

## Thomas, Bernadette - AMS

---

**From:** Stekelenburg, Rian <Rian.Stekelenburg@hzpc.nl>  
**Sent:** Tuesday, July 10, 2012 2:46 AM  
**To:** AMS - PVPOmail  
**Cc:** Thomas, Bernadette - AMS  
**Subject:** reaction on changes US PVP forms  
**Attachments:** Reaction on Notice US PVP.docx

Dear Sir, Mrs,

Please find enclosed a letter with our reaction on the Notification of request for changes of US PVP forms.

If there are any questions don't hesitate to contact us.

With kind regards,  
Rian Stekelenburg



R. Stekelenburg  
Manager Variety Protection and Registration

HZPC Holland B.V.  
P.O. Box 88, NL - 8500 AB JOURE  
Tel +31 513 - 489 976  
Fax +31 513 - 489 844  
Mobile +31 653356751  
E-mail [rian.stekelenburg@hzpc.nl](mailto:rian.stekelenburg@hzpc.nl)  
Web [www.hzpc.com](http://www.hzpc.com)

Subject: Comments on the Notice for Revision of a Currently Approved Collection Application for Plant variety Protection Certification and Objective Description of a variety.

Dear Sir, Mrs,

First of all we like to comment that combining of forms and simplification of the content of the forms to more relevance to the benefit of both the PVP office and the applicants is very much appreciated in terms of efficiency and clarity.

On your request to combine the Exhibits A,B and E we have the following comments and additions:

- Looking at the new form ST470 it looks to me that this is just the three old forms A, B and E combined in one form without any further major changes. Of course this will save some time but still the same information has to be collected and filled in on the forms. So this for sure will not give a time saving of 1,23 hours per response. In the best case maybe saves 15 minutes.

Additional to this, completing the forms on itself doesn't cost most of the time, collecting the information needed to answer all the questions takes more time, in the case of these forms at least more than half a day. Also often additional questions are asked for clarification of the given answers. These are the time consuming parts of the application process on applicants side.

- Building on previous comment, the old forms, and also the newly proposed form ask much more than prescribed by UPOV and in many cases this extra information is not necessary for DUS testing.

Examples are the questions about pedigree (genealogy), stages of selection and multiplication and part of the Statement of Distinctness (Exhibit B). The total pedigree is not relevant for distinguishing a variety, most important in this is to compare the variety with most similar varieties. The same for the question about stages of selection. To know when a cross is made, when, where and on what characters a variety is tested during the breeding process is irrelevant information for DUS. For the applicant it takes a lot of time to collect this information.

- It would be a much bigger step forward when US PVP office would follow the UPOV guidelines for each crop. When this international standard is followed there would be more harmonisation between the UPOV member states. Ultimate would be acceptance and taking over of the DUS reports made by foreign member states by the US PVP.

In our case of potato the varieties are tested against a large collection of reference varieties. Unfortunately many of these references are not in the US PVP database.

- Due to the different reference collection we have to do a separate extra DUS test to meet the restrictions of the US PVP. This cost us at least eight hours extra per variety and a substantial amount of extra costs.

Besides the problem of the reference collection there is also a big difference in the TQ-form (Exhibit C) used by US PVP compared to the TQ's used in other countries. The US PVP is the only one using such devious TQ form. Especially the questions about the colour charts values and questions where the standard deviation is asked are unique for the US PVP and

very complicated to answer. This also means we have to do extra DUS trials ourselves for these kind of characters.

More and more UPOV member states recognize and take over each other's DUS report and open their database for other UPOV member states.

The US PVP office can also strengthen their database and take advantage of the opening of DUS databases by other UPOV member states but therefore the US database, and with that the forms, need to be harmonised with the UPOV guidelines.

Conclusion from our side is that small steps forward are slowly made but major steps can be made to harmonise the US PVP forms and database to the UPOV standard. These steps can provide significant savings in time and costs both on the side of the applicant as well as on the side of the US PVP office.



R. Stekelenburg  
Manager Variety Protection and Registration

HZPC Holland B.V.  
P.O. Box 88, NL - 8500 AB JOURE  
Tel +31 513 - 489 976  
Fax +31 513 - 489 844  
Mobile +31 653356751  
E-mail [rian.stekelenburg@hzpc.nl](mailto:rian.stekelenburg@hzpc.nl)  
Web [www.hzpc.com](http://www.hzpc.com)