



Plant Varieties Journal

Volume 2 Number 1 MARCH 1989



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Subscription —

Available from the Australian
Government Publishing Service,
GPO Box 84, Canberra, ACT, 2601.

ISSN 1030-9748

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Canberra, A.C.T. 2601.

Typeset and Printed in Australia by CPP
Communications Ltd., Fyshwick, A.C.T.

REGISTRAR'S REMARKS



WELCOME TO THE FIRST ISSUE OF THE JOURNAL FOR 1989.

1989 has already seen the granting of the first Plant Variety Rights in Australia. The rights were granted in February to HFD, MA & DJD Bell from Hidden Valley Plantations, Beerwah, Qld, for two new *Macadamia* varieties. This is the culmination of many years effort and personal investment by the Bells.

It is particularly significant that these rights are being granted for an Australian native plant which was originally developed and commercialised overseas. New varieties are only now being developed in the country of origin.

The other significant fact is that Plant Variety Rights is available to all breeders, not only those employed by companies, government organisations and other research bodies. The Bells are not part of any organisation. They own and operate a family business but recognise the importance of the development of new varieties for the continuing growth of the industry.

The other major milestone this year for PVR in Australia is membership of the International Union for the Protection of New Plant Varieties (UPOV). Australia is now a party to the International Convention and will be able to gain from the expertise available in other member countries. Australian breeders will now be able to apply for PVR in other UPOV member countries.

The number of applications is growing steadily. Many organisations are seeking advice on the operation of PVR and the data needed to complete the application forms. If you need such advice do not hesitate to contact the Registrar as early as possible, as much time can be saved if applicants fully understand the requirements.

Kathryn Adams
Registrar of Plant Variety Rights

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CLOSING DATE FOR JUNE ISSUE: 30 APRIL 1989

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PART 1 — ITEMS OF GENERAL INTEREST

IMPLEMENTATION OF PVR — PROGRESS

A total of 49 applications had been accepted by 14 February 1989 and applicants have given notice of several others in preparation.

As noted in the Registrar's Remarks, the first rights have been granted for two *Macadamia* varieties developed by Hidden Valley Plantations at Beerwah, Queensland.

AMENDMENTS TO THE SCHEDULE

New varieties are eligible for PVR if their genus or species is listed in the regulations under the *Plant Variety Rights Act 1987*.

The schedule at Appendix 1 provides advance notice of the eligibility of plants to allow potential applicants to plan their breeding programs. As no dissenting comments were received on amendments to the schedule proposed in the December 1988 issue, the PVR Advisory Committee has recommended to the Minister that all fruit and vegetables (including *Carpobrotus*) be included from 1 July 1989. From that date applications will be accepted for the genera and species of plants listed in Appendix 1 under the columns headed April 1988, July 1988, January 1989 and July 1989.

The latin names will be used in the regulations. The plant groups have been included in Appendix 1 for convenience. In the case of fruit, vegetables, nuts, oilseeds, pasture and grain legumes and herbage and turf grasses, which all become eligible in July 1989, a comprehensive list of genera (available from the PVR Office) will be included in the regulations.

PROPAGATION

The December 1988 issue of the Journal summarised the submissions received on the need to amend the PVR Act in relation to the propagation of protected varieties. The outcome was a proposal to amend the Act to give the grantee the exclusive right to asexually propagate, or license others to asexually propagate, the variety for the commercial production of fruit, cut flowers or other products.

The amendment will only apply to genera and species prescribed for the purpose and the grantee will be required to license anyone to asexually propagate the variety if they meet reasonable licence conditions.

Call for Comment

The PVR Advisory Committee sought comment on genera and species which should and should not be covered by the amendment. All genera and species will be prescribed as they become eligible for PVR unless there are specific reasons for their exclusion (**NOTE:** This amendment applies to asexual propagation and does not include propagation from seed).

The period for nominating genera or species which should be excluded from the provisions of the amendment has been extended to **30 April 1989**. Submissions should contain supportive data and should also address the benefits and costs to consumers.

Further information or clarification relating to the proposed amendment may be obtained from the Registrar on (062) 71 6472.

PERFORMANCE EVALUATION — Sale prior to application

The December 1988 issue dealt with the provisions of Section 14 of the PVR Act relating to sale of the variety prior to application.

The PVR Act specifies that plant or reproductive material of the variety cannot have been sold with the consent of the breeder, in Australia, **before the PVR application is made** (PVJ 3 p4).

Further clarification has been obtained on the definition of "reproductive material" in relation to seed from a protected variety which does not produce plants of that variety. In future, seed will not be considered as reproductive material of the variety if it cannot reproduce the protected variety.

PVR TESTING — Register of Names

The Plant Variety Rights Office is compiling a register of names of organisations who undertake PVR testing for other people. This list will be given to anyone who asks and no preference will be given to any organisation. If the list is not too large it will be published in this Journal.

Organisations interested in being on the register should write to the Registrar before 30 April 1989.

UPOV

a) Membership

Australia has now become a party to the Convention of the International Union for the Protection of New Plant Varieties (UPOV).

This will enable Australian breeders, with 12 month's priority from the date of lodging the first application, to apply for rights on the variety in other UPOV countries (Belgium, Denmark, France, Federal Republic of Germany, Hungary, Ireland, Israel, Italy, Japan, the Netherlands, New Zealand, Sweden, South Africa, Spain, Switzerland, United Kingdom, United States). Breeders from other UPOV countries will have the same priority in Australia.

b) Revision of the Convention

UPOV is now proposing to revise the Convention to better meet the needs of breeders and to recognise the increasing role of biotechnology in plant breeding.

As a party to the existing Convention Australia would have the choice of signing the new Convention or staying with the existing provisions.

If you are interested in further information on the proposed changes as it becomes available, please write to the Registrar or contact Miriam Nauenburg on (062) 72 3725.

PARTICIPATION BY INDUSTRY ORGANISATIONS

To ensure that PVR is meeting the needs of industry, the PVR Office is encouraging industry organisations to form PVR Committees.

These groups could participate at several levels, including:

- assisting with the development of application forms
- providing expert comment on applications submitted
- assisting with field examinations
- establishing central test sites.

Such participation would need to be at the national level and would ensure that the scheme was relevant to each sector of the diverse plant industries.

Any organisation which would like to establish a PVR Committee should contact the Registrar on (062) 71 6472 for further discussions.

PART 2 — MATTERS FOR PUBLIC NOTICE

PVR GRANTED

Plant Variety Rights have been granted under Section 26 of the *Plant Variety Rights Act 1987*, and an entry has been made in the Register, for the following varieties:

1. **'Hidden Valley A4'** (Application No 88/001)
Macadamia integrifolia x tetraphylla

Grantee(s): HFD, MA & DJD Bell, Hidden Valley Plantations, Beerwah, Queensland.

Expiry Date: 5 May 2008

Certificate No. 1

2. **'Hidden Valley A16'** (Application No 88/002)
Macadamia integrifolia x tetraphylla

Grantee(s): HFD, MA & DJD Bell, Hidden Valley Plantations, Beerwah, Queensland.

Expiry Date: 5 May 2008

Certificate No. 2

APPLICATIONS ACCEPTED

The PVR applications listed below have been accepted under S18 of the *Plant Variety Rights Act 1987*.

a) Descriptions Finalised

Carnation (*Dianthus caryophyllus*)

Applicant: **Bioprogress -SP-** 'Selca' of Plovdiv, Bulgaria.
Australian Agent: **Royena Nurseries** of Dingley, Victoria

Comparative Growing Trials

All characteristics described and comparisons are from plants grown in glasshouse conditions in Sofia, Bulgaria and represent measurements of 20 plants. Further comparative growing trials are currently in progress in Australia.

Origin

The breeder of the following varieties is A Boykov of Sofia, Bulgaria.

These varieties arise from controlled pollination of *Dianthus caryophyllus* Bulgarian seedling lines followed by selection of progeny on the basis of flower, petal and calyx characteristics.

Variety: **'Zornitza'** Application No. 88/013

Diagnosis

This variety is distinct from all other known varieties in having the following combination of characters:

a medium large diameter double flower; with many petals, some arranged in a loose central cluster; a bright cherry pink petal colour corresponding to RHS 52A; petal margins with fine, even serrations; a long thick stem; large foliage; an epicalyx with 2 opposite pairs of lobes; and very waxy foliage and calyx with a thick wax coating.

Morphology — See comparison tables.

'Zornitza' most closely resembles the variety 'Katia' but differs in having a petal colour brighter pink than that of 'Katia' (50B), more serrated petals and a more waxy foliage.

Variety: **'Dana'** Application No. 88/014

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a medium large diameter double flower; many petals; a creamy white petal colour corresponding to RHS 159C; petal margins with large even serrations; 3 opposite pairs of epicalyx lobes; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Dana' most closely resembles 'White Sim' in flower colour but is distinct in being slightly larger, its basal petal colour (RHS 159C) being darker and creamier than 'White Sim' (RHS 155B) and its perfume being stronger.

Variety: **'Odile'** Application No. 88/015

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; a dark red petal colour corresponding to RHS 46A; central petals arranged in a number of loose clusters; petal margins serrated; a long thick stem; foliage and calyx with a thick wax coating; epicalyx with 3 opposite lobes; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Odile' most closely resembles 'Scania 3C' in flower colour but differs in having a larger flower, more serrated petals, a longer and thicker stem than 'Scania 3C' as well as a calyx with overlapping lobes.

Variety: **'Fantastic'** Application No. 88/016

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; a petal colour of background pale lilac corresponding to RHS 65D with many uneven fine stripes of light cyclamen corresponding to RHS 66C; petal margins with shallow serrations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Fantastic' most closely resembles 'Sir Arthur Sim' in petal colouration but differs in having a larger



Zornitza (*Photo supplied by applicant*)



Dana (*Photo supplied by applicant*)

Odile (*Photo supplied by applicant*)





Fantastic (Photo supplied by applicant)

flower, a stronger perfume, more serrated petals and a petal colour of lilac flecked with cyclamen compared to the white (RHS 155B) flecked with red (RHS 45C) of 'Sir Arthur Sim'.

Variety: '**Valya**' Application No. 88/017

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a medium large diameter double flower with many petals; central petals forming a loose central cluster; petal colour violet corresponding to RHS 74B at the base fading to a (6 mm) border of very pale violet corresponding to RHS 74D at the tips; the pale petal border becoming narrower (3 mm) on central petals; petal margins with even serrations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; medium large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables 'Valya' most closely resembles 'Safari' in petal colouration but differs in having darker (RHS 74B,74D) petals than 'Safari' (RHS 68A,68C) more serrated petals and a stronger perfume.

Variety: '**Charodeyka**' Application No. 88/018

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; some forming a thick cluster in the centre of the flower; a petal colour ranging from dark reddish pink corresponding to RHS 50A at the base to very

Valya (Photo supplied by applicant)





Charodeyka (Photo supplied by applicant)

pale pink border (4 mm wide) corresponding to RHS 50D at the margins; the pale border narrower (3 mm) in the central cluster of petals; petal margins with uneven serrations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.
 'Charodeyka' most closely resembles 'Corrida' in petal colouration but differs in having a larger flower, a longer and thicker stem, more serrated petals, a stronger perfume and a paler petal colour (RHS 50A, 50D) than 'Corrida' (RHS 46D).

Variety: 'Neshka' Application No. 88/019

Diagnosis
 This variety is distinct from any other known variety in having the following combination of characteristics:

Neshka (Photo supplied by applicant)



a medium large diameter double flower with many petals; a pale lilac background petal colour corresponding to RHS 62D with violet-reddish (corresponding to RHS 60A) stripes in pairs or groups on the distal half of the petals, and red edges to petals; petal margins with large even serrations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Neshka' most closely resembles 'Canova' in flower colouration but differs having a slightly larger flower diameter, more serrated petals and petal colours (RHS 62D, 60A) different to the pale yellow (RHS 10C) with purple (64C) stripes of 'Canova'.

Variety: 'Mechta' Application No. 88/020

Diagnosis
 This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals, some arranged in a thick central cluster; a dark violet petal colour corresponding to RHS 74A; petal margins with large even serrations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; large foliage (very wide leaves) and calyx with a thick wax coating; and a calyx resistant to splitting.

Varieties used for Comparison
Morphology — See comparison tables.
 'Mechta' most closely resembles 'Vanessa' in flower colouration but differs in having a larger flower diameter, a larger stem and much broader leaves.

Mechta (Photo supplied by applicant)



Variety: 'Zlatka' Application No. 88/021

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; a bright yellow petal colour corresponding to RHS 2B with few fine stripes of pink corresponding to RHS 55A in the central cluster; very few outer petals; petal margins evenly serrated; an epicalyx with 3 pairs of opposite lobes; a long thick stem; large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Zlatka' most closely resembles 'Pallas' in colouration but differs in having a larger flower diameter, a greater stem length, more serrated petals and paler pink petal stripes (RHS 55A) than 'Pallas' (RHS 52B).

Zlatka (Photo supplied by applicant)



Variety: 'Rubinen' Application No. 88/022

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; a dark wine petal colour corresponding to RHS 61A; some petals arranged in a large central cluster; petal margins with large uneven serrations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Rubinen' most closely resembles 'Vanessa' in colouration but differs in having a larger flower, more serrated petals, and a darker petal colour (RHS 61A) than 'Vanessa' (RHS 66A).



Rubinen (Photo supplied by applicant)

Variety: 'Pirin' Application No. 88/023

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; a snow white petal colour corresponding to RHS 155D; petal margins deeply serrated; an epicalyx with 2-3 pairs of opposite lobes; a long thick stem; large foliage and calyx with a thick wax coating.

Morphology — See comparison tables.

'Pirin' most closely resembles 'White Sim' in colouration but differs in having a larger flower diameter, more serrated petals, and a stronger perfume.



Pirin (Photo supplied by applicant)



Zora (Photo supplied by applicant)

Variety: 'Zora' Application No. 88/024

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a medium large diameter double flower with many flared petals; a petal colour fading from milky pink corresponding to RHS 55A to paler pink on the outer edges corresponding to RHS 55D; petal margins having fine serrations; no thick central cluster of petals; an epicalyx with 2 pairs of opposite lobes; a long thick stem; medium large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Zora' most closely resembles 'Lena Super' in colouration but differs in having greater serration of petal margins and darker pink petal colour (RHS 55A, 55D) than 'Lena Super' (RHS 49A).



Victoria (Photo supplied by applicant)

Variety: 'Victoria' Application No. 88/025

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a very large diameter double flower with many petals; a creamy white petal colour corresponding to RHS 158D with few fine stripes of pale cyclamen corresponding to RHS 58D (more frequent on petals in the central cluster); petal margins with serrations, varying from shallow to deep indentations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Victoria' most closely resembles 'Sir Arthur Sim' in colouration but differs in having a larger flower diameter, larger stems, more serrated petals and pale cyclamen stripes.



Prolet (Photo supplied by applicant)

Variety: 'Prolet' Application No. 88/026

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a medium large diameter double flower with many evenly spaced petals; a bright milky pink petal colour corresponding to RHS 55B fading to paler pink corresponding to RHS 55D; petal margins with fine serrations; an epicalyx with 3 pairs of opposite lobes; a medium long thick stem; large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Prolet' most closely resembles 'Lena Super' in colouration but differs in having more serrated petals and a deeper pink (RHS 55B, RHS 55D) petal colour than 'Lena Super' (RHS 49A).

Table of Comparison of Carnation Varieties

		'Charodeyka'	'Valya'	'Prolet'	'Rubinen'
MEAN DAYS TO FLOWERING		90-100 days	90-100 days	90-100 days	100-110 days
BUD SHAPE (before colour shows)		ovoid	ellipsoid	cylindrical	cylindrical
FLOWER SIZE		very large	medium large	medium large	large
Diameter	Mean	8.5 cm	7.9 cm	7.6 cm	8.3 cm
	Range	8.1-8.9 cm	7.4-8.2 cm	7.3 - 8 cm	8-8.7 cm
	Standard deviation	1.3	0.7	0.4	1.1
FLOWER SHAPE IN PROFILE					
- UPPER COROLLA		flat convex	flat convex	flat convex	flat convex
- LOWER COROLLA		concave	concave	concave	concave
FLOWER COLOURS		dark red-pink with paler border	violet lilac with lighter border	bright milky pink tips lighter pink	dark claret
COLOUR DETAILS					
OUTER PETAL		RHS 50A	RHS 74B	RHS 55B	RHS 61A
BORDER		RHS 50D	RHS 74D	RHS 55D	
BORDER WIDTH		3-4 mm	5 mm		
CLUSTER PETALS		RHS 50B	RHS 74C	RHS 55B	RHS 61B
BORDER		RHS 50D	RHS 74D	RHS 55D	
BORDER WIDTH		2-3 mm	3-4 mm		
PETAL ARRANGEMENT		thick central cluster	loose central cluster	evenly spaced	thick central cluster
OUTER PETAL WIDTH					
Mean		3.0 cm	3.3 cm	3.0 cm	3.4 cm
Range		2.8-3.3 cm	2.7-3.5 cm	2.6 - 3.3 cm	3.1-4.0 cm
PETAL COUNT TOTAL					
Mean		63	64	46	49
Range		57-69	52-69	40 - 52	43-56
CENTRAL CLUSTER					
Mean		53	52	33	35
Range		51-66	51-58	30 - 36	24-39
PETAL MARGINS		uneven serrations	even serrations	fine even serrations	large uneven serrations
PERFUME (ranked 1 to 9)		very strong 9	medium 4	medium 4	medium 4
CALYX SPLITTING (as % of sample)		0 %	0 %	0 %	0 %
CALYX					
No. lobes:		5	5	5	6
Overlapping:		yes	yes	no	yes
- HEIGHT	Mean	3.1 cm	3.2 cm	3.2 cm	3.4 cm
	Range	3.0-3.3 cm	2.9-3.5 cm	2.9 - 3.4 cm	3.1-3.5 cm
- DIAMETER	Mean	2.4 cm	2.4 cm	1.7 cm	2.1 cm
	Range	2.2-2.7 cm	2.1-2.6 cm	1.6 - 1.9 cm	1.9-2.3 cm
- COLOUR	Main	RHS 146B	RHS 138A	RHS 144A	RHS 137B
	Lobe edges	RHS 146C	RHS 138B	RHS 144C	RHS 137C
EPICALYX LOBES		3 pairs	3 pairs	3 pairs	3 pairs
STEM THICKNESS					
Mean		thick 6 mm	medium thick 4 mm	medium thick 4.5 mm	thick 5.5 mm
Range		5-7.5 mm	3-5 mm	3.8 - 5 mm	5-6 mm
STEM LENGTH					
Mean		long 62 cm	medium long	medium long 56 cm	long 70 cm
Range		60-70 cms	45-60 cms	47 - 62 cm	60-80 cms
LEAF LENGTH					
Mean		10.5 cm	9 cm	10 cm	11 cm
Range		8-12 cm	8-11 cm	8 - 12 cm	10-13 cm
LEAF WIDTH					
Mean		10 mm	9 mm	9 mm	10 mm
Range		9-13 mm	8-10 mm	0.8 - 1.0 cm	9-13 mm
LEAF WAXINESS (on scale of 1-9)		very waxy 8	very waxy 7	waxy 6	very waxy 8.5

Table of Comparison of Carnation Varieties

	'Victoria'	'Fantastic'	'Neshka'	'White Sim'
MEAN DAYS TO FLOWERING	110-125 days	120-125 days	90-100 days	-
BUD SHAPE (before colour shows)	ovoid	cylindrical	cylindrical	ellipsoid
FLOWER SIZE	very large	very large	medium large	medium
Diameter				
Mean	9.4 cm	8.1 cm	7.6 cm	-
Range	9-11 cm	7.9-8.4 cm	7.1-8.0 cm	7.4-7.6 cm
Standard deviation	2.2	0.9	0.4	-
FLOWER SHAPE IN PROFILE				
- UPPER COROLLA	flat convex	flat convex	flat convex	flat convex
- LOWER COROLLA	concave	concave	flat	concave
FLOWER COLOURS	creamy white - light rose cyclamen stripes	pale lilac - uneven fire cyclamen stripes	white with scarlet stripes and edges	white
COLOUR DETAILS				
OUTER PETAL	RHS 158C	RHS 65D	RHS 62D	RHS 155B
BORDER	RHS 58D	RHS 66C	R-S 60A	-
BORDER WIDTH	0.5-1.2 mm	0.5-1.0 mm	-	-
CLUSTER PETALS	RHS 158D	RHS 65D	R-S 62D	-
BORDER	RHS 62A	RHS 66D	RHS 60B	-
BORDER WIDTH	0.4-1.0 mm	0.6-1.0 mm	-	-
PETAL ARRANGEMENT	thick central cluster	thick central cluster	loose central cluster	loose
OUTER PETAL WIDTH				
Mean	3.8 cm	3.2 cm	3.4 cm	-
Range	3.4-4.3 cm	3.0-3.4 cm	3.1-3.7 cm	-
PETAL COUNT TOTAL				
Mean	83	71	43	-
Range	69-98	58-79	38-49	53-58
CENTRAL CLUSTER				
Mean	65	53	30	-
Range	61-71	51-56	28-32	-
PETAL MARGINS	deep uneven serrations	shallow serrations	large even serrations	-
PERFUME (ranked 1 to 9)	medium strong 6	very strong 8	medium 3	very weak 1
CALYX SPLITTING (as % of sample)	0 %	0-3 %	0 %	25 %
CALYX				
No. lobes:	5-8	5	5	4
Overlapping:	yes	yes	no	no
- HEIGHT				
Mean	3.5 cm	3.5 cm	3.2 cm	-
Range	3.3-3.8 cm	3.2-3.6 cm	3.1-3.3 cm	-
- DIAMETER				
Mean	3.0 cm	2.0 cm	1.6 cm	-
Range	2.9-3.5 cm	1.9-2.2 cm	1.4-1.7 cm	-
- COLOUR				
Main	RHS 144A	RHS 144A	RHS 137D	-
Lobe edges	R-S 144B	RHS 144B	RHS 144B	-
EPICALYX LOBES	3 pairs	3 pairs	3 pairs	2 pairs
STEM THICKNESS				
Mean	thick 6.5 mm	thick 5.5 mm	medium thick 5 mm	medium -
Range	5-7 mm	4.5-6.5 mm	4-5 mm	4-5 mm
STEM LENGTH				
Mean	long 66 cm	long 69 cm	long 55 cm	medium -
Range	60-74 cm	63-75 cm	50-70 cm	-
LEAF LENGTH				
Mean	12 cm	9.5 cm	12 cm	-
Range	10-14 cm	9-10.5 cm	10-14 cm	-
LEAF WIDTH				
Mean	10 mm	9 mm	9 mm	-
Range	9-12 mm	8-10 mm	8-10 mm	8-9 mm
LEAF WAXINESS (on scale of 1-9)	very waxy 7	waxy 5	very waxy 7	medium waxy 4

Table of Comparison of Carnation Varieties

		'Zora'	'Zlatka'	'Dana'	'Pirin'
MEAN DAYS TO FLOWERING		110-120 days	90-100 days	110-120 days	90-100 days
BUD SHAPE (before colour shows)		ellipsoid	ellipsoid	cylindrical	ellipsoid
FLOWER SIZE		medium large	very large	medium large	very large
Diameter	Mean	7.8 cm	8.6 cm	7.8 cm	8.2 cm
	Range	7.4-8.2 cm	8.1-9.1 cm	7.5-8 cm	7.6-8.6 cm
	Standard deviation	0.6	1.4	0.6	1.0
FLOWER SHAPE IN PROFILE					
- UPPER COROLLA		flat convex	flat convex	flat convex	flat convex
- LOWER COROLLA		concave	concave	concave	concave
FLOWER COLOURS		milky pink with paler tips	yellow with pink stripes	creamy white with rose centre	snow white
COLOUR DETAILS					
OUTER PETAL		RHS 55A	RHS 2B	RHS 159C-155B	RHS 155D
BORDER		RHS 55D	RHS 55A		
BORDER WIDTH		4-5 mm	0.5-1 mm		
CLUSTER PETALS		RHS 55B	RHS 2C	RHS 159D-155B	RHS 155D
BORDER		RHS 55D	RHS 55B		
BORDER WIDTH		2-3 mm	0.5-1 mm		
PETAL ARRANGEMENT		evenly spaced flared petals	thick central cluster few outer petals	loose central cluster	loose central cluster
OUTER PETAL WIDTH					
	Mean	3.2 cm	3.4 cm	3.0 cm	3.0 cm
	Range	2.8-3.4 cm	3.1-3.4 cm	2.8-3.2 cm	2.8-3.2 cm
PETAL COUNT TOTAL					
	Mean	52	68	56	64
	Range	48-58	60-90	51-59	52-69
CENTRAL CLUSTER					
	Mean	37	57	42	54
	Range	33-39	51-60	40-44	50-57
PETAL MARGINS		fine even serrations	uneven serrations	even serrations	deep serrations
PERFUME (ranked 1 to 9)		medium 3	medium 3	medium strong 6	strong 7
CALYX SPLITTING (as % of sample)		8-10 %	5 %	3 %	15-20 %
CALYX					
No. lobes:		5	5	5	5
Overlapping:		no	no	yes	no
- HEIGHT	Mean	3.4 cm	3.5 cm	3.5 cm	3.4 cm
	Range	3.2-3.5 cm	3.3-3.6 cm	3.3-3.7 cm	3.3-3.5
- DIAMETER	Mean	1.9 cm	2.1 cm	1.9 cm	2.1 cm
	Range	1.7-2.0 cm	1.7-2.4 cm	1.7-2.1 cm	1.9-2.3 cm
- COLOUR	Main	RHS 144A	RHS 144A	RHS 147C	RHS 138A
	Lobe edges	RHS 144C	RHS 144B	RHS 144B	RHS 138B
EPICALYX LOBES		2 pairs	3 pairs	3 pairs	2-3 pairs
STEM THICKNESS					
	Mean	medium thick 5 mm	thick 5 mm	medium thick 4.5 mm	thick 5 cm
	Range	4-6 mm	4-8 mm	4.0-6.0 mm	4-6 cm
STEM LENGTH					
	Mean	long 68 cm	long 64 cm	long 65 cm	long 63 cm
	Range	60-74 cm	60-70 cm	60-70 cm	60-70 cm
LEAF LENGTH					
	Mean	9 cm	14 cm	11 cm	11.5 cm
	Range	7-11 cm	10-17 cm	10-13 cm	9.5-13.0 cm
LEAF WIDTH					
	Mean	8 mm	9 mm	9 mm	10 mm
	Range	7-9 mm	8-10 mm	7-10 mm	9-11 mm
LEAF WAXINESS (on scale of 1-9)		waxy 6	waxy 6	very waxy 8	very waxy 7

PARTICIPATION BY INDUSTRY ORGANISATIONS

To ensure that PVR is meeting the needs of industry, the PVR Office is encouraging industry organisations to form PVR Committees.

These groups could participate at several levels, including:

- assisting with the development of application forms
- providing expert comment on applications submitted
- assisting with field examinations
- establishing central test sites.

Such participation would need to be at the national level and would ensure that the scheme was relevant to each sector of the diverse plant industries.

Any organisation which would like to establish a PVR Committee should contact the Registrar on (062) 71 6472 for further discussions.

PART 2 — MATTERS FOR PUBLIC NOTICE

PVR GRANTED

Plant Variety Rights have been granted under Section 26 of the *Plant Variety Rights Act 1987*, and an entry has been made in the Register, for the following varieties:

1. **'Hidden Valley A4'** (Application No 88/001)
Macadamia integrifolia x tetraphylla

Grantee(s): HFD, MA & DJD Bell, Hidden Valley Plantations, Beerwah, Queensland.

Expiry Date: 5 May 2008

Certificate No. 1

2. **'Hidden Valley A16'** (Application No 88/002)
Macadamia integrifolia x tetraphylla

Grantee(s): HFD, MA & DJD Bell, Hidden Valley Plantations, Beerwah, Queensland.

Expiry Date: 5 May 2008

Certificate No. 2

APPLICATIONS ACCEPTED

The PVR applications listed below have been accepted under S18 of the *Plant Variety Rights Act 1987*.

a) Descriptions Finalised

Carnation (*Dianthus caryophyllus*)

Applicant: **Bioprogress -SP-** 'Selca' of Plovdiv, Bulgaria.
Australian Agent: **Royena Nurseries** of Dingley, Victoria

Comparative Growing Trials

All characteristics described and comparisons are from plants grown in glasshouse conditions in Sofia, Bulgaria and represent measurements of 20 plants. Further comparative growing trials are currently in progress in Australia.

Origin

The breeder of the following varieties is A Boykov of Sofia, Bulgaria.

These varieties arise from controlled pollination of *Dianthus caryophyllus* Bulgarian seedling lines followed by selection of progeny on the basis of flower, petal and calyx characteristics.

Variety: **'Zornitza'** Application No. 88/013

Diagnosis

This variety is distinct from all other known varieties in having the following combination of characters:

a medium large diameter double flower; with many petals, some arranged in a loose central cluster; a bright cherry pink petal colour corresponding to RHS 52A; petal margins with fine, even serrations; a long thick stem; large foliage; an epicalyx with 2 opposite pairs of lobes; and very waxy foliage and calyx with a thick wax coating.

Morphology — See comparison tables.

'Zornitza' most closely resembles the variety 'Katia' but differs in having a petal colour brighter pink than that of 'Katia' (50B), more serrated petals and a more waxy foliage.

Variety: **'Dana'** Application No. 88/014

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a medium large diameter double flower; many petals; a creamy white petal colour corresponding to RHS 159C; petal margins with large even serrations; 3 opposite pairs of epicalyx lobes; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Dana' most closely resembles 'White Sim' in flower colour but is distinct in being slightly larger, its basal petal colour (RHS 159C) being darker and creamier than 'White Sim' (RHS 155B) and its perfume being stronger.

Variety: **'Odile'** Application No. 88/015

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; a dark red petal colour corresponding to RHS 46A; central petals arranged in a number of loose clusters; petal margins serrated; a long thick stem; foliage and calyx with a thick wax coating; epicalyx with 3 opposite lobes; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Odile' most closely resembles 'Scania 3C' in flower colour but differs in having a larger flower, more serrated petals, a longer and thicker stem than 'Scania 3C' as well as a calyx with overlapping lobes.

Variety: **'Fantastic'** Application No. 88/016

Diagnosis

This variety is distinct from any other known variety in having the following combination of characteristics:

a large diameter double flower with many petals; a petal colour of background pale lilac corresponding to RHS 65D with many uneven fine stripes of light cyclamen corresponding to RHS 66C; petal margins with shallow serrations; an epicalyx with 3 pairs of opposite lobes; a long thick stem; large foliage and calyx with a thick wax coating; and a calyx resistant to splitting.

Morphology — See comparison tables.

'Fantastic' most closely resembles 'Sir Arthur Sim' in petal colouration but differs in having a larger

Table of Comparison of Carnation Varieties

	'Victoria'	'Fantastic'	'Neshka'	'White Sim'
MEAN DAYS TO FLOWERING	110-125 days	120-125 days	90-100 days	-
BUD SHAPE (before colour shows)	ovoid	cylindrical	cylindrical	ellipsoid
FLOWER SIZE	very large	very large	medium large	medium
Diameter				
Mean	9.4 cm	8.1 cm	7.6 cm	-
Range	9-11 cm	7.8-8.4 cm	7.1-8.0 cm	7.4-7.9 cm
Standard deviation	2.2	0.9	0.4	-
FLOWER SHAPE IN PROFILE				
- UPPER COROLLA	flat convex	flat convex	flat convex	flat convex
- LOWER COROLLA	concave	concave	flat	concave
FLOWER COLOURS	creamy white - light rose cyclamen stripes	pale lilac - uneven fine cyclamen stripes	white with scarlet stripes and edges	white
COLOUR DETAILS				
OUTER PETAL	RHS 158D	RHS 65D	RHS 62D	RHS 155B
BORDER	RHS 58D	RHS 66C	RHS 60A	-
BORDER WIDTH	0.5-1.2 mm	0.5-1.0 mm		
CLUSTER PETALS	RHS 158D	RHS 65D	RHS 62D	-
BORDER	RHS 62A	RHS 66D	RHS 60B	-
BORDER WIDTH	0.4-1.0 mm	0.6-1.0 mm		
PETAL ARRANGEMENT	thick central cluster	thick central cluster	loose central cluster	loose
OUTER PETAL WIDTH				
Mean	3.8 cm	3.2 cm	3.4 cm	-
Range	3.4-4.3 cm	3.0-3.4 cm	3.1-3.7 cm	-
PETAL COUNT TOTAL				
Mean	83	71	43	-
Range	69-98	68-79	38-49	53-58
CENTRAL CLUSTER				
Mean	65	53	30	
Range	61-71	51-56	28-32	
PETAL MARGINS	deep uneven serrations	shallow serrations	large even serrations	-
PERFUME (ranked 1 to 9)	medium strong 6	very strong 8	medium 3	very weak 1
CALYX SPLITTING (as % of sample)	0 %	0-3 %	0 %	25 %
CALYX				
No. lobes:	5-6	5	5	4
Overlapping:	yes	yes	no	no
- HEIGHT				
Mean	3.5 cm	3.5 cm	3.2 cm	-
Range	3.3-3.6 cm	3.2-3.6 cm	3.1-3.3 cm	-
- DIAMETER				
Mean	3.0 cm	2.0 cm	1.5 cm	-
Range	2.8-3.5 cm	1.9-2.2 cm	1.4-1.7 cm	-
- COLOUR				
Main	RHS 144A	RHS 144A	RHS 137D	-
Lobe edges	RHS 144B	RHS 144B	RHS 144B	-
EPICALYX LOBES	3 pairs	3 pairs	3 pairs	2 pairs
STEM THICKNESS				
Mean	thick 6.5 mm	thick 5.5 mm	medium thick 5 mm	medium -
Range	5-7 mm	4.5-6.5 mm	4-6 mm	4-5 mm
STEM LENGTH				
Mean	long 66 cm	long 69 cm	long 66 cm	medium -
Range	60-74 cm	63-75 cm	60-70 cm	-
LEAF LENGTH				
Mean	12 cm	9.5 cm	12 cm	-
Range	10-14 cm	9-10.5 cm	10-14 cm	-
LEAF WIDTH				
Mean	10 mm	9 mm	9 mm	-
Range	9-12 mm	8-10 mm	8-10 mm	8-9 mm
LEAF WAXINESS (on scale of 1-9)	very waxy 7	waxy 6	very waxy 7	medium waxy 4

Table of Comparison of Carnation Varieties

		'Zora'	'Zlatka'	'Dana'	'Pirin'
MEAN DAYS TO FLOWERING		110-120 days	90-100 days	110-120 days	90-100 days
BUD SHAPE (before colour shows)		ellipsoid	ellipsoid	cylindrical	ellipsoid
FLOWER SIZE		medium large	very large	medium large	very large
Diameter	Mean	7.8 cm	8.6 cm	7.8 cm	8.2 cm
	Range	7.4-8.2 cm	8.1-9.1 cm	7.5-8 cm	7.8-8.6 cm
	Standard deviation	0.6	1.4	0.6	1.0
FLOWER SHAPE IN PROFILE					
- UPPER COROLLA		flat convex	flat convex	flat convex	flat convex
- LOWER COROLLA		concave	concave	concave	concave
FLOWER COLOURS		milky pink with paler tips	yellow with pink stripes	creamy white with rose centre	snow white
COLOUR DETAILS					
OUTER PETAL		RHS 55A	RHS 2B	RHS 159C-155B	RHS 155D
BORDER		RHS 55D	RHS 55A		
BORDER WIDTH		4-5 mm	0.5-1 mm		
CLUSTER PETALS		RHS 55B	RHS 2C	RHS 159D-155B	RHS 155D
BORDER		RHS 55D	RHS 55B		
BORDER WIDTH		2-3 mm	0.5-1 mm		
PETAL ARRANGEMENT		evenly spaced flared petals	thick central cluster few outer petals	loose central cluster	loose central cluster
OUTER PETAL WIDTH					
	Mean	3.2 cm	3.4 cm	3.0 cm	3.0 cm
	Range	2.8-3.4 cm	3.1-3.4 cm	2.8-3.2 cm	2.8-3.2 cm
PETAL COUNT TOTAL					
	Mean	52	68	56	64
	Range	48-58	60-90	51-59	52-69
CENTRAL CLUSTER					
	Mean	37	57	42	54
	Range	33-39	51-60	40-44	50-57
PETAL MARGINS		fine even serrations	uneven serrations	even serrations	deep serrations
PERFUME (ranked 1 to 9)		medium 3	medium 3	medium strong 6	strong 7
CALYX SPLITTING (as % of sample)		8-10 %	5 %	3 %	15-20 %
CALYX					
No. lobes:		5	5	5	5
Overlapping:		no	no	yes	no
- HEIGHT	Mean	3.4 cm	3.5 cm	3.5 cm	3.4 cm
	Range	3.2-3.5 cm	3.3-3.6 cm	3.3-3.7 cm	3.3-3.5
- DIAMETER	Mean	1.9 cm	2.1 cm	1.9 cm	2.1 cm
	Range	1.7-2.0 cm	1.7-2.4 cm	1.7-2.1 cm	1.9-2.3 cm
- COLOUR	Main	RHS 144A	RHS 144A	RHS 147C	RHS 138A
	Lobe edges	RHS 144C	RHS 144B	RHS 144B	RHS 138B
EPICALYX LOBES		2 pairs	3 pairs	3 pairs	2-3 pairs
STEM THICKNESS					
	Mean	medium thick 5 mm	thick 5 mm	medium thick 4.5 mm	thick 5 cm
	Range	4-6 mm	4-8 mm	4.0-6.0 mm	4-6 cm
STEM LENGTH					
	Mean	long 68 cm	long 64 cm	long 65 cm	long 63 cm
	Range	60-74 cm	60-70 cm	60-70 cm	60-70 cm
LEAF LENGTH					
	Mean	9 cm	14 cm	11 cm	11.5 cm
	Range	7-11 cm	10-17 cm	10-13 cm	9.5-13.0 cm
LEAF WIDTH					
	Mean	8 mm	9 mm	9 mm	10 mm
	Range	7-9 mm	8-10 mm	7-10 mm	9-11 mm
LEAF WAXINESS (on scale of 1-9)		waxy 6	waxy 6	very waxy 8	very waxy 7

Table of Comparison of Carnation Varieties

	'Odile'	'Mechta'	'Zornitza'	'Scania 3C'
MEAN DAYS TO FLOWERING	120-125 days	100-110 days	100-120 days	-
BUD SHAPE (before colour shows)	ovoid	cylindrical	cylindrical	ellipsoid
FLOWER SIZE	very large	very large	medium large	medium
Diameter				
Mean	9 cm	8.4 cm	7.4 cm	7.3-7.6 cm
Range	8.7-9.4 cm	8.1-9.0 cm	7-7.8 cm	
Standard deviation	1.8	1.2	0.2	
FLOWER SHAPE IN PROFILE				
- UPPER COROLLA	flat convex	flat convex	flat convex	convex
- LOWER COROLLA	concave	concave	flat	concave
FLOWER COLOURS	dark red	dark violet	bright pink	red
COLOUR DETAILS				
OUTER PETAL	RHS 46A	RHS 74A	RHS 52A	RHS 45B
BORDER	-	-	-	-
BORDER WIDTH				
CLUSTER PETALS	RHS 46B	RHS 74B	RHS 52A	
BORDER	-	-	-	-
BORDER WIDTH				
PETAL ARRANGEMENT	flared central cluster	thick central cluster	loose central cluster	evenly spread
OUTER PETAL WIDTH				
Mean	3.8 cm	3.4 cm	2.6 cm	
Range	3.1-3.6 cm	3.1-3.6 cm	2.2-2.8 cm	
PETAL COUNT TOTAL				
Mean	66	65	53	-
Range	60-70	60-72	43-58	51-55
CENTRAL CLUSTER				
Mean	56	53	38	-
Range	52-59	52-60	30-40	-
PETAL MARGINS	large uneven serrations	large serrations	small even serrations	-
PERFUME (ranked 1 to 9)	medium 4	medium 5	weak 3	very weak 1
CALYX SPLITTING (as % of sample)	0 %	0 %	20-25 %	28-30 %
CALYX				
No. lobes:	5	5	5	4
Overlapping:	yes	yes	no	no
- HEIGHT				
Mean	2.8 cm	3.7 cm	3.3 cm	-
Range	2.6-3.0 cm	3.5-3.9 cm	3.1-3.3 cm	-
- DIAMETER				
Mean	2.8 cm	2.1 cm	1.7 cm	-
Range	2.5-3.0 cm	1.9-2.3 cm	1.6-1.9 cm	-
- COLOUR				
Main	RHS 138A	RHS 137D	RHS 137D	-
Lobe edges	RHS 138B	RHS 138B	RHS 138B	-
EPICALYX LOBES	3 pairs	3 pairs	2 pairs	2 pairs
STEM THICKNESS				
Mean	very thick 6.5 mm	thick 6 mm	medium thick 4.5 mm	medium -
Range	5-8 mm	5-7 mm	4.0-5.0 mm	4-5 mm
STEM LENGTH				
Mean	long 65 cm	long 62 cm	medium long 60 cm	medium -
Range	60-70 cm	57-64 cm	50-65 cm	-
LEAF LENGTH				
Mean	9 cm	9.5 cm	14	-
Range	8-10	8-11 cm	12-16 cm	-
LEAF WIDTH				
Mean	11 mm	12 mm	9 mm	-
Range	10-12 mm	10-19 mm	8-10 mm	9-10 mm
LEAF WAXINESS (on scale of 1-9)	very waxy 7	very waxy 8	very waxy 7	medium waxy 5

OBJECTIONS

Formal objections (S20 of the PVR Act) against any of the above applications can be lodged by a person who:

- a) considers their commercial interests would be affected by a grant of PVR to the applicant; **AND**
- b) considers that the provisions of S26 (Appendix 3 of this Journal) cannot be met.

A fee is payable at the time of lodging a formal objection and the hourly rate will then be charged if the examination of the objection by the PVR Office takes more than 2 hours.

Comment: Any person not falling into the above category may make comment on the eligibility of any of the above applications for PVR. There is no charge for this.

A person submitting a formal objection or a comment must provide supporting evidence to substantiate the claim. A copy of the submission will also be sent to the applicant and the latter will be asked to show why the objection should not be upheld.

All formal objections and comments relating to the above applications must be lodged with the Registrar by close of business on **31 September 1989**.

b) Descriptions to be Finalised

Descriptions for the Journal are being finalised for the following applications. The six month period for comment or formal objection will not begin until the full descriptions are finalised and published in the Journal.

Citrus

(Citrus)

Applicant: **W M & D Barnfield** of Ellerslie, NSW.
'Barnfield Late Navel' Application No. :89/001

Applicant: **Yandilla Park Limited** of Renmark, SA.
'Toomey Summer Navel' Application No. :89/002

Applicant: **Yandilla Park Limited** of Renmark, SA.
'Edwards Summer Navel' Application No. :89/003

Applicant: **John R Pollock** of Strathmerton, Vic.
'Autumn Gold Late Navel' Application No. :89/004

Applicant: **PW McLaren Management** of Red Cliffs, Vic.
'Rohde Summer Navel' Application No. :89/005

Applicant: **CN & J Powell** of Curlwaa, NSW.
'Powell Late Navel' Application No. :89/006

Applicant: **Dudley Marrows** of Mildura, Vic.
'Summer Gold Late Navel' Application No. :89/007

Applicant: **G Chislett**, of Piangil, Vic.
'Chislett Summer Navel' Application No. :89/008

Rose (Rosa)

Applicant: **SNC Meilland & Cie** of Antibes, France.
'Meizaipur' (Synonym 'Aurelia') Application No. :89/009
Agent in Australia: TVR Propagators Pty Ltd

Applicant: **Universal Plants S A R L** of Le-Cannet-des-Maures France.
'Keijourna' (Synonym 'Mischka') Application No. :89/010
Agent in Australia: TVR Propagators Pty Ltd

Apple Malus

Applicant: **Instituut voor de Veredeling van Tuinbouwgewassen** of the Netherlands.
'Red Elstar' Application No. :89/011

Agapanthus Agapanthus

Applicant: **Steven Wilken** of Sylven, Victoria.
'Snow Storm' Application No. :89/012

Soybean (Glycine Max)

Applicant: **Department of Primary Industries**, of Brisbane, Qld.
'Manark' Application No. :88/037

PROVISIONAL PROTECTION

Provisional protection granted

The following varieties have provisional protection under S22 of the *Plant Variety Rights Act 1987* since the last issue of the Journal:

'Barnfield Late Navel'	Application No. :89/001
'Toomey Summer Navel'	Application No. :89/002
'Edwards Summer Navel'	Application No. :89/003
'Autumn Gold Late Navel'	Application No. :89/004
'Rohde Summer Navel'	Application No. :89/005
'Powell Late Navel'	Application No. :89/006
'Summer Gold Late Navel'	Application No. :89/007
'Chislett Summer Navel'	Application No. :89/008
Meizaipur' (syn. 'Aurelia')	Application No. :89/009
'Keijourna' (syn. 'Mischka')	Application No. :89/010

'Red Elstar' Application No. :89/011
'Snow Storm' Application No. :89/012
'Manark' Application No. :88/037

'Fantastic' APPLICATION NO. 88/016
'Valya' APPLICATION NO. 88/017
'Charodeyka' APPLICATION NO. 88/018
'Neshka' APPLICATION NO. 88/019
'Mechta' APPLICATION NO. 88/020
'Zlatka' APPLICATION NO. 88/021
'Rubinen' APPLICATION NO. 88/022
'Pirin' APPLICATION NO. 88/023
'Zora' APPLICATION NO. 88/024
'Victoria' APPLICATION NO. 88/025

Provisional protection withdrawn

Provisional protection has been withdrawn under S22(b) of the *Plant Variety Rights Act 1987* for the following variety(ies) which have been sold other than for the purposes of S22(b) after the application for PVR was accepted:

'Progrow' (Application No 88/010), *Lolium multiflorum*
Applicant: Valley Seeds Pty Ltd, Alexandra, Victoria. With effect from 28 February 1989 until the examination of the application is completed and PVR is granted or rejected.

Applicant: Bioprogress SP of Plovdiv, Bulgaria
Agent in Australia: Royena Nurseries Aust Pty Ltd, Dingley Vic

- c) **Variety: 'Bronco' (*Phaseolus vulgaris*)**
Application No.:88/030
Applicant: Asgrow Seed Company of Michigan, USA
Agent in Australia: New World Seeds Pty Ltd of Galston, NSW

VARIATIONS TO APPLICATIONS

The following submissions have been made for variations to applications under subsection 19(1) of the *Plant Variety Rights Act 1987*:

Variety: 'Chifley' (*Lactuca sativa*)

Application No.: 88/007

Applicant: Arthur Yates & Co. Pty Ltd

Variation: Change name to 'Bulls Eye'

Variety: 'Rubin' (*Dianthus caryophyllus*)

Application No. :88/022

Applicant: Bioprogress SP 'Selca' of Bulgaria

Variation: Change name to 'Rubinen'

CORRIGENDA

1. In the fourth issue (December 1988), the captions relating to the photograph of the pea varieties on p21 should have read 'Above. Pea varieties 'Maitland' (right), 'Dinkum' (centre) and 'Buckley' (left).'
2. For the following applications the Australian agents's name was given in the public notice of acceptance, rather than the applicant. The correct information is given below.
 - a) **Variety: 'A5939' (*Glycine max*)**
Application No: 88/011

Applicant: Asgrow Seed Company of Michigan, USA
Agent in Australia: Annand Robinson Pty Ltd
 - b) **Variety: 'A5494'**
Application No.:88/012
Applicant: Asgrow Seed Company of Michigan, USA
Agent in Australia: Annand Robinson Pty Ltd
 - c) **Varieties: (*Dianthus caryophyllus*)**
'Dana' APPLICATION NO. 88/014
'Odile' APPLICATION NO. 88/015

Appendix 1

PROPOSED SCHEDULE FOR INCLUDING GENERA/SPECIES IN THE PLANT VARIETY RIGHTS REGULATIONS

PLANT GROUP	APRIL 88	JULY 88	JAN 89	JULY 89	MARCH 90
STONE FRUIT		Prunus	All Stone Fruit		
CITRUS		All Citrus			
OTHER FRUIT	Malus (apple)	Fragaria (strawberry) Vitis (grape) Carica (paw paw) Rubus (raspberry) Persea americana (avocado)	Pyrus (pear) Actinidia (kiwifruit)	All fruit	
VEGETABLES	Phaseolus vulgaris (bean)	Solanum tuberosum (potato) Lycopersicon (tomato) Lactuca sativa (lettuce) Pisum (pea)	Allium cepa (onion) Daucus carota (carrot) Brassica oleracea (cabbage, cauliflower etc)	All vegetables	
NUTS	Macadamia	Prunus amygdalus (almond)	Juglans (walnut)	All nuts	
HERBAGE AND TURF GRASS	Phalaris	Lolium (ryegrass) Agrostis (bent) Festuca (tall fescue) Cynodon (bermuda grass) Zoysia Stenotaphrum	Dactylus (cocksfoot) Bromus Lotus Paspalum Bothriochloa	All herbage and turf grasses	
OILSEEDS	Brassica sp (oilseeds) (rape, mustard etc)	Glycine max (soybean) Helianthus annuus (sunflower)	Arachis Sesamum indicum (sesame) Carthamus tinctorius (safflower) Linum usitatissimum (linseed)	All oilseeds	
PASTURE AND GRAIN LEGUMES		Trifolium (clover) Medicago Ornithopus (serradella) Stylosanthes	Lupinus Desmanthus Vigna (mungbean) Cicer arietinum (chickpea) Indigofera	All pasture and grain legumes	
GRAINS		Setaria Avena (oats) Panicum Pisum (pea) Zea mays (corn)	Hordeum (barley) Pennisetum (pearl millet) Sorghum		All grains
AUST. NATIVE ORNAMENTALS	Anigozanthos (Kangaroo paw)	Grevillea Chamelaucium (Geraldton wax) Lechenaultia Melaieuca Decaspermum Artanema	Macropidia (Black Kangaroo Paw) Piper Callistemon Thryptomene Telopea Dryandra	Boronia Banksia Verticordia Darwinia Pimelea	All native ornamentals
OTHER ORNAMENTALS	Rosa (Rose)	Orchids (all genera) Dianthus (carnation) Alstroemeria Schlumbergera (Zygocactus) Lilium (Lily) Metrosideros carminea Freesia Rhododendron Gerbera	Rhipsalis Kalanchoe Euphorbia (Poinsettia) Chrysanthemum Zantedeschia Cuphea Limonium Cyphomandra Streptocarpus Impatiens Cyclamen Begonia Achimenes Choysia Agapanthus	Hemerocallis Bougainvillea Ilex	All ornamentals
FORESTRY		Eucalyptus	Pinus Acacia Casuarina		All forestry
OTHER PROPOSED ADDITIONS	Gossypium (cotton)		Duboisia	Humulus lupulus Carpobrotus	All species

SECTIONS 16 AND 17 OF THE PVR ACT**Form of application**

16. An application for plant variety rights in respect of a plant variety shall be in writing in a form approved by the Secretary, shall be lodged with the Secretary in the prescribed manner and shall contain —

- (a) the name of the person making the application;
- (b) where the applicant is the breeder of the variety, a statement that the applicant is the breeder of the variety;
- (c) where the applicant is not the breeder of the variety, the name and address of the breeder from whom the applicant derived the right to make an application and particulars of all relevant assignments and transmissions of the right to make the relevant applications;
- (d) a description, or a description and photograph, of a plant of the variety sufficient to identify plants of that variety;
- (e) particulars of the characteristics that distinguish the variety from other varieties;
- (f) particulars of the manner in which the variety was originated;
- (g) the name of the variety;
- (h) particulars of any application for, or approval of a grant of, rights of any kind in respect of the variety in any other country;
- (j) particulars of any tests carried out to establish that the variety is homogeneous and stable (including particulars of any cycle of reproduction or multiplication for the purposes of paragraph 3(2)(b));
- (k) in the case of a plant variety originated outside Australia, particulars of any test growing of that variety carried out for the purpose of determining whether the variety will, if grown in Australia, have a particular characteristic;
- (m) an address in Australia for the service of documents on the applicant for the purposes of this Act; and
- (n) such other particulars (if any) as are prescribed.

Names of new plant varieties

17.(1) The name of a new plant variety shall consist of a word or words (which may be an invented word or words) with or without the addition of —

- (a) a letter or letters not constituting a word;
- (b) a figure or figures; or
- (c) both a letter or letters not constituting a word and a figure or figures.

2. A new plant variety shall not have —

- (a) a name the use of which would be likely to deceive or cause confusion, including a name that is the same as, or is likely to be mistaken for, the name of another plant variety;

- (b) a name the use of which would be contrary to law;
- (c) a name that comprises or contains scandalous or offensive matter; or
- (d) a name, or name of a kind, that is, at the time when the application is made, prohibited by the regulations.

(3) The name of a new plant variety in respect of which an application is made shall comply with any recommendations of the International Code of Nomenclature for Cultivated Plants, as in force when the application is made, formulated and adopted by the International Commission for Nomenclature of Cultivated Plants of the International Union of Biological Sciences that are accepted by Australia.

(4) The name of a new plant variety in respect of which an application is made shall not consist of, or include —

- (a) the name of a natural person living at the time of the application, other than a person who has given written consent to the name of the plant variety;
- (b) the name of a natural person who died within the period of 10 years immediately preceding the application, other than a person who has given, or whose legal personal representative has given, written consent to the name of the plant variety; or
- (c) the name of a corporation, organisation or institution, other than a corporation, organisation or institution that has given its written consent to the name of the plant variety.

SECTION 26 OF THE PVR ACT

Grant of plant variety rights

26.(1) Subject to this section, where an application for plant variety rights in respect of a plant variety is accepted —

- (a) if the Secretary is satisfied that —
 - (i) there is such a plant variety;
 - (ii) the plant variety is a new plant variety;
 - (iii) the applicant is entitled to make the application;
 - (iv) the grant of those rights to the applicant is not prohibited by this Act;
 - (v) those rights have not been granted to another person;
 - (vi) there has been no earlier application for those rights that has not been withdrawn or otherwise disposed of;
 - (vii) the name of the variety would comply with section 17; and
 - (viii) all fees payable under this Act in relation to the application and the grant have been paid,the Secretary shall grant those rights to the applicant; or
- (b) if the Secretary is not so satisfied — the Secretary shall refuse to grant those rights to the applicant.

(2) The Secretary shall not grant, or refuse to grant, plant variety rights in respect of a plant variety unless a period of at least 6 months has elapsed since the giving of public notice of the application, or, if the application has been varied in pursuance of a request under sub-section 19(1) in a manner that the Secretary considers to be significant, a period of 6 months has elapsed since the giving of public notice of particulars of the variation, or of the last such variation, as the case requires.

(3) The Secretary shall not refuse to grant plant variety rights unless the Secretary has given the applicant for the rights a reasonable opportunity to make a written submission to the Secretary in relation to the application.

(4) Where an objection to the grant of plant variety rights has been lodged under section 20, the Secretary shall not grant the rights unless the Secretary has given the person who lodged the objection a reasonable opportunity to make a written submission to the Secretary in relation to the objection.

(5) Plant variety rights shall be granted to a person by the issue to that person by the Secretary of a certificate, signed by the Secretary or by the Registrar, in a form approved by the Secretary and containing such particulars of the plant variety to which the rights relate as the Secretary considers appropriate.

(6) Where plant variety rights are granted to persons who made a joint application for those rights, those rights shall be granted to those persons jointly.

(7) Where the Secretary refuses to grant plant variety rights in respect of a plant variety, the Secretary shall, within 30 days after refusing, give written notice of the refusal to the applicant for the rights setting out the grounds for the refusal.

APPENDIX 4

FEES

As from 1 July 1989 the following fee schedule will apply.

FUNCTION FEES\$

APPLICATION	350
EXAMINATION OF APPLICATION	1200
COPY OF APPLICATION	60
VARIATION TO APPLICATION	65
*EXAMINATION OF OBJECTION	70
COPY OF OBJECTION	60
CERTIFICATE OF PVR	235
ANNUAL RENEWAL FEE	235
REQUEST FOR RE-EXAMINATION (if required)	700
COMPULSORY LICENCE	120
TRANSFER OF RIGHTS	120
ISSUE OF PUBLICATIONS (other than the PV Journal)	60 (per hour)
OTHER WORK RELEVANT TO PVR	60 (per hour)

*The hourly rate will be charged for time in excess of 2 hours required to finalise an objection.

APPENDIX 5

PLANT VARIETY RIGHTS ADVISORY COMMITTEE (PVRAC)

(Members of the PVRAC were appointed in accordance with S45 of the *Plant Variety Rights Act 1987*).

Mrs Kathryn Adams (Chair)
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Professor Donald Marshall
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Cat. No. 88 14767