



European Union
Community Plant Variety Office

PROTOCOL FOR DISTINCTNESS, UNIFORMITY AND STABILITY TESTS

Foeniculum vulgare Miller

FENNEL

UPOV Species Code: FOENI_VUL

Adopted on 25/03/2004

I SUBJECT OF THE PROTOCOL

The protocol describes the technical procedures to be followed in order to meet the 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/183/3 dated 04/04/2001 for the conduct of tests for Distinctness, Uniformity and Stability. This protocol applies to all varieties of *Foeniculum vulgare* Miller including varieties with grumolo (*Foeniculum vulgare* ssp. *vulgare* var. *azoricum* (Miller) Thell.) and medicinal / aromatic varieties (*Foeniculum vulgare* ssp. *vulgare* var. *dulce* (DC.) Battand. et Trabut).

II SUBMISSION OF SEED AND OTHER 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.

A sub-sample of the material submitted for test will be held in the variety collection as the definitive sample of the candidate variety.

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. Immediately after the closing date for the receipt of plant material the Examination Office should inform the CPVO whether acceptable plant material has been received or not. However if unsatisfactory plant material is submitted the CPVO should be informed as soon as possible.

3. Plant material requirements

The final dates for request for technical examination and sending of Technical Questionnaire by the CPVO as well as submission date of plant material by the applicant can be found in the S2 supplement of the CPVO Official Gazette and the CPVO website.

Quality of seed: Should not be less than the standards laid down for certified seed in Annex 2 of Council Directive 2002/55/EC.

Quality of plants: Should not be less than the standards laid down for plants in EC Directive 92/33 and implementing measures.

Seed Treatment: 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.

Special requirements: -

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"
- In the case of a split sample, the quantity of seed being submitted.

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 variety 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.

The composition of the variety collection in each Examination Office depends on the environmental conditions in which the Examination Office is located.

Variety collections will be held under conditions which ensure the long term maintenance of each accession. It is the responsibility of Examination Offices to replace reference material which has deteriorated or become depleted. Replacement material can only be introduced if appropriate tests confirm conformity with the existing reference material. If any difficulties arise for the replacement of reference material Examination Offices must inform the CPVO. If authentic plant material of a variety cannot be supplied to an Examination Office the variety will be removed from the variety collection.

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. Examination Offices should therefore make efforts to co-ordinate the work with other Offices involved in DUS testing of fennel. There should be at least an exchange of technical questionnaires for each candidate variety, and during the test period, Examination Offices should notify each other and the CPVO of candidate varieties which are likely to present problems in establishing distinctness. In order to solve particular problems Examination Offices may exchange plant material.

3. Characteristics to be used

The characteristics to be used in DUS tests and preparation of descriptions shall be those referred to in the Annex 2. 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 latter 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 characteristics which may be used for grouping are the following:

- (a) Plant: grumolo formation (characteristic 10)
- (b) Only varieties with grumolo: bolting tendency (characteristic 21)
- (c) Male sterility (characteristic 22)

5. Trial designs and growing conditions

The minimum duration of tests will normally be two independent growing cycles. 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 60 plants which should be divided between two or more replicates.

All observations determined by measurements or counting should be made on 20 plants or parts of 20 plants.

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 open-pollinated varieties, relative uniformity standards should be used.

For the assessment of uniformity of hybrid varieties a population standard of 2% with an acceptance probability of at least 95% should be applied to off-types excluding clearly recognisable inbred plants

Table of maximum numbers of off-types allowed for uniformity standards in hybrid varieties.

Number of plants	off-types allowed
6-18	1
19-41	2
42-69	3
70-99	4

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 recording season 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 two growing periods but in some cases three growing periods 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 as well as the final report shall be sent by the Examination Office to the CPVO.

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Technical Questionnaire

ANNEX I

TABLE OF CHARACTERISTICS TO BE USED IN DUS-TEST AND PREPARATION OF DESCRIPTIONS

CPVO N°	UPOV N°	Characteristics	Examples	Note
1.	1.	Young plant: length of cotyledons		
		short	Foenimed	3
		medium	Chumen	5
		long	Magnafena	7
2.	2.	Young plant: length of petiole of first leaf		
		short	Foenimed	3
		medium		5
		long	Berfena, Magnafena	7
3.	3.	<u>Only varieties with grumolo:</u> Plant: height at harvest maturity		
		short	Miniro	3
		medium	Fino	5
		tall	Genio	7
4.	4.	Foliage: attitude		
		erect	Genio	1
		semi-erect	Fino	3
		horizontal		5
5.	5.	Foliage: density		
		sparse	Albaro	3
		medium	Fino	5
		dense	Carmo, Genio, Sirio	7

CPVO N°	UPOV N°	Characteristics	Examples	Note
6.	6.	Foliage: intensity of green colour		
		very light	Pontino	1
		light	Latina	3
		medium	Fino	5
		dark	Rondo	7
		very dark	Amigo	9
7.	7.	Main stem: height at flowering		
		short	Foenimed	3
		medium	Genio	5
		tall		7
8.	8.	Leaf: length		
		short	Miniro	3
		medium	Fino	5
		long	Orion	7
9.	9.	Leaf: curvature of tip		
		absent	Rondo	1
		weakly expressed	Fino	2
		strongly expressed	Atos	3
10.	10.	Plant: grumolo formation		
		absent	Berfena	1
G		present	Fino	9
11.	11.	<u>Only varieties with grumolo:</u> Grumolo: height		
		short	Miniro	3
		medium	Fino	5
		tall	Sirio	7

CPVO N°	UPOV N°	Characteristics	Examples	Note
12.	12.	<u>Only varieties with grumolo:</u> Grumolo: width		
		narrow		3
		medium	Fino	5
		broad		7
13.	13.	<u>Only varieties with grumolo:</u> Grumolo: ratio height/width		
		small		3
		medium	Fino	5
		large		7
14.	14.	<u>Only varieties with grumolo:</u> Grumolo: thickness		
		thin		3
		medium	Fino	5
		thick	Mars	7
15.	15.	<u>Only varieties with grumolo:</u> Grumolo: shape in cross section		
		round	Miniro	1
		elliptic	Finale, Tardo	2
16.	16.	<u>Only varieties with grumolo:</u> Grumolo: external colour		
		whitish	Fino	1
		greenish	Carmo, Sirio	2
17.	17.	<u>Only varieties with grumolo:</u> Grumolo: intensity of green colour		
		light	Carmo	3
		medium	Trevi	5
		dark		7

CPVO N°	UPOV N°	Characteristics	Examples	Note
18.	18.	<u>Only varieties with grumolo:</u>Sheath: ribbing		
		weak	Atos	3
		medium	Fino	5
		strong	Rudy, Sirio	7
19.	19.	<u>Only varieties with grumolo:</u> Sheath: overlapping of sheaths		
		weak	Cristal	3
		medium	Fino, Genio	5
		strong	Rudy	7
20.	20.	<u>Only varieties with grumolo:</u> Time of grumolo maturity		
		early	Miniro	3
		medium	Fino	5
		late	Genio	7
21.	21.	<u>Only varieties with grumolo:</u> bolting tendency		
		absent or very weak	Fino, Goal, Pollux	1
		weak	Tardo	3
		medium	Clio	5
		strong	Cristal, Sirio	7
G		very strong	Di Firenze	9
22.	22.	Male sterility		
(+)		absent	Fino	1
G		present	Carmo, Rudy	9
23.	23.	<u>Only varieties without grumolo:</u> Main umbel: diameter		
		small	Foenimed	3
		medium	Budakalászi	5
		large		7

CPVO N°	UPOV N°	Characteristics	Examples	Note
24.	24.	<u>Only varieties without grumolo:</u> time of appearance of main umbel		
		early	Berfena	3
		medium	Foenimed	5
		late	Soroksári, Budakalászi	7
25.	25.	<u>Only varieties without grumolo:</u> time of beginning of flowering		
		early	Berfena	3
		medium	Budakalászi	5
		late		7
26.	26.	<u>Only varieties without grumolo:</u> Seed: thousand seed weight		
		low	Foenimed	3
		medium	Soroksári	5
		high	Berfena, Magnafena	7

EXPLANATIONS AND METHODS

Ad. 22: Male Sterility

- Male fertile varieties show umbels with flowers with well-developed anthers.
- Male sterile varieties show umbels with flowers without anthers or with very deformed, degenerated anthers.

LITERATURE

Dachler, M., Pelzmann, H. (1999): Arznei- und Gewürzpflanzen. Anbau, Ernte, Aufbereitung. 2nd edition. Österreichischer Agrarverlag, Klosterneuburg.

Heeger, E. F., Brückner, K. (1950): Heil- und Gewürzpflanzen. Arten- und Sortenkunde. Deutscher Bauernverlag, Berlin.

Mansfeld, R. (1986): Verzeichnis landwirtschaftlicher und gärtnerischer Kulturpflanzen, Band 2, 2nd edition, Springer Verlag.

ANNEX II

The Technical Questionnaire is available on the CPVO website under the following reference:
CPVO-TQ/183/1