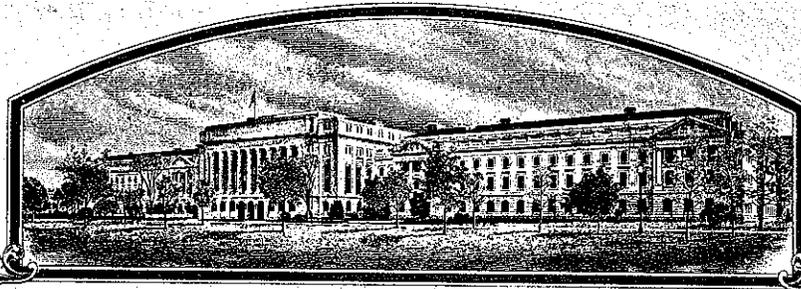


No.



7800059

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 EXHIBIT TO 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 (7 U.S.C. 2321 ET SEQ.)

PEA

'#9888 Freezer'



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 17th day of May in the year of our Lord one thousand nine hundred and seventy-nine

Attest:

[Signature]
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

[Signature]
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
 OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

INSTRUCTIONS: See Reverse.

1a. TEMPORARY DESIGNATION OF VARIETY #9888 Freezer		1b. VARIETY NAME #9888 Freezer		FOR OFFICIAL USE ONLY	
				PV NUMBER 7800059	
2. KIND NAME Processing Pea Variety for Freezing		3. GENUS AND SPECIES NAME Pisum sativum L.		FILING DATE 4-24-78	TIME 9:00 A.M. P.M.
4. FAMILY NAME (BOTANICAL) Leguminosae		5. DATE OF DETERMINATION 1 January 1974		FEE RECEIVED \$ 500.00	DATE 4-24-78
				\$ 250.00	1-25-79
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 18 Lewisville, Idaho 83431		8. TELEPHONE AREA CODE AND NUMBER 208-754-4519	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware		11. DATE OF INCORPORATION 14 Feb. 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 P. O. Box 1874 Canners Seed Corporation Idaho Falls, Idaho 83401					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)

13B. Exhibit B, Novelty Statement.

13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)

13D. Exhibit D, Additional Description of the Variety.

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.) YES NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? YES NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? FOUNDATION REGISTERED CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? YES NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? YES NO (If "Yes," give name of countries and dates.)

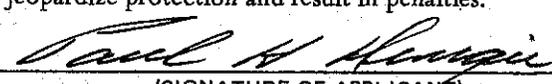
16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? YES NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) 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 Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

22 March 1978
 (DATE)


 (SIGNATURE OF APPLICANT)

22 March 1978
 (DATE)

1
 (SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (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 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

7800059

EXHIBIT A

ORIGIN AND BREEDING HISTORY OF THE VARIETY

#9888 Freezer was selected from a cross made by Paul E. Schultz of Libby, McNeill and Libby in cooperation with Dr. Earl J. Renard of Cannery Seed Corporation. The parents were Sprite by #8615 Early Perfection. Sprite is an early mid-season freezer type pea developed by Asgrow. #8615 Early Perfection is a midseason canning variety having powdery mildew resistance which was developed by Cannery Seed Corp. The progeny of the cross were advanced as a bulk to the F5 generation. During that time extensive selection pressure was exerted for plant type and resistance to Fusarium root rot and Fusarium wilt, Race 1 and 2. A freezer seed type was selected in the F5 generation in 1970. This selection was screened for powdery mildew, Erysiphe polygoni DC. and a resistant line was selected.

7/7

^{Freezer}
#9888_A has been advanced as a bulk from the F6 powdery mildew resistant selection to the present time. It is true breeding with no noticeable off-types and only the usual amount of variability expected in a pure line variety.

^{Freezer}
#9888_A is an early freezer type of medium stature. It has excellent root rot, wilt, and powdery mildew resistance. It is an excellent yielding pea particularly when considering its maturity and relatively small sieve size.

EXHIBIT B

NOVELTY STATEMENT

This variety is a midseason freezer type pea. It most resembles #6060 Freezer and #5147 Darkskin Perfection. However, #9888 Freezer is resistant to powdery mildew (Erysiphe polygoni) while the other two varieties are not.

#9888 Freezer and #5147 Darkskin Perfection are very similar in maturity and both are 4-6 days later than #6060 Freezer.

7/27 Although #9888^{Freezer} and #5147^{Dark Skin Perfection} are similar in plant stature and total node number, #5147^{Dark Skin Perfection} begins flowering several nodes lower than #9888^{Freezer}. In addition, #5147^{Dark Skin Perfection} has slightly larger seed than #9888^{Freezer}. In both 1976 and 1977, Libby, McNeill and Libby conducted yield performance and freezing tests with the two varieties. In both years, #9888^{Freezer} had a distinctly smaller average sieve percentage (in 1977; #5147^{Dark Skin Perfection} = 4.38 versus #9888^{Freezer} = 4.09).

We feel that these varieties are readily distinguished. The resistance to powdery mildew particularly imparts uniqueness to #9888^{Freezer}. The other characters mentioned provide additional criteria for delineating the varieties.

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	VARIETY NAME OR TEMPORARY DESIGNATION # 9888 Freezer
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 18 Lewisville, Idaho 83431	FOR OFFICIAL USE ONLY PVPO NUMBER 7800059

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

1. TYPE:

1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

Node number of first bloom: No. of days to processing Heat Units

No. of days Earlier than 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

No. of days Later than 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

CM. HIGH

Cm. Shorter than } 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

Cm. Taller than } 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

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

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

Internodes: 1 = STRAIGHT 2 = ZIG ZAG NUMBER OF NODES

5. LEAFLETS:

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

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

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

6. STIPULES:

1 = LACKING 2 = PRESENT 1 = NOT CLASPING 2 = CLASPING

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

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

7. FLOWER COLOR:

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

8. PODS:

1 Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED 1 End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)
 2 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____
 2 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) _____
 7 0 CM. LENGTH 1 5 MM. WIDTH (Between sutures) 0 7 NO. SEEDS PER POD

9. SEEDS (95-100 Tenderometer):

2 Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____
 Sieve: % 0 1 0 4 2 0 4 0 3 0 0 5 0 0 0 0 4 0 9 AVERAGE

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
 2 Secondary Color: 10 = GRAY 11 = BLACK
 1 Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK 1 Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE
 2 3 GRAMS PER 100 SEEDS

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

2 FUSARIUM WILT 2 NEAR-WILT 0 DOWNY MILDEW
 0 ASCOCHYTA BLIGHT 2 POWDERY MILDEW 1 BACTERIAL BLIGHT
 0 MOSAIC 0 PEA ENATION MOSAIC 0 YELLOW BEAN MOSAIC
 2 OTHER (Specify) Fusarium Root Rot

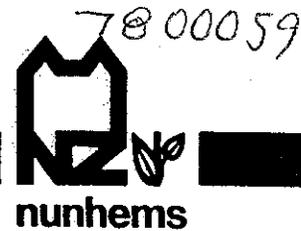
11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

0 APHIDS 0 OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	#8617 Early Perfection	Fresh Seed Color	#39 Darkskin Perf.
Leaf Color	#5147 Darkskin Perf.	Mature Seed Color	#5147 Darkskin Perf.
Pod Color	#5147 Darkskin Perf.	Seed Shape	#8617 Early Perf.
Pod Shape	#8617 Early Perf.	Plant Habit	#8221 Early Perf.

COMMENTS:



12 December, 1995

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

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

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 following 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

RECEIVED
USDA-AMS-PVPD
95 DEC 28 A9:33

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
Director of Administration



United States
Department of
Agriculture

Agricultural
Research
Service

Northern Plains Area
National Seed
Storage Laboratory

1111 South Mason Street
Fort Collins, CO 80521-4500
Telephone: 970 495-3200
Fax: 970 221-1427

February 14, 1997

Marian R. Minnifield, Secretary
Plant Variety Protection Office
NAL Building, Room 500
10301 Baltimore Boulevard
Beltsville, Maryland 20705-2351

Subject: Expired PVPO's; disposition of

1. The following expired PVPO's have been transferred to the NPGS. Our records have been changed accordingly.

Serial Number		PVP Number
101862	01	PVP 7800029
102219	01	PVP 7800010
102675	01	PVP 7800088
102676	01	PVP 7400011
103506	01	PVP 7800084
103507	01	PVP 7900016
103508	01	PVP 7800082
103840	01	PVP 7900017
103842	01	PVP 7900067
104549	01	PVP 7700106
104551	01	PVP 7100046
314988	01	PVP 9500276
101863	01	PVP 7800026
102222	01	PVP 7800078
102226	01	PVP 7800091
101854	01	PVP 7200134
102214	01	PVP 7605014
102216	01	PVP 7900011
102217	01	PVP 7800095
102218	01	PVP 7800093
102220	01	PVP 7800097
102221	01	PVP 7800042

97 FEB 25 10 16

USDA



United States
Department of
Agriculture

Agricultural
Research
Service

Northern Plains Area
National Seed
Storage Laboratory

1111 South Mason Street
Fort Collins, CO 80521-4500
Telephone: 970 495-3200
Fax: 970 221-1427

102673	01	PVP 7800059 ✓ <i>Pea</i>
103502	01	PVP 7800096
103503	01	PVP 7800074
103509	01	PVP 7900044
103510	01	PVP 7900047
103838	01	PVP 7500042
103843	01	PVP 7300101
101859	01	PVP 7200132
102227	01	PVP 7700085
103511	02	PVP 7800028
103839	01	PVP 7900049
103845	01	PVP 7900048
104548	02	PVP 7800057
104550	01	PVP 7800024

97 FEB 25 10 16

USDA

Sincerely,

GENE KEYS