



**European Union  
Community Plant Variety Office**

**PROTOCOL FOR DISTINCTNESS, UNIFORMITY AND STABILITY TESTS**

*Euphorbia milii* Des Moul. & its hybrids

**CROWN OF THORNS**

**UPOV Species Code: EUPHO\_MIL**

**Adopted on 1<sup>st</sup> December 2005**

## **I - SUBJECT OF THE PROTOCOL**

The protocol describes the technical procedures to be followed in order to meet the requirement of Council Regulation 2100/94 on Community Plant Variety Rights. The technical procedures have been agreed by the Administrative Council and are based on general UPOV Document TG/1/3 and UPOV Guideline TG/91/3 dated 07/11/1984 for the conduct of tests for Distinctness, Uniformity and Stability. This protocol applies to all vegetatively propagated varieties of *Euphorbia milii* Des Moul. and its hybrids of the family *Euphorbiaceae*.

## **II - SUBMISSION OF PLANT MATERIAL**

1. The Community Plant Variety Office (CPVO) is responsible for informing the applicant of:

- the closing date for the receipt of plant material;
- the minimum amount and quality of plant material required;
- the examination office to which material is to be sent.

The applicant is responsible for ensuring compliance with any customs and plant health requirements.

2. Final dates for receipt of documentation and material by the Examination Office

The final dates for receipt of requests, technical questionnaires and the final date or submission period for plant material will be decided by the CPVO and each Examination Office chosen.

The Examination Office is responsible for immediately acknowledging the receipt of requests for testing, and technical questionnaires. If no or unsatisfactory plant material is submitted the CPVO should be informed as soon as possible.

3. Plant material requirements

Information with respect to closing dates and submission requirements of plant material for the technical examination of varieties can be found on the CPVO website ([www.cpvo.europa.eu](http://www.cpvo.europa.eu)) and in the special Issue S2 of the Official Gazette of the Office published yearly in the month of September.

Quality:..... The plant material supplied should be visibly healthy, not lacking in vigour or affected by any important pest or disease, especially virus.

The plant material must not have undergone any treatment unless the CPVO and the examination office allow or request such treatment. If it has been treated, full details of the treatment must be given

Labelling of sample: ..... - Species  
- File number of the application allocated by the CPVO  
- Breeder's reference  
- Examination reference (if known)  
- Name of applicant  
- The phrase "On request of the CPVO".

### **III - CONDUCT OF TESTS**

#### **1. Variety collection**

A variety collection will be maintained for the purpose of establishing distinctness of the candidate varieties in test. A variety collection may contain both living material and descriptive information. A variety will be included in a reference collection only if plant material is available to make a technical examination.

Pursuant to Article 7 of Council Regulation No. 2100/94, the basis for a collection should be the following:

- varieties listed or protected at the EU level or at least in one of the EEA Member States;
- varieties protected in other UPOV Member States;
- any other variety in common knowledge.

It is the responsibility of Examination Office to keep the variety collection up to date.

#### **2. Material to be examined**

Candidate varieties will be directly compared with other candidates for Community plant variety rights tested at the same Examination Office, and with appropriate varieties in the variety collection. When necessary an Examination Office may also include other candidates and varieties.

### 3. Characteristics to be used

The characteristics to be used in DUS tests and preparation of descriptions shall be those referred to in Annex 1. All the characteristics shall be used, providing that observation of a characteristic is not rendered impossible by the expression of any other characteristic, or the expression of a characteristic is prevented by the environmental conditions under which the test is conducted. In the later case, the CPVO should be informed. In addition the existence of some other regulation e.g. plant health, may make the observation of the characteristic impossible.

The Administrative Council empowers the President, in accordance with Article 23 of Commission Regulation N° 1239/95, to insert additional characteristics and their expressions in respect of a variety.

### 4. Grouping of varieties

The varieties and candidates to be compared will be divided into groups to facilitate the assessment of distinctness. Characteristics which are suitable for grouping purposes are those which are known from experience not to vary, or to vary only slightly, within a variety and which in their various states of expression are fairly evenly distributed throughout the collection. In the case of continuous grouping characteristics overlapping states of expression between adjacent groups is required to reduce the risks of incorrect allocation of candidates to groups. The characters used for grouping are the following:

- (a) Leaf: width (characteristic 10)
- (b) Cyatophyll: colour of upper side (characteristic CPVO 19- UPOV 21)

### 5. Trial designs and growing conditions

The minimum duration of tests will normally be one growing cycle if the results on distinctness and uniformity are conclusive. Tests will be carried out under conditions ensuring normal growth. The size of the plots will be such that plants or parts of plants may be removed for measuring and counting without prejudice to the observations which must be made up to the end of the growing period.

The test design is as follows:

As a minimum, each test should include a total of 15 plants. Separate plots for observation and for measuring can only be used if they have been subject to similar environmental conditions.

All observations on single plants for vegetatively propagated varieties determined by measurement or counting should be made on 10 plants or parts taken from each of 10 plants and any other observations should be made on all plants in the test.

All observations should be made at the time of full flowering.

The test should normally be conducted at one place.

The test should be carried out in the glasshouse, under conditions ensuring normal growth.

#### 6. Special tests

In accordance with Article 83(3) of Council Regulation No. 2100/94 an applicant may claim either in the Technical Questionnaire or during the test that a candidate has a characteristic which would be helpful in establishing distinctness. If such a claim is made and is supported by reliable technical data, a special test may be undertaken providing that a technically acceptable test procedure can be devised.

Special tests will be undertaken, with the agreement of the President of CPVO, where distinctness is unlikely to be shown using the characters listed in the protocol.

#### 7. Standards for decisions

##### **a) Distinctness**

A candidate variety will be considered to be distinct if it meets the requirements of Article 7 of Council Regulation No. 2100/94.

##### **b) Uniformity**

For the assessment of uniformity of vegetatively propagated varieties, a population standard of 1% with an acceptance probability of at least 95% should be applied.

For a sample size between 6 and 35 plants for vegetatively propagated varieties, only 1 off-type is allowed.

##### **c) Stability**

A candidate will be considered to be sufficiently stable when there is no evidence to indicate that it lacks uniformity.

## **IV - REPORTING OF RESULTS**

After each growing cycle the results will be summarised and reported to the CPVO in the form of a UPOV model interim report in which any problems will be indicated under the headings distinctness, uniformity and stability. Candidates may meet the DUS standards after one growing cycle but in some cases two or more growing cycles may be required. When tests are completed the results will be sent by the Examination

Office to the CPVO in the form of a UPOV model final report.

If it is considered that the candidate complies with the DUS standards, the final report will be accompanied by a variety description in the format recommended by UPOV. If not the reasons for failure and a summary of the test results will be included with the final report.

The CPVO must receive interim reports and final reports by the date agreed between the CPVO and the examination office.

Interim reports and final examination reports shall be signed by the responsible member of the staff of the Examination Office and shall expressly acknowledge the exclusive rights of disposal of CPVO.

## **V - LIAISON WITH THE APPLICANT**

If problems arise during the course of the test the CPVO should be informed immediately so that the information can be passed on to the applicant. Subject to prior agreement, the applicant may be directly informed at the same time as the CPVO particularly if a visit to the trial is advisable.

The interim report and final report shall be sent by the Examination Office to the CPVO.

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## ANNEXES TO FOLLOW

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## ANNEX II

Technical questionnaire

## ANNEX I TABLE OF CHARACTERISTICS

CPVO N°	UPOV N°	Characteristics	Examples	Note
1.	1.	<b>Plant: height (including inflorescences)</b>		
		short	Stirion	3
		medium	Stirella	5
		tall	Stiga	7
2.	2.	<b>Plant: width (excluding inflorescences)</b>		
		narrow	Stirion	3
		medium	Stirella	5
		broad	Stiga	7
3.	3.	<b>Plant: lateral shoots</b>		
		absent	Stisula	1
		present	Tasti	9
4.	4.	<b>Plant: number of lateral shoots</b>		
		few	Stirella	3
		medium	Stibu	5
		many	Tasti	7
5.	5.	<b>Plant: attitude of flowering shoot</b>		
		erect	Stiloga	3
		semi-erect	Stiga	5
		horizontal	Stirella	7



CPVO N°	UPOV N°	Characteristics	Examples	Note	
6.	6.	<b>Stem: thickness</b>	thin	3	
			medium	Stirella	5
			thick	Stiga	7
7.	7.	<b>Stem: disposition of spines</b>	solitary	1	
			grouped	Stiga	2
8.	8.	<b>Stem: length of longest spines</b>	short	Stisula	3
			medium	Stiga	5
			long		7
9.	9.	<b>Leaf: length</b>	short		3
			medium	Stisula, Tasti	5
			long		7
10.	10.	<b>Leaf: width</b>	narrow	Stibu	3
			medium	Stirella	5
			broad	Stiloga	7
11.	13.	<b>Leaf: colour of <u>upper</u> side</b>	light green		3
			medium green	Stirella	5
			dark green	Stirion	7
12.	14.	<b>Leaf: colour of <u>lower</u> side</b>	light green	Stirella	3
			medium green		5
			dark green		7

CPVO N°	UPOV N°	Characteristics	Examples	Note	
13.	15.	<b>Peduncle: length</b>	short	3	
			medium	Tasti	5
			long	Stirella	7
14.	16.	<b>Peduncle: colour</b>	green	Stisula	1
			red	Stibu, Tasti	2
15.	17.	<b>Peduncle: intensity of green colour</b>	light	Stirella	3
			medium	Stiga	5
			dark		7
16.	18.	<b>Inflorescence: number of levels of cyathia</b>	one or two		1
			three	Stibu, Stiga	2
			four	Stiloga, Stirella	3
			five		4
			more than five	Stisula	5
17.	19.	<b>Cyathophylls: overlapping</b>	absent	Stisula	1
			present	Stiga	9
18.	20.	<b>Cyathophyll: size</b>	small		3
			medium	Stirella	5
			large	Stiga	7

CPVO N°	UPOV N°	Characteristics	Examples	Note
19.	21.	<b>Cyathophyll: colour of <u>upper</u> side</b>	RHS Colour Chart (indicate reference number)	
20.	22.	<b>Cyathophyll: colour of <u>lower</u> side</b>	RHS Colour Chart (indicate reference number)	
21.	23.	<b>Cyathophyll: discoloration at the end of flowering</b>		
		absent or very weak		1
		weak	Stirion	3
		medium	Stisula	5
		strong		7
		very strong		9
22.	24.	<b>Cyathophyll: prominence of the midrib</b>		
		weak	Stiga	3
		medium	Stirella	5
		strong	Tasti	7

## **LITERATURE**

No specific literature.

## **ANNEX II**

The Technical Questionnaire is available on the CPVO website under the following reference:  
CPVO-TQ/091/1