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UPOV

TC/XIV/2

ORIGINAL: English

DATE: October 25, 1979

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

TECHNICAL COMMITTEE

Fourteenth Session

Geneva, November 12 to 14, 1979

TEST GUIDELINES

(Item 6 of the Draft Agenda)

Document prepared by the Office of the Union

I. Test Guidelines for Adoption

1. During their 1979 sessions, the Technical Working Parties discussed several draft Test Guidelines and the comments received on those draft Test Guidelines from the professional organizations. Having finalized the discussions on several of them, the Technical Working Parties asked the Technical Committee to adopt finally the draft Test Guidelines for the following species and to agree on their publication as final Test Guidelines:

TG/26/3(proj.) - Chrysanthemum
 TG/28/4(proj.) - Pelargonium
 TG/63/2(proj.) - Black Radish
 TG/64/2(proj.) - Radish
 TG/65/2(proj.) - Kohlrabi
 TG/66/2(proj.) - Lupins
 TG/67/2(proj.) - Sheep's Fescue, Red Fescue
 TG/68/2(proj.) - Berberis
 TG/69/2(proj.) - Forsythia

2. The above-mentioned draft Test Guidelines will be edited by the Editorial Committee as far as possible during the evenings of November 12 and 13, 1979.

II. Information on Other Test Guidelines

3. In addition to the draft Test Guidelines which have been finalized by the Technical Working Parties, first drafts of Test Guidelines for the following 9 species have been established by the different Technical Working Parties, for presentation to the international professional organizations for comment:

TG/2/2(proj.) - Maize (revised)
 TG/11/2(proj.) - Rose (revised)
 TG/73/1(proj.) - Blackberry
 TG/74/1(proj.) - Celeriac
 TG/75/1(proj.) - Cornsalad
 TG/76/1(proj.) - Sweet Pepper
 TG/77/1(proj.) - Gerbera
 TG/78/1(proj.) - Kalanchoe
 TG/79/1(proj.) - White Cedar

4. Of the letter draft Test Guidelines, as of October 25, 1979, those for Kalanchoe and for White Cedar have not been completed and sent to the professional organizations for comments. It is hoped that this can still be done before the end of the current year.
5. Two summary tables, indicating the different stages of completion of Test Guidelines, are reproduced in the Annex to this document.

III. General Remarks on Test Guidelines

6. With respect to Ryegrass, the Working Party for Agricultural Crops asked the Technical Committee to decide whether it should be recommended that when the breeder applied for plant breeders' rights in one of the member States that authority would automatically send seed to each of the other member States testing varieties of the same species, for inclusion in their reference collections to ensure that all new varieties submitted for protection would form part of the common knowledge of the other member State testing varieties of the same species. If the Technical Committee agreed to recommend this practice, higher amounts would have to be required as reference samples in the Test Guidelines for Ryegrass, as already provided for in brackets in the draft. Should the Technical Committee agree to propose this procedure, the Technical Committee would also have to discuss whether the same procedure needed to be applied to other species and how the difficulties could be overcome for certain species which so far were tested in each of the member States since it would entail asking the breeder for a very large amount of seed.

7. At the request of the Technical Committee the Working Party for Ornamental Plants held a detailed discussion of the problem of easy mutations in several species. At present, it was possible to introduce within a few years sufficient differences into a protected variety to avoid paying further license fees to the original breeder or to be able to ask for protection. The Working Party recognized that this was a problem especially for Chrysanthemum but also--albeit to a lesser degree--for other species. It finally considered that possible solutions to this problem might be found in the following areas:

(a) It might be necessary, depending on the species concerned, to establish, for certain characteristics, minimum distances between an existing protected variety and a new variety to be protected.

(b) The question might have to be considered whether, for certain species, a new variety might be required to show a certain "improvement" compared with the variety of which it was a mutant (for example, change in a functionally or economically important characteristic).

(c) The question might have to be considered whether administrative changes should be introduced in the plant breeders' rights system to make it more economical for the breeder to ask for the protection of a large number of clones which were similar or very close to each other.

(d) It might be necessary to give the breeder the possibility of establishing common knowledge of a variety (clone) to a larger degree than at present through the publication of descriptions prepared by him alone, without the competent authority itself having access to plant material.

The professional organizations would also have to search for further possibilities of solving this problem.

8. During its discussions on the revision of the Test Guidelines for Poplar, the Technical Working Party for Forest Trees tried to reach a compromise between the system applied by the International Poplar Commission for the registration of poplar varieties and the UPOV Test Guidelines for Poplar. The International Poplar Commission is more interested in the cultural value of varieties and thus uses to a large extent characteristics of the adult tree. The Technical Working Party for Forest Trees found it not acceptable to include these characteristics of the adult tree in the Table of Characteristics of the Test Guidelines for Poplar, but agreed--in order to reach a compromise--to include a large number of them in a separate Annex (Table of Characteristics of the Adult Tree) to the Test Guidelines to allow--if necessary for the distinguishing of a variety--their use in an agreed and harmonized way. It asked the Technical Committee whether it could agree on this new procedure and whether for this special Annex exceptions to the rules for the establishing of the Table of Characteristics of Test Guidelines would also be permissible (e.g. not for all characteristics would the states have to be given in the agreed terms (for characteristics on the length, number or ratio fixed figures or ranges could be used instead of words)).

9. The Technical Committee is invited:

(i) to adopt the draft Test Guidelines mentioned in paragraph 1 of this document subject to editing by the Editorial Committee,

(ii) to take note of the status of the draft Test Guidelines mentioned in paragraphs 3 to 5,

(iii) to render a decision on the questions presented to it by the Technical Working Parties for Agricultural Crops (paragraph 6), for Ornamental Plants (paragraph 7) and for Forest Trees (paragraph 8).

[Annex follows]

Document Numbers of the Test Guidelines or Draft Test Guidelines
(the latter with the indication "(proj.)" after the document number)
Prepared or to be Prepared by the Office of the Union (as of October 1, 1979)

* TG/1/1	General Introduction/Introduction Générale/Allgemeine Einführung
* TG/2/1	Maize/Mais/Mais
- TG/2/2(proj.)	Maize/Mais/Mais (revised draft)
* TG/3/1	Wheat/Blé/Weizen (applicable to <u>Triticum durum</u> only)
* TG/3/5	Wheat/Blé/Weizen (<u>Triticum aestivum</u>)
* TG/4/1	Ryegrass/Ray-grass/Weidelgras
- TG/4/2(proj.)	Ryegrass/Ray-grass/Weidelgras (revised draft)
* TG/5/1	Red Clover/Trèfle violet/Rotklee
* TG/6/1	Lucerne/Luzerne
* TG/7/1	Garden Pea/Pois Potager/Gemüseerbsen
* TG/8/1	Broad Bean/Fève/Puffbohne
* TG/9/1	Runner Bean/Haricot d'Espagne/Prunkbohne
* TG/V/2	Euphorbia fulgens/Euphorbia/Korallenranke
* TG/11/1	Rose/Rosier/Rose
- TG/11/2(proj.)	Rose/Rosier/Rose (revised draft)
* TG/12/1	French Bean/Haricot/Bohne
* TG/13/1	Lettuce/Laitue/Salat
* TG/14/1	Apple/Pommier/Apfel
* TG/15/1	Pear/Poirier/Birne (+ TG/15/1 Corr.)
* TG/16/1	Rice/Riz/Reis
* TG/17/1	African Violet/Saintpaulia/Usambaraveilchen
* TG/18/1	Elatior Begonia/Begonia elatior/Elatior Begonie
* TG/19/4	Barley/Orge/Gerste (+ TG/19/4 Corr.)
* TG/20/4	Oats/Avoine/Hafer
* TG/21/4	Poplar/Peuplier/Pappel
* TG/22/3	Strawberry/Fraisier/Erdbeere
* TG/23/2	Potato/Pomme de terre/Kartoffel
* TG/24/2	Poinsettia/Poinsettie
* TG/25/3	Carnation/Oeillet/Nelke
+ TG/26/3(proj.)	Chrysanthemum (Perennial)/Chrysanthème (vivace)/Chrysanthème (mehrjährig)
* TG/27/3	Freesia/Freesie
+ TG/28/4(proj.)	Pelargonium/Pelargonie
* TG/29/3	Alstroemeria/Alstroemère/Inkalilie
* TG/30/3	Bent/Agrostide/Straussgras
* TG/31/3	Cocksfoot/Dactyle/Knaulgras
* TG/32/3	Common Vetch/Vesce commune/Saatwicke
* TG/33/3	Kentucky Bluegrass/Pâturin des prés/Wiesenrispe
* TG/34/3	Timothy/Fléole des prés, Fléole diploïde/Wiesen-, Zwiebellieschgras
* TG/35/3	Cherry/Cerisier/Kirsche
* TG/36/3	Rape/Colza/Raps (+ TG/36/3 Corr.)
* TG/37/3	Turnip/Navet/Herbst-, Mairübe
* TG/38/3	White Clover/Trèfle blanc/Weissklee
* TG/39/3	Meadow-, Tall Fescue/Fétuque des prés, Fétuque élevée/Wiesen-, Rohrschwingel
* TG/40/3	Black Currant/Cassis/Schwarze Johannisbeere
* TG/41/4	European Plum/Prunier européen/Pflaume
* TG/42/3	Rhododendron
* TG/43/3	Raspberry/Framboisier/Himbeere
* TG/44/3	Tomato/Tomate
* TG/45/3	Cauliflower/Chou-fleur/Blumenkohl
* TG/46/3	Onion/Oignon/Zwiebel
* TG/47/2	Streptocarpus/Drehfrucht
* TG/48/3	Cabbage/Chou pommé/Kopfkohl (+ TG/48/3 Corr.)
* TG/49/3	Carrot/Carotte/Möhre
* TG/50/3	Vine/Vigne/Rebe
* TG/51/3	Gooseberry/Groseillier à maquereau/Stachelbeere
* TG/52/2	Red and White Currant/Groseillier à grappes/Rote und Weisse Johannisbeere
* TG/53/3	Peach/Pêcher/Pfirsich
* TG/54/3	Brussels Sprouts/Chou de Bruxelles/Rosenkohl
* TG/55/3	Spinach/Epinaud/Spinat
* TG/56/3	Almond/Amandier/Mandel
- TG/57/1(proj.)	Flax, Linseed/Lin/Lein
* TG/58/3	Rye/Seigle/Roggen
* TG/59/3	Lily/Lis/Lilie
* TG/60/3	Beetroot/Betterave rouge/Rote Rübe
* TG/61/3	Cucumber, Gherkin/Concombre, Cornichon/Gurken
* TG/62/3	Rhubarb/Rhubarbe/Rhabarber
+ TG/63/2(proj.)	Black Radish/Radis d'été, d'automne et d'hiver/Rettich
+ TG/64/2(proj.)	Radish/Radis des tous les mois/Radieschen
+ TG/65/2(proj.)	Kohlrabi/Chou-rave/Kohlrabi
+ TG/66/2(proj.)	Lupins/Lupinen
+ TG/67/2(proj.)	Sheep's Fescue, Red Fescue/Fétuque ovine, Fétuque rouge/Schafschwingel, Rotschwingel
+ TG/68/2(proj.)	Berberis/Berberitze
+ TG/69/2(proj.)	Forsythia/Forsythie
* TG/70/3	Apricot/Abricotier/Aprikose
* TG/71/3	Hazelnut/Noisetier/Haselnuss
- TG/72/1(proj.)	Willow/Saule/Weide
- TG/73/1(proj.)	Blackberry/Ronce/Brombeere
- TG/74/1(proj.)	Celeriac/Céleri-rave/Knollensellerie
- TG/75/1(proj.)	Cornsalad/Hâche/Feldsalat
- TG/76/1(proj.)	Sweet Pepper/Piment/Paprika
- TG/77/1(proj.)	Gerbera
- TG/78/1(proj.)	Kalanchoe
- TG/79/1(proj.)	White Cedar/Thuya du Canada/Lebensbaum

* Adopted

+ Technical Committee
to adopt

- Professional Orga-
nizations to comment

Status of Test Guidelines (as of October 1, 1979)

Technical Working Party Stage	Agricultural Crops	Forest Trees	Fruit Crops	Ornamental Plants	Vegetables
adopted (total 61)	Barley Bent Cocksfoot Common Vetch Kentucky Bluegrass Lucerne Maize Meadow Fescue, Tall Fescue Oats Potato Rape Red Clover Rice Rye Ryegrass Timothy Turnip White Clover Wheat (Triti- cum aestivum) Wheat (Triti- cum durum only)	Poplar	Almond Apple Apricot Black Currant Cherry European Plum Gooseberry Hazelnut Peach Pear Raspberry Red and White Currant Strawberry Vine	African Violet Alstroemeria Carnation Elatior Begonia Euphorbia fulgens Freesia Lily Poinsettia Rhododendron Rose Streptocarpus	Beetroot Broad Bean Brussels Sprouts Cabbage Carrot Cauliflower Cucumber, Gherkin French Bean Garden Pea Lettuce Onion Rhubarb Runner Bean Spinach Tomato
Technical Committee to adopt (total 9)	Lupins Sheep's Fescue Red Fescue			Berberis Chrysanthemum Forsythia Pelargonium	Black Radish Kohlrabi Radish
Professional Organizations to comment (total 12)	Flax, Linseed Maize (revised) Ryegrass (revised)	Willow	Blackberry	Gerbera Kalanchoe Rose (revised) White Cedar	Celeriac Cornsalad Sweet Pepper
in preparation (total 9)		Norway Spruce Poplar (revised)	Apple (revision) Citrus Japanese Plum	Narcissi, Daffodils	Endive Leek Peas (revised)
planned	Soya Bean Sunflower	Abies Douglas fir Larix conifers Pinus nigra Poplar (revision)	Apple Rootstocks Chestnut Khaki Olive Quince Prunus Rootstocks Ribes Rootstocks	Anthurium Calluna Carnation (revision) Dahlia Erica Euphorbia fulgens (revision) Euphorbia milii Freesia splendens Gladiolus Hydrangea Juniper Ornamental Apple Poinsettia (revision)	Celery Dill Lettuce (revision) Parsley