter 7.3.1.1);

(c) to avoid text stating that "stability is not examined" (see Sections 2.1.2, 2.1.3, 2.1.5(a));

(d) to avoid explanations of uniformity (e.g. Section 2.1.4 (a) and (b)) – if necessary to explain aspects of uniformity, to make a reference to TGP/10/1 "Examining Uniformity" or to quote text of TGP/10/1;

(e) to focus the document on providing practical guidance on situations concerning specifically stability (not uniformity), e.g. Section 2.1.4 (c);

(f) in addition to guidance on the examination of stability through the examination of uniformity, to provide guidance on the direct examination of stability, with the assistance of experts from Australia; and

(g) in relation to Section 2.2.3, to note that the TC-EDC has proposed that the standard wording for stability in Test Guidelines be amended as follows (see

document TGP/7/2 Draft 2: ASW 9 (TG Template: Chapter 4.3.2) – Stability assessment: general):

> "Where appropriate, or in cases of doubt, stability may be <u>further examined</u> ~~tested, either by growing a further generation, or~~ by testing a new [seed or plant] stock to ensure that it exhibits the same characteristics as those shown by the ~~previous~~ <u>initial</u> material supplied."

*128. The TC noted that the forty-third session of the TWV, to be held in Beijing from April 20 to 24, 2009, was less than three weeks after the forty-fifth session of the TC. On that basis, it noted that it would not be feasible to prepare a new draft of document TGP/11/1 for consideration by the TWPs in 2009. Therefore, it agreed that, at their sessions in 2009, the TWPs should be invited to consider the comments made on document TGP/11/1 Draft 5 by the CAJ and the TC. On the basis of those comments and any further comments by the TWPs, a new draft of document TGP/11/1 (document TGP/11/1 Draft 6) would be prepared for consideration by the TC-EDC at its meeting in January 2010.

TGP/14 Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents

*129. The TC agreed that document TGP/14/1 should be scheduled for adoption in 2010 on the basis of the content included in document TGP/14/1 Draft 8. At the same time, the TC agreed that, separately from consideration of the draft of document TGP/14/1, the Color Subsection should continue to be developed without delay and should be incorporated into document TGP/14 by means of a revision of document TGP/14/1 (i.e. document TGP/14/2) at the earliest opportunity.

*130. The TC agreed that document TGP/14/1 Draft 8 should be amended as follows:

General	- to combine synonymous terms within a single entry (e.g. Breeder's Right, Plant Breeder's Right and PBR), but to list the terms individually in the index - to delete references to color (e.g. Section 2, Subsection I (a)) - to correct the document header section references

(c) <u>Revision of TGP Documents</u>

TGP/0 List of TGP Documents and Latest Issue Dates

*131. The TC agreed to propose that document TGP/0 be revised (to become document TGP/0/2) in conjunction with the scheduled adoption of documents TGP/12 and TGP/13 by the Council at its forty-third ordinary session, to be held in Geneva on October 22, 2009.

TGP/7 Development of Test Guidelines

*132. The TC agreed the following concerning document TGP/7/2 Draft 2:

1.2.1.9	to review whether the section is necessary, given the possibility for partial revisions of Test Guidelines.

*133. On the basis of the comments made by the TWPs and the CAJ, and agreed by the TC-EDC, the TC agreed that the following matters, which the TC had previously agreed should be considered in the revision of document TGP/7/1, should not be pursued:

Annex 3: Guidance Notes (GN) for the TG Template	
GN 20	*(to consider whether the revision of Test Guidelines might not fully follow the guidance on the presentation of characteristics in document TGP/7 if that would involve substantial revision of databases of variety descriptions, which would not otherwise be necessary.)*
GN 29	*(to consider the possibility of introducing a table of trade names associated with the denominations of the example varieties)*

Annex 4: Collection of Approved Characteristics	
Collection	*(to consider incorporating characteristics which are used in most Test Guidelines (e.g. Leaf: length) into the electronic template. To consider developing electronic templates for variety types (e.g. seed-propagated vegetables) which would incorporate more standard characteristics for the varieties concerned)*

*134. The TC agreed that the following aspects concerning the "Collection of Approved Characteristics" should be addressed in parallel with the revision of document TGP/7. Where appropriate, an amendment will be made to document TGP/7/1, Annex 4, paragraphs 1 and 2.

Annex 4: Collection of Approved Characteristics	
Introduction	*(to be clarified that characteristics contained in adopted UPOV Test Guidelines may be omitted from the "Collection of approved characteristics" (document TGP/7, Annex 4) where considered appropriate by the TC, on the basis of recommendations by the Enlarged Editorial Committee (TC-EDC))* *(to explain that the indication of the characteristic number, the method of observation, type of characteristic and the indications of (+) and (*) had been retained from the Table of Characteristics from which the characteristic had originated, but to clarify that the information might not be appropriate for other Test Guidelines)* *(to explain to drafters of Test Guidelines that, for characteristics where any element of the characteristic is changed after copying from the collection, the translations into French, German and Spanish should be deleted)*
Collection	*(examples of color characteristics developed in conjunction with TGP/14 Section 2.3: "Glossary of Technical, Botanical and Statistical Terms Used in UPOV Documents: Botanical Terms: Color" to be incorporated into TGP/7: Annex 4 "Collection of Approved Characteristics". (It was noted that that might require the organization of the TGP/7 to be modified to some extent.))*

	(to consider including a collection of approved illustrations and to consider making that collection available to breeders to assist in their applications for PBR. (see also TGP/14 Section 2.1: Plant shapes)) *(to consider the development of tools such as CD-ROMs containing photographs to enhance the understanding of the characteristics used in the Test Guidelines and thereby reduce observer error)*

*135. The TC noted that the Office of the Union planned to develop an improved TG Template and to integrate the Collection of Approved Characteristics into that template in a user-friendly package for drafters of Test Guidelines.

III. PROGRAM FOR THE DEVELOPMENT OF TGP DOCUMENTS

*136. The TC agreed the program for the development of TGP documents, as set out in the Annex to document TC/45/5.

UPOV information databases

*137. The TC considered documents TC/45/6 and TC/45/6 Add.

GENIE database

*138. The TC noted that an external consultant IT expert would be used to assist WIPO's IT Department to finalize the GENIE database project.

UPOV code system

*139. The TC noted that just over 300 new UPOV codes were created in 2008 and amendments were made to approximately 30 UPOV codes, bringing the total number of UPOV codes in the GENIE database at the end of 2008 to 6,346.

*140. In accordance with the procedure set out in Section 3.3 of the Guide to the UPOV Code System (see *http://www.upov.int/genie/en/upov_code.html*), the TC agreed that the Office of the Union should prepare tables of UPOV code additions and amendments, for checking by the relevant authorities, for each of the Technical Working Party (TWP) sessions in 2009.

Plant Variety Database

*141. The TC noted that the Consultative Committee had approved an arrangement between UPOV and WIPO (UPOV-WIPO arrangement), concerning the UPOV Plant Variety Database, as follows:

(a) WIPO to undertake the collation of data for the UPOV-ROM and to provide the necessary assistance to deliver the program of improvements concerning, in particular, options for receiving data for the UPOV-ROM in various formats and assistance in allocating UPOV codes to all entries (see documents CAJ/57/6, paragraphs 3 and 8 and TC/44/6, paragraphs 12 and 17). In addition, WIPO to undertake the development of a web-based version of the UPOV Plant Variety Database, and the facility to create

CD-ROM versions of that database, and to provide the necessary technical support concerning the development of a common search platform (see documents CAJ/57/6, paragraphs 18 to 21 and TC/44/6, paragraphs 27 to 30)).

(b) UPOV to agree that data in the UPOV-ROM Plant Variety Database may be included in the WIPO Patentscope® search service. In the case of data provided by parties other than members of the Union (e.g. the Organisation for Economic Co-operation and Development (OECD)), permission for the data to be used in the WIPO Patentscope® search service would be a matter for the parties concerned.

*142. The TC noted that the current arrangements for providing data for the UPOV-ROM, as set out in the "Memorandum of Understanding between UPOV and the CPVO" (MoU) (see documents CAJ/57/6, paragraph 6 and TC/44/6, paragraph 15), would not be affected by the agreement between UPOV and WIPO.

*143. The TC noted that WIPO would allocate one IT expert in the professional category and one member of staff in the general service category to the collation of data and development of the Plant Variety Database. Those two members of staff were expected to be in post by mid-2009.

*144. The TC noted the latest situation with regard to contributors to the UPOV-ROM, as set out in document TC/45/6 Add.

*145. The TC noted the proposals concerning the program for improvements to the UPOV-ROM Plant Variety Database as set out in document TC/45/6, paragraph 26. It proposed that further consideration should be given to whether to add any new fields to the Plant Variety Database and, at the same time, consideration should be given to whether any of the existing fields should be removed.

*146. With regard to the development of a web-based version of the Plant Variety Database, the TC noted that the members of the Union would be invited to determine the accessibility and any charge for access in due course.

Molecular techniques

*147. The TC considered documents TC/45/7 and BMT Guidelines (proj.14).

UPOV Guidelines for DNA-profiling: molecular marker selection and database construction (BMT Guidelines)

*148. The TC agreed that no changes were required to document BMT Guidelines (proj.14). However, it noted that the French, German and Spanish translations of the original English text would be checked by the relevant members of the Editorial Committee prior to submission of the document for adoption by the Council.

*149. The TC noted that the draft BMT Guidelines (document BMT Guidelines (proj.15)) would be presented for consideration by the CAJ at its sixtieth session, to be held in Geneva on October 19 and 20, 2009. The TC agreed that, on the basis of the conclusions of the TC and CAJ at their sessions in 2009, a draft of the BMT Guidelines should be prepared for approval by the TC and CAJ in March 2010, in anticipation of adoption of the

BMT Guidelines by the Council in 2010. The TC noted that the timetable also anticipates the submission of a revised version of documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. to the Council for adoption in conjunction with the BMT Guidelines (see below).

Proposals for the utilization of biochemical and molecular techniques in the examination of DUS to be considered by the BMT Review Group

*150. As requested by the TC at its forty-fourth session and the CAJ at its fifty-seventh session, the TC noted that the approach presented in documents BMT/10/14 and BMT-TWA/Maize/2/11 "Possible use of molecular techniques in DUS testing on maize: how to integrate a new tool to serve the effectiveness of protection offered under the UPOV system", prepared by experts from France, would be put forward for consideration by the *Ad hoc* Subgroup of Technical and Legal Experts of Biochemical and Molecular Techniques (BMT Review Group) at its meeting on April 1, 2009.

*151. The TC noted that the assessment of the BMT Review Group would be presented for consideration by the CAJ at its sixtieth session, to be held in Geneva on October 19 and 20, 2009, and by the TC at its forty-sixth session, in 2010. The TC also noted that, in the meantime, an oral report of the BMT Review Group meeting would be made at the fifty-ninth session of the CAJ, to be held in Geneva on April 2, 2009 and the report of the BMT Review Group would be posted on the first-restricted area of the UPOV website. The TC agreed that a report on the conclusions of the BMT Review Group should be made to the Technical Working Parties at their sessions in 2009.

Revision of documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add.

*152. The TC recalled that, at its forty-second session, held in Geneva, from April 3 to 5, 2006, it had "reaffirmed its support for the presentation of the situation, set out in documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add., which presented the proposals developed in the *Ad hoc* Crop Subgroups, the recommendations of the BMT Review Group concerning those proposals and the opinion of the TC and the CAJ regarding the recommendations of the BMT Review Group. […]". Therefore, it did not consider that it would be appropriate to make major changes to the structure and form of the information provided in documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. However, to assist the Office of the Union in the preparation of the revision of documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add., with the aim of developing a document for adoption by the Council, the TC agreed:

(a) to consolidate document TC/38/14-CAJ/45/5, paragraphs 9 and 10 and the Annex, and document TC/38/14 Add.-CAJ/45/5 Add., paragraphs 3 to 7, into a single document;

(b) subject to a positive assessment by the BMT Review Group of the approach presented in documents BMT/10/14 and BMT-TWA/Maize/2/11 and endorsement by the TC and CAJ, to add a section concerning the approach presented in documents BMT/10/14 and BMT-TWA/Maize/2/11; and

(c) to emphasize the importance of the assumptions to be met in each of the options and proposals and to clarify that it is a matter for the relevant authority to consider if the

relevant assumptions set out in documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. are met.

*153. Subject to a positive assessment by the BMT Review Group of the approach presented in documents BMT/10/14 and BMT-TWA/Maize/2/11 and an endorsement by the CAJ at its sixtieth session, the TC agreed that a first draft of the revised version of documents TC/38/14-CAJ/45/5 and TC/38/14 Add.-CAJ/45/5 Add. should be prepared for consideration by the TC at its forty-sixth session and by the CAJ at its sixty-first session, both in March 2010. On that basis, the TC noted that a document could be presented for adoption by the Council in 2010, in conjunction with the BMT Guidelines (see above).

Practical exercise in the development of an exchangeable database

*154. The TC noted that the possible commonality between the matters considered under the item "practical exercise in the development of an exchangeable database" and the matters reported under agenda item 5 "Matters arising from the Technical Working Parties" and agenda item 10 "Publication of variety descriptions" would be considered under agenda item 10 "Publication of variety descriptions".

International guidelines on molecular methodologies

*155. The TC noted the developments concerning international guidelines on molecular methodologies, as set out in document TC/45/7, paragraphs 39 to 41.

Statistical methods for data produced by biochemical and molecular techniques

*156. The TC agreed to request the TWC to consider if the item on the BMT agenda for "statistical methods for data produced by biochemical and molecular techniques" should be replaced by an item "methods for analysis of molecular data" to cover, for example, calculation of distances.

Ad hoc *crop subgroups on molecular techniques (Crop Subgroups)*

157. Mr. Marcelo Labarta (Argentina) reported that he had had preliminary discussions with experts from Brazil concerning a meeting of the Crop Subgroup for Soybean. He explained that the purpose of a meeting would be to review: (a) molecular markers for variety identification and for the management of reference collections; (b) the use of molecular markers in plant breeding; and (c) the use of molecular markers by plant breeder's rights offices.

*158. The TC noted the developments concerning Crop Subgroups as set out in document TC/45/7, paragraphs 46 to 50 and agreed the following plans for meetings of Crop Subgroups:

Crop Subgroup for Maize:	to hold a meeting in November/December 2009, tentatively in conjunction with the maize and sorghum breeders' meeting in the United States of America;
Crop Subgroup for Potato:	to consider a future meeting according to developments in on-going projects reported at the eleventh session of the BMT;

Crop Subgroup for Soybean: Mr. Marcelo Labarta (Argentina), Chairman of the Crop Subgroup for Soybean, to consider the need for a meeting with experts from Brazil. The TC noted that Mr. Labarta had already held preliminary discussions on organizing such a meeting; and

Crop Subgroup for Wheat and Barley: subject to sufficient papers, to consider a meeting in conjunction with the twelfth session of the BMT.

*159. The TC invited the TWA to propose a new Chairperson of the Crop Subgroup for Oilseed Rape.

Working group on biochemical and molecular techniques, and DNA-profiling in particular (BMT)

*160. The TC noted the report on developments in the BMT, as set out in document TC/45/7, paragraphs 52 to 54.

Variety denominations

*161. The TC considered documents TC/45/8 and TC/45/8 Add.

Revision of Class 211

*162. The TC proposed that Class 211 in document UPOV/INF/12/1, Annex I, Part II "Classes encompassing more than one genus" should be modified to cover all species of *Agaricus*, *Agrocybe*, *Auricularia*, *Dictyophora*, *Flammulina*, *Ganoderma*, *Grifola*, *Hericium*, *Hypsizigus*, *Lentinula*, *Lepista*, *Lyophyllum*, *Meripilus*, *Mycoleptodonoides*, *Naematoloma, Panellus*, *Pholiota*, *Pleurotus*, *Polyporus*, *Sparassis* and *Tricholoma*. The TC further agreed that the name of Class 211 should be changed to "Class 211 (Mushrooms)".

*163. The TC noted that its proposal concerning Class 211 would be reported to the CAJ, for consideration at its sixtieth session, to be held in Geneva on October 19 and 20, 2009. The TC noted that, if the CAJ was in accordance with the proposal of the TC, a draft revised version of the "Explanatory Notes on Variety Denominations under the UPOV Convention", document UPOV/INF/12/1, would be presented to the Council for adoption at its forty-third ordinary session, to be held in Geneva on October 22, 2009.

Revision of Class 202

*164. The TC agreed to the deletion of the entries in the GENIE database for *Setaria flavida* (Retz.) Veldkamp / *Paspalidium flavidum* (Retz.) A. Camus and for *Setaria viridis* (L.) P. Beauv. / *Setaria italica subsp. viridis* (L.) Thell.

*165. The TC agreed to propose that Class 202 in document UPOV/INF/12/1, Annex I, Part II "Classes encompassing more than one genus", be extended to cover *Megathyrsus, Panicum, Setaria* and *Steinchisma*.

*166. The TC requested the Technical Working Party for Agricultural Crops (TWA) to consider that proposal at the thirty-eighth session of the TWA, to be held in Seoul, Republic of Korea, from August 31 to September 4, 2009. It agreed that, subject to endorsement of the TC proposal by the TWA, the CAJ would be invited to consider that proposal at its sixtieth session, to be held in Geneva on October 19 and 20, 2009, in conjunction with the proposed revision of document UPOV/INF/12/1 "Explanatory notes on variety denominations under the UPOV Convention".

Publication of variety descriptions

*167. The TC considered document TC/45/9.

168. The Delegation of Australia considered that the introduction of an item for "Variety description databases" was a useful evolution of the discussions on the publication of variety descriptions.

169. The Delegation of France reported its interest in exchanging information at least at the regional level and was in favor of the replacement of the agenda item "Publication of variety descriptions" with an item for "Variety description databases". However, it recalled the importance of the list of criteria for the use of descriptions obtained from different locations and sources, as set out in document TC/45/9, paragraph 3.

170. The Delegation of Argentina supported the proposal to have an item for variety description databases. It was reported that first steps were being taken towards working together on soybean in that region and support was expressed for a regional approach.

171. The Delegation of Spain expressed its support for a regional approach. It recalled the benefits that Spain had already experienced with such an approach in certain crops, such as that with maize as reported in document TC/45/9, and explained that it hoped to extend that work to other crops. It also noted that its experiences could be of benefit to other members of the Union.

172. The Delegation of the European Community was in agreement with the comments of the Delegations of Australia, France, Argentina and Spain and considered that it would be very useful to have an item for variety description databases. It noted that such an item would cover matters that might, or might not, relate to the publication of variety descriptions. It also recalled the importance of the list of criteria for the use of descriptions obtained from different locations and sources, as set out in document TC/45/9, paragraph 3.

*173. The TC noted from the developments reported in document TC/45/9, that members of the Union were developing databases containing morphological and/or molecular data and, where considered appropriate, were collaborating in the development of databases for the management of variety collections, particularly on a regional basis. The TC agreed that it could be beneficial to offer the possibility for members of the Union to report on that work in a coherent way to the Technical Committee, the Technical Working Parties and the BMT. On that basis, the TC agreed to replace the agenda item "Publication of variety descriptions" with an item for "Variety description databases" on the agendas of the forthcoming sessions of the TC, TWPs and the BMT. In that respect, it recalled the importance of the list of criteria for consideration for the use of descriptions obtained from different locations and sources as set

out in document TC/45/9, paragraph 3. The TC also agreed that the information presented would not need to be related to the publication of descriptions.

Preparatory workshops

*174. The TC noted the report of the preparatory workshops held in 2008 and agreed the proposals for the programs for the preparatory workshops to be held in 2009, as set out in document TC/45/10. In response to the Delegation of the Republic of Korea, the Office of the Union explained that there was flexibility in the program for the preparatory workshops in order to respond to the interests of the participants, including in particular the local participants.

*175. With respect to the event to coincide with the thirty-eighth session of the TWA, to be held in Seoul, Republic of Korea, from August 31 to September 4, 2009, the Delegation of the Republic of Korea clarified that it was planned to hold an international symposium on the "Impact of the PVP System", to which speakers and participants from members of the Union would be invited.

Combination of lines or varieties

176. The TC considered document TC/45/11.

177. The Delegation of Colombia recalled its interest in the matter of combinations of lines and varieties with regard to coffee and thanked the Technical Committee for its consideration of the subject. It noted the discussions by the TWA and observed that it would be necessary to protect lines on an individual basis if a combination of lines did not fulfil the definition of variety and did not meet the uniformity requirements. The Delegation of Colombia confirmed that "Castillo" was a trademark in Colombia, but clarified that it was not a variety denomination.

*178. The TC noted the information presented on combinations of lines or varieties at the thirty-seventh session of the TWA, held in Nelspruit, South Africa, from July 14 to 18, 2008, and the discussions that took place, as set out in document TC/45/11.

List of exchangeable software

*179. The TC considered documents TC/45/12 and UPOV/INF/Software Draft 1.

180. The Delegation of France wondered if document UPOV/INF/Software Draft 1, "3. Categories of software" items (d) to (g) might be restructured to provide sections for the collection and transfer of data and data handling, with subsections for different types of data (e.g. field data, image analysis data, biochemical data etc.), in order to reflect the practical organization of the work.

181. The Delegation of Spain particularly supported the inclusion of categories (a) Administration of applications; (b) On-line application systems and (c) Variety denomination checking, which it considered could be particularly helpful for new members of the Union.

182. The Delegation of Australia proposed that software for producing variety descriptions should also be included in the document.

183. Mr. Gerie van der Heijden (Netherlands), Chairman of the TWC, observed that it would be difficult to predetermine a precise structure for the document in advance of software being provided. He suggested that the TWC might be invited to propose appropriate changes to the structure of the document alongside proposals for the inclusion of software.

*184. The TC agreed that document UPOV/INF/Software Draft 1 provided a suitable initial structure for a list of exchangeable software, but agreed that the categories of software might need to be modified according to the software that was included.

*185. The TC agreed that document UPOV/INF/Software Draft 1 should be prepared for consideration by the Technical Working Parties, including the TWC, at their sessions in 2009 and by the CAJ at its sixtieth session, to be held in Geneva on October 19 and 20, 2009.

*186. The TC agreed that the TWC, at its twenty-seventh session, to be held in Alexandria, Virginia, United States of America, from June 16 to 19, 2009, should review the entry for DUSTNT in document UPOV/INF/Software. In particular, the TC noted that the DUSTNT program included many modules, including a wide range of multivariate analysis techniques, while UPOV had specifically endorsed only the COYD and COYU methods. The TC noted that the TWC had invited experts to propose other DUSTNT modules, which had been used by them, for endorsement in the document on exchangeable software.

Electronic application systems

*187. The TC considered document TC/45/13.

*188. The Delegation of New Zealand commented that Proposal 1 “Standardized reference by authorities to the UPOV Model Application Form, UPOV Model TQ and/or UPOV Test Guidelines TQ” would be a reasonable option for implementation in New Zealand. The Delegation of the European Community and the representative of the International Seed Federation (ISF) expressed a preference for Proposal 2 “Use of information provided in an electronic version of the UPOV Model Application Form (and possibly the UPOV Model TQ or UPOV Test Guidelines TQ)”. The Delegation of the United States of America expressed concerns about the limited interest of members to make use of the form and the resource implications. It also sought further information with respect to the proposals before it could express a view.

*189. The TC noted that the matter would be considered further by the CAJ at its fifty-ninth session, to be held in Geneva on April 2, 2009.

List of genera and species for which authorities have practical experience in the examination of distinctness, uniformity and stability

*190. The TC noted the information provided in document TC/45/4 and heard that the number of genera and species for which members of the Union had practical experience had increased from 2,179 in 2008 to 2,209 in 2009.

*191. The TC agreed that document TC/45/4 should be updated for the forty-sixth session of the TC. However, it agreed that the updated document should not include the entries in parentheses.

Test Guidelines

*192. The TC considered document TC/45/2.

*193. The TC adopted the Test Guidelines listed in the table below[2] on the basis of the amendments, as specified in Annex II to this document, which was circulated in advance, and the linguistic changes recommended by the TC-EDC:

Document No. Nº. du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
NEW TEST GUIDELINES					
TG/COWPEA(proj.4)	Asparagus-bean, Pea-bean, Yard-long-bean, Chinese long-bean	Dolique asperge, Haricot asperge	Spargelbohne	Caupí, Judía espárrago, Judía de vaca	Vigna unguiculata (L.) Walp. subsp. sesquipedalis (L.) Verdc.
TG/HEVEA(proj.6)	Rubber	Hevea	Parakautschukbaum	Árbol del caucho, Hule	Hevea Aubl.
TG/NERIUM(proj.5)	Oleander, Rose Bay, Rose-laurel	Laurier rose, Oléandre	Oleander	Adelfa, Baladre, Laurel Rosa, Pascua	Nerium oleander L. (Nerium indicum Mill.)
TG/PASSI(proj.6)	Granadilla, Passion fruit	Barbadine, Fruit de la passion	Passionsfrucht, Purpurgranadilla	Granadilla, Maracuyá	Passiflora edulis Sims
TG/PHLOX(proj.3)	fall phlox, fall pink, garden phlox, panicled phlox, perennial phlox, perennial pink, summer phlox, sweet William	-	-	-	Phlox paniculata L.
TG/PRUNU_PAD(proj.4)	Bird cherry	Merisier à grappes	Traubenkirsche	Cerezo de racimo	Prunus padus L.
TG/TARO(proj.4)	Colocasia	Colocasia	Colocasia	Colocasia	Colocasia esculenta (L.) Schott; Colocasia gigantea (Blume) Hook. f.
TG/YAM(proj.4)	Yam	Igname	Yamswurzel	Ñame	Dioscorea alata L.; Dioscorea polystachya Turcz.; Dioscorea japonica Thunb.
REVISIONS OF TEST GUIDELINES					
TG/2/7(proj.4)	Maize	Maïs	Mais	Chícharo, Maíz	Zea mays L.
TG/7/10(proj.6)	Pea	Pois	Erbse	Guisante, Arveja	Pisum sativum L.
TG/28/9(proj.4)	Zonal Pelargonium, Horseshoed pelargonium; Ivy-leaved Pelargonium, Hanging geranium, Ivy geranium, Ivy-leaf pelargonium	Géranium, Pelargonium zonale; Géranium-lierre	Zonal-Pelargonie; Efeupelargonie, Efeublättrige Pelargonie	Geranio zonal, geranio malvón, geranio de hierro, geranio de sardina, pelargonio	Pelargonium Zonale Group (Pelargonium ×hortorum L. H. Bailey, Pelargonium-Zonale-Hybridae), Pelargonium peltatum (L.) Hér (Pelargonium-Peltatum-Hybridae) and hybrids between those species and other species of Pelargonium L'Hér. ex Ait.
TG/45/7(proj.5)	Cauliflower	Chou-fleur	Blumenkohl	Coliflor	Brassica oleracea L. convar. botrytis (L.) Alef. var. botrytis (Brassica caulifloria Lizg.)

[2] The table includes certain amendments to common names presented in the table in paragraph 82 of document TC/45/15 “Report on the Conclusions”, in accordance with the procedure set out in paragraph 198.

Document No. Nº. du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
PARTIAL REVISIONS OF TEST GUIDELINES					
TG/89/6 Rev. (proj_TC/45/2)	Swede	Chou-navet, Rutabaga	Kohlrübe	Colinabo	Brassica napus L. var. napobrassica (L.) Rchb.
TG/155/4 Rev. (proj_TC/45/2)	Pumpkin	Giraumon, Potiron	Riesenkürbis	Calabaza, Zapallo	Cucurbita maxima Duch.
TG/209/1 Rev. (proj_TC/45/2)	Dendrobium	Dendrobium	Dendrobium, Baumwucherer	Dendrobium	Dendrobium Sw.
TG/220/1 Rev. (proj_TC/45/2)	Verbena, Vervain	Verveine	Verbene, Eisenkraut	Verbena	Verbena L.

*194. With regard to the draft Test Guidelines for Pea (document TG/7/10(proj.6)), the TC noted that comments had been received from Ukraine in response to the circular concerning the proposed amendments to characteristics 39 (Pod: parchment) and 40 (Excluding varieties with pod parchment: entire: Pod: thickened wall). The TC agreed that the Test Guidelines for Pea be adopted subject to resolution of the comments by Ukraine, either by correspondence with Ukraine, or by the TWV and the TWA at their sessions in 2009.

*195. With regard to the draft Test Guidelines for Phlox (TG/PHLOX(proj.3)), on the basis of the recommendation of the Enlarged Editorial Committee at its meeting in March 2009, the TC agreed that the Test Guidelines for Phlox be adopted subject to further asterisked characteristics being agreed by the Technical Working Party for Ornamental Plants and Forest Trees (TWO), either by correspondence or at its forty-second session.

*196. With regard to the draft Test Guidelines for Anubias (document TG/ANUBI(proj.5)) and for Mokara (document TG/MOKARA(proj.5)), on the basis of the recommendation of the Enlarged Editorial Committee at its meeting on January 8, 2009 the TC agreed that the technical issues concerning those draft Test Guidelines, as set out in Annex II to this document, should be referred back to the TWO, for further consideration.

*197. With regard to the draft Test Guidelines for Fig (document TG/FIG(proj.4)), on the basis of the recommendation of the Enlarged Editorial Committee at its meeting in March 2009, the TC agreed that the technical issues concerning those draft Test Guidelines, as set out in Annex II to this document, should be referred back to the Technical Working Party for Fruit Crops (TWF) for further consideration.

*198. The TC agreed to invite any proposed amendments to the common names for the adopted Test Guidelines to be sent to the Office of the Union by April 15, 2009. Those proposed amendments would be considered by the Editorial Committee by April 29, 2009.

*199. The TC noted the corrections that had been made to documents TG/26/5 “Test Guidelines for Chrysanthemum”, TG/86/5 “Test Guidelines for Anthurium”, TG/94/6 “Test Guidelines for Ling, Scots Heather”, TG/176/4 “Test Guidelines for Osteospermum”, TG/225/1 “Test Guidelines for Waxflower”, TG/238/1 “Test Guidelines for Tea” and TG/241/1 “Test Guidelines for Nemesia”, as set out in document TC/45/2, paragraphs 14 to 27.

*200. The TC agreed the plans for the development of new Test Guidelines and the revision or partial of Test Guidelines, as shown in document TC/45/2, Annex II, subject to the deletion of

the entry for the partial revision of the Test Guidelines for Ling, Scots Heather (document TG/94/6).

*201. The TC noted the status of the existing Test Guidelines as listed in document TC/45/2, Annex III.

Program for the forty-sixth session

*202. The following draft agenda was agreed for the forty-sixth session of the TC, to be held in Geneva in 2010:

1. Opening of the session
2. Adoption of the agenda
3. Report on developments in UPOV including relevant matters discussed in the last sessions of the Administrative and Legal Committee, the Consultative Committee and the Council (oral report by the Vice Secretary-General)
4. Progress reports on the work of the Technical Working Parties, including the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) and Crop Subgroups
5. Matters arising from the Technical Working Parties
6. TGP documents
7. Molecular techniques
8. Variety denominations
9. UPOV information databases
10. Variety description databases
11. Exchangeable software
12. Electronic application systems
13. Preparatory workshops
14. Method of calculation of COYU
15. Assessing uniformity by off-types on the basis of more than one sample or sub-samples
16. Test Guidelines
17. List of genera and species for which authorities have practical experience in the examination of Distinctness, Uniformity and Stability
18. Program for the forty-seventh session
19. Adoption of the report on the conclusions reached in the session (if time permits)
20. Closing of the session

Retirement

203. The Chairman noted that Mr. Cecilio Prieto Martín (Spain) would retire before the forty-sixth session of the TC. The Chairman recalled that Mr. Prieto had more than 35 years of experience in areas concerning Registration and Commercialization of Varieties in Spain and had participated in the sessions of the TWA and the TC for the last 10 years. In addition, since 1998, he had lectured in the "Training Courses on the Protection of New Varieties of Plants for Ibero-american Countries", organized by UPOV in cooperation with the Government of Spain. On behalf of the TC, the Chairperson thanked him for his valuable contribution to the work of UPOV and of the TC in particular.

204. The present report has been adopted by correspondence.

[Annexes follow]

ANNEXE I / ANNEX I / ANLAGE I / ANEXO I

LISTE DES PARTICIPANTS / LIST OF PARTICIPANTS /
TEILNEHMERLISTE / LISTA DE PARTICIPANTES

(dans l'ordre alphabétique des noms français des États /
in the alphabetical order of the French names of the States /
in alphabetischer Reihenfolge der französischen Namen der Staaten /
por orden alfabético de los nombres en francés de los Estados)

I. MEMBRES / MEMBERS / VERBANDSMITGLIEDER / MIEMBROS

ALLEMAGNE / GERMANY / DEUTSCHLAND / ALEMANIA

Beate RÜCKER (Frau), Abteilungsleiterin Registerprüfung, Bundessortenamt, Postfach 610440, 30627 Hannover
(tel.: +49 511 956 6639 fax: +49 511 563 362 e-mail: beate.ruecker@bundessortenamt.de)

Andrea MENNE (Ms.), Head, Section DUS Testing Ornamentals, Bundessortenamt, Osterfelddamm 80, 30627 Hannover
(tel.: +49 511 956 6723 fax: +49 511 956 6719 e-mail: andrea.menne@bundessortenamt.de)

ARGENTINE / ARGENTINA / ARGENTINIEN / ARGENTINA

Marcelo Daniel LABARTA, Director de Registro de Variedades, Instituto Nacional de Semillas (INASE), Paseo Colón 922, 3 piso, of. 347, 1063 Buenos Aires
(tel.: +54 11 4349 2445 fax: +54 11 4349 2444 e-mail: mlabarta@inase.gov.ar)

Carmen Amelia M. GIANNI (Sra.), Coordinadora del Area de Propiedad Intelectual, Instituto Nacional de Semillas (INASE), Paseo Colón 922, 3 piso, of. 308/310, 1063 Buenos Aires
(tel.: +54 11 4349 2421 fax: +54 11 4349 2421 e-mail: mlvillamayor@inase.gov.ar)

María Laura VILLAMAYOR (Srta.), Abogada, Dirección de Asuntos Jurídicos, Instituto Nacional de Semillas (INASE), Paseo Colón 922, 3 piso, of. 309, 1063 Buenos Aires
(tel.: +54 11 4349 2422 fax: +54 11 4349 2421 e-mail: mlvillamayor@inase.gov.ar)

Hernando Adrián PECCI, Examinador de Variedades, Instituto Nacional de Semillas, Paseo Colón 922, 3 piso, of. 347, 1063 Buenos Aires
(tel.: 54 11 4349 2444 fax: 54 11 4349 2444 e-mail: hpecci@inase.gov.ar)

AUSTRALIE / AUSTRALIA / AUSTRALIEN / AUSTRALIA

Doug WATERHOUSE, Chief, Plant Breeder's Rights Office, IP Australia, P.O. Box 200, Woden ACT 2606
(tel.: +61 2 6283 7981 fax: +61 2 6283 7999 e-mail: doug.waterhouse@ipaustralia.gov.au)

AUTRICHE / AUSTRIA / ÖSTERREICH / AUSTRIA

Barbara FÜRNWEGER (Frau), Leiterin, Abteilung Sortenschutz und Registerprüfung, Institut für Sortenwesen, Österreichische Agentur für Gesundheit und Ernährungssicherheit GmbH, Spargelfeldstrasse 191, Postfach 400, A-1220 Wien
(tel.: +43 50 555 34910 fax: +43 50 555 34909 e-mail: barbara.fuernweger@ages.at)

Verena PETERSEIL (Frau), Österreichische Agentur für Gesundheit und Ernährungssicherheit GmbH (AGES), Bereich Analytik Kompetenzzentren, Institut Biochemie, Spargelfeldstrasse 191, A-1220 Wien
(tel.: +43 50 555 32203 e-mail: verena.peterseil@ages.at)

BRÉSIL / BRAZIL / BRASILIEN / BRASIL

Daniela DE MORAES AVIANI (Mrs.), Coordinator, National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Supply, Esplanada dos Ministérios, Bloco 'D', Anexo A, Sala 249, Brasilia , D.F.70043-900
(tel.: +55 61 3218 2549 fax: +55 61 3224 2842 e-mail: daniela.aviani@agricultura.gov.br)

Luís PACHECO, Coordinator, National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Supply, Esplanada dos Ministérios, Bloco 'D', Anexo A, Sala 249, Brasilia , D.F.70043-900
(tel.: +55 61 3218 2549 fax: +55 61 3224 2842 e-mail: luis.pacheco@agricultura.gov.br)

BULGARIE / BULGARIA / BULGARIEN / BULGARIA

Pavla NIKOLOVA (Mrs.), Expert, "National variety list and IT Management" Department, Executive Agency of Variety Testing, Field Inspection and Seed Control (IASAS), 125, Tzarigradsko shosse blvd, Block 1, BG-1113 Sofia
(tel.: +359 28 700375 fax: +359 28 706517 e-mail: p_nikolova@iasas.government.bg)

Kameliya Petrova PAVLOVA (Mrs.), Senior Expert, Executive Agency for Variety Testing, Field Inspection and Seed Control (IASAS), 125, Tzarigradsko shosse blvd, Block 1, BG-1113 Sofia
(tel.: +359 237 00375 fax: +359 28706517 e-mail: kpavlova@iasas.government.bg)

CANADA / CANADA / KANADA / CANADÁ

Sandy MARSHALL (Ms.), Senior Specialist - Policy, Plant Breeders' Rights Office, Canadian Food Inspection Agency (CFIA), 59 Camelot Drive, Ottawa Ontario K1A 0Y9
(tel.: +1 613 221 7525 fax: +1 613 228 4552 e-mail: sandy.marshall@inspection.gc.ca)

CHILI / CHILE / CHILE / CHILE

Manuel TORO UGALDE, Encargado Registro de Variedades Protegidas, Division Semillas, Servicio Agrícola y Ganadero, Ministerio de Agricultura, Avda Bulnes 140, piso 2, 1167-21 Santiago de Chile
(tel.: +56 2 345 1561 fax: + 56 2 697 2179 e-mail: manuel.toro@sag.gob.cl)

Carolina SEPÚLVEDA (Sra.), Asesor legal, Departamento de Propiedad Intelectual, Dirección General de Relaciones Económicas Internacionales, Ministerio de Relaciones Exteriores, Teatinos 180, piso 11, Santiago de Chile
(tel.: +56 2 5659 370 fax: +56 2 5659 266 e-mail: isepulveda@direcon.cl)

Maximiliano SANTA CRUZ, Consejero, Misión Permanente, 58, rue Moillebeau, 1211 Ginebra, Suiza
(tel.: +41 22 919 8800 fax: +41 22 734 5297 e-mail: maximiliano.santacruz@misionchileomc.ch)

CHINE / CHINA / CHINA / CHINA

LÜ Bo, Division Director, Division for Plant Variety Protection, Development Center for Science & Technology, Ministry of Agriculture, 18, Mai Zi Dian Street, Chaoyang District, Beijing 100125
(tel.: +86 10 6592 1326 fax: +86 10 6592 3176 e-mail: lvbo@agri.gov.cn)

ZHOU Jianren, Division Director, Office for the Protection of New Varieties of Plants, State Forestry Administration, State Forestry Administration, 18 Hepingli East Street, Beijing 100714
(tel.: +86 10 8423 9104 fax: +86 10 8423 8883 e-mail: webmaster@cnpvp.net)

SUN Junli (Ms.), Principal staff member, Department of Sci-Technology and Education, Ministry of Agriculture, 11 Nong Zhan Guan Nan Li, Chaoyang District, 100125 Beijing
(tel.: +86 10 59193073 fax: +86 10 59193072 e-mail: cq@agri.gov.cn)

ZHAO Qing, International Cooperation Department, State Intellectual Property Office (SIPO), P.O. Box 8020, Beijing 100088
(tel.: +86 10 6208 6862 fax: +86 10 6201 9615 e-mail: zhaoqing@sipo.gov.cn)

COLOMBIE / COLOMBIA / KOLUMBIEN / COLOMBIA

Ana Luisa DÍAZ JIMÉNEZ (Sra.), Directora Técnica de Semillas, Instituto Colombiano Agropecuario (ICA), Calle 37, # 8-43, Ed. Colgas, Of 409, Bogotá D.C.
(tel.: +57 1 232 8643 fax: +57 1 232 4697 e-mail: ana.diaz@ica.gov.co)

COMMUNAUTÉ EUROPÉENNE / EUROPEAN COMMUNITY / EUROPÄISCHE GEMEINSCHAFT / COMUNIDAD EUROPEA

Jacques GENNATAS, Conseiller du Directeur Général Adjoint, Direction Générale Santé et Consommateurs, Commission européenne, 101 rue Froissart, Office: F 101 09/38, 1040 Bruxelles, Belgique
(tel.: +32 2 295 9713 fax: +32 2 297 9510 e-mail: jacques.gennatas@ec.europa.eu)

Carlos GODINHO, Vice-President, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, B.P. 10121, 49101 Angers Cedex 02, France
(tel.: +33 2 4125 6413 fax: +33 2 4125 6410 e-mail: godinho@cpvo.europa.eu)

Dirk THEOBALD, Head of the Technical Unit, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, B.P. 10121, 49101 Angers Cedex 02, France
(tel.: +33 2 4125 6442 fax: +33 2 4125 6410 e-mail: theobald@cpvo.europa.eu)

COSTA RICA / COSTA RICA / COSTA RICA / COSTA RICA

Carlos GARBANZO, Ministro consejero Misión Permanente, 11, rue Butini, 1202 Ginebra, Suiza
(tel.: +41 22 731 2587 fax: +41 22 731 2060 e-mail: mission.costa-rica@ties.itu.int)

CROATIE / CROATIA / KROATIEN / CROACIA

Ružica ORE-JURIĆ (Mrs.), Head of Plant Variety Protection and Registration, Institute for Seeds and Seedlings, Vinkovacka cesta 63c, HR-31 000 Osijek
(tel.: +385 31 275 715 fax: +385 31 275 208 e-mail: r.ore@zsr.hr)

DANEMARK / DENMARK / DÄNEMARK / DINAMARCA

Gerhard DENEKEN, Head, Division of Variety Testing, Plant Directorate, Ministry of Food, Agriculture and Fisheries, Teglvaerksvej 10, Tystofte, DK-4230 Skaelskoer
(tel.: +45 58 160601 fax: +45 58 160606 e-mail: gde@pdir.dk)

ÉQUATEUR / ECUADOR / ECUADOR / ECUADOR

Alba CABRERA (Sra.), Directora de obtenciones vegetales, Instituto Ecuatoriano de la Propiedad Intelectual (IEPI), Edificio Forum 300, Avda República # 396 y Diego de Almagro, Casilla Postal 89-62, Quito
(tel.: +593 2 2508 000 fax: +593 2 2508 027 e-mail: acabrera@iepi.gov.ec)

ESPAGNE / SPAIN / SPANIEN / ESPAÑA

Luis SALAICES, Jefe de Área del Registro de Variedades, Oficina Española de Variedades Vegetales (OEVV), Ministerio de Medio Ambiente y Medio Rural y Marino (MARM), Calle Alfonso XII, No. 62, 2a Planta, E-28014 Madrid
(tel.: +34 91 3476712 fax: +34 91 3476703 email: luis.salaices@mapa.es)

Cecilio PRIETO MARTÍN, Director Técnico de Evaluación de Variedades y Laboratorios, Instituto Nacional de Investigación y Tecnología Agraria y Alimentaria (INIA), Ministerio de Ciencia e Innovacion, Carretera de la Coruña km. 7,5, E-28040 Madrid
(tel.: +34 91 347 6963 fax: +34 91 347 4168 email: prieto@inia.es)

Daniel PALMERO LLAMAS, Técnico Superior Especialista I+D+i, Dirección Técnica de Evaluación de Variedades, Instituto Nacional de Investigación y Tecnología Agraria y Alimentaria (INIA), Ministerio de Ciencia e Innovacion, Carretera de la Coruña, km. 7,5, E-28040 Madrid
(tel.: +34 91 3476954 fax: +34 91 3474168 e-mail: palmero@inia.es)

ESTONIE / ESTONIA / ESTLAND / ESTONIA

Pille ARDEL (Mrs.), Head, Variety Department, Plant Production Inspectorate, Vabaduse sq. 4, EE-71020 Viljandi
(tel.: +372 433 3946 fax: +372 433 4650 e-mail: pille.ardel@plant.agri.ee)

ÉTATS-UNIS D'AMÉRIQUE / UNITED STATES OF AMERICA /
VEREINIGTE STAATEN VON AMERIKA / ESTADOS UNIDOS DE AMÉRICA

Kitisri SUKHAPINDA (Mrs.), Patent Attorney, Office of Intellectual Property Policy and Enforcement, U.S. Patent and Trademark Office (USPTO), Madison Building, West Wing, 600 Dulany Street, MDW 10A60, Alexandria VA 22314
(tel.: + 1 571 272 8047 fax: + 1 571 273 0085 e-mail: kitisri.sukhapinda@uspto.gov)

Paul M. ZANKOWSKI, Commissioner, Plant Variety Protection Office, United States Department of Agriculture (USDA), 10301, Baltimore Ave., Beltsville MD 20705
(tel.: +1 301 504 5518 fax: +1 301 504 5291 e-mail: paul.zankowski@usda.gov)

Anne Marie GRUNBERG (Mrs.), Supervisory Patent Examiner, Office of Intellectual Property Policy and Enforcement, U.S. Patent and Trademark Office (USPTO), Madison Building, West Wing, 600 Dulany Street, Remsen 2E88, Alexandria VA 22314
(tel.: + 1 571 272 0975 fax: + 1 571 273 0975 e-mail: anne.grunberg@uspto.gov)

FINLANDE / FINLAND / FINNLAND / FINLANDIA

Tapio LAHTI, Finnish Food Safety Authority (EVIRA), Mustialankatu 3,
FIN-00790 Helsinki
(tel.: +358 400 640881 fax: +358 20 77 25195 e-mail: tapio.lahti@evira.fi)

FRANCE / FRANCE / FRANKREICH / FRANCIA

Nicole BUSTIN (Mlle), Secrétaire général, Comité de la protection des obtentions végétales (CPOV), Ministère de l'agriculture et de la pêche, 11, rue Jean Nicot, F-75007 Paris
(tel.: +33 1 4275 9314 fax: +33 1 4275 9425 email: nicole.bustin@geves.fr)

Joël GUIARD, Directeur adjoint, Groupe d'étude et de contrôle des variétés et des semences (GEVES), Rue Georges Morel, BP 90024, F-49071 Beaucouzé Cedex
(tel.: +33 241 228637 fax: +33 241 228601 e-mail: joel.guiard@geves.fr)

GÉORGIE / GEORGIA / GEORGIEN / GEORGIA

Nana PANTSKHAVA (Ms.), Major Specialist, Department of New Varieties, National Intellectual Property Center (SAKPATENTI), 6, Illia Chavchavadze, 1 Lane, 0179 Tbilisi
(tel.: +995 32 988426 fax: +995 32 988426 e-mail: nana_pantskhava@yahoo.com)

HONGRIE / HUNGARY / UNGARN / HUNGRÍA

Katalin ERTSEY (Mrs.), Director, Directorate of Plant Production and Horticulture, Central Agricultural Office, Keleti Károly u. 24, H-1024 Budapest
(tel.: +36 1 336 9114 fax: +36 1 336 9011 e-mail: ertseyk@ommi.hu)

ISRAËL / ISRAEL / ISRAEL / ISRAEL

Moshe GOREN, Chairman, Plant Breeders Rights' Council, Ministry of Agriculture and Rural Development, P.O. Box 30, Beit-Dagan 50250
(tel.: +972 3 9485415 fax: +972 3 9485839 e-mail: mosheg@moag.gov.il)

ITALIE / ITALY / ITALIEN / ITALIA

Pier Giacomo BIANCHI, Head, General Affairs, National Office for Seed Certification (Ente Nazionale delle Sementi Elette (ENSE)), Via Ugo Bassi, 8, I-20159 Milano
(tel.: +39 02 69012026 fax: +39 02 69012049 e-mail: pg.bianchi@ense.it)

JAPON / JAPAN / JAPAN / JAPÓN

Satoshi ASANUMA, Director, Intellectual Property Division, Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8950
(tel.: +81 3 6744 2120 fax: +81 3 3502 6572 e-mail: satoshi_asanuma@nm.maff.go.jp)

Yasunori EBIHARA, Deputy Director, Intellectual Property Division, Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8950
(tel.: +81 3 6744 2118 fax: +81 3 3502 5301 e-mail: yasunori_ebihara@nm.maff.go.jp)

Tsukasa KAWAKAMI, Associate Director, Intellectual Property Division, Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries of Japan (MAFF), 1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8950
(tel.: +81 3 6744 2118 fax: +81 3 3502 5301 e-mail: tsukasa_kawakami@nm.maff.go.jp)

Kenji NUMAGUCHI, Examiner, Plant Variety Protection and Seed Division, Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries of Japan (MAFF), 1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo 100-8950
(tel.: +81 3 6744 2121 fax: +81 3 3502 6572 e-mail: kenji_numaguchi@nm.maff.go.jp)

KENYA / KENYA / KENIA / KENYA

Evans O. SIKINYI, Head, Seed Certification and Plant Variety Protection, Kenya Plant Health Inspectorate Service (KEPHIS), P.O. Box 49592-00100, Oloolua Ridge, Karen, Nairobi
(tel.: +254 20 3536171 fax: +254 20 3536175 e-mail: esikinyi@kephis.org)

MEXIQUE / MEXICO / MEXIKO / MÉXICO

Enriqueta MOLINA MACÍAS (Srta.), Directora Nacional, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación (SAGARPA), Av. Presidente Juárez, 13, Col. El Cortijo, 54000 Tlalnepantla, Estado de México
(tel.: +52 55 3622 0667 fax: +52 55 3622 0670 e-mail: enriqueta.molina@sagarpa.gob.mx)

Eduardo PADILLA VACA, Subdirector, Registro y Control de Variedades, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), Av. Presidente Juárez 13, Col. El Cortijo, 54000 Tlalnepantla, Estado de México
(tel.: +52 55 3622 0667 fax: +52 55 3622 0670 e-mail: gat.snics@sagarpa.gob.mx)

Alejandro F. BARRIENTOS-PRIEGO, Professor-Investigator, Departamento de Fitotecnia, Universidad Autónoma Chapingo (UACh), Km. 38.5 Carretera México-Texcoco, 56230 Chapingo, Estado de México
(tel.: +52 595 952 1569 fax: +52 595 952 1569 e-mail: abarrien@gmail.com)

NOUVELLE-ZÉLANDE / NEW ZEALAND / NEUSEELAND / NUEVA ZELANDIA

Christopher J. BARNABY, Assistant Commissioner of Plant Variety Rights / Examiner, Plant Variety Rights Office (PVRO), Private Bag 4714, Christchurch 8140
(tel.: +64 3 9626206 fax: +64 3 9626202 e-mail: Chris.Barnaby@pvr.govt.nz)

PAYS-BAS / NETHERLANDS / NIEDERLANDE / PAÍSES BAJOS

Henk BONTHUIS, Technical Expert on DUS and VCU testing, Dutch Plant Variety Board, (Raad voor Plantenrassen), Postbox 27, NL-6710 BA Ede
(tel.: +31 318 822571 fax: +31 318 822589 e-mail: h.bonthuis@minlnv.nl)

Gerie VAN DER HEIJDEN, Biometris, Wageningen-UR, Bornsesteeg, 47, NL-6708 PD Wageningen
(tel.: 31 317 480 750 fax: 31 317 483 554 e-mail: gerie.vanderheijden@wur.nl)

POLOGNE / POLAND / POLEN / POLONIA

Julia BORYS (Ms.), Head, DUS Testing Department, Research Centre for Cultivar Testing (COBORU), PL-63-022 Slupia Wielka
(tel.: +48 61 285 2341 fax: +48 61 285 3558 e-mail: j.borys@coboru.pl)

RÉPUBLIQUE DE CORÉE / REPUBLIC OF KOREA / REPUBLIK KOREA / REPÚBLICA DE COREA

CHO Il-Ho, Director, Plant Variety Protection Division, Korea Seed and Variety Service (KSVS), Jungang-ro 328 (433 Anyang 6-Dong), Manan-gu, Anyang-Si, Gyeonggi-do 430-016
(tel.: +82 31 467 0150 fax: +82 31 467 0116 e-mail: choilho@seed.go.kr)

KIM Bong Hoe, Deputy Director, Ministry of Agriculture, Government Complex Gwachon, Jungang-dong 1, Gwacheon, 427-719 Gyeonggi-do
(tel.: +82 2 500 1971 fax: +82 2 503 7276 e-mail: kimbh62@korea.kr)

CHOI Keun-Jin, Senior Examiner, Variety Testing Division, Korean Seed and Variety Service (KSVS), Ministry of Agriculture, Fisheries and Food (MIMAFF), 233-1 Mangpodong Yongtonggu, Suwon, Gyeonggido 443-400
(tel.: +82 31 204 8772 fax: +82 31 203 7431 e-mail: kjchoi@seed.go.kr)

LEE Jae Yeong, Patent Examiner/Deputy Director, Korean Intellectual Property Office (KIPO), Gov. Complex-Daejeon Bldg. 4, 139 Seonsa-Ro, Seo-Gu, 201-801 Daejeon Metropolitan City
(tel.: +82 42 481 8169 fax: +82 42 472 3514 e-mail: clinic17@kipo.go.kr)

RÉPUBLIQUE DE MOLDOVA / REPUBLIC OF MOLDOVA / REPUBLIK MOLDAU / REPÚBLICA DE MOLDOVA

Vasile POJOGA, President, State Commission for Crops Variety Testing and Registration, Stefan cel Mare str. 162, C.P. 1873, MD-2004 Kishinev
(tel.: +373 22 220300 fax: +373 22 211 537 e-mail: csispmd@yahoo.com)

Ala GUŞAN (Mrs.), Deputy Head Inventions, Plant Varieties and Utility Models Department, State Agency on Intellectual Property (AGEPI), 24/1 Andrei Doga str., MD-2024 Chisinau
(tel.: +373 22 400582 fax: +373 22 440119 e-mail: office@agepi.md)

RÉPUBLIQUE DOMINICAINE / DOMINICAN REPUBLIC / DOMINIKANISCHE REPUBLIK / REPÚBLICA DOMINICANA

Luz Adelma GUILLÉN (Sra.), Encargada de la Oficina de Seguimiento a la Reforma y Modernización del Sector Agropecuario, Secretaría de Estado de Agricultura, Km 6.5 Autopista Duarte, Jardines del Norte, Santo Domingo, D.N.
(tel.: 809 533 7522 Ext. 4815 fax: 809 533 5312 e-mail: laguillen@iicard.org)

Ruth MONTES DE OCA (Sra.), Directora, Oficina de tratados comerciales agrícolas, Secretaría de Estado de Agricultura, 20, C/Manuel de Js. Goico Castro, Santo Domingo, D.N
(tel.: +809 227 6188 fax: +809 540 5943 e-mail: montesdeoca@otcasea.gob.do)

Gladys Josefina AQUINO (Srta.), Consejera, Misión Permanente, 63, rue de Lausanne, 1202 Ginebra, Suiza
(tel.: +41 22 715 3910 fax: +41 22 741 0590 e-mail: josefinaaquino@hotmail.com)

RÉPUBLIQUE TCHÈQUE / CZECH REPUBLIC / TSCHECHISCHE REPUBLIK / REPÚBLICA CHECA

Ivan BRANZOVSKY, Chief Specialist, Plant Commodities Department, Ministry of Agriculture, Tesnov 17, 11705 Praha 1
(tel.: +420 2 2181 2693 fax: +420 2 2181 2951 e-mail: ivan.branzovsky@mze.cz)

Daniel JUREČKA, Director, Plant Production Section, Central Institute for Supervising and Testing in Agriculture (ÚKZÚZ), Hroznová 2, 656 06 Brno
(tel.: +420 543 548 210 fax: +420 543 217 649 e-mail: daniel.jurecka@ukzuz.cz)

Radmila SAFARIKOVA (Mrs.), Head of Division, Central Institute for Supervising and Testing in Agriculture (UKZUZ), National Plant Variety Office, Hroznová 2, 656 06 Brno
(tel.: +420 543 548 221 fax: +420 543 212 440 e-mail: radmila.safarikova@ukzuz.cz)

ROUMANIE / ROMANIA / RUMÄNIEN / RUMANIA

Adriana PARASCHIV (Mrs.), Head, Light-Industry Agriculture, Engineering Substantive Examination Division, State Office for Inventions and Trademarks (OSIM), 5, Str. Ion Ghica, Sector 3, 030044 Bucarest
(tel.: +40 21 315 5698 fax: +40 21 312 3819 e-mail: adriana.paraschiv@osim.ro)

Mihaela-Rodica CIORA (Mrs.), Head of Technical Department, State Institute for Variety Testing and Registration, Ministry of Agriculture, Food and Forestry, 61, Marasti, Sector 1, 011464 Bucarest
(tel.: +40 213 177442 fax: +40 213 177442 e-mail: mihaela_ciora@yahoo.com)

Cornelia Constanza MORARU (Ms.), Head, Legal Affairs Division, State Office for Inventions and Trademarks, 5, Ion Ghica Str., Sector 3, 030044 Bucarest
(tel.: +40 21 313 2492 fax: +40 21 312 3819 e-mail: moraru.cornelia@osim.ro)

ROYAUME-UNI / UNITED KINGDOM / VEREINIGTES KÖNIGREICH / REINO UNIDO

F. Niall GREEN, Herbage & Vegetable Crops, Science and Advice for Scottish Agriculture (SASA), Roddinglaw Road, Edinburgh EH12 9FJ
(tel.: +44 131 244 8853 fax: +44 131 244 8940 e-mail: Niall.Green@sasa.gsi.gov.uk)

Andrew MITCHELL, Technical Manager, Plant Variety Rights Office (PVRO), The Food and Environment Research Agency (FERA), Whitehouse Lane, Huntingdon Road, Cambridge CB3 0LF
(tel.: +44 1223 342 384 fax: +44 1223 342 386 e-mail: andy.mitchell@defra.gsi.gov.uk)

SLOVAQUIE / SLOVAKIA / SLOWAKEI / ESLOVAQUIA

Bronislava BÁTOROVÁ (Mrs.), National Coordinator, Senior Officer, Department of Variety Testing, Central Controlling and Testing Institute in Agriculture (ÚKSÚP), Akademická 4, SK-949 01 Nitra
(tel.: +421 37 655 1080 fax: +421 37 652 3086 e-mail: bronislava.batorova@uksup.sk)

SUÈDE / SWEDEN / SCHWEDEN / SUECIA

Eva DAHLBERG (Ms.), Senior Administrative Officer, Crop Production Division, Swedish Board of Agriculture, S-551 82 Jönköping
(tel.: +46 36 155176 fax: +46 36 710517 e-mail: eva.dahlberg@sjv.se)

TUNISIE / TUNISIA / TUNESIEN / TÚNEZ

Tarek CHIBOUB, Directeur de l'homologation et du contrôle de la qualité, Direction générale de la protection et du contrôle de la qualité des produits agricoles, Ministère de l'agriculture et des ressources hydrauliques, 30, rue Alain Savary, 1002 Tunis
(tel.: +216 71 800419 fax: +216 71 784419 e-mail: tarechib@yahoo.fr)

URUGUAY / URUGUAY / URUGUAY / URUGUAY

Enzo BENECH BOUNOUS, Presidente, Instituto Nacional de Semillas (INASE), Cno. Bertolloti s/n y R-8 Km 29, Pando, 91001 Canelones
(tel.: +598 2 288 7099 fax: +598 2 288 7077 e-mail: ebenech@inase.org.uy)

VIET NAM / VIETNAM / VIET NAM / VIET NAM

Thanh Minh NGUYEN, Senior Officer, International Relations, Plant Variety Protection Office, Ministry of Agriculture and Rural Development (MARD), No. 2 Ngoc Ha Str, Ba Dinh District, Hanoi
(tel.: +84 4 38435182 fax: +84 4 37342844 e-mail: minh_pvp@yahoo.com)

II. OBSERVATEURS / OBSERVERS / BEOBACHTER / OBSERVADORES

ÉGYPTE / EGYPT / ÄGYPTEN / EGIPTO

Salah Ahmed MOAWED, Head, Central Administration for Seed Testing and Certification (CASC), P.O.Box 147, 8 Gamaa Street, Giza, 12211 Cairo
(tel.: +202 35720839 fax: +202 35725998 e-mail: salahmoawed@casc-eg.com)

Gamal Eissa ATTYA, Head, Plant Variety Protection Office, Central Administration for Seed Testing and Certification (CASC), P.O. Box 147, Giza, 12211 Cairo
(tel.: +20 2 572 8962 fax: +20 2 572 5998 e-mail: gamal_attya@hotmail.com)

III. ORGANISATIONS / ORGANIZATIONS / ORGANISATIONEN / ORGANIZACIONES

INTERNATIONAL SEED FEDERATION (ISF)

Marcel BRUINS, Secretary General, International Seed Federation (ISF), 7, chemin du Reposoir, 1260 Nyon, Switzerland
(tel.: +41 22 365 4420 fax: +41 22 365 4421 e-mail: isf@worldseed.org)

Huib GHIJSEN, Legal Counsel, Koningin Fabiolalaan 5E, 9000 Ghent, Belgium
(e-mail: huibghijsen@gmail.com)

Stevan MADJARAC, Plant Variety Protection Manager, Law Team, Monsanto Company, 800 N. Lindbergh Blvd, Mail Zone E1NA, St. Louis , MO 63167, United States of America
(tel.: +1 314 6949676 fax: +1 314 6945311 e-mail: stevan.madjarac@monsanto.com)

Zorica NIKOLIĆ (Ms.), Scientist, Institute for Field and Vegetable Crops, Maksima Gorkog 30, 21000 Novi Sad, Serbia
(fax: +381 21 421 249 e-mail: nikolicz@ifvcns.ns.ac.yu)

Zoran PAVLOVIC, Assistant Director, Legal Affairs, Institute for Field and Vegetable Crops, Maksima Gorkog 30, 21000 Novi Sad, Serbia
(tel.: +381 21 4989 145 fax: +381 21 4898 131 e-mail: zoran.pavlovic@ifvcns.ns.ac.yu)

Michael ROTH, Associate General Counsel, Monsanto China, Suite 901, Tower B, Pacific Century Place, 2A GongTi BeiLu, Chaoyang District, 100027 Beijing, China
(tel.: +86 10 5829 0888 e-mail: michael.j.roth@monsanto.com)

EUROPEAN SEED ASSOCIATION (ESA)

Bert SCHOLTE, Technical Director, European Seed Association (ESA), 23, rue Luxembourg, 1000 Brussels, Belgium
(tel.: +32 2 743 2860 fax: +32 2 743 2869 e-mail: bertscholte@euroseeds.org)

IV. BUREAU / OFFICE / VORSITZ / OFICINA

Chris BARNABY, Chairman
Joël GUIARD, Vice-Chairman

V. BUREAU DE L'UPOV / OFFICE OF UPOV / BÜRO DER UPOV / OFICINA DE LA UPOV

Rolf JÖRDENS, Vice Secretary-General
Peter BUTTON, Technical Director
Raimundo LAVIGNOLLE, Senior Counsellor
Makoto TABATA, Senior Counsellor
Yolanda HUERTA (Mrs.), Senior Legal Officer
Minwook KIM, Intern

[L'annexe II suit/
Annex II follows/
Anlage II folgt/
Sigue el Anexo II]

ANNEX II

AMENDMENTS TO THE DRAFT TEST GUIDELINES PRIOR TO THEIR ADOPTION AT THE FORTY-FIFTH SESSION OF THE TECHNICAL COMMITTEE (TC)

1. NEW TEST GUIDELINES

Anubias	**TG/ANUBI(proj.5)**

(a) Editorial amendments to document TG/ANUBI(proj.4), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2009, which are already incorporated in the draft Test Guidelines (document TG/ANUBI(proj.5)), submitted to the TC:

3.5	to use one of the following Additional Standard Wording (ASW) options (choice will depend on whether the number of plants in Chapter 3.5 and 4.2.2 is the same): Alternative 1: "Unless otherwise indicated, all observations should be made on { x } plants or parts taken from each of { x } plants. In the case of parts of plants, the number to be taken from each of the plants should be { y }." Alternative 2: "Unless otherwise indicated, all observations on single plants should be made on { x } plants or parts taken from each of { x } plants and any other observations made on all plants in the test. In the case of observations of parts taken from single plants, the number of parts to be taken from each of the plants should be { y }."
4.2.1	to add "However, the following points are provided for elaboration or emphasis in these Test Guidelines:"
4.2.2	to read "For the assessment of uniformity of vegetatively propagated varieties…"
4.3.2	to delete "seed or"
Char. 5	to read "Leaf: width of blade" (for consistency with Char. 2) and to move after Char. 2
Char. 8	state 3 to read "rounded"
Char. 9	state 1 to read "absent or weak"
Char. 10	- to be indicated as QN; - state 1 to read "absent or weak"
Char. 11	to check whether should be note (c) instead of (a)
Char. 12	to read "Young leaf: color of blade" (to add underlining)
Char. 13	to read "Mature leaf: color of blade"
Char. 19	to change "on" to "at"
8.1	to reorder notes to follow logical sequence in Table of Characteristics
8.1 (a)	to become Ad. 1
8.1 (e)	to delete "the size of" (see Char. 19) and add "(before Spadix pollination)"
Ad. 14	to replace with correct photograph
9.	Crusio, W., 1979: A revision of Anubias Schott (Araceae). Meded, Landbouwhogeschool Wageningen 79(14).: pages of publication to be provided
9.	to read "Kasselmann, C., 2003: Aquarium Plants. Krieger Publishing Company. Malabar, Florida, US, pp. 98-110."

TQ 1	to provide tick-boxes for the three relevant species and a blank box to be completed for hybrids
TQ 4.2.1(c)	to read "*in vitro*" (italics)
TQ 5.2	example variety for state 2 to read "Marble (B)" instead of "Marble (N)"
TQ 5.3	example variety for state 2 to read "Gold (N)" instead of "Golden (N)"

(b) The Enlarged Editorial Committee, at its meeting on January 8, 2009, proposed that the following technical issues be referred back to the Technical Working Party for Ornamental Plants and Forest Trees, for further consideration:

Chapters 3.4.1, 4.2.2: to review whether 10 plants and 1 replicate would be sufficient;
Example varieties: to review whether the example varieties meet the UPOV definition of a variety;
Char. 1: to have the states "narrow" (3) and "broad" (7), or to change characteristic to "Rhizome: thickness";
Char. 7: to have at least 3 states of expression (PQ characteristic);
Char. 10: to check whether example variety for state 1 should read "Oriental Green";
Char. 11: to check whether a qualitative characteristic and whether example variety for state 9 should be spelt as "Wrinkled";
Char. 14: to check whether the illustration for state 7 indicates more than one characteristic (e.g. mottling and variegation);
Char. 19: to check whether a qualitative characteristic; and
Char. 21: to have the states "narrow" (3) and "broad" (7), or to change characteristic to "Inflorescence: thickness of spadix".

Asparagus-bean / Yard-long-bean (Vigna unguiculata subsp. sesquipedalis (L.) Verdc.)	**TG/COWPEA(proj.4)**

(a) Changes to document TG/COWPEA(proj.3), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2009, which are already incorporated in the draft Test Guidelines (document TG/COWPEA(proj.4)), submitted to the TC:

Cover page – title box	to read "*Vigna unguiculata* (L.) Walp. subsp. *sesquipedalis* (L.) Verdc."
1.	to read "*Vigna unguiculata* (L.) Walp. subsp. *sesquipedalis* (L.) Verdc."
3.5	to read "Unless otherwise indicated, all observations on single plants should be made on 20 plants or parts taken from each of 20 plants and any other observations made on all plants in the test."
Char. 2	to check whether to delete "(when fully developed)" – see note (a) *Leading Expert: no change*
Char. 3	to check whether to read "Plant: height of main stem (when supported)" *Leading Expert: agreed*
Char. 3	notes 3, 5, 7 to be written in non-bold font
Char. 9	to delete note (a)
Char. 13	to check whether QL *Leading Expert: no change*
Char. 14	to check whether to have the states: smooth or slightly rough (1); moderately rough (2); very rough (3)

	Leading Expert: agreed
Char. 15	to check whether to be deleted (does not appear to be QL and covered by Char. 17: state 1 = absent or very weakly present) *Leading Expert: no change*
Char. 16	to check whether to delete "Only varieties with Pod: anthocyanin coloration absent:" (see comments to Char. 15) *Leading Expert: no change*
Char. 18	to check whether to add note (b) *Leading Expert: agreed*
Char. 21	example variety to be provided for state 3 *not provided by Leading Expert*
Char. 23	- to check whether QL: if not, to be deleted and to add new state "absent" for Char. 25 and move Char. 25 before Char. 24. *Leading Expert: no change* - if retained, to read "Seed: presence of secondary color" to differentiate from Char. 24 *Leading Expert: agreed*
Char. 25	- state 1 to read "around hylum" - example varieties to be provided for states 1 and 4 *not provided by Leading Expert*
8.1 (a)	to check whether to delete "time of flowering" and to replace "(50% of the plants with at least one flower)" with a reference to Ad. 9 for time of first flowering *Leading Expert: agreed*
Ad. 3	to check whether to read "The height of the main stem is observed from the node of the cotyledon to the top of the supported plant at first flowering." *Leading Expert: agreed*
Ad. 5, 6, 7	to add "terminal leaflet" and "petiole" to appropriate dimensions
9.	to read "Larkom, J., 1991: Yard long bean, Oriental Vegetables. Jon Murry, GB. pp.62-63."
9.	to read "Nawata, E.,1991: Vigna L., The Grand Dictionary of Horticulture. Shougakkan, JP. Vol. 2. 353 p."
9.	to read "Phillips,R., Rix, M., 1993: Cowpea and Asparagus bean. Vegetables. Pan Books, GB. pp. 104-105."
TQ 1.1	to read "*Vigna unguiculata* (L.) Walp. subsp. *sesquipedalis* (L.) Verdc."
TQ 6	to read "medium to long"

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines, submitted to the TC:

Chars. 2, 3, 5, 6, 11, 12, 18, 19, 20	to check whether to be indicated as VG/MS
Chars. 4, 5	to delete "blade"
Chars. 15, 16, 17	to delete Char. 15 and to delete underlined wording in Chars. 16 and 17, or to delete "absent or" from Char. 17 and to check the example variety for state 1
Char. 21	example variety to be provided for state 3, if possible
Char. 25	example varieties to be provided for states 1 and 4, if possible

Fig	**TG/FIG (proj.4)**

(a) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Table of Chars.	to delete "-" from color characteristics (e.g. Chars. 13, 43, etc.)
Char. 9	state 1: to check whether should be "," after "Arail"
Chars. 11, 12	to move after Char. 16.
Char. 13	to delete footnote (no objections to Circular E-941)
Char. 19	- to read "Excluding varieties with leaf: predominant shape: entire: …" - state 3 to read "narrow rhombic" and state 6 to read "broad rhombic" - to reorder states as 5, 3, 6, 1, 2, 4
Char. 20	to read "Excluding varieties with leaf: predominant shape: entire: …"
Chars. 29.1, 29.2	(+) to be deleted
Chars. 35.1, 35.2	state 5 to read "yellow and green bands"
Char. 35.2	to correct the order of states according to the order in Char. 35.1 (if retained)
Chars. 41.1, 41.2	to read "Fruit: cracking around ostiole"
Chars. 44.1, 44.2	to read "Fruit: internal cavity …"
Chars. 45.1, 45.2	to be moved after Char. 48
Char. 46	to read "Fruit: scratch resistance of skin"
Char. 49	to read "Productive type"
Char. 49	to check spelling of Smirna / Smyrna (state 4, example variety and Ad. 49)
Chars. 51.1, 51.2	to have notes 1, 2, 3 (as agreed by TWF)
8.1 (c)	- to add indication of achenes - to amend "Escales" to read "Scales" - to delete Spanish translation - to use dotted lines for fruit length
Ad. 1	notes "3" and "5" to be changed to "2" and "3" and explanations in brackets to be deleted
Ad. 2	to provide an illustration for state 1 (absent)
Ad. 3	to read "The circumference of the trunk should be measured 20 centimeters above the ground. The vigor is observed as the growth rate of the circumference. It is necessary for comparisons that the varieties are of the same age."
Ad. 6, 7	to read "Bark tubers …"
Ad. 8, 35, 43	to check the accuracy of the RHS Colour Chart numbers and to specify the RHS Colour Chart version
Ad. 8	to delete the first sentence and to read "This color measurement can be done…"
Ad. 9, 10	to read "The observations should …"
Ad. 14	to read "Support swellings are…"

Ad. 16	- to read "Randomly select 10 shoots per tree and count the number of leaves on the one year old shoot." - to delete the indications of the number of leaves
Ad. 17	to read "Randomly select 10 shoots per tree and observe the leaves along the shoot."
Ad. 20, 22	lines to be positioned correctly
Ad. 23	to reword to apply to all lobed leaves (not just three-lobed leaves)
Ad. 29.1, 29.2	to be deleted
Ad. 49	to explain "mamme, profichi, mammoni"
Ad. 50.1, 50.2	to read "The time of fruit maturity…"
8.3	to add "8.3" before title of table of synonyms
8.3	to check whether "Brown Turkey" can also be known as "Everbearing"
Study variable	table to be deleted
9.	to be amended to follow the guidelines in TGP/7
TQ 5	to align with Table of Chars. and check with Leading Expert
TQ 6	to remove column lines

(b) The Enlarged Editorial Committee proposed that the following technical issues be referred back to the Technical Working Party for Fruit Crops (TWF), for further consideration:

Chars. 14, 15, 16: to clarify the age of shoot to be observed (one or two-year-old) and to review the wording and allocation of notes (a) and (b);

Char. 18: to check whether to read "Only varieties with leaf: predominant shape: entire: …";

Chars. 23, 24: to check whether to read "Excluding varieties with leaf: predominant shape: entire: …";

Chars. 25.1, 25.2, etc.: to check whether the duplication of fruit characteristics at first harvest and second harvest provides useful discrimination between varieties and to delete duplicated characteristics that do not provide useful discrimination. In the case of duplicated fruit characteristics that are found to provide useful discrimination:

(i) to provide the same example varieties for the characteristic observed at different harvests; and

(ii) to number as independent characteristics in chronological sequence;

Chars. 27, 32: to replace with a set of characteristics according to document TGP/14/1 Draft 8; and

Ad. 36: to check whether reference to the RHS Colour Chart is necessary

Hevea (Rubber)	**TG/HEVEA (proj.6)**

(a) Changes to document TG/HEVEA (proj.5), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2009, which are already incorporated in the draft Test Guidelines (document TG/HEVEA (proj.6)), submitted to the TC:

Altern. names (Spanish)	to delete the name "ule" and add "Árbol del caucho, hule"

2.3, 3.4.1, 3.5	to review the number of plants: to check whether there should be the same number of plants for Chapters 2.3, 3.4.1 and 3.5 *Leading Expert: no change*
3.1	to correct the spelling of "minimum"
3.3.3, 6.5	to add MG
3.4.1	to delete "spaced"
3.5	to read "Unless otherwise indicated, all observations on single plants should be made on { x } plants or parts taken from each of { x } plants and any other observations made on all plants in the test. In the case of observations of parts taken from single plants, the number of parts to be taken from each of the plants should be 3."
Char. 1	to check whether to read "Branch: shape of top of leaf cluster" *Leading Expert: no change*
Chars. 2, 3, 5	to check whether to add note (a) *Leading Expert: agreed*
Char. 3	to add note 3
Char. 5	to change "surface" to "surface texture"
Char. 6	to indicate type of observation *Leading Expert: VG*
Char. 12	to check whether to have the states: narrow acute (1); broad acute (2); obtuse (or rounded) (3) (attenuate = concave sides) *Leading Expert: no change*
Chars. 14, 15	to add notes 1, 2, 3 (checked with TWO report)
Char. 15	to indicate type of observation *Leading Expert: VG*
Char. 15	to read "Trunk: curvature of axis"
Char. 16	to indicate type of observation *Leading Expert: MS*
Char. 22	to check whether to read "Tree: winter leaf shed" *Leading Expert: agreed*
Char. 23	to check whether to read "Tree: beginning of winter leaf shed" *Leading Expert: agreed*
Char. 23	to check whether to be indicated as MG *Leading Expert: agreed*
Char. 24	- to have notes 3, 5, 7 (in previous draft) *Leading Expert: agreed* - to check whether to add note (c) *Leading Expert: agreed*
Chars. 24, 25, 26	to be indicated as VG, MS or VG/MS (not MG) *Leading Expert: MS*
8.1 (c)	to check whether to replace "approximately" with "at least" *Leading Expert: agreed*
Ad. 19	to provide outline around part of tree to be observed *provided by Leading Expert*
Ad. 27	to indicate point of attachment *Leading Expert: point of attachment is at base*
9.	to check formatting

9.	to read "Chevallier M.H., 1988: Genetic variability of *Hevea brasiliensis* germplasm, using isozyme markers. Journal of Natural Rubber Research, 3: 42-53."
9.	to read "Lespinasse D., Rodier-Guno M., Grivet L., Leconte A., Legnate H., Seguin M., 2000: A saturated genetic linkage map of rubber tree (*Hevea* spp.) based on RFLP, AFLP, microsatellite and isozyme markers. Theur. Appl. Genet. 100:127-138"
9.	to read "Thomas V., Mercykutty V.C. and Saraswathyamma C.K., 1996: Seed morphology of the rubber tree (*Hevea brasiliensis*, Muell. Arg. *Euphorbiaceae*): A review. Phytomorphology; 46(4): 335-342."
TQ 4	to add "#" and footnote
TQ 4.2.1(c)	to add tick box
TQ 6	to use characteristic from the Technical Questionnaire *provided by Leading Expert*
Annex	- to verify the genetic control of the protein(s) concerned; - to check whether the differentiation of bands and states (notes) is suitable in the context of the DUS examination; - to arrange a ring-test to assess reliability and reproducibility in relation to DUS testing *Leading Expert: Annex to be deleted to allow adoption of Test Guidelines by Technical Committee in 2009*

Mokara	**TG/MOKARA(proj.5)**

(a) Editorial amendments to document TG/MOKARA(proj.4), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2009, which are already incorporated in the draft Test Guidelines (document TG/MOKARA(proj.5)), submitted to the TC:

Char. 1	to delete "(natural leaf spread excluding inflorescence)"
Char. 21 etc.	to delete "version and" and move to Chapter 3.3.3
Chars. 25, 26, etc.	to replace "edge" with "edging"
Char. 76	notes 1 and 2 to be formatted as non-bold font
8.1 (a)	2nd sentence to be moved to Ad. 6
8.1 (d)	to read "front (inner)" (see Ad. 12, 17)
8.2	for all explanations covering non-consecutive characteristics (e.g. Ad. 12, 16, 34, 52), to replace Ad. with note in Chapter 8.1
Ad. 39, 57, 74, 87, 100	to be combined as a note in Chapter 8.1
Ad. 100	to combine with Ad. 73, 101 and to indicate the upper and under side of column
TQ 4.3	to be deleted

(b) The Enlarged Editorial Committee, at its meeting on January 8, 2009, proposed that the following technical issues be referred back to the Technical Working Party for Ornamental Plants and Forest Trees, for further consideration:

Chapter 1: to check whether the replace Chapter 1 with the following text: "These Test Guidelines apply to all varieties of *Mokara* of the family *Orchidaceae*. The genus *Mokara* comprises combinations of *Arachnis*, *Ascocentrum* and *Vanda*.";

Chapters 1 and 8: to consider deletion of reference to GREX, because the GREX epithet is not part of the variety denomination. If it is useful to keep the GREX information, to base the explanation on the explanation in Chapter 6.4 of the Test Guidelines for Phalaenopsis (TG/213/1). In the Table of Characteristics, only the variety denomination should be presented. If appropriate, a table of the GREX epithet associated with each variety denomination could be provided in Chapter 8 and reference made to that table in Chapter 6.4;

Chapter 5.3 (e) to (i): to check whether to have the color groups provided in TQ 5;

Chars. 15, 22, 25, 27, 29, 31, 40, 43, 45, 47, 49, 58, 61, 63, 65, 67, 72, 75, 78, 80, 82, 84, 88, 91, 93, 95, 97, 101, 103: to check whether qualitative characteristics;

Chars. 22, 23, 40, 41, 58, 59, 75, 76, 88, 89, 101: to provide an explanation and illustration of shading and distribution of shading;

Chars. 25, 43, 61, 78, 91: to provide an explanation and illustration;

Chars. 36, 54, 55: to check whether to have notes (b) and (c);

Chapter 8.1 (c): to check whether to apply to shape also (e.g. Char. 20) and to clarify what is meant by the "unextended organ";

Chapter 8.2: to check the explanations to ensure that the illustrations are provided at the stage of development indicated in Chapter 8.1 (b);

Ad. 6: to check whether the illustration for state 7 is the maximum folding that can be found, in which case it should be an illustration for state 9;

TQ 6: to change to an example from TQ 5; and

TQ 9.3: to check whether to be deleted.

Nerium oleander L.	**TG/NERIUM(proj.5)**

(a) Changes to document TG/NERIUM(proj.4), proposed by the Enlarged Editorial Committee at its meeting on January 8, 2009, which are already incorporated in the draft Test Guidelines (document TG/NERIUM(proj.5)), submitted to the TC:

Altern. names	to add "Rosa Laurel" (Spanish)
4.3.2	to replace "seed" with "plant"
Char. 8	to delete hyphen from "bluish-green"
Char. 9	to check whether QL (e.g. could be (QN): flat or slightly folded (1); moderately folded (2); strongly folded (3)) *Leading Expert: no change*
Char. 11	to check whether QL *Leading Expert: to be indicated as QN and to have the states: absent or slightly glossy (1) (example variety "Petite Red"); moderately glossy (2); very glossy (3)*
Char. 16	to explain in Ad. 16 whether to be observed before swelling (if present), or not *provided by Leading Expert*
Char. 17	- to delete brackets for consistency with Char. 18 - to replace "nearly white" with "whitish" *Leading Expert: agreed*

Char. 18	- to add (+) with illustration or explanation *provided by Leading Expert* - to check whether QL *Leading Expert: no change*
Char. 19	to add (+) with explanation of how to observe color of flower when there are petals with more than one color *provided by Leading Expert*
Char. 26	to check whether to delete "of blade" *Leading Expert: agreed*
Chars. 27 to 29	to check whether to word as "Petal:" characteristics. *Leading Expert: agreed*
Char. 28	to check whether to delete Char. 28 and modify Char. 29 to read "Petal: secondary color of upper side" and state 1 to read "absent or very small" *Leading Expert: agreed*
Char. 30	to check example variety 'Louis Pouget': according to Ad. 30 it is in state 3 and not in state 2. *Leading Expert: to amend example varieties according to Ad. 30*
Char. 31	to check whether QL *Leading Expert: no change*
Char. 32	to check whether to read "Petal: color at base of lobe on outer side" *Leading Expert: agreed*
Char. 32	to delete hyphen from "orange-yellow"
Chars. 37 to 39	to read "Corolline appenda**ge**: …"
Char. 38	to check whether state 3 should read "horizontal" *Leading Expert: agreed*
Char. 40	to check whether to read "Corolla throat: main color …" and to add explanation that "main color" is the color with the largest surface area *Leading Expert: agreed*
Char. 42	to check whether to read "Corolla throat: distribution of secondary color of inner side" *Leading Expert: agreed*
Char. 42	to reverse the order of states 2 and 3 *Leading Expert: agreed*
Char. 43	to read "Stamen: …"
Chars. 45, 46	to read "Sepal**:** …"
Char. 47	to read "Pedicel**:** …"
Char. 50	to remove highlighting from notes
Char. 51	- to read "Fruit: curvature" - state 3 to read "sinuate" *Leading Expert: agreed*
8.1	- to check to which characteristics note (a) should apply in the Table of Chars. *Leading Expert: note (a) to be deleted* - second illustration: to check whether to delete "lobes" after "coralline appendages" *Leading Expert: agreed*

Ad. 25	- to explain "first crown" *provided by Leading Expert* - to provide illustration for petal shape for lobed variety (see Ad. 26, state 4) to demonstrate petal shape is observed as the shape in general outline
Ad. 29	to delete "The area will not exceed 50 % of the surface area." *Leading Expert: agreed*
Ad. 31	to add arrow indicating left side *provided by Leading Expert*
Ad. 36	to add an arrow to indicate petaloids *provided by Leading Expert*
Ad. 38	to replace illustrations with side-view to show attitude in profile *provided by Leading Expert*
Ad. 39	to enlarge part of photograph to better show laciniation *provided by Leading Expert*
Ad. 40, 41	to enlarge center of photograph to better show corolla throat *provided by Leading Expert*
Ad. 42	to enlarge center of photograph to better show corolline throat *provided by Leading Expert*
Ad. 43	to replace photographs with side-view to show extrusion in profile *provided by Leading Expert*
9.	to check second item (1991)
TQ 6	to read "Flower: color"

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines, submitted to the TC:

Cover page	Spanish version: name of Test Guidelines to read "Adelfa"
Cover page: Altern. names	to amend spelling of "Baladre"
Char. 1	add (+) and provide illustration

Passion Fruit (Fruit species)	**TG/PASSI(proj.6)**

(a) Changes to document TG/PASSI(proj.5), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2009, which are already incorporated in the draft Test Guidelines (document TG/PASSI(proj.6)), submitted to the TC:

5.3 (c)	to delete "main"
5.3	to check whether to add Char. 7 (TQ characteristic) and to check whether Char. 10 should be added as TQ characteristic *Leading Expert: no change*
Char. 1, 8.1 (a)	to check whether to read "Plant: color of vine" *Leading Expert: agreed*
Chars. 3, 4	to delete "maximum"; if necessary, to add an explanation as Ad. 3, 4
Char. 6	to read "Leaf blade: intensity of green color" *Leading Expert: agreed*

Char. 7	- to add (*) (TQ characteristic) *Leading Expert: agreed* - to check whether QL (previously QN) and to add (+) and provide illustration . If not clearly QL, to delete Char. 7 and add Char. 8, state 1, to read "absent or very weak *Leading Expert: no change (example varieties provided)*
Char. 16	to check whether QL (also no example variety) ; if not, to delete Char. 16 and to amend Char. 17 state 1 to read "absent or light" *Leading Expert: agreed*
Chars. 19, 21	to check example variety "Charité" = absent but medium intensity *Leading Expert: example variety "Charité" to be indicated as present in Char. 19*
Char. 20	to check whether 9 notes are too many *Leading Expert: no change*
Chars. 20, 21	to check whether "purple rings" should be plural *Leading Expert: no change*
Char. 22	to add (+) (Ad. 22 is provided)
Char. 25	to check whether to have the states very elongated (1) to very compressed (9) (also requires inversion of scale) *Leading Expert: agreed*
Char. 27	to check if true QL (no example variety for inconspicuous) and to provide explanation of conspicuousness (e.g. color contrast and/or size?) *Leading Expert: to be indicated as QN with the states: inconspicuous or weakly conspicuous (1) (example variety "Charité"); moderately conspicuous (2); very conspicuous (3) (example variety "Marianna")*
Chars. 28, 29	to check whether 9 notes are too many *Leading Expert: no change*
Char. 30	- to check whether "foeniculum" is the correct term *Leading Expert: no change* - to delete "to" or replace with "or" (both states) *Leading Expert: to delete "to"*
Char. 32	- to check whether to read "Time of first harvest" *Leading Expert: agreed and explanation provided*
8.1 (a)	to become Ad. 1 *Leading Expert: agreed*
8.1 (d)	to define ripeness for eating *provided by Leading Expert*
Ad. 11	arrows to be repositioned and made clearer
Ad. 22	illustration to be improved *Leading Expert: no close-up photographs available*
Ad. 33	to define ripeness (see 8.1(d)) *provided by Leading Expert*
TQ 6	- paragraph to be presented in italics - to read: Fruit: color / dark purple / yellow
TQ 9.3	to check whether to be deleted *Leading Expert: no change*

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Chars. 7, 8	to check example variety "Charité" = absent but strong blistering
Char. 29	to read "Fruit: color of funiculus"
Ad. 29	to add an explanation that "the funiculus is the stalk attaching the ovule to the ovary wall in the fruit".
Ad. 11-Ad.17	arrows in both illustrations to be corrected

TG/PHLOX(proj.3)	**Phlox**

(a) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Cover page, Altern. names	- to delete row for *Phlox* L. - to add "Phlox" as French common name and "Staudenphlox" as German common name for *Phlox paniculata* L.
5.3 (c)	to align with Table of Chars.
Char. 1	(*) to be added (grouping characteristic)
Char. 8	to have the states: towards apex (1); at middle (2); towards base (3)
Char. 9	state 2 to read "flat"
Char. 11	(*) to be added (grouping characteristic)
Char. 15	to be moved after Char. 19
Char. 23	to clarify whether the characteristic should be observed on the inner or outer side
Char. 26	state 1 to read "elliptic", state 2 to read "oblate" and state 4 to read "obdeltate"
Chars. 27, 29	(*) to be added (grouping characteristic)
Ad. 10	illustration for state 2 to be provided
TQ 4	to add "4.2 Other"

(b) The Enlarged Editorial Committee proposed that the Test Guidelines for Phlox be adopted subject to further asterisked characteristics being agreed by the TWO, either by correspondence or at its forty-second session.

Prunus padus L.	**TG/PRUNU_PAD (proj.4)**

(a) Changes to document TG/PRUNU_PAD (proj.3), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2009, which are already incorporated in the draft Test Guidelines (document TG/PRUNU_PAD (proj.4)), submitted to the TC:

3.3.2, 6.5	to check whether to delete VS and add MG (see Char. 27) *Leading Expert: agreed*
4.2.2	to check whether to delete "of vegetatively propagated varieties," *Leading Expert: agreed*
5.2	to replace "," with ";"
6.5	to read "(a) to (d)"
Char. 8	to check whether to read "Young leaf: color of blade"

	Leading Expert: agreed
Char. 9	- to check whether this is a useful characteristic and to check whether Heterophylla is a variety; if not, characteristic to be deleted - to check whether QL if characteristic is retained *Leading Expert: characteristic to be deleted*
Char. 10	to review underlined part according to consideration of Char. 9 *Leading Expert: underlined part to be deleted*
Char. 13	to read "Leaf blade: color of variegation on upper side" *Leading Expert: agreed*
Char. 14	to read "Leaf blade: distribution of variegation on upper side" *Leading Expert: agreed*
Char. 15	underlining to be deleted
Char. 16	underlining to be deleted
Char. 17	underlining to be deleted
Char. 17	to check whether QL *Leading Expert: no change*
Char. 19	to check whether to have the states: upright (1); semi upright (2); drooping (3) *Leading Expert: no change*
Chars. 19, 20	to provide an explanation of whether the terminal or lateral inflorescence is to be observed *provided by Leading Expert*
Char. 22	to delete note (d) or modify 8.1 (d) *Leading Expert: note (d) to be deleted*
Char. 27	- to check whether to be indicated as MG *Leading Expert: agreed* - to add (+) with explanation *provided by Leading Expert*
8.1 (c)	to check whether to delete "Mature" *Leading Expert: agreed*
Ad. 22	to check whether to delete "on the inflorescence"
9.	(Uusitalo) to check whether "SF" should be "FI" (i.e. Finland) *Leading Expert: agreed*

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Char. 10	to add "on upper side"
Char. 16	on the basis that the Leading Expert explained that the characteristic is a PQ characteristic, 3 states to be provided and to be indicated as PQ, or the characteristic to be deleted
Char. 20	to check whether to read "Inflorescence: density of florets"
Ad. 18	to delete the photographs and explanation to read "The general attitude of the lateral inflorescences should be observed"

Taro (Colocasia Schott)	**TG/TARO(proj.4)**

(a) Changes to document TG/TARO(proj.3), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2009, which are already incorporated in the draft Test Guidelines (document TG/TARO(proj.4)), submitted to the TC:

Title	to check whether "Taro" is a common name that covers *Colocasia gigantean*. If not, to add "*Colocasia gigantea* …" to title, or change title to "Colocasia" *Leading Expert: to read "Colocasia"*
Altern. names	to add "Taro" (Spanish) for *Colocasia esculenta* (L.) Schott
2.2	to read "cormels" and "… 40 g"
Char. 1	to check if true QL *Leading Expert: no change*
Char. 4	to check whether to delete "from corm" or to read "Corm: number of leaves" *Leading Expert: to read "Corm: number of leaves" and move after Char. 18*
Char. 5	to explain what is meant by "absolute" (in relation to petiole?), or to delete "absolute" *Leading Expert: to delete "absolute"*
Char. 7	to replace "wide" with "broad"
Char. 8	to check whether to have the states "moderately elongated" (3) to "moderately compressed" (7) *Leading Expert: agreed*
Char. 11	to check whether to have notes 1, 2, 3 *Leading Expert: no change*
Char. 13	- to check whether to read "Petiole: thickness" and to amend Ad. 13 to clarify - to check whether 9 notes are too many *Leading Expert: no change*
Char. 15	- to check whether to read "Sheath: length" - to check whether to move to after 17. *Leading Expert: agreed*
Chars. 14, 16, 17	- to check relationship between Char. 14 and Chars. 16 and 17 (part=side?) and keep together: to consider deleting Char. 14 – no additional information beyond Chars. 16 and17? *Leading Expert: Char. 14 to be deleted* - to check whether to add "excluding sheath" (see Char. 18) *Leading Expert: no change*
Char. 18	- to check whether truly QL *Leading Expert: no change* - to check whether to read "Sheath: anthocyanin coloration" *Leading Expert: agreed*
Char. 20	- to check if truly QL *Leading Expert: no change* - to check whether to read "Corm: adherence of primary cormels" *Leading Expert: agreed*

	- to add (+) with explanation *not provided by Leading Expert* - to add (*) (grouping characteristic) *Leading Expert: agreed* - to indicate method of observation *not provided by Leading Expert* - to check whether to add note (c) *Leading Expert: agreed*
Char. 21	- (see above) to check whether to read "Only varieties with corm: adherence of primary cormels: detachable from corm: …" *Leading Expert: agreed* - to add (*) (grouping characteristic) and (+) - to provide example varieties *provided by Leading Expert* - to indicate method of observation *not provided by Leading Expert* - to check whether to add note (c) *Leading Expert: agreed* - to explain whether state 3 "clustered" relates to the number and density of secondary cormels rather than primary cormels *not provided by Leading Expert*
Char. 22	- to replace state 3 spindle with fusiform - to check whether to change order to 3, 2, 4, 1 *Leading Expert: agreed*
Char. 23	- to check whether different from Char. 21 - to check whether "MS" to be deleted *Leading Expert: no change*
Char. 25	- to check whether to be indicated as PQ - to check whether state 2 to read "ovate" *Leading Expert: agreed*
Char. 28	to add (+) and provide illustration *provided by Leading Expert*
8.1 (b)	- to check whether to be deleted (does not apply to any characteristics) *Leading Expert: agreed*
8.1 (d)	to check whether to be deleted *Leading Expert: agreed*
8.1 illustration	to check the term "seed" *Leading Expert: seed = mother plant / submitted cormel*
Ad. 2	illustrations for all states with the same petiole length *provided by Leading Expert*
Ad. 12 to 17	to check whether to delete Ad. 16, Ad. 17 *Leading Expert: no change*
9.	to check whether "1193" should be "1993" for Phillips *Leading Expert: agreed*
9.	to amend "UK" to "GB" (Larkom and Phillips)
TQ 5.1	to correct example variety for state 1
TQ 6	to be amended according to wording in Table of Chars. and TQ

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Table of Chars.	spelling of example varieties to be checked (e.g. Chars. 1 and 2: "Egu-imo")
Char. 8	to check whether to delete MS
Chars. 19, 20	to be indicated as VG
Char. 20	to check whether the state "clustered" refers to multiple rings of primary cormels
Char. 21	to move after Char. 18 and to have the states: fusiform (1); circular (2); cylindric (3); oblate (4)
Char. 24	to have the states: circular (1); obovate (2); shrimp-shape (3)
Char. 26	to move after Char. 24
8.1 (b)	to read "Corm, cormel: should be observed when the when the corm and cormels are fully developed."
Ad. 13, 14	to indicate where to observe Chars. 13 and 14
Ad. 19	to check whether to explain that the characteristic is observed as whether the primary cormels are readily detachable by hand

Yam (Dioscorea L.)	**TG/YAM(proj.4)**

(a) Changes to document TG/YAM(proj.3), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2009, which are already incorporated in the draft Test Guidelines (document TG/YAM(proj.4)), submitted to the TC:

Char. 1	to check whether the characteristic is vigor (overall abundance of vegetative growth) or density of foliage (see Ad. 1) *Leading Expert: Ad. 1 to be deleted*
Order of Chars.	to check whether to move the stem and leaf characteristics (Chars. 14 to 26) after Char. 2. *Leading Expert: agreed*
Chars. 3, 22, etc.	to check correct spelling of example variety "Nebarisuta(a)" (also in TQ 5) *provided by Leading Expert*
Char. 5	- to check whether true QL *Leading Expert: to be indicated as PQ* - example varieties to be provided *provided by Leading Expert* - state 1 to read "circular" (plane shape) *Leading Expert: agreed*
Char. 6	- to check whether to delete "Only varieties with tuber: shape in cross section: round:" (not appropriate to split characteristics by non-qualitative characteristics: Char. 5 does not appear to be a QL characteristic) *Leading Expert: no change* - to check whether to have states: linear (1); very narrow oblong (2 - old 3); narrow oblong (3 - old 2); very narrow elliptic (fusiform is three-dimensional shape) (4); circular (5); obtriangular (6) *Leading Expert: agreed*

	- example varieties to be provided (example varieties are provided in TQ 5.3) *provided by Leading Expert*
Char. 7	to check whether to delete "Only varieties with tuber: shape in cross section: elliptic:" (not appropriate to split characteristics by non-qualitative characteristics: Char. 5 does not appear to be a QL characteristic) *Leading Expert: no change*
Char. 7	- to check whether to replace "front view" with "longitudinal section" *Leading Expert: agreed* - to check whether true QL *Leading Expert: to be indicated as PQ* - example varieties to be provided *provided by Leading Expert* - state 1 to read "obtriangular" *Leading Expert: agreed*
Char. 11	- to check whether to replace hardness with firmness - to check whether to add MG (hardness meter) *Leading Expert: agreed*
Char. 12	to check whether to have the states: low (1); medium (2); high (3) *Leading Expert: agreed*
Char. 13	to read "… browning of flesh…"
Char. 18	- to check whether QL *Leading Expert: to be indicated as PQ* - state 1 to read globose - state 2 to read "pyriform" *Leading Expert: agreed*
Char. 19	to adjust position of note (b)
Char. 22	to check whether to have the states "elongated" (1) to "compressed" (3) *Leading Expert: agreed*
Char. 25	to check whether to read "concavity of margin" *Leading Expert: agreed*
8.1 (b)	to check whether to replace "on plant without leaves" with "(see Ad. 27)" *new explanation provided by Leading Expert*
Ad. 5	- to check whether illustration for state 2 should be rotated 90º *Leading Expert: agreed* - to indicate point of attachment *not provided by Leading Expert*
Ad. 13	to read "Only …"
Ad. 14	to check whether to read "The thickness of the stem should be observed on the main stem, around 30 cm above ground level." *Leading Expert: agreed*
Ad. 20 etc.	to replace with photograph of leaf, or indicate position of petiole *provided by Leading Expert*
Ad. 27	to check whether tubers finish developing and whether all leaves need to have senesced (see 8.1(b)) *revised explanation provided by Leading Expert*
TQ 9.3	to check whether to be deleted

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Char. 3	to check whether to delete "MS"
Char. 5	to check whether to be indicated as "VG/MS"
Char. 6	to check whether to delete "MS"
Char. 7	3 states to be provided or characteristic to be deleted
Char. 13	to check whether to delete "MS"
Char. 18	to read "cross section"
Char. 19	- to read "Tuber: shape in longitudinal section" - to amend state 6 to read "narrow obtriangular" - to add states: broad obtriangular (7) (Fusaougi); hand-shaped (8) (Bussho-imo); irregular (9) (Ise-imo)
Char. 20	to be deleted
Char. 22	to delete "MS" (precise measurement not possible)
Char. 23	to read "Tuber: color of flesh"
Char. 24	- to be indicated as VG/MS - to read "Tuber: firmness of flesh" - state 3 to read "firm"
Ad. 27	to complete sentence in English

2. REVISIONS

Maize (Revision)	**TG/2/7 (proj.4)**

Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Cover page	to include "Corn" as English name
3.5.1, .2, .3	to delete "In the case of observations of parts taken from single plants, the number of parts to be taken from each of the plants should be 1."
4.2	to number paragraphs 4.2.1, 4.2.2, 4.2.3
Table of Chars.	to position the type of observation and type of expression according to document TGP/7/1
Table of Chars.	to order example varieties alphabetically
Char. 6	- to read "Leaf: curvature of blade" - state 1 to read "absent or very slightly recurved" - state 5 to read "moderately recurved"
Char. 13	- to read "Tassel: curvature of lateral branches" - state 1 to read "absent or very slightly recurved" - state 5 to read "moderately recurved"
Char. 32	to delete state 3 and add the indicate "(S)"
Char. 32	"Eolrukchal-itho" to read "Eolrukchal-ilho"
Char. 40	to be indicated as QN
Char. 41	add (+) with explanation "the anthocyanin coloration should be observed in the middle third of the uppermost cob, after the removal of some of the grains"
8.1	to read" "…

	(b) The observation should be made in the middle third of the main branch of the tassel. (c) The observation should be made on the second branch from the bottom of the tassel. (d) The observation should be made in the middle third of the uppermost ear, when well developed. (e) This characteristic may be influenced by cross-pollination. In particular in sweetcorn and popcorn varieties, cross-pollination should be avoided."
Ad. 8	to read "The time of anthesis is when 50% of plants have anthers visible in the middle third of the main branch."
Ad. 15	to read "The time of silk emergence is when silks have emerged on 50% of plants."
Ad. 17	to read "The observation should be made when well-developed and fresh brace roots are present on 50% of plants."
Ad. 32	to be deleted
Ad. 36	Table note 8: to delete notes under photos in German version
Ad. 40	to read "Ears should be stored for a minimum of 2 or 3 months after harvest before popping
Ad. 40	to delete reference to state 2
(8.3)	to add "8.3" before "Decimal Code for the Growth Stages" and add to table of contents
TQ 4.2	to read as below
TQ 7.3	To delete "varieties" in states 1 to 3

4.2 Method of propagating the variety

4.2.1[footnote] In the case of hybrid varieties the production scheme should be provided. This should provide details of all the parent lines required for propagating the hybrid e.g.

(a) Single Hybrid

(….....…) x (….....…)
female parent line male parent line

(b) Three-Way Hybrid

single hybrid (below) used as female parent x (….....…)
male parent line
or (…….....…) x single hybrid (below) used as male parent
female parent line

(….....…) x (….....…)
female parent line male parent line
single hybrid

(c) Double Hybrid

(….....…) x (….....…)
female parent line male parent line
single hybrid used as female parent

(….....…) x (….....…)
female parent line male parent line
single hybrid used as male parent

(single hybrid used as female parent) x (single hybrid used as male parent)

and should identify in particular:

(i) any male sterile female parent lines

……

(ii) maintenance system of male sterile female parent lines

……

[footnote] Authorities may choose to request this information

4.2.2	Open-pollinated variety (please provide details) …… 4.2.3 Other (please provide details) ……

Annex (Table of contents)	to read: "Part II Characteristics derived by Isozyme Polyphormism"
Header, Char. 42	to read as follows:

	Characteristics		Example varieties	Note
42. **QL**	***Allele expression at locus Mdh 1***	Genotype 1/1 Genotype 0.5/0.5 Genotype 0.5/1 Genotype 1/6 in interaction with allele 6 of Mdh 2 Genotype ~~0.5/1~~ 0.5/6 in interaction with allele 6 of Mdh 2	F252 R3126 KW 5361 xKW 5454 Tau ~~Tau~~ Clarica ~~Clarica~~	1
		Genotype 6/6	A239	2
		Genotype 1/6 but not in interaction with allele 6 of Mdh 2 Genotype 0.5/6 but not in interaction with allele 6 of Mdh 2	Marshall DK231	3
43. **QL**	***Allele expression at locus Mdh 2***	Genotype 3/3 Genotype 3.5/3.5 Genotype 3/3.5 Genotype 3/4.5 Genotype 3.5/4.5	F252 R3126 Limit, DK 231 Robin	1
		Genotype 4.5/4.5	W401	2
		Genotype 6/6	A239	3
		Genotype 3/6 Genotype 3.5/6	Azur Clarica	4
		Genotype 4.5/6		5
44. **QL**	***Allele expression at locus Mdh 3***	Genotype 16/16	F252	1
		Genotype 18/18	~~Co 158~~ CO 158	2
		Genotype 16/18	Figaro	3

	Characteristics		Example varieties	Note
45.	***Allele expression at locus Mmm***	Genotype M/M Genotype M/m	F252	1
QL		Genotype m/m	86 N 42	2
46.	***Allele expression at loci Mdh 4 + Mdh 5***	Genotype 12/12 +12/12	F252	1
QL		Genotype 12/12 + 15/15 Genotype 12/12 + 12/15	F2 Robin	2
47.	***Allele expression at loci Idh1 + Idh 2***	Genotype 4/4 + 4/4 Genotype 4/6 + 4/4	A239	1
QL		Genotype 4/4 + 6/6	CM7	2
		Genotype 6/6 + 4/4	F1110	3
		Genotype 6/6 + 6/6 ~~Genotype 6/6 + 4/6~~ Genotype 4/6 + 6/6	~~Co158~~ CO 158 Bonny	4
		Genotype 4/4 + 4/6 Genotype 4/6 + 4/6	Axon Loft	5
		Genotype 6/6 + 4/6		6
48.	***Allele expression at loci Pgd 1 + Pgd2***	Genotype 2/2 + 5/5	W401	1
QL		Genotype 2/2 + 2.8/2.8 Genotype 2/2 + n/n	SK 203	2
		Genotype 3.8/3.8 + 2.8/2.8 Génotype 3.8/3.8 +n/n	A632	3
		Genotype 3.8/3.8 + 5/5 Genotype 3.8/3.8 + 2.8/5 Genotype n/3.8 + 5/5	F252 Tekila	4
		Genotype n/n + 5/5	H108	5
		Genotype 2/3.8 + 5/5 Genotype 2/3.8 + 2.8/5	Bekefix Furio	6
		Genotype 2/2 + 2.8/5	NX 6032	7

	Characteristics		Example varieties	Note
49.1, 49.2	to be replaced by new Char. 49 as follows:			
49. **PQ**	**Allele expression at loci Pgm 1 + Pgm2**	Genotype 9/9 + 1/1	F 2	1
		Genotype 9/9 + 1/3	Robin	2
		Genotype 9/9 + 3/3	F 16	3
		Genotype 9/9 + 3/4	Figaro	4
		Genotype 9/9 + 4/4	A 632	5
		Genotype 9/9 + 1/4	Axon	6
		Genotype 9/9 + 8/8	MO 17	7
		Genotype 9/9 + 3/8		8
		Genotype 9/9 + 4/8	Occitan	9
		Genotype 9/9 + 1/8		10
		Genotype 16/16 + 1/1		11
		Genotype 16/16 + 1/3		12
		Genotype 16/16 + 3/3	9034	13
		Genotype 16/16 + 4/4		14
		Genotype 16/16 + 8/8	F 492	15
		Genotype 5/5+3/3	D 06	16
50. **QL**	***Allele expression at locus*** ***Pgi 1***	Genotype 4/4	A239	1
		Genotype 5/5	A632	2
		Genotype 4/5	Artist	3

	Characteristics		Example varieties	Note
51.1, 51.2	to be replaced by new Char. 51 as follows:			
51.	**Allele expression at locus Acp1**	Genotype 2/2	F 2	1
		Genotype 2/3	Azur	2
PQ		Genotype 3/3	A 239	3
		Genotype 4/6	Contessa	4
		Genotype 4/4	A 632	5
		Genotype 6/6	F1444	6
		Genotype 2/4	Occitan	7
		Genotype 2/6		8
		Genotype 3/4	Marshall	9
		Genotype 3/6		10
52.	***Allele expression at locus Dia 1***	Genotype 8/8	F2	1
QL		Genotype 12/12	~~Co158~~ CO 158	2
		Genotype 8/12	Bastion	3
53.	***Allele expression at locus Dia2***	Genotype 4/4	F2	1
QL		Genotype 6/6	34 M838	2
		Genotype 4/6	31 N26	3
54.	***Allele expression at locus Adh 1***	Genotype 4/4	F 1444	1
QL		Genotype 6/6	F 2	2
		Genotype 4/6	Bristol	3

Annex III	title to read “Description of the SGE Method for the Analysis of Isozymes from Zea mays L.”
Annex 6.4.3 and 6.6.3	to delete reference to example varieties
Annex 6.6.3	to add “Combinations indicated with “+”can be clearly separated. In general, combinations indicated with “-“cannot be separated. The notes within grey zones should not be used without knowledge of the parent formula.”

Pea (Revision)	**TG/7/10 (proj.6)**

(a) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

6.5	to read "(a) to (d)"
Char. 4	"MG" to be deleted
Char. 41	to read "Only varieties with Pod: thickened wall: absent: Pod: shape of distal part"
Char. 43	to delete hyphen from "blue-green"
Char. 45	to read "Excluding varieties with pod parchment: entire: …"
Char. 51	to read "Only varieties with seed: type of starch grain: compound…"
Ad. 3	second sentence to be deleted
Ad. 22, 23	position of lines to be corrected
Ad. 27	comma after "opened" to be deleted
Ad. 47	to read "Immature seed color in some varieties with green cotyledons may appear creamy white before the seed is fully developed. Observations should be made on fully-developed, fresh seed in a side-by-side comparison with example varieties."
Ad. 59	to read: er1 er2 = resistant Er1 Er2 = susceptible Er1 er2 = susceptible er1 Er2 = susceptible
9.	- Biddle: to amend "UK" to "GB" - Wellensiek: reference to be deleted - to check formatting of all references
TQ 5.9	to correct spelling of "Bohatyr"

(b) On the basis of the background information provided by the Leading Expert, the Enlarged Editorial Committee proposed that the TWV review the states of expression for Char. 47 "Immature seed: intensity of green color" as a part of any future revision of the Test Guidelines.

Zonal Pelargonium (Revision)	**TG/28/9(proj.4)**

(a) Changes to document TG/28/9(proj.3), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2009, which are already incorporated in the draft Test Guidelines (document TG/28/9(proj.4)), submitted to the TC:

Table of Contents	Chapter 7 heading to be added
1.	to read "(syn *Pelargonium* ×*hortorum* L. H. Bailey)"
2.2	to read "The material is to be supplied in the form of well-rooted cuttings that have not been pinched, or seeds." *Leading Expert: agreed*
2.4	to check whether to delete ", especially any bacteria or virus infection"

	Leading Expert: agreed
4.2	to check whether experience for all variety types *Leading Expert: modified text provided*
Chars. 2, 3, 4, 15	to read "Only varieties with growth type: …"
Char. 5	- to check whether to add "(excluding anthocyanin coloration)" *Leading Expert: agreed* - to check whether there are varieties where only red coloration is present, i.e. to check if necessary to add state for not visible for Char. 5 *Leading Expert: no change*
Char. 6	state 1 to read "absent or very weak" (state 2 = weak)
Char. 14	to add example variety 'Penevro' to indicate that secondary color could be the color of the variegation (see Char. 12) and to add explanation to that effect as (+) *provided by Leading Expert*
Char. 20	to replace "on" with "of"
Char. 20	example varieties to be provided (* characteristic) *provided by Leading Expert*
Char. 30	to check whether state 5 should read "moderately overlapping" *Leading Expert: agreed*
Char. 40	to check whether to read "Upper petal: margin at apex" *Leading Expert: agreed*
Chars. 41 to 59	to check whether note (c) means "Only varieties with flower: irregularly distributed stripes or blotches: absent" (see Char. 33) *Leading Expert: agreed*
Char. 43	to check whether to delete (+) (no explanation provided) *Leading Expert: agreed*
Char. 57	to check whether to add (+) and add to Ad. 41, etc. *Leading Expert: agreed*
Char. 60	to add note (c) (Leading Expert)
Ad. 9	to check whether the range of illustrations is appropriate for states 7 and 9 (not illustrated) and evenly proportioned *new illustration provided by Leading Expert*
Ad. 13	to refer to Ad. 16 for explanation of zone *Leading Expert: agreed*
Ad. 16	to indicate the zone *provided by Leading Expert*
Ad. 17	to check whether to explain that the middle of the zone must be taken as a reference to state the position *Leading Expert: agreed*
Ad. 21	to check whether the height should include the unopened flower at the bottom of the inflorescence *Leading Expert: no change*
Ad. 23	to check whether to clarify to be observed at full flowering (see Chapters 3.3. & 8.1) *Leading Expert: no change*
Ad. 34	to check whether to add "excluding irregularly distributed stripes and blotches" *Leading Expert: agreed*

TQ 5.2	to be corrected according to Char. 13 (e.g. state 8 and example variety state 5)

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Char. 24	to add (+) and provide illustration

Cauliflower (Revision)	**TG/45/7(proj.5)**

(a) Changes to document TG/45/7(proj.4), made on the basis of comments received from members of the Enlarged Editorial Committee in January 2009, which are already incorporated in the draft Test Guidelines (document TG/45/7(proj.5)), submitted to the TC:

Cover page: table	to read "*Brassica oleracea* L. convar *botrytis* (L.) Alef."
Char. 3	to check whether to delete "Outer" *Leading Expert: agreed*
Char. 5	example varieties for state 7 to be checked (see "+") *provided by Leading Expert*
Char. 7	state 3 to have non-bold format
Char. 20	to read "Excluding varieties with curd shape: triangular: …"
8.1 (b)	to delete "," (comma) after "developed"
Ad. 19, 20	to add a separate illustration for state "triangular" (not in table) *not provided by Leading Expert*
Ad. 19	to check whether it would improve the explanation by indicating that the doming is linked to the angle with the stem *provided by Leading Expert*
Ad. 28	- to clarify what is meant by "open" varieties (state 1) - to provide an explanation of the method to observe the characteristic and the states of expression *provided by Leading Expert*
9.	to replace "Fujime, Yukihiro," with "Fujime, Y.,"
TQ header	text to be in italics
TQ 5.3	state 4 to read "green"
TQ 7.2	to be updated according current format

(b) Changes proposed by the Enlarged Editorial Committee in March 2009, which are to be included in the Test Guidelines submitted to the TC:

Char. 28	to be indicated as QN
Ad. 19, 20	to add an illustration for state "triangular" (to be provided separately from the grid of shapes)

3. PARTIAL REVISIONS

Pumpkin (Partial revision)	**TG/155/4**

Changes proposed with respect to document TC/45/2 by the Enlarged Editorial Committee in March 2009:

Char. 15	to read “Fruit: shape”

[End of Annex II and of document]