

SCHEDULES

SCHEDULE 3

Registration of varieties

Interpretation

11. In this Schedule—

“CPVO” means the Community Plant Variety Office, being an agency of the European Union⁽¹⁾;

“CPVO protocol” means a protocol produced by the CPVO for distinctness, uniformity and stability tests’ in relation to the relevant species that is available at the beginning of the growing trial;

“[Directive 2001/18/EC](#)” means [Directive 2001/18/EC](#) of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms and repealing Council [Directive 90/220/EEC](#);

“[Regulation \(EC\) No 1829/2003](#)” means [Regulation \(EC\) No 1829/2003](#) of the European Parliament and of the Council on genetically modified food and feed⁽²⁾;

“technical questionnaire” means the technical questionnaire set out in—

- (a) Annex II to the ‘Protocols for distinctness, uniformity and stability tests’ produced by the CPVO for the relevant species for which such a protocol has been published; or
- (b) where no protocol has been published by the CPVO for the relevant species, in the relevant section for the relevant species contained within the ‘Guidelines for the conduct of tests for distinctness, uniformity and stability’ (UPOV test guidelines) of the International Union for the Protection of New Varieties of Plants (UPOV) and the Annex to the test guidelines concerned for the relevant species for which such guidelines have been published;

“UPOV” means the International Union for the Protection of New Varieties of Plants, being an intergovernmental organisation established by the International Convention for the Protection of New Varieties of Plants⁽³⁾;

“UPOV test guidelines” mean test guidelines for the conduct of tests for distinctness, uniformity and stability that have been produced for the relevant species by the UPOV that are applicable at the beginning of the growing trial.

(1) The Community Plant Variety Office manages the European Union system of plant variety rights and is located at 3 boulevard Marechal Foch, CS10121, 49101 ANGERS CEDEX 2-France.

(2) OJ L 268, 18.10.2003, p.1; last amended by [Regulation \(EC\) No 298/2008](#) of the European Parliament and of the Council (OJ L 97.9.4.2008, p.64).

(3) UPOV is located at 34, chemin des Colombettes, CH-1211 Geneve 20, Switzerland.