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UPOV

TC/XIII/4

ORIGINAL: English

DATE: February 26, 1979

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

TECHNICAL COMMITTEE

Thirteenth Session
Geneva, March 26 to 28, 1979

GROUPING OF VEGETABLE SPECIES FOR NAMING PURPOSES

Document prepared by the Office of the Union

1. During its twelfth session (November 1978), the Technical Committee discussed the question of the grouping of vegetable species for the purpose of variety denominations on the basis of a proposal by ASSINSEL reproduced in document TC/XII/4. As a result of the discussion, the Technical Committee agreed "to invite all member States to prepare comments or alternative proposals on the technical points of the comments of ASSINSEL ... and to send them to the Office of UPOV before January 15, 1979" (document TC/XII/6).
2. The information received so far by the Office of the Union is reproduced in the Annexes to this document (Annex I for Belgium, Annex II for France, Annex III for the Federal Republic of Germany, Annex IV for South Africa, Annex V for Sweden and Annex VI for the United Kingdom).
3. For ease of reference, the proposal of ASSINSEL for a change in the grouping of vegetable species for the purpose of variety denominations is reproduced in Annex VII, and the "List of Classes" forming the Appendix to the Guidelines for Variety Denominations (document C/VII/22) is reproduced in Annex VIII.
4. In addition, the Office of the Union has prepared a synopsis of all detailed proposals received. The synopsis is reproduced in Annex IX to this document.

[Nine Annexes follow]

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ANNEX I

INFORMATION FROM BELGIUM

Letter, dated January 19, 1979, from Mr. J. Rigot to
the Vice Secretary-General of UPOV

Subject: Denomination classes for vegetable species

...

I am also of the opinion that the grouping of vegetable species, as indeed in the case of agricultural species, should at the outset be based on botanical similarity, and to a certain extent also on the use of vegetable species. The grouping of vegetables in classes according to use, dealt with in document TC/XII/4 of August 22, 1978, seems to go somewhat too far in that such grouping is liable to restrict the denomination possibilities for vegetables.

For this reason I propose the following grouping for consideration:

Class 11: *Beta vulgaris* ssp. *vulgaris* var. *conditiva* Alef. (syn.: *Beta vulgaris* L. var. *rubra* L.), *Beta vulgaris* L. var. *cicla* L., *Beta vulgaris* L. ssp. *vulgaris* var. *vulgaris*

Class 12: *Lactuca*, *Valerianella*, *Cichorium*, *Spinacia*, *Lepidium*

Class 13: *Pisum sativum*, *Phaseolus vulgaris*, *Phaseolus coccineus*, *Vicia faba*, *Lens culinaris*

Class 14: *Cucumis* sp. and *Cucurbita* sp.

Class 15: *Capsicum* sp. and *Lycopersicon lycopersicum*

Class 16: *Daucus*, *Pastinaca*, *Raphanus*, *Scorzonera*

Class 17: *Anethum*, *Carum*, *Foeniculum*, *Anthriscus*, *Petroselinum*, *Apium*.

Allium sp., *Asparagus* and *Rheum* L. constitute classes on their own.

[Annex II follows]

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ANNEX II

INFORMATION FROM FRANCE

Letter, dated December 7, 1978 from Mr. C. Hutin to
the Vice Secretary-General of UPOV

After the Geneva meeting we considered the ASSINSEL proposals for the grouping of species for denomination purposes. Taking their remarks into account, our proposals would be as follows:

1. Pea; Dwarf French bean; Climbing French bean; Runner bean; Broad bean;
Lentil.
2. Cucumber; Gherkin.
3. Pumpkin; Marrow; Melon; Squash; Water melon.
4. Eggplant; Capsicum; Tomato.
5. Garlic; Shallot; Onion.
6. Beetroot; Carrot; Celeriac; Turnip; Year round radishes; Summer, Autumn
and Winter radishes; Salsify; Scorzonera.
7. Cauliflower; Curly kale; White cabbage; Savoy cabbage; Red cabbage;
Kohlrabi; Brussels sprout.
8. Leek; Lettuce; Corn salad; Chicory; Cress; Endive; Spinach; Purslane.
9. Chervil; Parsley; petiole Celery; Mangel.
10. Asparagus.
11. Rhubarb.

Note: The underlined species are not in the ASSINSEL list.

[Annex III follows]

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ANNEX III

INFORMATION FROM THE FEDERAL REPUBLIC OF GERMANY

Letter, dated January 19, 1979, from Dr. D. Böringer to
the Vice Secretary-General of UPOV

Subject: UPOV Classes for Variety Denominations (document C/VII/22);
ASSINSEL letter (document TC/XII/4)

With reference to the above-mentioned letter from ASSINSEL and the proposal made in it, the Federal Plant Varieties Office wishes to make the following comments:

1. The basic thinking behind the ASSINSEL proposal deserves to be endorsed: in the commercial growing of vegetables, the variety denomination has certain associations that also concern the species.
2. It is therefore highly desirable to introduce classes for vegetable species, which would then be grouped according to their botanical or other relationships.
3. However, care should be taken in such grouping to ensure that, when existing UPOV classes are combined, subject matter previously stored by computer can still be used without difficulty (for instance when Classes 11 and 16 are combined to make a new Class 11). Genera could be included in these classes which previously were given a class to themselves by UPOV.
4. The following specific comments are made on the five groups proposed in Annex 1 of document TC/XII/4:

4.1 Pulses (Pisum, Phaseolus and Vicia faba) should all be grouped in the existing UPOV Class 9: Vicia faba L.

4.2 "Fruit vegetables" (Cucumis, Capsicum, Cucurbita, Lycopersicon lycopersicum, Solanum melongena L.) should be grouped in the existing UPOV Class 13. The existing Class 14 should be deleted.

4.3 Some of the species designated as root vegetables at present belong to different UPOV classes. For instance Beetroot is in Class 11 and Turnip in Class 6. It would be preferable if both these species were to remain in their present classes.

Species belonging to the Allium genus, such as Onion and Shallot, should not be consciously separated from the species Leek and Chives, which belong to the same genus. The Allium genus should not therefore be put into a UPOV class, but should continue to constitute a class on its own.

Other root vegetables should be put into UPOV Class 11 (Daucus, Raphanus, Apium, Scorzonera, Pastinaca). The existing UPOV Class 16 should be deleted.

4.4 Cabbage species (Brassica oleracea) are already in UPOV Class 5. Any change is considered inadvisable.

4.5 Of the species designated as leaf and stem vegetables, Mangel (Beta vulgaris L. ssp. vulgaris var. vulgaris) is already in UPOV Class 11. Any change here seems hardly advisable.

Salad varieties (Lactuca, Cichorium and Valerianella) are in UPOV Class 12. This Class should be extended to cover Portulaca, Spinacia and Lepidium.

Spice species such as Chervil (Anthriscus) and Parsley (Petroselinum) are in UPOV Class 15. All other spice species should be assigned to this Class (to date Dill, Caraway, Fennel). The existing Class 17 should be deleted.

The genera Asparagus (Asparagus) and Rheum (Rhubarb) should each have a class to themselves.

5. Enclosed is a table comparing the changes resulting from the above proposals with the existing UPOV classes.

Annex to the letter from
Dr. D. Böringer dated
January 19, 1979

Subject: Changes to UPOV Class List

Class 9:	Vicia faba L.	Phaseolus Pisum Vicia faba L.
Class 11:	Beta vulgaris L. ssp. vulgaris var. conditiva Alef Beta vulgaris L. var cicla L. Beta vulgaris L. ssp. vulgaris var. vulgaris	Apium Beta vulgaris L. ssp. vulgaris var. conditiva Alef Beta vulgaris L. var. cicla L. Beta vulgaris L. ssp. vulgaris var. vulgaris Daucus Raphanus Pastinaca Scorzonera
Class 12:	Cichorium Lactuca Valerianella	Cichorium Lactuca Lepidium Portulaca Spinacia Valerianella
Class 13:	Cucumis sativus	Capsicum Cucumis Cucurbita Lycopersicon lycopersicum (L.) Farw. (Syn.: Solanum lycopersicum L.) Solanum melongena L.
Class 14:	Cucumis melo Cucurbita	deleted
Class 15:	Anthriscus Petroselinum	Anethum Anthriscus Carum Foeniculum Petroselinum
Class 16:	Daucus Pastinaca	deleted
Class 17:	Anethum Carum Foeniculum	deleted

[Annex IV follows]

INFORMATION FROM SOUTH AFRICA (ORIGINAL)

LTD 3002

Telegrafiese Adres:
Telegraphic Address:
"Sativa PRETORIA"
Tel. 29761



Verwys asb. in u antwoord na;
In reply please quote;

No. 11/1/13/2/2

REPUBLIEK VAN SUID-AFRIKA—REPUBLIC OF SOUTH AFRICA
DEPARTEMENT VAN LANDBOU-TEGNIËSE DIENSTE
DEPARTMENT OF AGRICULTURAL TECHNICAL SERVICES

LANDBOUGEBOU
HAMILTONSTRAAT
PRIVAATSAK X179
PRETORIA
0001

AFDELING PLANT- EN SAADBEHEER
DIVISION OF PLANT AND SEED CONTROL

AGRICULTURE BUILDING
HAMILTON STREET
PRIVATE BAG X179
PRETORIA
0001

1979-01-09

AIR MAIL.

The Vice Secretary General
UPOV
34 Chemin des Colombettes
1211 GENEVA 20
SWITZERLAND.

Dear Sir,

TECHNICAL COMMITTEE : TWELFTH SESSION, GENEVA, 13-15 NOVEMBER 1978.

Comments on Paper TC/XII/4 of 22nd August 1978 (Proposal by ASSINSEL)

We wish to advise that we cannot agree with the proposal by ASSINSEL for the following reasons:-

1. It would mean a widening of the classes to include larger numbers of genera or species with the resultant problem of finding suitable denominations.
2. By introducing a different grouping of genera and species into classes, varieties already having the same or related denomination (because of them falling into different classes at present) may land in the same new class, thus obtaining a situation which will be in conflict with Article 7 of the Guidelines for Variety Denominations (Paper UPOV/C/VII/22 of 12 October 1973).
3. The proposal concerns vegetables only and does not provide for agricultural, herbage, fruit and other crops.

We feel that the present list of classes needs some tidying up and perhaps some extension, for example :

1. Combine Classes 13 and 14 if problems of the type mentioned under 2 above will not arise.

2. Add the following classes :

Class 25 : Pisum, Phaseolus.

Class 26 : Lycopersicon lycopersicum

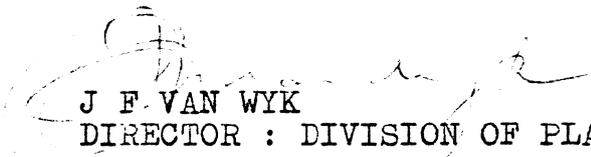
Class 27 : Allium cepa, Allium porrum, Allium fistulosum.

Class 28 : Glycine max, Vigna unguiculata.

Class 29 : Citrullus lanatus

Kindest regards,

Yours sincerely,



J. F. VAN WYK

DIRECTOR : DIVISION OF PLANT AND SEED CONTROL.

[Annex V follows]

TC/XIII/4

ANNEX V

INFORMATION FROM SWEDEN (ORIGINAL)

STATENS VÄXTSORTNÄMND

Datum

January 30, 1979

Dnr 193

Your ref. Circular No. U 461
-08.1

Dr H Mast
 Vice Secretary General
 UPOV
 34, chemin des Colombettes
 1211 GENEVE 20 Schweiz

Dear Dr Mast,

UPOV Document TC/XII/4 Grouping of Vegetable Species
 for the Purpose of Variety Denominations

The following comments have been submitted by national bodies concerned with breeding, testing and marketing varieties of vegetable species.

A principle should be to avoid confusion and misunderstanding between seed supplier and consumer/grower. Confusion may come from similarities in name of species or genera, e.g.

leek (UK) - lauch (D) - lök (S) - lög (DK)
 or purjolök (S) - purlög (DK).

Similarities in seeds e.g. leek - onion or turnip - cauliflower, may also cause misunderstandings if varieties of the two species carry the same denomination. In such a case the grower is hardly able to notice if he is planting turnip or cauliflower and the intended crop is failed. Thus the grouping should have regard to various risks for confusion.

An outline to improve the present proposal has been made to avoid the mentioned difficulties:

Group 1 Pulses

Group 2 split in two groups:

- a) Cucumber, Gherkin, Melon, Pumpkin
- b) Eggplant, Pepper, Tomato

Group 3 split in four groups:

- a) Beetroot, Mangold
- b) Onion, Shallot and other Allium spp
- c) Carrot, Celeriac, Parsley
- d) All Raphanus spp

Group 4 Brassica spp (Cabbages and Turnip)

Group 5 Endive, Lettuce, Purslane, Spinach Cress, Asparagus, Rhubarb etc.

However, the above grouping is not complete and serves as an outline to illustrate the principle. It can also be discussed if Group 1 should be renamed Seed vegetables and include sweet corn.

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Annex V, page 2

The present List of Classes appearing in Annex II to Document TC/XII/4 covers several vegetable species, e.g. Class 5, 11 - 17. Therefore it will be necessary to coordinate the present List and the proposed Grouping into one system. The ASSINSEL proposal cannot be recommended for adoption in its present shape.

Yours sincerely,



Olle Svensson

[Annex VI follows]

INFORMATION FROM THE UNITED KINGDOM (ORIGINAL)



NATIONAL INSTITUTE OF AGRICULTURAL BOTANY

HUNTINGDON ROAD CAMBRIDGE CB3 0LE

Telephone Cambridge (0223) 76381

PATRON: HER MAJESTY THE QUEEN

YOUR REFERENCE

OUR REFERENCE AFK/JB/062b

DATE 5 January 1979

H Mast Esq
UPOV
34 chemin des Colombettes
1211 Geneva 20
SWITZERLAND

Dear Mr Mast

CIRCULAR NO. U461 - 08.1

Thank you for your letter of 11 December. I find it difficult to make any comment on the Assinsel proposals contained in TC/XII/4 because in our opinion this is an administrative rather than a technical matter. The smaller the number of classes for naming purposes the more difficult it becomes to select a name, so that the Assinsel proposals, if implemented, would make it more difficult for breeders to find suitable names. Also, the larger the class, the greater will be the search costs for the administration. Especially in the Assinsel proposal for class 1 there would be increased difficulties of conflict with food processors' trade marks.

If we need to alter the present arrangements and it is necessary to find some principal on which somewhat larger classes could be made, would it be possible to think in terms of those which comprise seeds of similar appearance? This would amalgamate the current UPOV classes 5 and 6 and also 10 and 11 and maybe some others, but would not be as drastic as the Assinsel proposals.

Yours sincerely

A F KELLY

Deputy Director

Letter from the General Secretary of ASSINSEL
to the Vice Secretary-General of UPOV,
dated May 24, 1978

We refer to our earlier correspondence with respect to the grouping of vegetable species for the purpose of variety denominations.

You had stated that these problems had to be presented to the Working Group for Variety Denominations, but the result of reflections of this Working Group has not been made known to us.

The proposal is based on the fact that the use of the same denomination in the vegetable sector which contains about 40 species is in practice hardly permissible. Although the Order for Denominations is based on botanical differences, the usual commercial practice should also be taken into account.

A good example for this practice is that, with respect to variety denominations, the species wheat, rye, oats and barley are belonging to one class, apparently for the reason that the use of these four species is very similar (Class 1 of the UPOV Guidelines, document C/VII/22 of October 12, 1973).

We would therefore like to repeat our proposal for a grouping of the vegetable species in the sense that a reduction in the number of classes on the vegetable sector is desirable, if not strongly recommended, to avoid confusion.

This proposal leads to a grouping which bases on the appearance of the part of the plant which is utilizable. Thereby five groups can be distinguished:

1. Pulses
2. Fruit vegetable
3. Vegetables of the soil
4. Cabbages
5. Leaf and stem vegetables.

The following grouping could be chosen:

1. Pea; French Bean; Runner Bean; Garden Bean.
2. Cucumber, Gherkin; Eggplant; Melon; Pepper; Pumpkin; Tomato.
3. Beetroot; Onion; Shallot; Carrot; Radish; Black Radish; Black Salsify; Turnip; Celeriac.
4. Cauliflower; Curly Kale; Broccoli; Kohlrabi; Head Cabbage, Savoy Cabbage, Brussels Sprouts.
5. Leek; Mangel; Endive; Lettuce; Purslane; Spinach; Cornsalad; Chicory; Chervil; Parsley; Cress; Asparagus and Rhubarb.

The above proposal separates the following vegetables from each other (thereby following the examples of the present separation of class 10 from class 11 and of class 21 from the other species of the genus Solanum):

Beetroot from Mangel,
 Leek from Onion and Shallot,
 Celeriac from Celery.

LIST OF CLASSES

(Appendix to the Guidelines for Variety Denominations)

This list gives only the classes comprising several genera or only some of the species belonging to one and the same genus. Any genus not appearing on this list is considered to form a class on its own.

- Class 1: Avena, Hordeum, Secale, Triticum
- Class 2: Panicum, Setaria
- Class 3: Sorghum, Zea
- Class 4: Agrostis, Alopecurus, Arrhenatherum, Bromus, Cynosurus, Dactylis, Festuca, Lolium, Phalaris, Phleum, Poa, Trisetum
- Class 5: Brassica oleracea
- Class 6: Brassica napus, B. campestris, B. rapa, B. juncea, B. nigra, Sinapis
- Class 7: Medicago, Ornithopus, Onobrychis, Trifolium
- Class 8: Lupinus albus L., L. angustifolius L., L. luteus L.
- Class 9: Vicia faba L.
- Class 10: Beta vulgaris L. var. alba DC., Beta vulgaris L. var. altissima
- Class 11: Beta vulgaris ssp. vulgaris var. conditiva Alef (syn. : Beta vulgaris L. var. rubra L.), Beta vulgaris L. var. cicla L., Beta vulgaris L. ssp. vulgaris var. vulgaris
- Class 12: Lactuca, Valerianella, Cichorium
- Class 13: Cucumis sativus
- Class 14: Cucumis melo, Cucurbita
- Class 15: Anthriscus, Petroselinum
- Class 16: Daucus, Pastinaca
- Class 17: Anethum, Carum, Foeniculum
- Class 18: Chamaecyparis, Juniperus, Thuya, Taxus
- Class 19: Picea, Abies, Pseudotsuga, Pinus, Larix
- Class 20: Malus, Pyrus
- Class 21: Solanum tuberosum L.
- Class 22: Nicotiana rustica L., N. tabacum L.
- Class 23: Helianthus tuberosus
- Class 24: Helianthus annuus

[Annex IX follows]

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ANNEX IX

SYNOPSIS OF PROPOSALS*

<u>GENERA OR SPECIES</u>	BELGIUM	FRANCE	FEDERAL REPUBLIC OF GERMANY	SOUTH AFRICA	SWEDEN
Phaseolus	X	X	X	X	X
Pisum	X	X	X	X	X
Vicia faba L.	X	X	X		X
Lens culinaris Med.	X	X			X
Daucus	X	X	X		X
Rhaphanus	X	X	X		X
Scorzonera	X	X	X		
Pastinaca	X		X		
Tragopogon porrifolius		X			
Apium	X		X		
Apium graveolens L. var. rapaceum (Mill.) Gaud.		X			X
Apium graveolens L. var. dulce (Mill.) Pers.		X			
Anthriscus	X	X	X		
Petroselinum	X	X	X		X
Anethum	X		X		
Carum	X		X		
Foeniculum	X		X		
Beta vulgaris L. ssp. vulgaris var. conditiva Alef.	X	X	X		X
Beta vulgaris L. ssp. vulgaris var. vulgaris	X	X	X		X
Beta vulgaris L. var. cicla L.	X		X		
Cichorium	X	X	X		X
Lactuca	X	X	X		X
Spinacia	X	X	X		X
Valerianella	X	X	X		
Lepidium	X	X	X		
Portulaca		X	X		X
Nasturtium		X			X
Cucurbita	X	X	X	X	X
Cucumis	X		X	X	X
Cucumis sativus		X			
Cucumis melo		X			
Citrullus lanatus		X		X	
Capsicum	X	X	X		X
Lycopersicon lycopersicum (L.) Farw.	X	X	X	X	X
Solanum melongena L.		X	X		X
Allium	X		X		X
Allium sativum		X			
Allium ascalonicum		X			
Allium cepa		X			
Allium porrum		X		X	
Allium fistulosum		X		X	
Asparagus	X	X	X		X
Rheum	X	X	X		X
Brassica					X
Brassica rapa L.		X			
Brassica oleracea L.		X			
Glycine max				X	
Vigna unguiculata				X	

*

The different genera or species which should form one class are marked with crosses which are connected by a line. A cross not connected with another cross indicates that this genus or species should form a class itself.