



CPVO • OCVV

Community Plant Variety Office
Office Communautaire des Variétés Végétales

ADMINISTRATIVE COUNCIL OF THE CPVO

Angers, 30 September and 1st October 2015

Main conclusions

I. Adoption of the draft minutes of the meeting of 10 and 11 March 2015 (Doc-AC/15/02/03)

The AC members adopted the draft minutes of 10 and 11 March 2015 with the modifications from Commission.

II. President's report (Doc-AC/15/02/04)

The AC members took note of the report and its statistics.

III. Confidential: Contract of the President of the CPVO and contract of the alternate to the Chairperson of the Board of Appeal (Doc-AC/14/02/05)

Restricted to AC members.

IV. CPVO Financial Regulation and implementing rules (Doc-AC/14/02/06 + 5 annexes)

The AC members adopted the CPVO revised Financial Regulation and Implementing Rules.

V. Adoption of CPVO draft budget 2016 (Doc-AC/14/02/07 + annex)

The AC members adopted the CPVO draft budget for 2016.

VI. Follow-up of the Patent / PVR Seminar (Doc-AC/14/02/08)

The AC members asked the CPVO to organize a seminar on Patent/PVRs interface in 2017. Meanwhile the CPVO should continue the discussions with EPO and follow-up the outcome of previous seminar. An update should be provided at next AC meeting with a proposal on objectives for next seminar.

VII. Outside activities of the President (Doc-AC/15/02/09 + annex)

The AC members adopted the decision that the proposed two activities (update of a book co-authored by Mr. Ekvad and an unpaid role as member of the International Advisory Board of the Ecole supérieure des sciences commerciales d'Angers (ESSCA)) were entirely appropriate.

VIII. Observers to the AC, to annual examination offices and technical meetings (Doc-AC/15/02/10 + 3 annexes)

As regards admission of observers to AC meetings, the AC members decided not to amend the current rules on observership. A letter, signed by the Chairperson of the AC, shall be sent to AIPH summarizing the outcome of the discussions in the AC.

As regards admission of observers the CPVO annual Examination Office and technical expert meetings, the AC members adopted the AC decision on Admission of observers to the CPVO Annual examination and Technical expert meetings as amended (changes presented on the screen during the meeting and adopted).

IX. Development of the VarietyFinder (Doc-AC/15/02/11)

The AC members agreed on the creation of an ad-hoc working group to define the scope of possible developments of the Variety Finder. Persons interested to participate should contact the CPVO **by end October**. The first meeting is foreseen early 2016.

X. Variety denominations – Launch Working Group in order to revise the Guidelines and the Explanatory Notes on Variety Denominations (Doc-AC/15/02/12)

The AC members agreed on the creation of the ad-hoc working group on the revision of the explanatory notes to the guidelines and the guidelines. CPVO will liaise with UPOV in order to find an efficient way to co-operate with UPOV in order to take into account a possible revision of the UPOV Explanatory Notes on variety denominations under the UPOV convention (Doc. UPOV/INF/12/4).

XI. Amendment of the policy on plant material submitted for DUS tests (Doc-AC/15/02/13 + annex)

The AC members adopted the "Policy on the Status of Plant Material Used for DUS Testing Purposes" as amended on the basis of the discussions (changes presented on the screen during the meeting and adopted).

XII CPVO policy on prevention and management of conflict of interest (Doc-AC/15/02/14 + annex)

The AC members adopted the policy on prevention and management of conflicts of interest.

XIII. CPVO Anti-Fraud Strategy (Doc-AC/15/02/15 + annex)

It was decided to postpone the adoption of the strategy. The CPVO will amend the strategy which would then be adopted either by written procedure or at next AC meeting.

XIV. CPVO guidelines on Whistleblowing (Doc-AC/15/01/16 + 3 annexes)

Item postponed

XV. Opinion on a proposal to amend the Commission Regulation N° 874/2009 (Doc-AC/15/01/17 + annex)

The AC members agreed with the principle of a revision of the Proceedings Regulation. The outcome of the discussions in the Standing Committee on PVRs would be shared with AC Members and observers in next AC meeting.

XVI. The use of disease resistance characteristics (DRCs) in CPVO vegetable Technical Protocols (Doc-AC/15/01/18)

The AC members agreed on the principle to establish a running in phase when adopting asterisked DRCs in vegetable CPVO TPs. The Commission will consult with its legal services on the running in period when CPVO protocols enter into force in the framework of the listing system.

XVII. Recommendations to entrust Examination Offices (Doc-AC/15/02/19)

The AC members had adopted the 8 recommendations presented by the Audit Team Leader for:

- ✓ Austria (BAES).
- ✓ Denmark (University of Aarhus).
- ✓ Finland (EVIRA).
- ✓ Italy (CRA-FRU).
- ✓ Ireland (Department of Agriculture Food and the Marine).
- ✓ Italy (CRA-SCS).
- ✓ Sweden (Swedish Board of Agriculture).
- ✓ Italy (CRA-VIT).

In the future, a document representing the respective intended scope of entrustment would systematically be attached to the recommendations provided to AC members and Observers (to avoid that information on scope changes only mentioned in the assessment report is not accessible to observers).

XVIII. Public access to documents held by OAS (Doc-AC/15/02/20)

The AC members adopted the revision of the Procedure Manual, including the comments from the Commission.

XIX. Adoption of revised entrustment requirements for examination offices (Doc-AC/15/02/21 + 3 annexes)

The AC members adopted the revised entrustment requirements, including modifications presented during the meeting.

XX. Adoption of a decision on the 5 CPVO committees (Doc-AC/15/02/22)

The AC members adopted the decision on the 5 CPVO committees for the period 01/01/2016-31/12/2020 with no debate.



XXI. Adoption of a list of Members of the Board of Appeal (Doc-AC/15/02/23 + 3 annexes)

The AC members adopted the proposed list of qualified members of the Board of Appeal for the period 23/02/2016-22/02/2021 without the 2 candidates on the list who had withdrawn their candidature. The final list is composed of 23 persons.

XXII. Adoption of a new procedure to adopt AC minutes (Doc-AC/15/02/24 + annex)

The AC members adopted the new procedure to adopt AC minutes with no debate.

XXIII. Approval of CPVO Technical Protocols for DUS testing (Doc-AC/15/02/25 + 10 annexes in English)

The AC members unanimously adopted the 7 revised protocols for:

- ✓ CPVO-TP/016/3 Rev. *Oryza sativa* L.
- ✓ CPVO-TP/019/4 Rev *Hordeum vulgare* L. *sensu lato*
- ✓ CPVO-TP/020/2 Rev *Avena sativa* L., *Avena nuda* L.
- ✓ CPVO-TP/025/2 Rev *Dianthus* L.
- ✓ CPVO-TP/039/1 New *Festuca pratensis* Huds, *Festuca arundinacea* Schreb.
- ✓ CPVO-TP/109/1 Rev *Pelargonium grandiflorum*
- ✓ CPVO-TP/263/1 Rev *Buddleja* L.

XXIV. Adoption of amended rules on the appointment of Technical Liaison Officers (TLOs) (Doc-AC/15/02/26 + annex)

The AC members adopted the proposal of amended rules on the appointment of Technical Liaison Officers with the additional proposal from the Commission made during the meeting.

XXV. CPVO Work Program 2016 (Doc-AC/15/02/27 + annex)

The AC members took note of the information.

XXVI. Procedure to assess non-EU based examination offices before initiating technical co-operation (Doc-AC/15/02/28)

The AC members discussed and took note of the document. The subject would be considered in the framework of the Commission proposal to amend the Commission Regulation N° 874/2009 and in particular with the proposed changes to article 27 of that Regulation.

XXVII. Ad-Hoc Legal Working Group (Doc-AC/15/02/29 + 2 annexes)

The AC members took note of the report and agreed that the report would not be formally adopted. It would be made available on request with a cover note/disclaimer with background information and clear indication that it had been not adopted by the AC and that it reflects personal opinions. In addition, the AC acknowledged that the document could be of general interest and that some publicity should be created . A summary of the report could, for example, be published in the CPVO newsletter.

XXVIII. Presentation on the inter-institutional working group II (Doc-AC/15/02/30)

The AC members took note of the report and noted that is important for the AC members to be updated regularly on the issues discussed in that group.

XXIX. Working group on the Implementation of the use of Molecular Markers in DUS testing (IMODDUS) (Doc-AC/15/02/31a + annex)

The AC members took note of the information. Persons interested in attending the IMODDUS working group should send a request to the CPVO indicating their relevant experiences (experience in DUS testing and/or molecular markers in plant varieties necessary).

XXX. State of affairs of R&D projects (oral presentation)

The AC members took note of the information. The CPVO will continue to update the AC regularly on the state of affairs of R&D projects.

XXXI. Centralisation of DUS testing for small ornamental species (Doc-AC/15/02/32 + 2 annexes)

The AC members took note of the information.

