



Animal &
Plant Health
Agency

United Kingdom Variety Lists / Plant Breeder's Rights Technical Protocol for Official Examination of Distinctness, Uniformity and Stability (DUS)

Watercress

Nasturtium officinale W.T.Aiton,

Nasturtium microphyllum Boenn. ex Rchb.

Nasturtium xsterile (Airy Shaw) Oefelein

Nasturtium R. Br. Hybrids

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Contents

Section A - General Information.....	1
1 Purpose.....	1
2 Scope.....	1
3 Responsibilities	1
4 Non-Compliance with the Protocol.....	2
5 Responsibility for GM Releases	2
6 Procedures for GM Varieties.....	3
7 Associated Documents	3
Section B - Application Requirements.....	4
1 Purpose.....	4
2 Scope.....	4
3 Responsibilities	4
4 Receipt of Applications.....	4
4.3 Applicants should note in the TQ submitted with the application, any additional characteristics which may require examinations trial are listed in the DUS characteristics section D, 5.2 or 5.3 (an additional fee may be required)	4
5 Receipt of Seed or Plant Material	4
6 Seed Quality Requirements	5
7 Seed Quantity	5
8 Plant Material Requirements.....	5
9 Labelling Requirements, Including Provisions for GM Varieties.....	7
Section C – Growing Test Procedures.....	8
1 Purpose.....	8
2 Scope.....	8
3 Responsibilities	8
4 Reference Varieties	8
5 Design of Tests	8
6 Records and Recording	11

7	Communication with the Applicant	11
Section D - Summary of DUS Characteristics to be Assessed, Method of Assessment and Standards Applied		12
1	Purpose.....	12
2	Scope.....	12
3	Responsibilities	12
4	Organisation.....	12
5	DUS Characteristics to be Assessed	13
5.2	Watercress Characteristics Routinely Recorded in DUS Tests	14
5.3	Previously Approved Characteristics Not Routinely Recorded in DUS Tests	20
5.4	New Additional DUS Characteristics	20
Section E - Reference Stock Maintenance		21
1	Purpose.....	21
2	Scope.....	21
3	Responsibilities	21
4	Procedures for Reference Seed Stock Maintenance	21
5	Procedures for the Inclusion of New Common Knowledge Varieties into the Reference Collection.....	22
6	Release of Reference Samples for Authorised Purposes	23
Section F- Procedures for Assessment of New Additional DUS Characters.....		24
1	Purpose.....	24
2	Scope.....	24
3	Responsibilities	24
4	Reference Varieties	24
5	Procedures.....	24
Section G - Procedures for DUS Decisions		25
1	Purpose.....	25
2	Scope.....	25
3	Responsibilities	25

4	Reference Varieties	25
5	Distinctness.....	25
6	Uniformity.....	26
7	Stability	27
8	DUS Report and Variety Description.....	27
9	Special Tests Available	28
Appendix 1 – Reference Collection Varieties.....		29

Section A - General Information

1 Purpose

1.1 This Protocol sets out the procedures for conducting tests and assessments in relation to official examinations of DUS and maintenance of reference stocks of varieties of Watercress entered for Variety Listing (VL) and/or Plant Breeders' Rights (PBR).

2 Scope

2.1 These procedures apply to all varieties of Watercress (*Nasturtium officinale* W.T.Aiton, *Nasturtium microphyllum* Boenn. ex Rchb. and *Nasturtium xsterile* (Airy Shaw) Oefelein) and *Nasturtium* R. Br. hybrids. Special procedures and responsibilities for Genetically Modified (GM) varieties are set out in Sections A5 and A6.

2.2 Except where specified in this protocol or authorised by the Animal and Plant Health Agency (APHA), only Variety List candidates, Plant Breeders' Rights candidates, candidates for Foreign Authorities and the reference varieties may be incorporated in the DUS tests.

3 Responsibilities

3.1 The growing tests and assessments in this protocol are carried out under the responsibility of the Secretary of State for Environment, Food and Rural Affairs, Scottish Ministers, Welsh Ministers and the Minister for Agriculture, Environment and Rural Affairs in Northern Ireland (the National Authorities).

3.2 They are supervised, on behalf of the National Authorities, by officials of the Testing Authorities, that is APHA, Scottish Government (SG), the Department of Agriculture, Environment and Rural Affairs (DAERA) and the Welsh Government (WG).

3.3 This protocol is authorised by the Plant Variety and Seeds Committee (PVSC). It cannot be amended without their approval. Requests and suggestions for amendment of the protocol should be put in writing to APHA, either directly or via the Test Centre.

3.4 The procedures are administered by:

Plant Variety Rights Office for the UK

Animal and Plant Health Agency

Eastbrook

Shaftesbury Road

Cambridge

CB2 8DR

Email: pvs.helpdesk@apha.gov.uk

3.5 TEST CENTRE

The DUS growing tests and assessments in this protocol are co-ordinated and carried out by the:

Vegetable DUS Test Centre

SASA

Roddinglaw Road

Edinburgh

Tel No 0131-244 8890

EH12 9FJ

Fax No 0131-244 8940

3.6 The Test Centre is responsible for providing the appropriate facilities.

4 Non-Compliance with the Protocol

4.1 Where the protocol uses the word “must” for any action then failure to carry out this action will result in non-compliance. Where non-compliance occurs or there are concerns regarding the validity of any data or tests this must be reported to APHA. Where this protocol uses the word “should” for any action this is the method to be followed unless there are clear reasons which can be justified by the Test Centre as technically sound.

5 Responsibility for GM Releases

5.1 GM Release Consent Holders are responsible for GM releases. All parties involved in DUS work operating under a GM Release Consent must adhere to the instructions of the Release Consent Holder, where necessary, to comply with the relevant consent conditions. Where DUS protocol non-compliance occurs, this must be reported to the consent holder and the Test Centre who will notify APHA.

6 Procedures for GM Varieties

- 6.1 Applicants intending to enter GM candidates must consult APHA well in advance of their application, about specific requirements under GM regulations.
- 6.2 The Test Centre must ensure that no test or trial sites are planted with GM candidates and/or varieties until APHA has given the specific clearances.

7 Associated Documents

- 7.1 The following documents are associated with this protocol:

Reference	Title
UPOV TGI/1/3	General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonised Descriptions of New Varieties of Plants 19.04.2002.
UPOV TGP/8/4	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability. 01.11.2019
UPOV TGP/9/2	Examining Distinctness. 29.10.2015
UPOV TGP/10/2	Examining Uniformity. 01.11.2019
GB and NI National List	The Seeds (National Lists of Varieties) Regulations 2001 (as amended) and The Seeds (Variety Lists) Regulations (Northern Ireland) 2020.
Plant Varieties Act 1997	Plant Breeders' Rights Regulations 1998 and Plant Varieties Act 1997
Plant Breeders' Rights 2019	The Plant Breeders' Rights (Amendment etc.) (EU Exit) Regulations 2019 as amended by The Animal Health, Invasive Alien Species, Plant Breeders' Rights and Seeds (Amendment etc.) (EU Exit) Regulations 2019 and The Plant Breeders' Rights (Amendment) (EU Exit) Regulations 2020

Section B - Application Requirements

1 Purpose

1.1 The purpose of this section is to identify the specific requirements for Variety Listing and/or Plant Breeders' Rights applications, as appropriate.

2 Scope

2.1 These procedures apply to all applications.

3 Responsibilities

3.1 The applicants are responsible for ensuring that these procedures are complied with.

4 Receipt of Applications

4.1 The latest date for receipt of applications Variety Listing and/or Plant Breeders' Rights which is set administratively by APHA, is stated on the GOV website <https://www.gov.uk/national-lists-of-agricultural-and-vegetable-crops>

Applications received after this date may be considered for inclusion in the current year's tests and trials on a case-by-case basis.

4.2 The procedures for the submission of Variety Listing and Plant Breeders' Rights applications, Technical Questionnaires (TQ) and for payment of administrative feest can be obtained from APHA PVS at the address shown in Section A or on the GOV.UK website at <https://www.gov.uk/national-lists-of-agricultural-and-vegetable-crops>

4.3 Applicants should note in the TQ submitted with the application, any additional characteristics which may require examinations trial are listed in the DUS characteristics section D, 5.2 or 5.3 (an additional fee may be required)

5 Receipt of Seed or Plant Material

5.1 The latest date for receipt of seed is stated in the Seed Gazette and is set administratively by APHA. Seed submissions received after this date will normally be refused. Instructions for the delivery of seed will be made available to applicants by APHA <https://www.gov.uk/national-lists-of-agricultural-and-vegetable-crops>

6 Seed Quality Requirements

6.1 Germination and Purity

Minimum germination 75%

Minimum purity 95%

Maximum of other crop species

(% by weight) 1.0

Health

Free from serious pests and diseases

Condition

Unpelleted and free from any chemical treatment

The seed must not be chemically treated. Seed treatment, where appropriate, will be undertaken by the Test Centre. The chemicals applied and rates of application will be determined by the Test Centre.

7 Seed Quantity

7.1 1st Test Cycle

3g or 10 g

7.2 2nd Test Cycle

7g if 3g was provided in the first test cycle

No seed if 10g was provided in the first test cycle

Where a second sample has been provided, it will be authenticated against the original submission. An additional charge will be applied.

7.3 Shortfall in Seed Quantities

Where insufficient seeds are available in the first instance a further stock must be supplied in the following year which will be authenticated against the original submission. An additional charge may be applied. This must be agreed in advanced with APHA and the test centre.

8 Plant Material Requirements

8.1 Quantity

70 rooted plants at 4 – 7 node stage of development

8.2 Health and Condition

Free of pests, disease and without fertiliser or chemical treatment

9 Labelling Requirements, Including Provisions for GM Varieties

9.1 Applicants **must** clearly label their seed or plant material with the following information:

- Applicant
- AFP number (if known)
- Breeder's Reference number or name
- Quantity of seed or rooted plants

9.2 All packages of GM material must be clearly labelled as "GMO" or "Genetically Modified Organism".

Section C – Growing Test Procedures

1 Purpose

1.1 The purpose of this section is to provide details of the procedures used in the growing tests for DUS analysis.

2 Scope

2.1 These procedures apply to all varieties of Watercress (*Nasturtium officinale* W.T.Aiton, *Nasturtium microphyllum* Boenn. ex Rchb. and *Nasturtium xsterile* (Airy Shaw) Oefelein) and *Nasturtium* R. Br. hybrids.

3 Responsibilities

3.1 The Test Centre is responsible for conducting these procedures.

3.2 The Test Centre will be responsible for ensuring that no material supplied to them is used for any other purpose than the conduct of these procedures or the release of reference samples for authorised purposes. (See Section E7).

4 Reference Varieties

4.1 The principles governing the selection of reference varieties are set out in Appendix 1.

4.2 Seed of reference varieties will be supplied by the Test Centre.

5 Design of Tests

5.1 The DUS Test Centre is responsible for selecting a suitable site which should be on ground that has normally not had a Cruciferous crop in the previous five years but may be less where the risk is negligible.

5.2 Field husbandry should follow best local practice for all operations and particularly as regards cultivation, drilling, transplanting, fertiliser and spray application, use of irrigation, and control of weeds, pests and diseases.

5.3 The minimum duration of tests should normally be two independent growing cycles. Additional growing cycles may be approved by the National List and Seeds Committee (NLSC).

5.4 From information given in the TQ the candidate variety may be grown in plots and compared with varieties which are in the same classification for the following characters:

Grouping characters:

Foliage: attitude and length of uppermost petioles (characteristic 9)

Leaf: colour in spring and autumn (characteristic 12)

Leaf: colour in autumn and winter (characteristic 14)

Inflorescence date: tendency to flower in summer (characteristic 21)

Siliqua: length (characteristic 24)

Siliqua: arrangement of seed rows (characteristic 27)

Siliqua: tendency to set seed (Characteristic 28)

5.5 Varieties known to be clearly different from the candidate on any other discontinuous or continuous characteristic may be excluded from the trial. If this exclusion is based on a characteristic which is not listed in Section D 5.1, approval by the NLSC must be sought. See Section F for further information on additional characteristics.

5.56 The tests are carried out using a grouped design, with a plot of each candidate variety present in each replicate as follows:

Number of replications	2
Number of rows per plot	5
Spacing between rows	0.30 m
Plot length	1.5 m
Number of plants per replicate	30
Plant spacing	0.30 m

Groups are randomised and varieties are randomised within groups.

The trial is grown in a polytunnel. Supplementary material is grown outside to assess character 14, leaf, colour in autumn and winter and in the glasshouse to assess foliage measurements.

5.7 Seed is sown or alternatively plant material is transplanted in the glasshouse between early and mid-April. Plants are transplanted between mid-April and mid-May according to a plan produced by the Test Centre. Varieties are coded by the Test Centre.

5.8 Any candidate with distinctness problems in the first test cycle may be grown side by side with their close controls in the second or third test cycles.

5.9 Recordings are taken on each trial approximately 3 - 4 weeks after sowing or vegetative cuttings are taken until harvest maturity stage. Characters recorded are listed in Section D.

6 Records and Recording

6.1 All records and plot data should be in a form determined and validated by the Test Centre.

6.2 Characters, recording details and instructions are given in Section D. Any variant and abnormal plants or plants resulting from an adverse reaction to husbandry practice are recorded but excluded from analysis.

6.3 In the first test cycle, characters, as indicated in Section D 5.2, are recorded on all candidates and their close controls. The data for measured characters are analysed and used to determine the most similar reference varieties and assess uniformity of the candidate. (For details see Section G).

6.4 In the second test cycle, characters, as indicated in Section D 5.2, are recorded on all candidates and their close controls. The data for measured characters are analysed and, together with those from the first test cycle, used to determine the most similar reference varieties and assess uniformity of the candidate. (For details see Section G).

6.5 If a third test cycle is necessary, characters, as indicated in Section D 5.2, are recorded on all candidates and their close controls. The data for measured characters are analysed and, together with those from the first and second test cycles, are used to determine the most similar reference varieties and assess the uniformity of the candidate. (For details see Section G).

6.6 If the Test Centre notices unusual or novel characters in a candidate, a note may be made of these at any time and a photographic record made.

7 Communication with the Applicant

7.1 The Test Centre will notify the applicant or the agent of any DUS problems at the earliest practical opportunity as they arise during the test. All such notifications must be copied to APHA.

7.2 In the case of distinctness problems, if confidentiality considerations allow, the applicant should be informed which variety is similar and be invited to submit any information which may help to distinguish them.

7.3 If DUS problems arise, applicants will be invited to visit the DUS tests by arrangement so that the material can be examined (if appropriate), and discussions held with the Test Centre.

7.4 After each test cycle the results are summarised and reported to the applicant and APHA by the Test Centre .

Section D - Summary of DUS Characteristics to be Assessed, Method of Assessment and Standards Applied

1 Purpose

1.1 The purpose of this section is to summarise the characteristics to be assessed.

2 Scope

2.1 This section summarises characteristics, states of expression, methods of observation and standards required for DUS assessment.

3 Responsibilities

3.1 The Test Centre is responsible for co-ordinating the procedures in this summary of characteristics.

4 Organisation

4.1 The minimum duration of tests to assess characteristics is normally two independent growing cycles. Shorter periods may be applied for assessment of additional characteristics. Additional growing cycles may be approved by the NLSC.

5 DUS Characteristics to be Assessed

Routine Characteristics

The following table summarises the DUS characteristics to be routinely examined.

Note:

* a characteristic which must be examined according to UPOV Guidelines.

G a grouping characteristic

Type of observation of characteristics:

MG Single measurement of a group of plants or parts of plants

MS Measurement of a number of individual plants or parts of plants

VG Visual assessment by a single observation of a group of plants or parts of plants

VS Visual assessment by observation of individual plants or parts of plants

Number of plants or sample size for assessment

5.2 Watercress Characteristics Routinely Recorded in DUS Tests

UPOV	UK	Character	Material examined	Number of plants or sample size for assessment	Method of assessment and recording	States of expression	D Method and Minimum distance required	U Method and Standard applied
N/A	01 QN VG (a)	Plant: height	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = short 5 = medium 7 = tall	Clear visual difference or 2 states	Visual Assessment
N/A	02 QN VG (b)	Plant: habit	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = erect 3 = semi-erect 5 = prostrate	Clear visual difference or 2 states	Visual Assessment
N/A	03 QN VG (a)	Stem: internode length	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = short 5 = medium 7 = long	Clear visual difference or 2 states	Visual Assessment
N/A	04 QN VG (a)	Stem: intensity of anthocyanin	DUS plot	At least 60, plants in total from 2 replicates	Visual observation or visual score	3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment
N/A	05 QN VG (a)	Stem: development of axillary branching	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment

UPOV	UK	Character	Material examined	Number of plants or sample size for assessment	Method of assessment and recording	States of expression	D Method and Minimum distance required	U Method and Standard applied
N/A	06 QN VG (a)	Stem: development of adventitious roots	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment
N/A	07 QN VG (a)	Stem: hairiness	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = absent or very weak 3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment
N/A	08 QN VG (a)	Foliage: glossiness	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment
N/A	09 G QN VG (a)	Foliage: attitude and length of uppermost petioles	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = erect and short 2 = semi-erect and long	Clear visual difference	Visual Assessment
N/A	10 QN VG (a)	Foliage: canopy density	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment

UPOV	UK	Character	Material examined	Number of plants or sample size for assessment	Method of assessment and recording	States of expression	D Method and Minimum distance required	U Method and Standard applied
N/A	11 QN VG (a)	Leaf: profile of upper side of terminal leaflet	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = convex 5 = plane 7 = concave	Clear visual difference or 2 states	Visual Assessment
N/A	12 G QL VG (a)	Leaf: colour in spring and autumn	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = green 2 = greyish-purple 3 = variegated (green and creamy white)	Clear visual difference	Visual Assessment
N/A	13 QN VG (a)	Leaf: intensity of colour in spring and autumn	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment
N/A	14 G QL VG	Leaf: colour in autumn and winter	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = green or greyish-purple 2 = purplish-brown	Clear visual difference	Visual Assessment
N/A	15 QN MS (d)	Leaf: length	Single plants	At least 30 plants in total from 2 replicates	Measurement of a sample of single plants	3 = short 5 = medium 7 = long	COYD @ 5%	COYU@0.1%
N/A	16 QN MS (d)	Leaf: width	Single plants	At least 30 plants in total from 2 replicates	Measurement of a sample of single plants	3 = narrow 5 = medium 7 = broad	COYD @ 5%	COYU@0.1%

UPOV	UK	Character	Material examined	Number of plants or sample size for assessment	Method of assessment and recording	States of expression	D Method and Minimum distance required	U Method and Standard applied
N/A	17 QN MS (d)	Leaf: area	Single plants	At least 30 plants in total from 2 replicates	Measurement of a sample of single plants	3 = small 5 = medium 7 = large	COYD @ 5%	COYU@0.1%
N/A	18 QN MS (d)	Leaf: length of terminal leaflet	Single plants	At least 30 plants in total from 2 replicates	Measurement of a sample of single plants	3 = short 5 = medium 7 = long	COYD @ 5%	COYU@0.1%
N/A	19 QN MS (d)	Leaf: width of terminal leaflet	Single plants	At least 30 plants in total from 2 replicates	Measurement of a sample of single plants	3 = narrow 5 = medium 7 = broad	COYD @ 5%	COYU@0.1%
N/A	20 QN MS (d)	Petiole: length from axil to first leaflet	Single plants	At least 30 plants in total from 2 replicates	Measurement of a sample of single plants	3 = short 5 = medium 7 = long	COYD @ 5%	COYU@0.1%
N/A	21 G QN VG	Plant: tendency to flower in summer	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = absent or very weak 3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment
N/A	22 QN MG	Plant: time of beginning of flowering	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = early 5 = medium 7 = late	Clear visual difference or 2 states	Visual Assessment

UPOV	UK	Character	Material examined	Number of plants or sample size for assessment	Method of assessment and recording	States of expression	D Method and Minimum distance required	U Method and Standard applied
N/A	23 QN VG	Plant: frequency of flowering	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = absent or very low 3 = low 5 = medium 7 = high 9 = very high	Clear visual difference or 2 states	Visual Assessment
N/A	24 G QN VG/M S (c)	Siliqua: length	DUS plot or Single plants	At least 60, or 30, plants in total from 2 replicates	Visual observation or visual score or Measurement of a sample of single plants	3 = short 5 = medium 7 = long	Clear visual difference or 2 states or COYD @ 5% for both 2 and 3 year tests	Off-type standard and Uniformity score >5 or COYU@0.1% for both 2 and 3 year tests
N/A	25 QN VG/M S (c)	Siliqua: width	DUS plot or Single plants	At least 60, or 30, plants in total from 2 replicates	Visual observation or visual score or Measurement of a sample of single plants	3 = narrow 5 = medium 7 = broad	Clear visual difference or 2 states or COYD @ 5%	Visual Assessment Or for measured samples COYU@0.1%
N/A	26 QN VG/M S (c)	Peduncle: length	DUS plot or Single plants	At least 60, or 30, plants in total from 2 replicates	Visual observation or visual score or Measurement of a sample of single plants	3 = short 5 = medium 7 = long	Clear visual difference or 2 states or COYD @ 5%	Visual Assessment Or for measured samples COYU@0.1%

UPOV	UK	Character	Material examined	Number of plants or sample size for assessment	Method of assessment and recording	States of expression	D Method and Minimum distance required	U Method and Standard applied
N/A	27 G QL VG (c)	Siliqua: arrangement of seed in rows	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = uniseriate 2 = biseriate	Clear visual difference	Visual Assessment
N/A	28 G QN MG (c)	Siliqua: tendency to set seed	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	1 = absent or very weak 3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment
N/A	29 QN VG	Dry harvest seed: surface reticulation	DUS plot	At least 60 plants in total from 2 replicates	Visual observation or visual score	3 = weak 5 = medium 7 = strong	Clear visual difference or 2 states	Visual Assessment

Growth stages for recording characteristics indicated with character numbers in the table above

- (a) Observations should be made before flowering when leaves are fully developed.
- (b) Observations should be made on fully developed, fresh flowers.
- (c) Observations should be made on fully developed pods at early stages of senescence.
- (d) Observations should be made before flowering when leaves are fully developed, on plants with excised axillary branches.

5.3 Previously Approved Characteristics Not Routinely Recorded in DUS Tests

The following table summarises the additional characteristics which have been approved by the NLSC and can be examined at the request of the applicant where necessary to establish Distinctness. A fee may be charged for examination of these characteristics as advised by APHA, Plant Varieties and Seeds.

UPOV	UK	Character	Material examined	Number of plants or sample size for assessment	Method of assessment and recording	States of expression	D Method and Minimum distance required	U Method and Standard applied
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

5.4 New Additional DUS Characteristics

Applicants can suggest new additional characters on the TQ for testing DUS or after notification by the DUS Test Centre of distinctness problems. (For procedures see Section F).

Section E - Reference Stock Maintenance

1 Purpose

1.1. This section sets out the procedures for reference seed stock maintenance and VCU seed stock authentication (if applicable).

2 Scope

2.1 These procedures apply to all reference collection varieties.

3 Responsibilities

3.1 The Test Centre is responsible for conducting these procedures.

4 Procedures for Reference Seed Stock Maintenance

4.1 The seed sample submitted with the successful or pending application is considered to be the definitive stock of the variety. Subject to meeting the required quality standards a small portion of the seed is sown for observation and measurement. The remainder is stored under controlled and monitored storage conditions as part of the official reference collection.

4.2 If during the normal tests there is any evidence that a seed stock is deteriorating in storage, or that stocks have low quantity, a request will be made to the maintainer asking for a replacement stock of the variety. This replacement stock must be authenticated, by comparing plots established from the replacement seed with that of the definitive seed, over a maximum of two test cycles.

4.3 Plots will be established from any replacement reference seed sample to be authenticated and compared visually with the definitive seed over a maximum of two test cycles. Plots must be examined through all stages of growth and development. If the new seed sample cannot be visually distinguished from the existing definitive seed, it will be accepted as representing the variety. It will then be considered as the definitive seed and substituted for the existing seed in the reference collection. These procedures may be modified, where, in the opinion of the technical officer, differences are the result of environmental or cultural factors.

4.4 In the event of the replacement sample not meeting the required acceptance standards set out in 4.3, an additional replacement sample will be requested. Plots will be established from any additional replacement seed sample and compared over a maximum of two test cycles. If the additional replacement sample does not meet the standards, APHA will be informed, and the variety will be deleted from the reference collection.

5 Procedures for the Inclusion of New Common Knowledge Varieties into the Reference Collection

5.1 When a new variety enters into common knowledge, it must be included in the reference collection if seed is available. A request will be sent by the Test Centre to the maintainer of the variety and an official description will be requested from the Testing Authority which registered the variety. If an official description is provided, seed received will be assumed to be definitive if the seed conforms to the official description. Small differences in the expression of quantitative characteristics are likely to be the result of recording in a different environment and will be considered as conforming to the description. If no official description is available, seed will be assumed to be definitive.

5.2 If the seed does not conform to the official description, a request for definitive seed will be sent to the Testing Authority that added the variety to its Variety List or granted Plant Breeders' Rights. This seed will then be used to validate the sample of seed from the maintainer. The standards for this validation will be as for authentication of replacement (see E4).

6 Release of Reference Samples for Authorised Purposes

6.1 Seed of reference samples can be supplied by the Test Centre, on request, to UK and UPOV DUS Testing Authorities and UK and OECD Seed Certification Agencies, provided the recipient is notified in writing that this material, or any material derived from it, must not be supplied to a third party or used for any other purpose than as a reference for official DUS testing or seed certification.

6.2 Provision of reference samples, other than in 6.1, to any other parties must be authorised by APHA.

Section F- Procedures for Assessment of New Additional DUS Characters

1 Purpose

1.1 This section sets out the procedures for assessment of new additional DUS characters for varieties of Watercress entered for Variety Listing and/or Plant Breeders Rights trials.

2 Scope

2.1 These procedures apply to applications where new additional DUS characteristics which have not been previously approved by the NLSC are requested for use in the examination of DUS.

3 Responsibilities

3.1 The Test Centre is responsible for liaising with the applicant to produce a proposed procedure for the conduct of new tests. This procedure must ensure that Distinctness, Uniformity and Stability will be met.

3.2 All new additional characteristics must be authorised by the NLSC.

4 Reference Varieties

4.1 The reference varieties will include only those varieties from which the candidate variety is not distinct, as well as other varieties for control purposes.

4.2 Seed of reference varieties will be supplied by the Test Centre.

5 Procedures

5.1 Details of the proposed special test or assessments will be submitted to the NLSC to consider the feasibility of setting up a test acceptable to the UK Authorities. The applicant will be advised by APHA of arrangements and costs.

5.2 The NLSC will consider the results of the commissioned test or trial when reaching its recommendation on the granting of Plant Breeders' Rights and/or Variety Listing.

Where the test for a character is approved by the NLSC it should be subsequently listed in Section D 5.2 or 5.3 as appropriate.

Section G - Procedures for DUS Decisions

1 Purpose

1.1 This section sets out the standards used to assess distinctness, uniformity and stability of varieties of Watercress.

2 Scope

2.1 These procedures apply to all varieties of Watercress (*Nasturtium officinale* W.T.Aiton, *Nasturtium microphyllum* Boenn. ex Rchb. and *Nasturtium xsterile* (Airy Shaw) Oefelein) and *Nasturtium* R. Br. Hybrids) entered for Variety Listing and/or Plant Breeders' Rights test and those being tested for Foreign Authorities.

3 Responsibilities

3.1 The Test Centre is responsible for applying the criteria for DUS, set out in this procedure.

3.2 The Test Centre is responsible for producing the DUS reports in accordance with these procedures and for ensuring that they are in accordance with UPOV guidelines.

4 Reference Varieties

4.1 Appendix I sets out which varieties are considered as reference varieties for these procedures.

5 Distinctness

5.1 Distinctness is normally assessed in two independent test cycles, but a candidate variety could be considered to be distinct after one test cycle if there are no similar varieties. A third independent test cycle may be undertaken if distinctness is not established after two test cycles.

5.2 In accordance with associated document UPOV TG/1/3 varieties can be considered distinct where they have a different expression in a grouping character.

5.3 The distinctness standard applied for qualitative characters is a difference of one state, unless otherwise indicated in Section D. For pseudo-qualitative characters the distinctive standard is a difference of 1, 2 or 3 states depending on the characteristic.

- 5.4 If a candidate is clearly different in a visually assessed quantitative character it is considered to be distinct without the need for a repeated observation.
- 5.5 Where varieties are grown in close proximity under the same conditions, and a direct comparison can be made, a candidate is considered to be distinct if a clear visual difference is observed in a quantitative character.
- 5.6 Where varieties are not grown in close proximity, a candidate is considered to be distinct if a difference of at least two states (see table in section D 5.1 and 5.2) is recorded in a visually observed quantitative character.
- 5.7 The standard for measured or counted quantitative characters, is, at least, a 5% ($P=0.05$) significant difference in one character over two or three test cycles in a Combined Over Years Distinctness (COYD) analysis. Please see associated document UPOV TGP/8/1 for details.
- 5.8 Where COYD cannot be applied, alternative methods should be considered.
- 5.8.1 When the number of varieties grown does not provide sufficient degrees of freedom for use of the standard COYD analysis, alternative methods should be adopted. If there is sufficient historical data (at least 5 years and sufficient degrees of freedom) then the long term LSD is applied. This LSD is calculated using up to 10 years of the most recent data. If there is insufficient historical data, the 2 x 1% method should be used.
- 5.8.2 Where the candidate has a full complement of data for two test cycles, but there is only data for control varieties for one test cycle, the use of FITC (Fitted Constant program in DUST) may be applied. This situation may arise due to the loss of plant material within plots in any one year or where suitable control varieties were not grown in both test cycles. The standard applied for Distinctness in such cases is $P=0.01$.

6 Uniformity

- 6.1 Uniformity is assessed for all characteristics used to establish Distinctness.
- Uniformity based on the assessment of 'Off-types'
- 6.2 The assessment of Off-types is undertaken in both test cycles and the total number of 'off-types combined should not exceed the number allowed using the population standards.
- 6.3 Off-type plants in the glasshouse or field are identified and marked for exclusion from recording.
- 6.4 For cross-pollinated varieties and hybrid varieties (excluding single cross hybrids) relative uniformity standards are applied.

6.5 In vegetatively propagated varieties and single cross hybrids, a population standard of 1% with an acceptance probability of at least 95% should be applied. In a population of 60 plants, 2 off-types are allowed.

6.6 After the variants have been excluded, the characteristics listed in Section D 5 are used to assess the uniformity of the remaining plants, according to the methods described.

Uniformity based on the assessment of general variation where no measurements are recorded:

6.7 Uniformity of continuous variation is visually assessed according to the following scale:

Score 1-5 unacceptable (1 is worst)

Score 6-9 acceptable (9 is best)

A candidate with a visual uniformity score of 6 or more is satisfactory.

Uniformity based on the assessment of general variation where measurements are recorded:

6.8 Provided a variety meets the off-type standard, it can be considered sufficiently uniform after two, or three, test cycles if, for all measured characters necessary for distinctness, the Combined Over Years Uniformity (COYU) is not significantly greater than that of the reference varieties at the 0.1% ($P=0.001$) significance level. In all cases an examination of data from individual test cycles is carried out to investigate the uniformity problem indicated by the COYU result. Decisions on whether any outlier plants (off-types) identified by data analysis should be excluded from the calculation of variety means and standard deviations, should be taken by the Test Centre.

7 Stability

7.1 A variety is considered sufficiently stable when there is no evidence to indicate that it lacks uniformity or fails to conform to the essential characteristics of its description in different submissions or in different tests.

8 DUS Report and Variety Description

8.1 Upon completion of the DUS examination the DUS Summary report will be submitted to APHA by the specified date and will be discussed at the relevant DUS Test Centre Meeting. This report will specify all non-routine characteristics used for establishing distinctness.

8.2 The final DUS report, including the full variety description, for positive reports will be submitted to APHA by the specified date. .

9 Special Tests Available

9.1 Special tests potentially available upon request to the DUS Test Centre.

Appendix 1 – Reference Collection Varieties

1 Variety Listing and Plant Breeders Rights

1.1 The DUS reference collection, for any given category of plant variety comprises the following at the time when the application for the candidate is made:

1.2 All other candidate varieties already in DUS test in the UK or entering testing at the same time as the candidate.

1.3 All varieties with UK PBR.

1.4 All varieties on the OECD variety list that are listed by countries with comparable climatic conditions to the UK.

1.5 All varieties protected under National PBR (UPOV contracting parties) with comparable climatic conditions to the UK

1.6 Any varieties nominated by the applicant as being comparable i.e., known to be similar.

1.7 Any other varieties considered to be comparable i.e., known to be similar by the appropriate Test Centre or DUS Centre Group.

1.8 Other available comparable varieties in common knowledge.



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The Animal and Plant Health Agency (APHA) is an executive agency of the Department for Environment, Food & Rural Affairs, and also works on behalf of the Scottish Government and Welsh Government.