

Procedure for the service of Rose DNA storage.

According to the AC decision in March 2016, as from 30/09/2016 the CPVO proposes to all rose applicants the possibility to have DNA of the official plant sample of candidate varieties stored in the laboratory of Naktuinbouw.

A question has been added in the rose TQ asking if the applicant would like to subscribe to this service. The question is compulsory and the answer is recorded in the CPVO database.

The CPVO will forward to the laboratory the list of varieties concerned by 28/02 at the latest (i.e. after closing dates for garden rose 30/09, cut rose 15/11, pot rose 15/02).

There will be a direct invoicing between the laboratory and the applicants/PR in order to be paid before the start of the leaves sampling (01/06).

The amount of the invoice has been defined by the laboratory: 50 €.

The invoice will cover:

- the sampling and sending (to be reimbursed by the laboratory to the EO which sampled the leaves)
- the DNA extraction
- the DNA storage until the end of the 5th year of protection at maximum
- the administration of the system

but will not cover a fingerprint or any other biomolecular analysis on the sample nor any additional storage cost (in case the applicant wishes to maintain the storage after the 5th year of protection). This should be agreed between applicant and the laboratory.

In case a DNA sample has been extracted and stored but the candidate is withdrawn or refused, or in case the protected variety is surrendered, the sample will be destroyed unless the holder requests otherwise.

The CPVO informs the relevant EOs about the lists of varieties to be sampled and sent to the laboratory according to the procedure already in place (annex A). In case an applicant did not pay for the service, the laboratory should inform the CPVO in order to modify the lists and CPVO will inform the relevant EO. Each EO should invoice directly the laboratory for the sampling of leaves and the sending's cost.

The ownership and access to the DNA is defined in the annex B of this procedure.

When all DNA extractions are done, it is proposed that the laboratory informs the applicant that a DNA sample is now stored and available to him according to the access rules.

In case an applicant/title holder requests to have access to the DNA, the laboratory will inform the CPVO in order to see if the person is entitled to do so.

For all candidates applied after 30/09/15 (garden roses), 15/11/15 (cutflowers), 15/02/16 (potplants), there is no automatic sampling anymore.

Annex A : Procedure of taking leaves for the DNA sampling of rose varieties

Annex B : Ownership of the Rosa L. DNA samples stored in the framework of the CPVO service

Procedure of taking leaves for the DNA sampling of rose varieties

1. The CPVO informs the examination office on the list of varieties to be sampled.
2. Samples shall be taken only for the concerned candidate varieties in trial.
3. Samples shall be taken at the same time.
4. Where there is more than one submission of plant material for a candidate, a leaf sample for each submission shall be taken and be sent to the lab but only the DNA sample coming from the material on which the variety description is prepared shall be kept.
5. Where the technical examination continues over more than one examination period with the same plants a leaf sample shall be taken only once.
6. The examination office follows the following instructions on sample taking, packing and method and time of sending as given by NAKTUINBOUW being the laboratory selected by the CPVO:

6.1 Condition of the material

Young, just unfolded leaves (example photo 1) shall be sampled from the first fresh growth following the first flowering. Young leaves contain less inhibiting compounds and are therefore preferred. Slightly older leaves (example in photo 3) contain larger amounts of inhibiting compounds that might hamper the DNA quality and quantity.

Photo 1: Leaves in good condition and suitable for sampling. Take care when leaves are very small that more material of each individual has to be sampled. Young leaves contain less inhibiting compounds.



Photo 2: Leaves too old and/or damaged. Not suitable for sampling



Photo 3: Leaves in good condition but contain large amount of inhibiting compounds.



6.2 Amount of leaves

Very young leaves of 6 individual plants (one leaf per plant or more when the leaves are very small) of each variety should be collected. The 6 leaves should have approximately the same size and should be packed together in a single plastic bag, labelled and sealed. The surface of each leaf should be approximately 2 cm² (giving in total 12 cm² of tissue); leaves should be in good shape and look healthy. Off-type plants must be excluded from the sampling. Where only 5 plants true to type are left only 5 leaves shall be collected. Where the variety has very small leaves 2 times 6 leaves shall be collected and sent in 2 separate bags.

6.3 Information on the samples

All plastic bags should be labelled and contain at least the following information:

- a) CPVO application number
- b) Breeder's reference
- c) Examination office's reference number

6.4 Sample conditioning and shipment

Directly after sampling the leaf material should be cooled (approximately 4°C); shipment should take place at the day of the sample taking.

The samples have to be shipped in cooled environment of about 4°C. The samples should not be frozen, therefore use cooling elements in an isolated box and send them by courier (following the courier's instructions) or by express parcel (24 hours service) to the following address:

Naktuinbouw
Research and Development
t.a.v. Dr. Hedwich Teunissen
Sotaweg 22
2371 GD Roelofarendsveen
The Netherlands

Samples must not be sent before a weekend or a public holiday. Please inform the laboratory by email when the samples are sent and when to expect the package.

contact details are:

h.teunissen@naktuinbouw.nl

+31-71-3326251



Annex B : Ownership of the Rosa L. DNA samples stored in the framework of the CPVO service

1. This procedure is not part of the official DUS examination but is a service proposed to the applicant/title holder.
2. The sample is kept on behalf of the applicant/title holder.
3. The stored sample will not be used for any purpose by the laboratory without authorization of the applicant/title holder.
4. In case a DNA sample has been extracted and stored but the candidate is withdrawn or refused, or in case the protected variety is surrendered the sample will be destroyed unless the holder requests otherwise. The CPVO would inform the laboratory accordingly.
5. Upon request, a DNA subsample may be made available to the holder of the Community plant variety rights, who may in an enforcement case wish to make use of the DNA sample of the material originally submitted as a tool in court proceedings. The request should be addressed to the laboratory, which will first seek for the confirmation of the CPVO on the entitlement before sending any subsample.
6. Upon request of the title holder, a DNA subsample but also a fingerprint or other biomolecular analysis would be made available and invoiced to the holder in sus of the invoice paid for the sampling and storage. Fingerprints obtained are owned by the holder.
7. The applicant can ask at any time to destroy or to receive back the complete DNA sample.
8. Access to the DNA sample to other parties will not be given unless the applicant /title holder has given his consent.

