No. 7600015

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Canners Seed Corporation

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF seventeen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'#5147 Dark Skin Perfection'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington *this* 28th *day of* January *in the year of our Lord one thousand nine hundred and* seventy-seven

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(12-15-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1. VARIETY NAME OR TEMPORARY DESIGNATION #5147 Dark Skin Perfection	2. KIND NAME Processing pea variety for freezing	FOR OFFICIAL USE ONLY PV NUMBER 7600015
3. GENUS AND SPECIES NAME Pisum sativum L.	4. FAMILY NAME *(Botanical)* Leguminosae	FILING DATE 11·13·75 / TIME 12:30 P.M.
	5. DATE OF DETERMINATION October 1, 1960	FEE RECEIVED $ 250.00 / $ 250.00 / $ 250.00 / BALANCE DUE $ — / $ — / $ —
6. NAME OF APPLICANT(S) Canners Seed Corporation	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)* P. O. Box 512 Lewisville, Idaho 83431	8. TELEPHONE AREA CODE AND NUMBER Code 208 754-4519

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)* Corporation	10. STATE OF INCORPORATION Delaware	11. DATE OF INCORPORATION Feb. 14, 1936

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

Paul H. Deniger, President
Canners Seed Corporation
P. O. Box 1874
Idaho Falls, Idaho 83401

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- [X] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [X] 13B. Exhibit B, Botanical Description of the Variety
- [X] 13C. Exhibit C, Objective Description of the Variety
- [X] 13D. Exhibit D, Data Indicative of Novelty
- [X] 13E. Exhibit E, Statement of the Basis of Applicant's Ownership

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? *(See Section 83(a). (If "Yes," answer 14B and 14C below.)* N.A. [ ] YES [ ] NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations? N.A. [ ] YES [ ] NO

14C. If "Yes," to 14B, how many generations of production beyond breeder seed? [ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

The applicant declares that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable.

The undersigned applicant(s) of this sexually-reproduced novel plant variety believes that the variety is distinct, uniform, and stable as required in Section 41 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant is informed that false representation herein can jeopardize protection and result in penalties.

Oct 30 1975 (DATE) — Paul H. Deniger, Pres. (SIGNATURE OF APPLICANT)

(DATE) — (SIGNATURE OF APPLICANT)

00001

7600015

EXHIBIT A
ORIGIN AND BREEDING HISTORY

#5147 Dark Skin Perfection

Cross made in 1951 between Dark Skin Perfection and Early Perfection by Earl J. Renard (Ph. D. Univ. of Wisconsin). Pure line selection made in 1958 after elimination of undesirable types and plants susceptible to root rots. This pure line produced uniform progeny over several years, with no variants which could be identified.

7600015

EXHIBIT B
BOTANICAL DESCRIPTION OF THE VARIETY

#5147 DARK SKIN PERFECTION

Medium large sized, wrinkled seed with green cotyledons. Strong seedlings. Flowering occurs on 14th, 15th, and 16th nodes with concentration on 15th node. Vine averages 30" in length, robust, medium heavy. Leaves medium large and dark green. Pods 3 inches long, well filled, predominantly doubled with slightly tapered apices. Quite similar to other Dark Skin Perfection lines, but exceptionally tolerant of Fusarium root rots.

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and $250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, 6525 Belcrest Road, Hyattsville, Maryland 20782. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Insert the date the applicant determined that he had a new variety based on the definition in Section 41 (a) of the Act and decision is made to increase the seed.

13a First, give the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. Second, give the details of subsequent stages of selection and multiplication. Third, indicate the type and frequency of variants during reproduction and multiplication and state how these variants may be identified. Fourth, provide evidence on stability.

13b First, give any special characteristics of the seed and of the plant as it passes through the seedling stage, flowering stage and the fruiting stage. Second, describe the mature plant and compare it with a similar commercial variety grown under the same conditions, and indicate the differences.

13c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.

13d Provide complete data indicative of novelty. Seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty may be submitted. Seeds submitted may be sterile.

13e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

FORM APPROVED. OMB NO. 40-R3712

FORM GR-470-14
(5-15-74)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

EXHIBIT C
(Pea)

OBJECTIVE DESCRIPTION OF VARIETY

PEA *(PISUM SATIVUM)*

NAME OF APPLICANT(S): Canners Seed Corporation

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*: P. O. Box 512, Lewisville, Idaho 83431

VARIETY NAME OR TEMPORARY DESIGNATION: #5147 Dark Skin Perfection

FOR OFFICIAL USE ONLY

PVPO NUMBER: 7600015

Place the appropriate number that describes the varietal character in the boxes below.
Place a zero in first box (e.g. [0][8][9] or [0][9]) when number is either 99 or less or 9 or less.

1. TYPE:

[1] 1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

[15] Node number of first bloom: [0][6][9] No. of days to processing [1][6][1][0] Heat Units

[0][2] No. of days *Earlier* than . . . [5] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[0][6] No. of days *Later* than . . . . [3] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

[0][7][6] CM. HIGH

[2][5] Cm. *Shorter* than . . . . . [5] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[3][0] Cm. *Taller* than . . . . . [3] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

[1] Habit: 1 = DETERMINATE 2 = INDETERMINATE [3] Stockiness: 1 = SLIM (Alaska) 2 = MEDIUM (Thomas Laxton WR) 3 = HEAVY (Alderman)

[1] Branching: 1 = NONE (Alaska) 2 - 1–2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar

[2] Internodes: 1 = STRAIGHT 2 = ZIG ZAG [2][0] NUMBER OF NODES

5. LEAFLETS:

[3] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman) 4 = OTHER (Specify)

[3] Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 4 = HEAVY [2] 1 = NOT MARBLED 2 = MARBLED (Alaska)

[4] Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

[2] 1 = LACKING 2 = PRESENT [1] 1 = NOT CLASPING 2 = CLASPING

[2] 1 = NOT MARBLED 2 = MARBLED [3] Size (Compared with leaflets): 1 = SMALLER 2 = SAME 3 = LARGER

[2] Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

[1] VENATION [1] STANDARD [1] WING [1] KEEL } 1 = WHITE 2 = GREENISH 3 = LAVENDER 4 = PURPLE 5 = RED 6 = OTHER (Specify) _____

00004

4 of 9

EXHIBIT D
DATA INDICATIVE OF NOVELTY

#5147 Dark Skin Perfection

#5147 Dark Skin Perfection is of the general Dark Skin Perfection freezer pea type, and most closely resembles Perfected Freezer, a standard commercial freezing line. However, the two lines may be distinguished readily on the basis of their respective tolerance of *Fusarium* root rots.

The enclosed data was collected over a period of 15 years in soil very heavily infested with root rot at the Canners Seed Corporation testing grounds, Lewisville, Idaho. The data shows that #5147 Dark Skin Perfection averaged 95.6% plant survival, while the plant survival of #39 Dark Skin Perfection* averaged 92.0%. This 3.6% difference in plant survival is significant at the .01 (99%) level of confidence as measured by the Mann-Whitney U Test.

---

*Canners Seed Corporation trade name for Perfected Freezer.

ADDENUM TO

EXHIBIT D

In addition, plants of #5147 Dark Skin Perfection show a green color, according to the Royal Horticulture Society Color Chart, of Greyed-Green Group 189 Selection A where as Dark Skin Perfection shows a Green Color of Selection A of Greyed-Green Group 191 according to the same Chart.

7600015

8. PODS:

[1] Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)

[3] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____

[1] Surface: 1 = SMOOTH 2 = ROUGH

[1] Surface: 1 = SHINY 2 = DULL

[3] Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____

[08] CM. LENGTH

[16] MM. WIDTH (Between sutures)

[08] NO. SEEDS PER POD

9. SEEDS (95–100 Tenderometer):

[3] Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____

Seive: %	1	2	3	4	5	6	7	8	AVERAGE
	03	03	04	20	36	34	02		499

SEEDS (Dry, Mature):

[2] Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED

[3] Surface: 1 = SMOOTH 2 = DIMPLED 3 = WRINKLED

[2] Surface: 1 = SHINY 2 = DULL

[1] Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED

[4] Primary Color: 1 = CREAMY–WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN 5 = DARK GREEN 6 = BLUE–GREEN 7 = YELLOW 8 = BROWN 9 = RED

[ ] Secondary Color: 10 = GRAY 11 = BLACK

[1] Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK

[1] Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANG

[25] GRAMS PER 100 SEEDS

10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[2]	FUSARIUM WILT	[0]	NEAR–WILT	[0]	DOWNY MILDEW
[0]	ASCOCHYTA BLIGHT	[1]	POWDERY MILDEW	[1]	BACTERIAL BLIGHT
[1]	MOSAIC	[1]	PEA ENATION MOSAIC	[0]	YELLOW BEAN MOSAIC

[2] OTHER (Specify) Fusarium Root Rot

11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[1] APHIDS

[ ] OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	Perfected Freezer	Fresh Seed Color	Perfected Freezer
Leaf Color	Perfected Freezer	Mature Seed Color	Perfected Freezer
Pod Color	Perfected Freezer	Seed Shape	Perfected Freezer
Pod Shape	Perfected Freezer	Plant Habit	Perfected Freezer

COMMENTS:

7310.267

5 of 9

00005

7600015

ADDENDUM TO EXHIBIT D

#5147 Dark Skin Perfection

Fusarium Root Rot Testing
#5147 D.S.P. vs #39 D.S. P.*
1961 - 1975

Year	Percent Survival #5147 D.S.P.	#39 D.S.P.
1961	95	90
1962	100	95
	100	90
	98	93
1963	95	95
	95	90
1964	100	93
1965	100	95
	98	95
1966	95	90
1967	98	95
	98	94
1968	95	92
	95	92
1969	93	93
1970	95	92
1971	95	92
	93	90
1972	91	91
1973	90	90
	95	93
	95	91
1974	95	91
	93	91
	95	91
1975	95	90
	94	91
MEANS -	95.6%	92.0%

*Canners Seed Corporation trade name for Perfected Freezer.

7600015

EXHIBIT E

STATEMENT OF THE BASIS OF APPLICANT"S OWNERSHIP

Canners Seed Corporation, Lewisville, Idaho, is the sole, original, and first breeder of #5147 Dark Skin Perfection variety of freezing peas for which it solicits a certificate of protection.

January 29, 1996

Mr. Hank Mende
Nunhems Seed Corporation
PO Box 18
221 E. Main Street
Lewisville ID 83431

Dear Mr. Mende:

SUBJECT: **Withdrawing Plant Variety Protection for Certificates No:**
7800060, PEA, '#9889 Freezer'
7800061, PEA, '#9901 Canner'
8000064, PEA, '8615 Early Perfection'
8000065, PEA, '9021 Early Perfection'
8900223, PEA, 'Boomer'
8900224, PEA, 'Booster'
8900225, PEA, 'Prairie'

In response to your letter of December 12, 1995, we are declaring the above certificates voluntarily withdrawn as of December 28, 1995. A notice that these certificates are no longer protected under the Plant Variety Protection Act will be published in the Plant Variety Protection Official Journal. **These certificates must be returned to our office.**

The remainder of the certificates listed in your letter have already expired, therefore, they do not need to be withdrawn or returned to our office. They are PV Numbers: 7500090; 7500104; 7600013; 7600015; and 7600016.

If you do not wish to voluntarily withdrawal these varieties, please notify us within 30 days from the date of this letter.

Sincerely,

Marsha A. Stanton, Commissioner
Plant Variety Protection Office
Telephone: (301) 504-5518
Facsimile: (301) 504-5291

MAS/mrm/sep

nunhems

Nunhems Seed Corporation
P.O. Box 18
221 E. Main St.
Lewisville, ID 83431
Phone: 208-754-8666
Fax: 208-754-8669

12 December, 1995

Plant Variety Protection Office
NAL Building Room 500
10301 Baltimore Blvd.
Beltsville, MD 20705-2351

Attention: Marsha Stanton, Ph D

Dear Dr. Stanton:

Please be advised that Nunhems Seed Corporation will be liquidated effective 31 December, 1995.

This being the case; we wish to transfer the follwing PVP registrations to our parent company in Holland. The following is the new assignee:

Nunhems Zaden B.V.
P.O. Box 4005
6080AA Haelen
The Netherlands
Attention: Lex Welles

The varieties to be assigned are as follows:

PVP Registration #	Variety	Kind	Year of Expiration
8200169	77 EP	Pea	2001
9300078	Scepter	Pea	2013
9300079	Captain	Pea	2013
8700051	9000 F	Pea	2005
8900230	Applause	Pea	2010
9300076	Point	Pea	2013
8900222	Ava	Pea	2010
9400082 (Pending)	Targhee	Pea	
7800059	9888 F	Pea	1996
9100213	Modus	Bean	2010
9100212	Fesca	Bean	2010

'95 DEC 28 A9:33
RECEIVED
USDA-AMS-PVPO

Our understanding is that the fee for transfer of ownership is $25.00 per variety. Enclosed please find our check in the amount of $275.00.

Please cancel PVP rights on the following registrations effective 31 December, 1995.

8000065, 7600015, 7500104, 7500090, 8000064, 7800060, 7600013, 7600016, 7800061, 8900224, 8900225, 8900223,

Yours truly,

Hank Mende

Hank Mende
Director of Administration