



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Rogers Brothers Seed Company

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 (STATUTE, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'Tempter'



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 26th day of July 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 Canner 68-273		1b. VARIETY NAME TEMPTER		FOR OFFICIAL USE ONLY PV NUMBER 7900048	
2. KIND NAME Garden Pea		3. GENUS AND SPECIES NAME Pisum sativum		FILING DATE 2-22-79	TIME 4:00 P.M.
4. FAMILY NAME (BOTANICAL) Leguminosae		5. DATE OF DETERMINATION Fall 1968		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 2-22-79 5-12-79
6. NAME OF APPLICANT(S) ROGERS BROTHERS SEED COMPANY		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 1647, Idaho Falls, ID 83401		8. TELEPHONE AREA CODE AND NUMBER (208) 522-0143	
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 February 25, 1975	
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: Mr. Charles Green, Administrative Assistant ROGERS BROTHERS SEED COMPANY P. O. Box 1647 - Idaho Falls, ID 83401					
13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:					
<input checked="" type="checkbox"/> 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)					
<input checked="" type="checkbox"/> 13B. Exhibit B, Novelty Statement.					
<input checked="" type="checkbox"/> 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)					
<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO			14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)					
15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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.

February 2, 1979
 (DATE)

Charles Green
 (SIGNATURE OF APPLICANT)
 Charles Green for Rogers Brothers Seed Company

(DATE)

(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.

TEMPTER
(Canner 68-273)

7900048

GARDEN PEA

EXHIBIT A

ORIGIN AND BREEDING HISTORY OF THE VARIETY

TEMPTER, a mid to late season perfection type canning variety was derived from the followin hand pollinated crosses:

NYSAES]		
[PRIDE X BARTONS]	[NYSAES	ROGERS BROTHERS]
ENATION RESISTANT]		[GENEVA #11 X (DARK WASATCH X LINE #312)]

Barton's Enation Resistant and Geneva #11 were releases of the New York State Agricultural Experiment Station. After completing the above crosses, the following series of selectins were made:

YEAR	GENERATION	PLOT NUMBER	HARVESTED
1964	f ₂	641128	3 Single Plant Selections
Winter 1964-65	f ₃	Greenhouse increase	
1965	f ₄	651269	3 Single Plant Selections
1966	f ₅	66735	4 Single Plant Selections
1967	f ₆	67960	2 Single Plant Selections
1968	f ₇	68273	Bulk, plus 2 Single Plant Selections

The two single plant selections harvested from Plot 68273 have both been increased to commercial production volumes and are the source of the original release. In addition, several pure line selections are being increased and evaluated and those that are representative of the cultivar will be reserved to maintain the line. TEMPTER is uniform and stable.

Off-types have consisted of approximately one 13 to 14 node plant per 900 plants.

7900048

TEMPTER
(Canner 68-273)

GARDEN PEA

EXHIBIT B

DATA INDICATIVE OF NOVELTY

TEMPTER

TEMPTER more closely resembles the variety Medalist than any commercially grown variety known to the writer. TEMPTER is approximately two days later maturing than Medalist and TEMPTER is powdery mildew and enation mosaic virus resistant while Medalist is susceptible to both.

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

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782
OBJECTIVE DESCRIPTION OF VARIETY
PEA (*PISUM SATIVUM*)

EXHIBIT C
(Pea)

NAME OF APPLICANT(S) ROGERS BROTHERS SEED COMPANY		VARIETY NAME OR TEMPORARY DESIGNATION TEMPTER (Canner 68-273)
ADDRESS (Street and No. or R. F. D. No., City, State, and ZIP Code) P. O. Box 1647 Idaho Falls, ID 83401		FOR OFFICIAL USE ONLY PVPO NUMBER 7900048

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) 2 = MEDIUM (Thomas Laxton WR) 3 = HEAVY (Alderman)

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)

8. PODS:

1 Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 2 End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)
 3 = CURVED
 2 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman)
 4 = OTHER (Specify) _____
 1 Surface: 1 = SMOOTH 2 = ROUGH 2 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) _____
 0 8 CM. LENGTH 1 2 MM. WIDTH (Between sutures) 0 7 NO. SEEDS PER POD

9. SEEDS (95-100 Tenderometer):

1 Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____
 Seive: % 0 2 0 6 1 6 2 8 3 4 1 2 0 2 0 0 4. 3 0 AVERAGE

SEEDS (Dry, Mature):

1 Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED
 3 Surface: 1 = SMOOTH 2 = DIMPLED 2 Surface: 1 = SHINY 2 = DULL
 3 = WRINKLED
 1 Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED
 3 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
 2 Hilum Floor Color: 1 = WHITE 2 = TAN 1 Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE
 3 = BLACK

1 9 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 2 POWDERY MILDEW 0 BACTERIAL BLIGHT
 0 MOSAIC 2 PEA ENATION MOSAIC 0 YELLOW BEAN MOSAIC
 OTHER (Specify) _____

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

0 APHIDS OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	MEDALIST	Fresh Seed Color	MEDALIST
Leaf Color	MEDALIST	Mature Seed Color	CANJOY
Pod Color	MEDALIST	Seed Shape	MEDALIST
Pod Shape	CANJOY	Plant Habit	MEDALIST

COMMENTS:

TEMPTER
(Canner 68-273)

GARDEN PEA

7900048

EXHIBIT ^D ~~B~~ *HA* 4/5/79

BOTANICAL DESCRIPTION OF THE VARIETY

TEMPTER, is a mid to late season Perfection canner type of 87 days (1,713 heat units) maturity to prime canning stage at Twin Falls, Idaho. This compares to 85 days for Rogers Brothers Medalist and 89 days for Rogers Brothers Canjoy.

TEMPTER has a determinate vine and pod set. The leaves are of moderate size thus resulting in a rather open vine type. Pods are borne primarily in pairs and are concentrated within a 25 to 30 cm section of the vine. The peduncles attaching the pods to the vine are 3 to 4 cm long and are sturdy. The pods are straight, blunt and loose and are typically well filled with from 7 to 9 peas per pod.

Yields have been exceptionally good for TEMPTEP with the 1979 yield being 114% of Medalist and 160% of Canjoy.



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 15 AM '97
USDA



United States
Department of
Agriculture

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Research
Service

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1111 South Mason Street
Fort Collins, CO 80521-4500
Telephone: 970 495-3200
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102673	01 PVP 7800059
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 AM '97
USDA

Sincerely,

Gene Keys

GENE KEYS